



Department of Energy
Washington, DC 20585

106
2

October 23, 2003

MEMORANDUM FOR: Deputy General Counsel
Assistant General Counsel
Field Chief Counsel
General Counsel, National Nuclear Security Administration

FROM: Samuel M. Bradley *Samuel M. Bradley*
Assistant General Counsel
for International and National Security Programs

SUBJECT: Unlawful Intelligence Activities (Fourth Quarter, FY 2003)

Executive Order No. 12863 (copy attached) requires the Department of Energy General Counsel to report to the Intelligence Oversight Board "on a quarterly basis ... concerning intelligence activities that [she has] reason to believe may be unlawful or contrary to Executive Order or Presidential Directive." If you have not already done so, please provide a written response concerning any information of which you are aware that is required to be reported under Executive Order No. 12863 for the period July 1, 2003, through September 31, 2003. Your report is due by November 15, 2003.

If you are not aware of any activity to be reported under the Executive Order, please complete and return the negative response provided with this memorandum.

Please direct your reports to Jacqueline McKissick, Office of International and National Security Programs. Any questions you have on this matter should be directed to John Gurney at (202) 586-8269. Thank you for your attention to this matter.

Attachment(s)

United States Government

Department of Energy

memorandum

Richland Operations Office

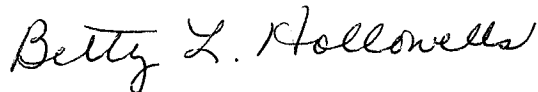
DATE: **NOV 14 2003**

REPLY TO
ATTN OF: OCC:JLD/04-OCC-0021

SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR FOURTH QUARTER FISCAL YEAR 2003

TO: S. M. Bradley
Assistant General Counsel
for International and National
Security Programs, GC-53, HQ

I am unaware of any DOE intelligence activities during the period from August 1, 2003, through September 30, 2003, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive. If you have any questions, please contact me on (509) 376-7311.



Betty L. Hollowell
Chief Counsel

United States Government

Department of Energy

memorandum

Rocky Flats Field Office

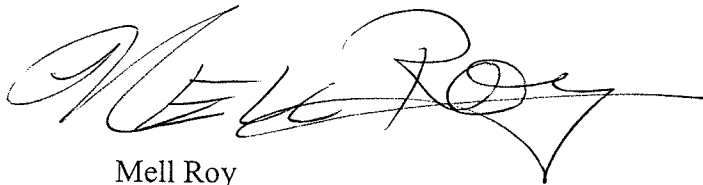
DATE: November 19, 2003

REPLY TO
ATTN OF: OCC:03-1020

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report for First Quarter FY 2003

TO: Samuel M. Bradley
Assistant General Counsel
For International and National Security Programs

I am unaware of any DOE intelligence activities during the period from July 1, 2003 through September 30, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

A handwritten signature in black ink, appearing to read 'Mell Roy', with a stylized flourish at the end.

Mell Roy
Chief Counsel

cc:
Robert Goldsmith, AMSP, RFFO
Jacqueline McKissick, GC-3, HQ

November 13, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Diana M. Cruz, Legal Staff Assistant,
LGLAFRS/OCC/NNSA Service Center

SUBJECT: Executive Order No. 12863 Unlawful Intelligence
Activities Report for Fourth Quarter 2003

"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from August 1, 2003, to September 30, 2003 that may be unlawful or contrary to Executive Order or Presidential Directive. This certification is made in the ordinary course of administrative and contractual oversight to fulfill a reporting requirement only and shall not be deemed evidence of the management, approval or oversight of any intelligence activity by the undersigned or the NNSA Service Center."


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

Fax (202) 586-3055

<p align="center">U.S. DEPARTMENT OF ENERGY TELECOMMUNICATION MESSAGE</p> <hr/> <p>PRECEDENCE DESIGNATION ("X" appropriate box): FOR NORMAL USE EMERGENCY USE ONLY</p> <hr/> <p>ACTION: <input type="checkbox"/> Routine <input type="checkbox"/> Priority <input type="checkbox"/> Immediate <input type="checkbox"/> FLASH INFO: <input type="checkbox"/> (6 Hrs.) <input type="checkbox"/> (3 Hrs.) <input type="checkbox"/> (30 mins) <input type="checkbox"/> (ASAP)</p>	<p>MESSAGE CONTAINS WEAPON DATA? ("X" appropriate box. Message Center will not transmit message unless one box is marked.) <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <hr/> <p>USE WHEN REQUIRED</p> <p>THIS DOCUMENT CONSISTS OF: <u> 1 </u> PAGES PLUS THIS COVER</p>
<p>FROM:</p> <p>Diana M. Cruz, Legal Staff Assistant U.S. Department of Energy Albuquerque Operations Office Office of Chief Counsel P.O. Box 5400 Albuquerque, NM 87185-5400 Phone No: (505) 845-6659 Fax No: (505) 845-6913</p>	<p>TYPE OF MESSAGE: ("X" appropriate box) <input type="checkbox"/> Single Address <input type="checkbox"/> Title Address <input type="checkbox"/> Multiple Address <input type="checkbox"/> Book Message</p> <hr/> <p>OFFICIAL BUSINESS (TIME) <u> A.M./P.M. </u> <hr/><p align="center">(Signature of authorizing official)</p><hr/><p>DATE 11/13/03</p></p>

TO

Jacqueline McKissick Fax (202) 586-3055
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

This message is intended only for the use of the individual to whom it is addressed and may contain information that is privileged, confidential and/or restricted from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or fax and return the original message to the sender at the above address via the U.S. Postal Service. Thank you.

RL-F-1325.6 (02/98)

United States Government

Department of Energy

Richland Operations Office

memorandum

DATE: **NOV 14 2003**

REPLY TO
ATTN OF: OCC:JLD/04-OCC-0021

SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR FOURTH QUARTER FISCAL YEAR 2003

TO: S. M. Bradley
Assistant General Counsel
for International and National
Security Programs, GC-53, HQ

I am unaware of any DOE intelligence activities during the period from August 1, 2003, through September 30, 2003, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive. If you have any questions, please contact me on (509) 376-7311.

Betty L. Hollowell
Betty L. Hollowell
Chief Counsel

United States Government

Department of Energy

memorandum

Oak Ridge Operations Office

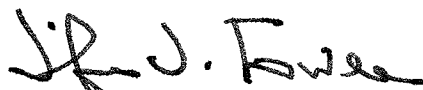
DATE: November 4, 2003

REPLY TO
ATTN OF: CC-10:Boatner

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT FOR FOURTH QUARTER, FY 2003**

TO: Samuel M. Bradley, Assistant General Counsel for International and National Security Programs, GC-53, Headquarters, FORSTL

I am unaware of any DOE intelligence activities during the period from July 1, 2003, to September 30, 2003, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Jennifer J. Fowler
Chief Counsel

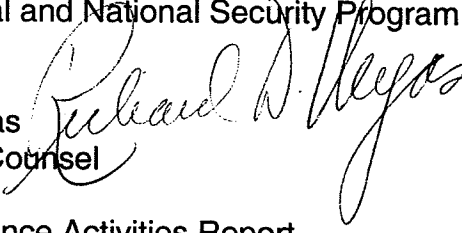


Department of Energy
National Nuclear Security Administration
Service Center



October 28, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
For International and National Security Program

FROM: Richard D. Vergas 
Assistant Chief Counsel

SUBJECT: Unlawful Intelligence Activities Report

This memorandum is in response to the Assistant General Counsel's request of October 23, 2003.

The NNSA Service Center (Oakland) has reviewed its intelligence activities and the intelligence activities of its contractors during the period August 1, 2003 through September 31, 2003 and has no reportable activities. Our negative certification is attached.

Please feel free to contact me at (510) 637-1672 if you have further questions.

Attachment: Negative Report dated October 28, 2003

cc: Jacqueline McKissick, GC w/attachment ✓
Camille Yuan-Soo Hoo, Manager, LSO w/attachment
Steve Minniear, CI w/attachment



Department of Energy

GOLDEN FIELD OFFICE
1617 COLE BOULEVARD
GOLDEN, COLORADO 80401-3393

SUZANNE M. HOFFMAN
PARALEGAL

TELEPHONE
303- 275-4710

FACSIMILE
303- 275-4790

FACSIMILE TRANSMITTAL SHEET

TO: Jacqueline McKissick		
COMPANY: Office of Assistant General Counsel for International and National Security Programs		DATE: 11/4/2003
FAX NUMBER: (202) 586-3055		TOTAL NUMBER OF PAGES INCLUDING COVER PAGE: 2
PHONE NUMBER: (202) 586-3371		
RE: Golden Field Office Unlawful Intelligence Activities Report		

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

This facsimile is intended only for the use of the recipient(s) to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient (or a person responsible for delivering this to the intended recipient), you are hereby notified that any disclosure, distribution or copying of this information is strictly prohibited. If you have received this facsimile in error please notify the Office of Chief Counsel immediately at (303) 275-4710/4738 and return the facsimile to the address shown above via the United States Postal Service. Thank you.

**Department of Energy**

Golden Field Office
1617 Cole Boulevard
Golden, Colorado 80401-3393

MEMORANDUM: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Golden Field Office and Regional Support Offices

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Fourth Quarter 2003

I am unaware of any DOE intelligence activities during the period from August 1, 2003, to September 30, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

A handwritten signature in black ink, appearing to read "John A. Herrick", written over a horizontal line.

