



Department of Energy

Washington, DC 20585

(211) (R)

January 7, 2004

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, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, 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 July 1, 2003, through September 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 black ink, appearing to read "Lee Liberman Otis".

Lee Liberman Otis
General Counsel





Department of Energy
Washington, DC 20585

212 P

December 3, 2003

MEMORANDUM FOR: Lee Liberman Otis
General Counsel

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 July 1, 2003, through September 30, 2003. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, Field Counsel, and NNSA General 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 December 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



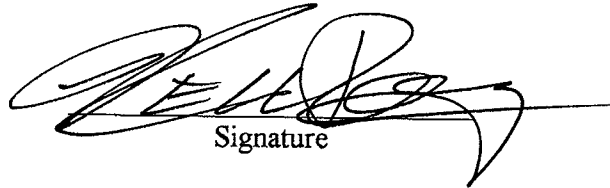
213
12

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

FROM: Mell Roy

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, CY 2004

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



Signature

Attachment
Please return to:

Jacqueline McKissick
Paralegal Specialist
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: JAN 27 2004

REPLY TO:
ATTN OF: OCI:DLV:04-00082

SUBJECT: Report to the Intelligence Oversight Board (First Quarter, Fiscal Year 2004)

TO: James Pugh, Office of Inspector General, IG-40, HQ

Reference: Headquarters DOE Memorandum from Gregory H. Friedman, IG-1, HQ to Distribution, dated January 6, 2004, subject as above.

No known intelligence activity was conducted at the Rocky Flats Project Office or at the Rocky Flats Environmental Technology Site that may be unlawful or contrary to Executive Order, Presidential Directive, or Department of Energy guidelines or implementing procedures during the period from October 1, 2003, through December 31, 2003, inclusive. If you have any questions concerning this matter, please call me at (303) 966-7454 or David L. Vaughan at (303) 966-5225.

William F. Casey
Security Manager
for Project Support

cc:
F. Lockhart, OOM, RFFO
M. Roy, OCC, RFFO

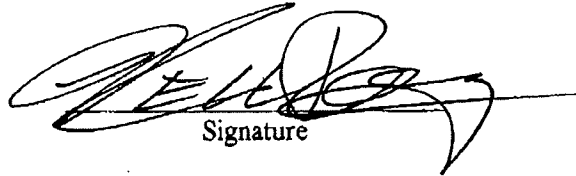
215
R

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

FROM: Mell Roy

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, CY 2004

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



Signature

Attachment
Please return to:

Jacqueline McKissick
Paralegal Specialist
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

Rocky Flats Field Office

memorandum

DATE: JAN 27 2004

REPLY TO

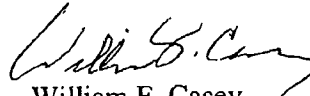
ATTN OF: OCI:DLV:04-00082

SUBJECT: Report to the Intelligence Oversight Board (First Quarter, Fiscal Year 2004)

TO: James Pugh, Office of Inspector General, IG-40, HQ

Reference: Headquarters DOE Memorandum from Gregory H. Friedman, IG-1, HQ to Distribution, dated January 6, 2004, subject as above.

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William F. Casey
Security Manager
for Project Support

cc:

F. Lockhart, OOM, RFFO

M. Roy, OCC, RFFO

U. S. DEPARTMENT OF ENERGY
ROCKY FLATS FIELD OFFICE
10808 Highway 93, Unit A
Golden, CO 80402-8200

FACSIMILE TRANSMISSION ROUTING SHEET

TO: Jacqueline FAX #: 202-586-3055 Confirm #: _____
McKISSICK

TO: _____ FAX #: _____ Confirm #: _____

FROM: Office of Chief Counsel / ANGEL ORTIZ
Rocky Flats Field Office
PHONE # (303) 966-2026 FAX # (303) 966-3717

Comments: _____

DATE: 11/30/04

Number of Pages: 2 (Including Cover Sheet)

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 sender immediately at 303-966-2026 and return the facsimile to him/her at the address shown above via the United States Postal Service. Thank you!



Department of Energy
Washington, DC 20585

716
+ a M/K document

February 11, 2004

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

FROM: Deputy General Counsel

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities
for First Quarter, CY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003 to December 31, 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 "Eric J Fygi". The signature is fluid and cursive, with a large initial "E" and "F".

Eric J Fygi





Department of Energy
National Nuclear Security Administration
Service Center



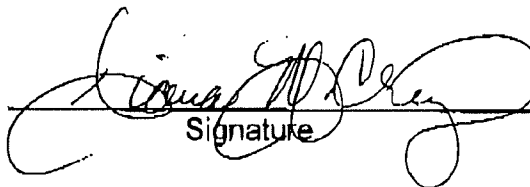
February 9, 2004

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, FY 2004

"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from October 1, 2003 to December 31, 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

United States Government

Department of Energy

memorandum

Oak Ridge Operations Office

DATE: January 30, 2004

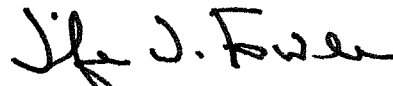
REPLY TO

ATTN OF: CC-10:Boatner

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT FOR FIRST QUARTER, FY 2004**