John A. Herrick
Chief Counsel

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrester Building

Fax (202) 586-3055



FACSIMILE FROM
OFFICE OF CHIEF COUNSEL

FACSIMILE NO.: 865-576-1071

VERIFICATION NO.: 865-576-1203

URGENT: _____
PRIORITY: _____
ROUTINE: _____

DATE: 11/4/03

TO: Sam Bradley/Jacqueline McKissick TELEPHONE NO.: 202-586-6738

LOCATION: _____

FACSIMILE NO.: 202-586-3055 VERIFICATION NO.: _____

FROM: Jennifer Fowler TELEPHONE NO.: 865-576-1200

THIS TRANSMITTAL CONSISTS OF 1 UNCLASSIFIED PAGE(S), EXCLUDING THIS COVER SHEET.

SPECIAL NOTE TO RECIPIENT:

FOR DOE-OCC USE
VERIFICATION TIME:

UNCLASSIFIED USE ONLY

DOE F 1325.6
(7.97)

United States Government

Department of Energy

memorandum

Oak Ridge Operations Office

DATE: November 4, 2003

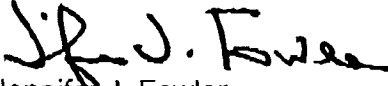
REPLY TO

ATTN OF: CC-10:Boatner

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT FOR FOURTH QUARTER, FY 2003**

TO: Samuel M. Bradley, Assistant General Counsel for International and National Security Programs, GC-53, Headquarters, FORSTL

I am unaware of any DOE intelligence activities during the period from July 1, 2003, to September 30, 2003, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Jennifer J. Fowler
Chief Counsel

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Office of Repository Development (Yucca Mountain)

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Fourth Quarter 2003

I am unaware of any DOE intelligence activities during the period from August 1, 2003, to September 30, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

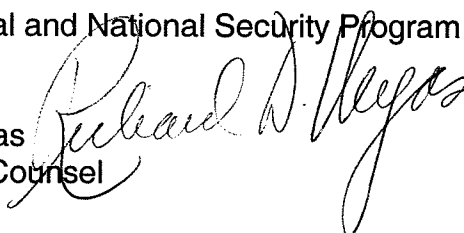


Department of Energy
National Nuclear Security Administration
Service Center



October 28, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
For International and National Security Program

FROM: Richard D. Vergas 
Assistant Chief Counsel

SUBJECT: Unlawful Intelligence Activities Report

This memorandum is in response to the Assistant General Counsel's request of October 23, 2003.

The NNSA Service Center (Oakland) has reviewed its intelligence activities and the intelligence activities of its contractors during the period August 1, 2003 through September 31, 2003 and has no reportable activities. Our negative certification is attached.

Please feel free to contact me at (510) 637-1672 if you have further questions.

Attachment: Negative Report dated October 28, 2003

cc: Jacqueline McKissick, GC w/attachment
Camille Yuan-Soo Hoo, Manager, LSO w/attachment
Steve Minniear, CI w/attachment

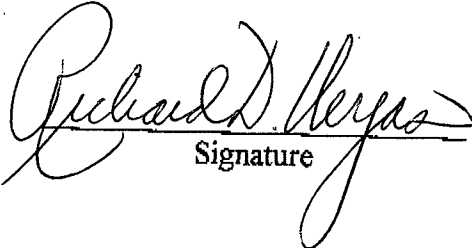
October 28, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Richard D. Vergas, Assistant Chief Counsel

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Fourth Quarter 2003

I am unaware of any DOE intelligence activities during the period from August 1, 2003, to September 30, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

**U.S. DEPARTMENT OF ENERGY
TELECOMMUNICATION MESSAGE**

MESSAGE CONTAINS WEAPON DATA?
("X" appropriate box. Message Center will not transmit
message unless one box is marked.)
YES NO

PRECEDENCE DESIGNATION ("X" appropriate box):
FOR NORMAL USE EMERGENCY USE ONLY

USE WHEN REQUIRED
THIS DOCUMENT CONSISTS OF: 2 PAGES PLUS
THIS COVER

ACTION: Routine (6 Hrs.) Priority (3 Hrs.) Immediate (30 mins) FLASH (ASAP)

FROM:
Stephanie Bogart, Attorney
U.S. Department of Energy
National Nuclear Security Administration
Kansas City Site Office
P.O. Box 410202
Kansas City, MO 64141-0202
Phone: (816) 997-3341
Fax: (816) 997-3718
e-mail: sbogart@kcp.com

TYPE OF MESSAGE:
("X" appropriate box)
 Single Address Title Address
 Multiple Address Book Message

OFFICIAL BUSINESS

(Signature of authorizing official)

DATE: October 31, 2003 TIME: 12:34 PM
Fax #: 202-586-3055

TO: Jacqueline McKissick

**Office of Assistant General Counsel
For International and National Security Programs, GC-53
Room 6A-141, Forrestal Building**

Subject: Unlawful Intelligence Activities (Fourth Quarter, FY 2003)

Pat Currier retired last April and I am the new Site Office Counsel for the Kansas City Site Office. The fax number is the same.

Please let me know if the attached memorandum is sufficient, or if you need my response exactly as provided in the memorandum "Unlawful Intelligence Activities (Fourth Quarter, FY 2003)". Thank you!

This message is intended only for the use of the individual to whom it is addressed and may contain information that is privileged, confidential and/or restricted from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or fax and return the original message to the sender at the above address via the U.S. Postal Service. Thank you.

DOE F 1125.8

United States Government

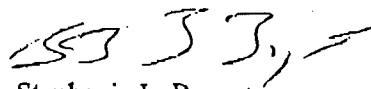
Department of Energy

Memorandum

National Nuclear Security Administration
Kansas City Site Office
Kansas City, Missouri 64141-0202

DATE: October 22, 2003
REPLY TO: OOM:slb ((816) 997-3341)
SUBJECT: **Unlawful Intelligence Activities Report**
TO: C.S. Przybylo, General Counsel

This office has no information indicating that any unlawful intelligence activities have occurred at this site, or at sites under its control during the period of July 1, 2003, through September 30, 2003.



Stephanic L. Bogart
Site Office Counsel

Attachment: Executive Order No. 12863 - Unlawful Intelligence Activities

cc:
D. MacKinlay
S. Taylor

DOE F 1325.4

United States Government

Department of Energy

Memorandum

NNSA
Kansas City Site Office
Kansas City, Missouri 64141-0202

DATE: October 15, 2003
REPLY TO: OSS:dsm (X-2749)
SUBJECT: **Executive Order No. 12863 - Unlawful Intelligence Activities**
TO: Steven C. Taylor, Acting Manager, KCSO

Executive Order No. 12863 requires the Department of Energy General Counsel and the Office of the Inspector General to report to the Intelligence Oversight Board "on a quarterly basis...concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive."

As required, the Kansas City Site Office (KCSO) reviews current security and intelligence information, both through local files and through contact with the Senior Counterintelligence Officer (SCIO) for the site Management and Operating (M&O) contractor.

As of the most recent review, this office has no information indicating that any unlawful intelligence activities have occurred at this site, or at sites under its control during the period of July 1, 2003, through September 30, 2003.

Original Signed By
Douglas S. MacKinlay
Douglas S. MacKinlay
Security Director

cc:
Stephanie L. Bogart, Counsel
James Pugh, OIG, FOR, Rm 5B-250
Patrick T. Hoopes, Asst. Mgr, OSS



Department of Energy
National Nuclear Security Administration
Oakland Service Center
Office of Chief Counsel
1301 Clay Street; Suite 700N
Oakland, California 94612
Office: 510-637-1664
FAX: 510-637-2014



This FAX does not contain UCNI or Classified Information

To : Jaqueline McKissick, HQ-GE-3
(202) 586-3055

Date: 10/29/03

From: Richard D. Vargas

Ofc Phone: (510) 637-1672

Page 1 of 3 pages

MESSAGE:



Department of Energy
National Nuclear Security Administration
Service Center



October 28, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
For International and National Security Program

FROM: Richard D. Vergas *Richard D. Vergas*
Assistant Chief Counsel

SUBJECT: Unlawful Intelligence Activities Report

This memorandum is in response to the Assistant General Counsel's request of October 23, 2003.

The NNSA Service Center (Oakland) has reviewed its intelligence activities and the intelligence activities of its contractors during the period August 1, 2003 through September 31, 2003 and has no reportable activities. Our negative certification is attached.

Please feel free to contact me at (510) 637-1672 if you have further questions.

Attachment: Negative Report dated October 28, 2003

cc: Jacqueline McKissick, GC w/attachment
Camille Yuan-Soo Hoo, Manager, LSO w/attachment
Steve Minniear, CI w/attachment

Albuquerque Office
P.O. Box 5400
Albuquerque, NM 87185-5400

Germantown Office
Germantown Building - USDOE
1000 Independence Avenue, SW
Washington, DC 20585-1290

Nevada Office
P.O. Box 98518
Las Vegas, NV 89193-8518

Oakland Office
1301 Clay Street, Suite N-700
Oakland, CA 94612-5208

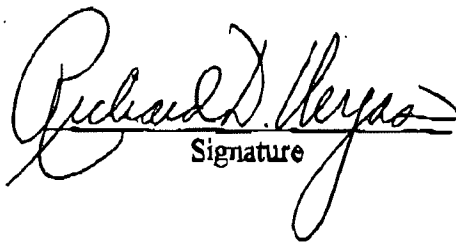
October 28, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Richard D. Vergas, Assistant Chief Counsel

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Fourth Quarter 2003

I am unaware of any DOE intelligence activities during the period from August 1, 2003, to September 30, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

**Department of Energy**

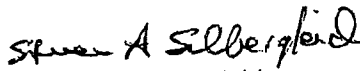
Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

October 28, 2003

Samuel M. Bradley
Assistant General Counsel for
International and National Security Programs, HQ
GC-53 FORS

SUBJECT: EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR THE PERIOD JULY 1, 2003 THROUGH SEPTEMBER 30, 2003

I am unaware of any DOE intelligence activities during the period from July 1, 2003 to September 30, 2003, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

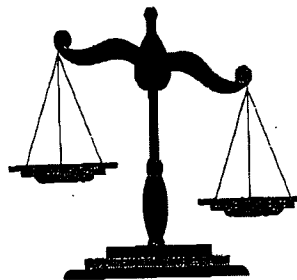

Steven A. Silbergleid
Chief Counsel

cc: Marvin E. Gunn, Jr., OM



UNCLASSIFIED

DEPARTMENT OF ENERGY
Chicago Operations Office
9800 S. Cass Avenue
Argonne, Illinois 60439



OFFICE OF CHIEF COUNSEL

CONFIDENTIALITY NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via regular postal service.

Number of pages including cover sheet:

2

DATE: 10-28-03

TO: Jacqueline McKissick

FAX: 202-586-3055
FAX: _____
FAX: _____
FAX: _____

FROM: Steven A. Silbergleid
Chief Counsel
Jackie Staudt, Secretary

PHONE: 630-252-2270
FAX: 630-252-2183
PHONE: 630-252-2031

Message:

memorandum

Idaho Operations Office

Date: October 27, 2003

Subject: Executive Order No. 12863 Unlawful Intelligence Activities Report for Fourth Quarter FY 2003
(OCC-03-085)

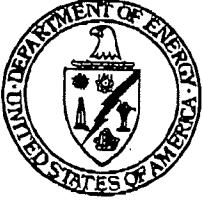
To: Samuel M. Bradley
Assistant General Counsel
For International and National Security Programs
GC-53, 6A-141/FORS

(VIA FACSIMILE to Jacqueline McKissick, (202) 586-3055)

I am unaware of any DOE intelligence activities during the period from July 1, 2003 to September 30, 2003, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Eva M. Auman, Counsel
Office of Chief Counsel



**U. S. Department of Energy
Idaho Operations Office
OFFICE OF CHIEF COUNSEL
Facsimile Transmittal Request**

**PLEASE
REMOVE ANY
STAPLES**

Date: October 27, 2003

TO: Jacqueline McKissick

Organization/Location: GC-53

Phone Number: (202) 586-3371

FAX Number: (202) 586-3055

FROM: Lisa Cripps

Organization/Location: DOE-ID, OCC

Phone Number: (208) 526-0276

FAX Number: (208) 526-7632

Comments:

This transmittal consists of 1 pages excluding cover sheet.

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM:

Thomas J. Russial
Chief Counsel, NETL

SUBJECT:

Executive Order No. 12863 Unlawful Intelligence Activities Report
for Fourth Quarter 2003

I am unaware of any DOE intelligence activities during the period from August 1, 2003, to September 30, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

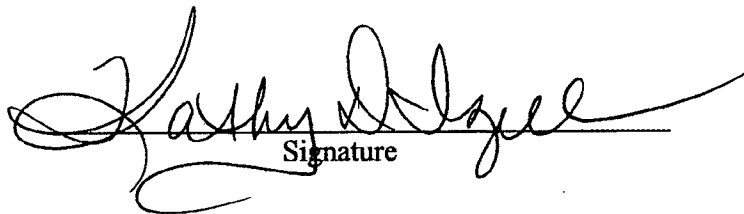
Fax (202) 586-3055

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
For International and National Security Programs

FROM: Kathy D. Izell, Chief Counsel, NNSA Nevada Site Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
For Fourth Quarter, FY 2003

I am unaware of any DOE intelligence activities during the period from August 1, 2003, to September 30, 2003, that I have reason to believe any unlawful or contrary to Executive Order or Presidential Directive.


Signature

cc:
Charles S. Przybylek, NNSA/HQ
David S. Joans, NNSA/HQ

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
For International and National Security Programs, GC-3
Room 61-141, Forrestal Building

Fax (202) 586-3055

October 23, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: SCHENECTADY NAVAL REACTORS OFFICE

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Fourth Quarter 2003

I am unaware of any DOE intelligence activities during the period from August 1, 2003, to September 30, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Signature

Henry J. Van Dyke
Chief Counsel, SNR

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055




Department of Energy
National Nuclear Security Administration
Washington, DC 20585



OCT 22 2003

MEMORANDUM FOR Gregory H. Friedman
Inspector General

Tyler Przybylek
NNSA General Counsel

FROM: Michael C. Kane 
Associate Administrator for
Management and Administration

SUBJECT: Report to the Intelligence Oversight Board
4th Quarter, FY 2003

The Office of the Associate Administrator for Management and Administration, on behalf of the Headquarters element for the National Nuclear Security Administration (NNSA), is unaware of any intelligence activities conducted by this organization during the period from July 1, 2003, through September 30, 2003, that may be unlawful or contrary to Executive Order, Presidential Directive, or Department of Energy guidelines or implementing procedures.

Should you have any questions, please contact Richard Speidel, of my staff, 202-586-5009, for assistance.

cc: John Russack, Director, Office of Intelligence, IN-1
Lee S. Liberman Otis, General Counsel, GC-1



**United States Department of Energy
Office of the General Counsel
International and National Security Programs (GC-53)**

FACSIMILE TRANSMISSION FORM

Facsimile from: Samuel M. Bradley
Forrestal Building, Room 6A-141
1000 Independence Avenue, SW
Washington, DC 20585

Telephone: (202) 586-6738
Facsimile: (202) 586-3055

To: James W. Pugh, IG-42

Facsimile number(s) 6-4902

Date: 11-18-03

Pages: 2 (including cover page)

Message:

This was sent several times unsuccessfully on 6-4902. After speaking to someone in the office the fax was sent to 6-4957. Picked up and delivered to James.

This facsimile is intended only for the use of the recipient(s) to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient (or a person responsible for delivering this to the intended recipient), you are hereby notified that any disclosure, distribution or copying of this information is strictly prohibited. If you have received this facsimile in error, please notify Sam Bradley immediately at (202) 586-6738 and return the facsimile to the address shown above via the United States Postal Service. Thank you.

*James
11/18/03
4:30 pm
J. J. J.*

or Fax

Today: send/copy of my outgoing memo to:

James W. Pugh

IG-42

5B-250

FAX # 6-4902

Future: FAX Mr. Pugh copy of:

- (a) my outgoing memo to distribution
- (b) Lee Otis' memo to IAB

~~Give me~~

FAX the NSA/GC copy to:
David Jones 6-8514

107 12

Presidential Documents

Title 3—

Executive Order 12863 of September 13, 1993

The President

President's Foreign Intelligence Advisory Board

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to enhance the security of the United States by improving the quality and effectiveness of intelligence available to the United States, and to assure the legality of activities of the Intelligence Community, it is ordered as follows:

PART I. ASSESSMENT OF INTELLIGENCE ACTIVITIES

Section 1.1. There is hereby established within the White House Office, Executive Office of the President, the President's Foreign Intelligence Advisory Board (PFIAB). The PFIAB shall consist of not more than 16 members, who shall serve at the pleasure of the President and shall be appointed by the President from among trustworthy and distinguished citizens outside the Government who are qualified on the basis of achievement, experience and independence. The President shall establish the terms of the members upon their appointment. To the extent practicable, one-third of the PFIAB at any one time shall be comprised of members whose term of service does not exceed 2 years. The President shall designate a Chairman and Vice Chairman from among the members. The PFIAB shall utilize full-time staff and consultants as authorized by the President. Such staff shall be headed by an Executive Director, appointed by the President.

Sec. 1.2. The PFIAB shall assess the quality, quantity, and adequacy of intelligence collection, of analysis and estimates, and of counterintelligence and other intelligence activities. The PFIAB shall have the authority to review continually the performance of all agencies of the Federal Government that are engaged in the collection, evaluation, or production of intelligence or the execution of intelligence policy. The PFIAB shall further be authorized to assess the adequacy of management, personnel and organization in the intelligence agencies. The heads of departments and agencies of the Federal Government, to the extent permitted by law, shall provide the PFIAB with access to all information that the PFIAB deems necessary to carry out its responsibilities.

Sec. 1.3. The PFIAB shall report directly to the President and advise him concerning the objectives, conduct, management and coordination of the various activities of the agencies of the Intelligence Community. The PFIAB shall report periodically, but at least semiannually, concerning its findings and appraisals and shall make appropriate recommendations for the improvement and enhancement of the intelligence efforts of the United States.

Sec. 1.4. The PFIAB shall consider and recommend appropriate action with respect to matters, identified to the PFIAB by the Director of Central Intelligence, the Central Intelligence Agency, or other Government agencies engaged in intelligence or related activities, in which the advice of the PFIAB will further the effectiveness of the national intelligence effort. With respect to matters deemed appropriate by the President, the PFIAB shall advise and make recommendations to the Director of Central Intelligence, the Central Intelligence Agency, and other Government agencies engaged in intelligence and related activities, concerning ways to achieve increased effectiveness in meeting national intelligence needs.

PART II. OVERSIGHT OF INTELLIGENCE ACTIVITIES

Sec. 2.1. The Intelligence Oversight Board (IOB) is hereby established as a standing committee of the PFIAB. The IOB shall consist of no more than four members appointed from among the membership of the PFIAB by the Chairman of the PFIAB. The Chairman of the IOB shall be appointed by the Chairman of the PFIAB. The Chairman of the PFIAB may also serve as the Chairman of the IOB. The IOB shall utilize such full-time staff and consultants as authorized by the Chairman of the PFIAB.

Sec. 2.2. The IOB shall:

(a) prepare for the President reports of intelligence activities that the IOB believes may be unlawful or contrary to Executive order or Presidential directive;

(b) forward to the Attorney General reports received concerning intelligence activities that the IOB believes may be unlawful or contrary to Executive order or Presidential directive;

(c) review the internal guidelines of each agency within the Intelligence Community that concern the lawfulness of intelligence activities;

(d) review the practices and procedures of the Inspectors General and General Counsel of the Intelligence Community for discovering and reporting intelligence activities that may be unlawful or contrary to Executive order or Presidential directive; and

(e) conduct such investigations as the IOB deems necessary to carry out its functions under this order.

Sec. 2.3. The IOB shall, when required by this order, report to the President through the Chairman of the PFIAB. The IOB shall consider and take appropriate action with respect to matters identified by the Director of Central Intelligence, the Central Intelligence Agency or other agencies of the Intelligence Community. With respect to matters deemed appropriate by the President, the IOB shall advise and make appropriate recommendations to the Director of Central Intelligence, the Central Intelligence Agency and other agencies of the Intelligence Community.

Sec. 2.4. The heads of departments and agencies of the Intelligence Community, to the extent permitted by law, shall provide the IOB with all information that the IOB deems necessary to carry out its responsibilities. Inspectors General and General Counsel of the Intelligence Community, to the extent permitted by law, shall report to the IOB, at least on a quarterly basis and from time to time as necessary or appropriate, concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive.

PART III. GENERAL PROVISIONS

Sec. 3.1. Information made available to the PFIAB, or members of the PFIAB acting in their IOB capacity, shall be given all necessary security protection in accordance with applicable laws and regulations. Each member of the PFIAB, each member of the PFIAB's staff and each of the PFIAB's consultants shall execute an agreement never to reveal any classified information obtained by virtue of his or her services with the PFIAB except to the President or to such persons as the President may designate.

Sec. 3.2. Members of the PFIAB shall serve without compensation but may receive transportation expenses and per diem allowance as authorized by law. Staff and consultants to the PFIAB shall receive pay and allowances as authorized by the President.

Sec. 3.3. Executive Order No. 12334 of December 4, 1981, as amended, and Executive Order No. 12537 of October 28, 1985, as amended, are revoked.

William J. Clinton

THE WHITE HOUSE,
September 13, 1993.

[FR Citation 58 FR 48441]


108 (P)



Department of Energy
Washington, DC 20585

July 7, 2003

MEMORANDUM FOR: Deputy General Counsel
Assistant General Counsel
Field Chief Counsel

FROM: Samuel M. Bradley 
Assistant General Counsel
for International and National Security Programs

SUBJECT: Unlawful Intelligence Activities (Third Quarter, FY 2003)

Executive Order No. 12863 (copy attached) requires the Department of Energy General Counsel to report to the Intelligence Oversight Board "on a quarterly basis ... concerning intelligence activities that [she has] reason to believe may be unlawful or contrary to Executive Order or Presidential Directive." If you have not already done so, please provide a written response concerning any information of which you are aware that is required to be reported under Executive Order No. 12863 for the period April 1, 2003, through June 30, 2003. Your report is due by August 15, 2003.

If you are not aware of any activity to be reported under the Executive Order, please complete and return the negative response provided with this memorandum.

Please direct your reports to Jacqueline McKissick, Office of International and National Security Programs. Any questions you have on this matter should be directed to John Gurney at (202) 586-8269. Thank you for your attention to this matter.

Attachment(s)





Department of Energy
Washington, DC 20585

June 10, 2003

109 (R)

The Honorable Warren B. Rudman
Acting Chairman
Intelligence Oversight Board
The White House
Room 340, Old Executive Office Building
Washington, D.C. 20500

Dear Chairman Rudman:

This letter is my report pursuant to Executive Order No. 12863, entitled "President's Foreign Intelligence Advisory Board."

Based on reports from the Department's Deputy and Assistant General Counsel and Field Counsel, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period January 1, 2003, through March 31, 2003.

I understand that, in accordance with a December 11, 1992, memorandum from the Intelligence Oversight Board, the Board intends to exercise control over all copies of this report, including copies maintained in agency files, and does not consider this report to be an agency record.

If this office can provide further assistance, please contact me at (202) 586-5281.

Sincerely,

Lee Liberman Otis
General Counsel





Department of Energy
Washington, DC 20585

110 12

October 6, 2003

General Brent Scowcroft
Chairman
Intelligence Oversight Board
The White House
Room 494, Eisenhower Executive Office Building
Washington, D.C. 20502

Dear Chairman Scowcroft:

This letter is my report pursuant to Executive Order No. 12863, entitled "President's Foreign Intelligence Advisory Board."

Based on reports from the Department's Deputy and Assistant General Counsel and Field Counsel, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period April 1, 2003, through June 30, 2003.

I understand that, in accordance with a December 11, 1992, memorandum from the Intelligence Oversight Board, the Board intends to exercise control over all copies of this report, including copies maintained in agency files, and does not consider this report to be an agency record.

If this office can provide further assistance, please contact me at (202) 586-5281.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lee Liberman Otis".

Lee Liberman Otis
General Counsel





Department of Energy

Washington, DC 20585

September 24, 2003

MEMORANDUM FOR: Lee Liberman Otis
General Counsel

THRU: Elizabeth A. Kessler *EAK*
Deputy General Counsel for Environment and
Nuclear Programs

FROM: Samuel M. Bradley *SMB*
Assistant General Counsel for International and National Security
Programs

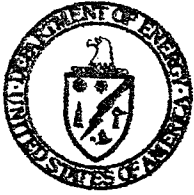
SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period April 1, 2003, through June 30, 2003. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, and Field Counsel, I am not aware of any Department of Energy intelligence activities, including activities performed for other agencies, that are, or may have been, unlawful or contrary to Executive Order or Presidential Directive that occurred during this period.

The IOB requires submission of this report by September 30, 2003, the end of the quarter following the quarter the report covers. Also attached is a copy of your letter to the IOB for the prior quarter.

Attachments





Department of Energy
Washington, DC 20585

June 10, 2003

The Honorable Warren B. Rudman
Acting Chairman
Intelligence Oversight Board
The White House
Room 340, Old Executive Office Building
Washington, D.C. 20500

Dear Chairman Rudman:

This letter is my report pursuant to Executive Order No. 12863, entitled "President's Foreign Intelligence Advisory Board."

Based on reports from the Department's Deputy and Assistant General Counsel and Field Counsel, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period January 1, 2003, through March 31, 2003.

I understand that, in accordance with a December 11, 1992, memorandum from the Intelligence Oversight Board, the Board intends to exercise control over all copies of this report, including copies maintained in agency files, and does not consider this report to be an agency record.

If this office can provide further assistance, please contact me at (202) 586-5281.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Liberman Otis".

Lee Liberman Otis
General Counsel





Department of Energy
Washington, DC 20585

110 12

September 24, 2003

MEMORANDUM FOR: Lee Liberman Otis
General Counsel

THRU: Elizabeth A. Kessler *EAK*
Deputy General Counsel for Environment and
Nuclear Programs

FROM: Samuel M. Bradley *SMB*
Assistant General Counsel for International and National Security
Programs

SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period April 1, 2003, through June 30, 2003. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, and Field Counsel, I am not aware of any Department of Energy intelligence activities, including activities performed for other agencies, that are, or may have been, unlawful or contrary to Executive Order or Presidential Directive that occurred during this period.

The IOB requires submission of this report by September 30, 2003, the end of the quarter following the quarter the report covers. Also attached is a copy of your letter to the IOB for the prior quarter.

Attachments





112 2

Department of Energy
Washington, DC 20585

October 6, 2003

General Brent Scowcroft
Chairman
Intelligence Oversight Board
The White House
Room 494, Eisenhower Executive Office Building
Washington, D.C. 20502

Dear Chairman Scowcroft:

This letter is my report pursuant to Executive Order No. 12863, entitled "President's Foreign Intelligence Advisory Board."

Based on reports from the Department's Deputy and Assistant General Counsel and Field Counsel, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period April 1, 2003, through June 30, 2003.

I understand that, in accordance with a December 11, 1992, memorandum from the Intelligence Oversight Board, the Board intends to exercise control over all copies of this report, including copies maintained in agency files, and does not consider this report to be an agency record.

If this office can provide further assistance, please contact me at (202) 586-5281.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lee Liberman Otis".

Lee Liberman Otis
General Counsel





Department of Energy
Washington, DC 20585

September 24, 2003

MEMORANDUM FOR: Lee Liberman Otis
General Counsel

THRU: Elizabeth A. Kessler *EAK*
Deputy General Counsel for Environment and
Nuclear Programs

FROM: Samuel M. Bradley *SMB*
Assistant General Counsel for International and National Security
Programs

SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period April 1, 2003, through June 30, 2003. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, and Field Counsel, I am not aware of any Department of Energy intelligence activities, including activities performed for other agencies, that are, or may have been, unlawful or contrary to Executive Order or Presidential Directive that occurred during this period.

The IOB requires submission of this report by September 30, 2003, the end of the quarter following the quarter the report covers. Also attached is a copy of your letter to the IOB for the prior quarter.

Attachments





Department of Energy

Washington, DC 20585

113 2

November 19, 2003

General Brent Scowcroft
Chairman
Intelligence Oversight Board
Room 494, Eisenhower Executive Office Building
The White House
Washington, D.C. 20502

Dear General Scowcroft:

Executive Order 12863, "President's Foreign Intelligence Advisory Board," requires the Inspector General to report on a quarterly basis to the Intelligence Oversight Board concerning intelligence activities at the Department of Energy and the National Nuclear Security Administration. For the Fourth Quarter, Fiscal Year 2003, July 1, 2003, through September 30, 2003, no Department of Energy or National Nuclear Security Administration intelligence activity has come to my attention that I have reason to believe was unlawful or contrary to Executive order or Presidential directive.

Pursuant to guidance previously provided by the President's Intelligence Oversight Board, this report is not considered an agency record and is the property of the Board. This report is not to be disseminated without the Board's consent.

Please contact me if we can provide any further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Gregory H. Friedman".

Gregory H. Friedman
Inspector General



Sam

bcc: General Counsel

(19) (K)

1-16-03

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: J.S. Carey, Jr., Chief Counsel, Pittsburgh Naval Reactors Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

Please note - new fax no. for my office is 412-476-7675. Thank you.

OPTIONAL FORM 99 (7-99)

FAX TRANSMITTAL

of pages **1**

To <u>Jacqueline McKissick</u>	From <u>J.S. Carey Jr</u>
Dept./Agency <u>DOE GC-3</u>	Phone # <u>412-476-7202</u>
Fax # <u>202-586-3055</u>	Fax # <u>412-476-7675</u>

United States Government

Department of Energy

memorandum

Oak Ridge Operations Office



DATE: February 7, 2003

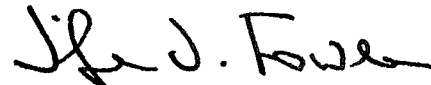
REPLY TO

ATTN OF: CC-10:Thress

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT FOR FIRST QUARTER, FY 2003**

TO: Samuel M. Bradley, Assistant General Counsel for International and National Security Programs, GC-53, Headquarters, FORSTL

I am unaware of any DOE intelligence activities during the period from October 1, 2002 to December 31, 2002, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Jennifer J. Fowler
Chief Counsel

116 12

<p>U.S. DEPARTMENT OF ENERGY TELECOMMUNICATION MESSAGE</p>		<p>MESSAGE CONTAINS WEAPON DATA? ("X" appropriate box. Message Center will not transmit message unless one box is marked.) <input type="checkbox"/> YES <input type="checkbox"/> NO</p>	
<p>PRECEDENCE DESIGNATION ("X" appropriate box): FOR NORMAL USE EMERGENCY USE ONLY</p>		<p>USE WHEN REQUIRED</p>	
<p>ACTION: <input type="checkbox"/> Routine <input type="checkbox"/> Priority <input type="checkbox"/> Immediate <input type="checkbox"/> FLASH INFO: <input type="checkbox"/> (6 Hrs.) <input type="checkbox"/> (3 Hrs.) <input type="checkbox"/> (30 mins) <input type="checkbox"/> (ASAP)</p>		<p>THIS DOCUMENT CONSISTS OF: <u>1</u> PAGES PLUS THIS COVER</p>	
<p>FROM: Diana M. Cruz, Legal Staff Assistant U.S. Department of Energy Albuquerque Operations Office Office of Chief Counsel P.O. Box 5400 Albuquerque, NM 87185-5400 Phone No: (505) 845-6659 Fax No: (505) 845-6913</p>		<p>TYPE OF MESSAGE: ("X" appropriate box) <input type="checkbox"/> Single Address <input type="checkbox"/> Title Address <input type="checkbox"/> Multiple Address <input type="checkbox"/> Book Message</p>	
		<p>OFFICIAL BUSINESS (TIME)</p>	
		<p>_____ A.M./P.M.</p>	
		<p>(Signature of authorizing official)</p>	
		<p>DATE 02/13/03</p>	

TO

Jacqueline McKissick (202) 586-3055
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

This message is intended only for the use of the individual to whom it is addressed and may contain information that is privileged, confidential and/or restricted from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or fax and return the original message to the sender at the above address via the U.S. Postal Service. Thank you.

February 13, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Diana M. Cruz, Legal Staff Assistant,
LGLAFRS/OCC/NNSA Service Center

SUBJECT: Executive Order No. 12863 Unlawful Intelligence
Activities Report for First Quarter 2003

"To the best of my knowledge, information and belief, I am unaware of any NNSA intelligence activities during the period from October 1, 2002 to December 31, 2002 that may be unlawful or contrary to Executive Order or Presidential Directive. This certification is made in the ordinary course of administrative and contractual oversight to fulfill a reporting requirement only and shall not be deemed evidence of the management, approval or oversight of any intelligence activity by the undersigned or the NNSA Service Center."


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

Fax (202) 586-3055

United States Government

Department of Energy

memorandum

Rocky Flats Field Office



DATE: February 4, 2003

REPLY TO:
ATTN OF: OCC:MR 03-0206

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report for First Quarter FY 2003

TO: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

I am unaware of any DOE intelligence activities during the period from October 1, 2002, through December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Handwritten signature of Mell Roy.

Mell Roy
Chief Counsel

cc:
Robert Goldsmith, AMSP, RFFO
Jacqueline McKissick, GC-3, HQ

Attachment

118 (2)

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Lucy M. Knowles, Acting Chief Counsel

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

119 0

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: THOMAS J. RUSSIAL, CHIEF COUNSEL, NETL

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

United States Government

Department of Energy
Richland Operations Office

memorandum

JAN 16 2003

120 R

DATE:
REPLY TO
ATTN OF: OCC:JLD/03-OCC-0055
SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR FIRST QUARTER FISCAL YEAR 2003

TO: S. M. Bradley
Assistant General Counsel
for International and National
Security Programs, GC-53, HQ

I am unaware of any DOE intelligence activities during the period from October 1, 2002 through December 31, 2002, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive. If you have any questions, please contact me on (509) 376-7311.

Betty L. Hollowell
Betty L. Hollowell
Chief Counsel



Department of Energy

Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

(121) (2)

January 13, 2003

Samuel M. Bradley
Assistant General Counsel for
International and National Security Programs, HQ
GC-53 FORS

SUBJECT: EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR THE PERIOD OCTOBER 1, 2002 THROUGH DECEMBER 30,
2002

I am unaware of any DOE intelligence activities during the period from October 1, 2002 to December 31, 2002, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Steven A. Silbergleid
Chief Counsel

cc: Marvin E. Gunn, Jr., OM



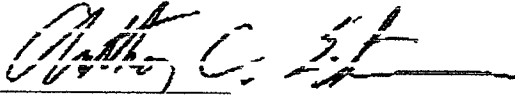
122
①

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: *Anthony C. Witreim*
Chief Counsel, DOE Ohio Field Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to
December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order
or Presidential Directive.


Signature

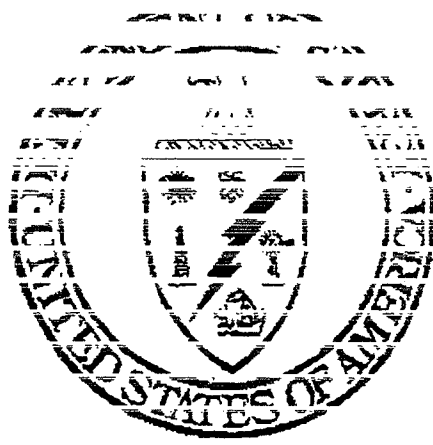
Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

1231

**MASSACHUSETTS
OFFICE OF CHIEF COUNSEL
OHIO FIELD OFFICE
(937) 865-3417**



To: Jacqueline McKissick

From: Judy Kuentle

Fax: (202) 686-3055

Pages: 2 (including tax cover sheet)

Phone:

Date: 01/13/03

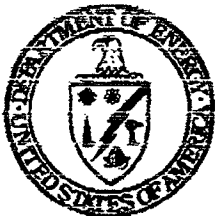
CC:

Fax:

- Urgent For Review Please Comment Please Reply

Comments:

Unlawful Intelligence Activities Report for First Quarter 2003 - Ohio Field Office.



Department of Energy

GOLDEN FIELD OFFICE
 1617 COLE BOULEVARD
 GOLDEN, COLORADO 80401-3393

REBECCA S. HASSE
 PARALEGAL

TELEPHONE
 303-275-4710

FACSIMILE
 303-275-4790

124 (circled)

FACSIMILE TRANSMITTAL SHEET

TO: Jacqueline McKissick		
COMPANY: Office of International and National Security Programs		DATE: 1/13/2003
FAX NUMBER: (202) 586-3055		TOTAL NUMBER OF PAGES INCLUDING COVER PAGE: 2
PHONE NUMBER: (202) 586-3371		
RE: Golden Field Office Unlawful Intelligence Activities Report		

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

This facsimile is intended only for the use of the recipient(s) to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient (or a person responsible for delivering this to the intended recipient), you are hereby notified that any disclosure, distribution or copying of this information is strictly prohibited. If you have received this facsimile in error please notify the Office of Chief Counsel immediately at (303) 275-4710/4738 and return the facsimile to the address shown above via the United States Postal Service. Thank you.

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Golden Field Office and Regional Support Offices

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055



U. S. Department of Energy
Idaho Operations Office
OFFICE OF CHIEF COUNSEL
Facsimile Transmittal Request

175
12

PLEASE
REMOVE ANY
STAPLES

Date: January 13, 2003

TO: Jacqueline McKissick

Organization/Location: GC-53

Phone Number: (202) 586-3371

FAX Number: (202) 586-3055

FROM: Lisa Cripps

Organization/Location: DOE-ID, OCC

Phone Number: (208) 526-0276

FAX Number: (208) 526-7632

Comments:

This transmittal consists of 1 pages excluding cover sheet.

memorandum

Idaho Operations Office

Date: January 13, 2003

Subject: Executive Order No.12863 Unlawful Intelligence Activities Report for First Quarter FY 2003
OCC-03-008

To: Samuel M. Bradley
Assistant General Counsel
For International and National Security Programs
GC-53, 6A-141/FORS

(VIA FACSIMILE to Jacqueline McKissick, (202) 586-3055)

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Eva M. Auman, Counsel
Office of Chief Counsel



MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: SPRPMO-NEW ORLEANS, LA

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

127
2

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs
FROM: Chief Counsel, Office of Repository Development

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

128
2

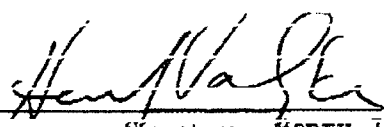
January 13, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: SCHENECTADY NAVAL REACTORS OFFICE

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature Henry J. Van Dyke
Chief Counsel, SNR

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

129 2

UNCLASSIFIED FAX MESSAGE

NNSA - Oakland Service Center
1301 Clay Street, Room 700N
Oakland, CA 94612-5208



General Law Division

DATE: January 14, 2003

TO: Samuel Bradley GC-53, Jacqueline McK/BS/ER

FAX NO.: (202) 586-3055

PHONE NO.: _____

FROM: Richard D. Vergas, Assistant Chief Counsel for General Law Division

FAX NO.: 510-637-2014

PHONE NO.: 510-637-1672

NO. OF PAGES TO FOLLOW: 3

MESSAGE:

THIS MESSAGE CONTAINS ONLY UNCLASSIFIED INFORMATION
FAX Number 510 637-2014
Verify Number 637.1664/1677

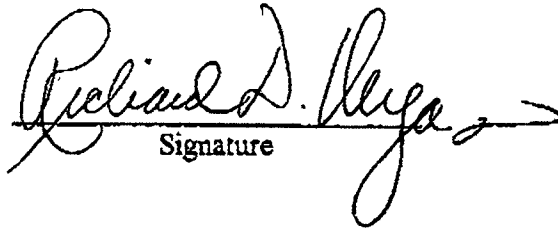
January 13, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Richard D. Vergas, Assistant Chief Counsel for General
Law Division, NNSA Service Center - Oakland

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

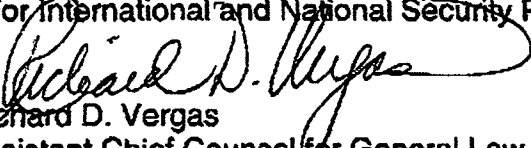
Fax (202) 586-3055



Department of Energy
National Nuclear Security Administration
1301 Clay Street
Oakland, California 94612-5208

January 13, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
For International and National Security Programs (GC-3)

FROM: 
Richard D. Vergas
Assistant Chief Counsel for General Law Division
NNSA - Oakland Service Center

SUBJECT: Unlawful Intelligence Activities Report (1st Quarter 2003)

This memorandum is in response to the Assistant General Counsel's request of January 11, 2003.

The NNSA - Oakland Service Center has reviewed its intelligence activities and the intelligence activities of its contractors during the period October 1, 2002 through December 31, 2002, and has no reportable activities. Our negative certification is attached.

Please feel free to contact me at (510) 637-1672 if you have further questions.

Attachments: Negative Report dated January 13, 2003
Report to the Intelligence Oversight Board (First Quarter, FY 2003)

cc: Jacqueline McKissick, GC-3 w/attachment
Steven S. Minniear, Defense Nuclear Counterintelligence, NNSA - Oakland

130
10



Department of Energy
National Nuclear Security Administration
1301 Clay Street
Oakland, California 94612-5208

January 9, 2003

**MEMORANDUM FOR DANIEL BRUNO, DEPUTY DIRECTOR
INVESTIGATIONS DIVISION
OFFICE OF COUNTERINTELLIGENCE**

FROM: *Steven Minniear*
**STEVEN S. MINNIEAR, SENIOR COUNTERINTELLIGENCE
OFFICER
DEFENSE NUCLEAR COUNTERINTELLIGENCE OAKLAND
OPERATIONS**

SUBJECT: Report to the Intelligence Oversight Board (First Quarter, FY 2003)

Regarding the first quarter of FY 2003, Defense Nuclear Counterintelligence (Oakland Operations) is unaware of any intelligence activities that were unlawful or contrary to Executive Order, Presidential directive or Department of Energy guidelines or implementing procedures. This is based on a thorough review of all Defense Nuclear Counterintelligence (Oakland Operations) activities for the period through September 30, 2002.

If you have any questions, please contact me on (925) 423-9872 or page me on (800) 784-1856.

cc: R. Vergas, OCC

(13) (2)



UNCLASSIFIED

**U.S. DEPARTMENT OF ENERGY
CHICAGO OPERATIONS OFFICE
GENERAL LAW DIVISION
9800 SOUTH CASS AVENUE
ARGONNE, IL 60439
FACSIMILE NO. 630-252-2183**



CONFIDENTIALITY NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via regular postal service.

DATE: 1-14-03

Page 1 of 2 Pages

TO: Jacqueline McKissick

FAX NO. 202-586-3055

FAX NO. _____

FAX NO. _____

- | | | |
|-------------|---|--------------|
| FROM: _____ | A. HANDWERKER, DEPUTY CHIEF COUNSEL | 630-252-2034 |
| _____ | V. L. PROUTY, ASST. CHIEF COUNSEL | 630-252-2244 |
| _____ | G. J. WALACH, COUNSEL | 630-252-2036 |
| _____ | K. M. DONHAM, ATTORNEY | 630-252-2038 |
| _____ | J. P. FUERSTENBERG, ATTORNEY | 630-252-2043 |
| _____ | LINDA M. ROHDE, FOIA/PRIVACY ACT OFCR. | 630-252-2041 |
| _____ | <input checked="" type="checkbox"/> JACKIE STAUDT, LEGAL TECHNICIAN | 630-252-2031 |
| _____ | MICHELLE OLINGER, SECRETARY | 630-252-2039 |

MESSAGE: _____

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Patrick Currier Counsel KCSO, MUSA, DOE

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

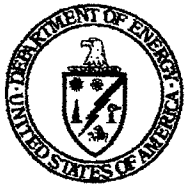
I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Patrick Currier
Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055



01/14/03 11:47 FAX 630 292 2183 LEGAL SERVICES GROUP 002

Department of Energy

Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

32
12

January 13, 2003

Samuel M. Bradley
Assistant General Counsel for
International and National Security Programs, HQ
GC-53 FORS

SUBJECT: EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR THE PERIOD OCTOBER 1, 2002 THROUGH DECEMBER 30,
2002

I am unaware of any DOE intelligence activities during the period from October 1, 2002 to December 31, 2002, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Steven A. Silbergleid
Steven A. Silbergleid
Chief Counsel

cc: Marvin E. Gunn, Jr., OM



133/2

United States Government

Department of Energy

Rocky Flats Field Office

memorandum

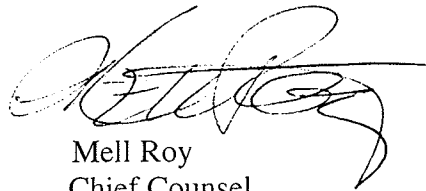
DATE: February 4, 2003

REPLY TO
ATTN OF: OCC:MR 03-0206

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report for First Quarter FY 2003

TO: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

I am unaware of any DOE intelligence activities during the period from October 1, 2002, through December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Mell Roy
Chief Counsel

cc:
Robert Goldsmith, AMSP, RFFO
Jacqueline McKissick, GC-3, HQ

Attachment

134
2

FEB 11 2003

MEMORANDUM FOR: Samuel M. Bradley
 Assistant General Counsel
 for International and National Security Programs

FROM: Kathy D. Izell, Chief Site Counsel, NNSA Nevada Site Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
 for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


 Signature

Please return to:

Jacqueline McKissick
 Office of Assistant General Counsel
 for International and National Security Programs, GC-3
 Room 6A-141, Forrestal Building

Fax (202) 586-3055

Post-it® Fax Note	7871	Date	2/11/03	# of pages	1
To	Jacqueline McKissick	From	Kathy Izell		
CC/Dept.	DOE/HA, GC-3	Co.	Chief Site Counsel, NNSA/NSO		
Phone #		Phone #	(702) 295-3581		
Fax #	(202) 586-3055	Fax #	(702) 295-1067		

DOE F 1325.B
2.021

United States Government

Department of Energy

memorandum

Oak Ridge Operations Office

135
2

DATE: February 7, 2003

REPLY TO:
ATTN OF: CC-10:Thress

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT FOR FIRST QUARTER, FY 2003**

TO: Samuel M. Bradley, Assistant General Counsel for International and National Security Programs, GC-53, Headquarters, FORSTL

I am unaware of any DOE intelligence activities during the period from October 1, 2002 to December 31, 2002, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Jennifer J. Fowler
 Jennifer J. Fowler
 Chief Counsel

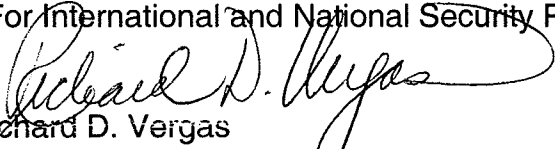


Department of Energy
National Nuclear Security Administration
1301 Clay Street
Oakland, California 94612-5208

130
2

January 13, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
For International and National Security Programs (GC-3)

FROM: 
Richard D. Vergas
Assistant Chief Counsel for General Law Division
NNSA - Oakland Service Center

SUBJECT: Unlawful Intelligence Activities Report (1st Quarter 2003)

This memorandum is in response to the Assistant General Counsel's request of January 11, 2003.

The NNSA - Oakland Service Center has reviewed its intelligence activities and the intelligence activities of its contractors during the period October 1, 2002 through December 31, 2002, and has no reportable activities. Our negative certification is attached.

Please feel free to contact me at (510) 637-1672 if you have further questions.

Attachments: Negative Report dated January 13, 2003
Report to the Intelligence Oversight Board (First Quarter, FY 2003)

cc: Jacqueline McKissick, GC-3 w/attachment
Steven S. Minniear, Defense Nuclear Counterintelligence, NNSA - Oakland

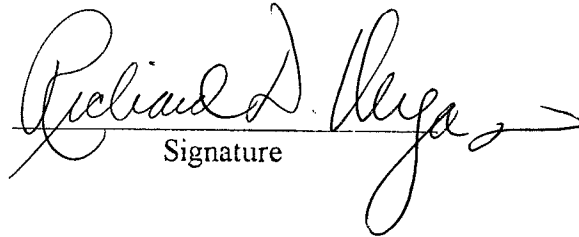
January 13, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Richard D. Vergas, Assistant Chief Counsel for General
Law Division, NNSA Service Center - Oakland

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055



Department of Energy
National Nuclear Security Administration
1301 Clay Street
Oakland, California 94612-5208

January 9, 2003

MEMORANDUM FOR DANIEL BRUNO, DEPUTY DIRECTOR
INVESTIGATIONS DIVISION
OFFICE OF COUNTERINTELLIGENCE

FROM:

Steven S. Minniear
STEVEN S. MINNIEAR, SENIOR COUNTERINTELLIGENCE
OFFICER
DEFENSE NUCLEAR COUNTERINTELLIGENCE OAKLAND
OPERATIONS

SUBJECT: Report to the Intelligence Oversight Board (First Quarter, FY 2003)

Regarding the first quarter of FY 2003, Defense Nuclear Counterintelligence (Oakland Operations) is unaware of any intelligence activities that were unlawful or contrary to Executive Order, Presidential directive or Department of Energy guidelines or implementing procedures. This is based on a thorough review of all Defense Nuclear Counterintelligence (Oakland Operations) activities for the period through September 30, 2002.

If you have any questions, please contact me on (925) 423-9872 or page me on (800) 784-1856.

cc: R. Vergas, OCC

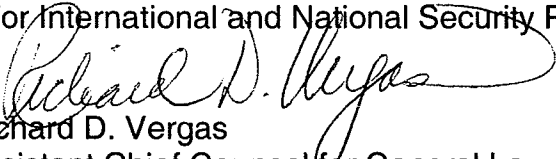
COPY



Department of Energy
National Nuclear Security Administration
1301 Clay Street
Oakland, California 94612-5208

January 13, 2003

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
For International and National Security Programs (GC-3)

FROM: 
Richard D. Vergas
Assistant Chief Counsel for General Law Division
NNSA - Oakland Service Center

SUBJECT: Unlawful Intelligence Activities Report (1st Quarter 2003)

This memorandum is in response to the Assistant General Counsel's request of January 11, 2003.

The NNSA - Oakland Service Center has reviewed its intelligence activities and the intelligence activities of its contractors during the period October 1, 2002 through December 31, 2002, and has no reportable activities. Our negative certification is attached.

Please feel free to contact me at (510) 637-1672 if you have further questions.

Attachments: Negative Report dated January 13, 2003
Report to the Intelligence Oversight Board (First Quarter, FY 2003)

cc: /Jacqueline McKissick, GC-3 w/attachment
Steven S. Minniear, Defense Nuclear Counterintelligence, NNSA - Oakland



Department of Energy

National Nuclear Security Administration

1301 Clay Street

Oakland, California 94612-5208

January 9, 2003

MEMORANDUM FOR DANIEL BRUNO, DEPUTY DIRECTOR
INVESTIGATIONS DIVISION
OFFICE OF COUNTERINTELLIGENCE

FROM:

Steven S. Minniear
STEVEN S. MINNIEAR, SENIOR COUNTERINTELLIGENCE
OFFICER
DEFENSE NUCLEAR COUNTERINTELLIGENCE OAKLAND
OPERATIONS

SUBJECT: Report to the Intelligence Oversight Board (First Quarter, FY 2003)

Regarding the first quarter of FY 2003, Defense Nuclear Counterintelligence (Oakland Operations) is unaware of any intelligence activities that were unlawful or contrary to Executive Order, Presidential directive or Department of Energy guidelines or implementing procedures. This is based on a thorough review of all Defense Nuclear Counterintelligence (Oakland Operations) activities for the period through September 30, 2002.

If you have any questions, please contact me on (925) 423-9872 or page me on (800) 784-1856.

cc: R. Vergas, OCC



Department of Energy

Washington, DC 20585

March 17, 2003

137
R

The Honorable Warren B. Rudman
Acting Chairman
Intelligence Oversight Board
The White House
Room 340, Old Executive Office Building
Washington, D.C. 20500

Dear Chairman Rudman:

This letter is my report pursuant to Executive Order No. 12863, entitled "President's Foreign Intelligence Advisory Board."

Based on reports from the Department's Deputy and Assistant General Counsel and Field Counsel, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period October 1, 2002, through December 31, 2002.

I understand that, in accordance with a December 11, 1992, memorandum from the Intelligence Oversight Board, the Board intends to exercise control over all copies of this report, including copies maintained in agency files, and does not consider this report to be an agency record.

If this office can provide further assistance, please contact me at (202) 586-5281.

Sincerely,

Lee Liberman Otis
General Counsel





Department of Energy

Washington, DC 20585

March 10, 2003

MEMORANDUM FOR: Lee Liberman Otis
General Counsel

THRU: Elizabeth A. Kessler *EAK*
Deputy General Counsel for Environment and
Nuclear Programs

FROM: Samuel M. Bradley *SMBradley*
Assistant General Counsel for International and National Security
Programs

SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period October 1, 2002, through December 31, 2002. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, and Field Counsel, I am not aware of any Department of Energy intelligence activities, including activities performed for other agencies, that are, or may have been, unlawful or contrary to Executive Order or Presidential Directive that occurred during this period.

The IOB requires submission of this report by March 31, 2003, the end of the quarter following the quarter the report covers. Also attached is a copy of your letter to the IOB for the prior quarter.

Attachments





Department of Energy

Washington, DC 20585

January 13, 2003

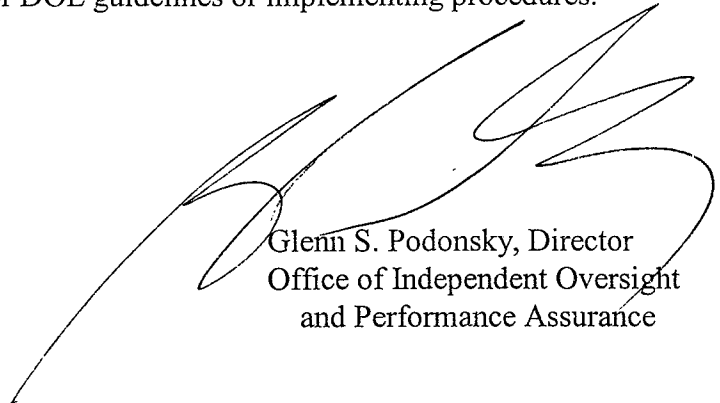
138
10

MEMORANDUM FOR: Gregory H. Friedman
Inspector General

FROM: Glenn S. Podonsky, OA-1

SUBJECT: Report to the Intelligence Oversight Board
(First Quarter, FY 2003)

This responds to your request for reporting information on intelligence activities that occurred during the period October 1 through December 31, 2002. The Office of Independent Oversight and Performance Assurance (OA) did not conduct any intelligence activities, nor did we become aware of any intelligence activities that may be unlawful or contrary to Executive Order, Presidential Directive, or DOE guidelines or implementing procedures.



Glenn S. Podonsky, Director
Office of Independent Oversight
and Performance Assurance

cc:
L. Brooks, NA-1
L. Otis, GC-1 ✓
J. Pugh, IG-40



139
12

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: _____

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Fourth Quarter 2001

I am unaware of any DOE intelligence activities during the period from October 1, 2001 to December 31, 2001 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055



January 11, 2002

MEMORANDUM FOR: Deputy General Counsel
Assistant General Counsel
Field Chief Counsel

FROM: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

SUBJECT: Unlawful Intelligence Activities

Executive Order No. 12863 (copy attached) requires the Department of Energy General Counsel to report to the Intelligence Oversight Board "on a quarterly basis ... concerning intelligence activities that [she has] reason to believe may be unlawful or contrary to Executive Order or Presidential Directive." If you have not already done so, please provide a written response concerning any information of which you are aware that is required to be reported under Executive Order No. 12863 for the period October 1, 2001 through December 31, 2001. Your report is due by February 15, 2002.

If you are not aware of any activity to be reported under the Executive Order, please complete and return the negative response provided with this memorandum.

Please direct your reports to Jacqueline McKissick, Office of International and National Security Programs. Any questions you have on this matter should be directed to John Gurney at (202) 586-8269. Thank you for your attention to this matter.

Attachment(s)

111
12

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: _____

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter 2003

I am unaware of any DOE intelligence activities during the period from January 1, 2003, to March 31, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

142
R

April 11, 2003

MEMORANDUM FOR: Deputy General Counsel
Assistant General Counsel
Field Chief Counsel

FROM: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

SUBJECT: Unlawful Intelligence Activities (Second Quarter, FY 2003)

Executive Order No. 12863 (copy attached) requires the Department of Energy General Counsel to report to the Intelligence Oversight Board "on a quarterly basis ... concerning intelligence activities that [she has] reason to believe may be unlawful or contrary to Executive Order or Presidential Directive." If you have not already done so, please provide a written response concerning any information of which you are aware that is required to be reported under Executive Order No. 12863 for the period January 1, 2003, through March 31, 2003. Your report is due by May 15, 2003.

If you are not aware of any activity to be reported under the Executive Order, please complete and return the negative response provided with this memorandum.

Please direct your reports to Jacqueline McKissick, Office of International and National Security Programs. Any questions you have on this matter should be directed to John Gurney at (202) 586-8269. Thank you for your attention to this matter.

Attachment(s)

143
R

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: _____

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter 2003

I am unaware of any DOE intelligence activities during the period from October 1, 2002, to December 31, 2002 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055



Department of Energy

Washington, DC 20585



January 8, 2003

MEMORANDUM FOR: Deputy General Counsel
Assistant General Counsel
Field Chief Counsel

FROM: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

SUBJECT: Unlawful Intelligence Activities (1ST Quarter, FY 2003)

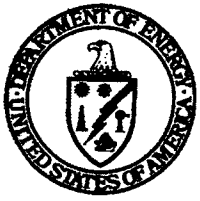
Executive Order No. 12863 (copy attached) requires the Department of Energy General Counsel to report to the Intelligence Oversight Board "on a quarterly basis ... concerning intelligence activities that [she has] reason to believe may be unlawful or contrary to Executive Order or Presidential Directive." If you have not already done so, please provide a written response concerning any information of which you are aware that is required to be reported under Executive Order No. 12863 for the period October 1, 2002, through December 31, 2002. Your report is due by February 15, 2003.

If you are not aware of any activity to be reported under the Executive Order, please complete and return the negative response provided with this memorandum.

Please direct your reports to Jacqueline McKissick, Office of International and National Security Programs. Any questions you have on this matter should be directed to John Gurney at (202) 586-8269. Thank you for your attention to this matter.

Attachment(s)





Department of Energy

Washington, DC 20585

145
2

April 11, 2003

MEMORANDUM FOR: Deputy General Counsel
Assistant General Counsel
Field Chief Counsel

FROM: Samuel M. Bradley *SM Bradley*
Assistant General Counsel
for International and National Security Programs

SUBJECT: Unlawful Intelligence Activities (Second Quarter, FY 2003)

Executive Order No. 12863 (copy attached) requires the Department of Energy General Counsel to report to the Intelligence Oversight Board "on a quarterly basis ... concerning intelligence activities that [she has] reason to believe may be unlawful or contrary to Executive Order or Presidential Directive." If you have not already done so, please provide a written response concerning any information of which you are aware that is required to be reported under Executive Order No. 12863 for the period January 1, 2003, through March 31, 2003. Your report is due by May 15, 2003.

If you are not aware of any activity to be reported under the Executive Order, please complete and return the negative response provided with this memorandum.

Please direct your reports to Jacqueline McKissick, Office of International and National Security Programs. Any questions you have on this matter should be directed to John Gurney at (202) 586-8269. Thank you for your attention to this matter.

Attachment(s)



146
11

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: _____

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter 2003

I am unaware of any DOE intelligence activities during the period from January 1, 2003, to March 31, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055

147
8

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: _____

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter 2003

I am unaware of any DOE intelligence activities during the period from January 1, 2003, to March 31, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Signature

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
for International and National Security Programs, GC-3
Room 6A-141, Forrestal Building

Fax (202) 586-3055



Department of Energy

Washington, DC 20585

18
1

April 11, 2003

MEMORANDUM FOR: Deputy General Counsel
Assistant General Counsel
Field Chief Counsel

FROM: Samuel M. Bradley *SM Bradley*
Assistant General Counsel
for International and National Security Programs

SUBJECT: Unlawful Intelligence Activities (Second Quarter, FY 2003)

Executive Order No. 12863 (copy attached) requires the Department of Energy General Counsel to report to the Intelligence Oversight Board "on a quarterly basis ... concerning intelligence activities that [she has] reason to believe may be unlawful or contrary to Executive Order or Presidential Directive." If you have not already done so, please provide a written response concerning any information of which you are aware that is required to be reported under Executive Order No. 12863 for the period January 1, 2003, through March 31, 2003. Your report is due by May 15, 2003.

If you are not aware of any activity to be reported under the Executive Order, please complete and return the negative response provided with this memorandum.

Please direct your reports to Jacqueline McKissick, Office of International and National Security Programs. Any questions you have on this matter should be directed to John Gurney at (202) 586-8269. Thank you for your attention to this matter.

Attachment(s)





Department of Energy

Washington, DC 20585

149
2

June 6, 2003

MEMORANDUM FOR: Lee Liberman Otis
General Counsel

THRU: Elizabeth A. Kessler *E. Kessler*
Deputy General Counsel for Environment and
Nuclear Programs

FROM: Samuel M. Bradley *Samuel M. Bradley*
Assistant General Counsel for International and National Security
Programs

SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period January 1, 2003, through March 31, 2003. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, and Field Counsel, I am not aware of any Department of Energy intelligence activities, including activities performed for other agencies, that are, or may have been, unlawful or contrary to Executive Order or Presidential Directive that occurred during this period.

The IOB requires submission of this report by June 30, 2003, the end of the quarter following the quarter the report covers. Also attached is a copy of your letter to the IOB for the prior quarter.

Attachments





Department of Energy
Washington, DC 20585

1502

June 10, 2003

The Honorable Warren B. Rudman
Acting Chairman
Intelligence Oversight Board
The White House
Room 340, Old Executive Office Building
Washington, D.C. 20500

Dear Chairman Rudman:

This letter is my report pursuant to Executive Order No. 12863, entitled "President's Foreign Intelligence Advisory Board."

Based on reports from the Department's Deputy and Assistant General Counsel and Field Counsel, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period January 1, 2003, through March 31, 2003.

I understand that, in accordance with a December 11, 1992, memorandum from the Intelligence Oversight Board, the Board intends to exercise control over all copies of this report, including copies maintained in agency files, and does not consider this report to be an agency record.

If this office can provide further assistance, please contact me at (202) 586-5281.

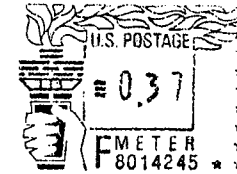
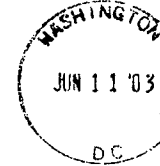
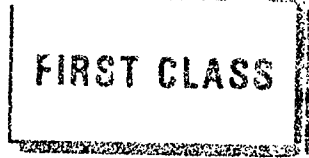
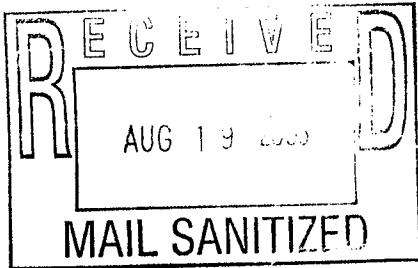
Sincerely,

Lee Liberman Otis
General Counsel



UNITED STATES DEPARTMENT OF ENERGY
1000 INDEPENDENCE AVE SW
WASHINGTON, D.C. 20585

OFFICIAL BUSINESS



The Honorable Warren B. Rudman
Acting Chairman
Intelligence Oversight Board
The White House

ive Office Building
00

- 785
-
- MOVED - LEFT NO ADDRESS
 - ATTEMPTED - NOT KNOWN
 - INSUFFICIENT ADDRESS
 - REFUSED
 - UNABLE TO FORWARD
 - NO SUCH STREET NUMBER
- (PEEL OFF - UPDATE CUSTOMER LIST)