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, 2003, to December 31, 2003, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Jennifer J. Fowler
Chief Counsel

February 5, 2004

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

FROM: Mary H. Egger, GC-60

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, CY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003, to December 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
Paralegal Specialist
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

Richland Operations Office

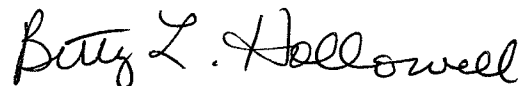
DATE: JAN 28 2004

REPLY TO
ATTN OF: OCC:JLD/04-OCC-0072

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 October 1, 2003, through December 31, 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

FACSIMILE FROM
OFFICE OF CHIEF COUNSEL

FACSIMILE NO.: 865-576-1071

VERIFICATION NO.: 865-576-1203

URGENT: _____
PRIORITY: _____
ROUTINE: _____

DATE: 1/30/04

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
(2.82)

United States Government

Department of Energy

memorandum

Oak Ridge Operations Office

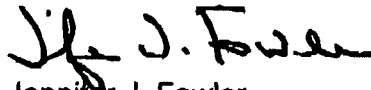
DATE: January 30, 2004

REPLY TO
ATTN OF: CC-10:Boatner

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT
FOR FIRST QUARTER, FY 2004**

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, 2003, to December 31, 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
Washington, DC 20585

January 21, 2004

MEMORANDUM FOR

GREGORY H. FRIEDMAN
INSPECTOR GENERAL

LEE SARAH LIBERMAN OTIS
GENERAL COUNSEL

FROM:

JOHN A. RUSSACK
DIRECTOR, OFFICE OF INTELLIGENCE
AND SENIOR INTELLIGENCE OFFICER

SUBJECT:

REPORTING PURSUANT TO EXECUTIVE ORDER
12863, FIRST QUARTER FY 2004

Executive Order 12863, which established the President's Foreign Intelligence Advisory Board (PFIAB), at section 2.4 requires that "Inspectors General and General Counsel of the Intelligence Community ... shall report to the PFIAB's Intelligence Oversight Board (IOB) at least on a quarterly basis ... concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive."

The following statement is made pursuant to my authorities as the Department of Energy's Senior Intelligence Officer, and my responsibilities pursuant to the National Security Act of 1947, Executive Orders 12333 and 12863, Presidential Decision Directive/NSC-61, "DOE Procedures for Intelligence Activities," and DOE Delegation Order No. 00-020.00 (1.18). It is based upon written submissions provided to me by each of the twelve Field Intelligence Elements of the Department of Energy, as well as its three Headquarters Intelligence Elements: the Office of Intelligence, the Office of Counterintelligence and the National Nuclear Security Agency. Copies of these submissions from the Field Intelligence Elements are included in this report. The Office of Intelligence will maintain copies of these submissions.

During the period October 1, 2003 to December 31, 2003, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order 12333, other Executive Orders, Presidential Directives, or the DOE Procedures for Intelligence Activities.





Department of Energy
National Nuclear Security Administration
Washington, DC 20585

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

FROM: David S. Jonas
Deputy General Counsel
National Nuclear Security Administration

SUBJECT: Executive Order No. 12863 Unlawful Intelligence
Activities Report for First Quarter, CY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003 to December 31, 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 "D. S. Jonas", is written over a horizontal line.

David S. Jonas
Deputy General Counsel
National Nuclear Security Administration

January 22, 2004



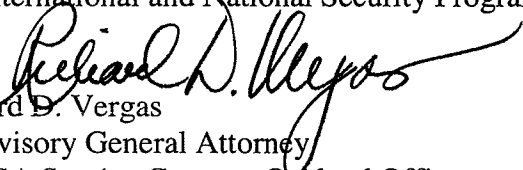


Department of Energy
National Nuclear Security Administration
Service Center



January 15, 2004

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

FROM: 
Richard D. Vergas
Supervisory General Attorney
NNSA Service Center – Oakland Office

SUBJECT: Unlawful Intelligence Activities (First Quarter, FY 2004)

This memorandum is in response to the Assistant General Counsel's request of January 9, 2004. The NNSA Service Center (Oakland) has reviewed its intelligence activities and the intelligence activities of its contractors during the period October 1, 2003 through December 31, 2003, and have 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 July 22, 2003

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

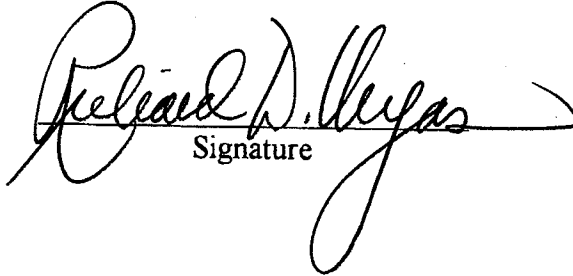
January 15, 2004

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

FROM: Richard D. Vergas, Supervisory General Attorney
NNSA Service Center - Oakland Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, CY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003, to December 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
Paralegal Specialist
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

Fax (202) 586-3055



Department of Energy
National Nuclear Security Administration
Service Center



COPY

January 15, 2004

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

FROM: Richard D. Vergas
Supervisory General Attorney
NNSA Service Center – Oakland Office

SUBJECT: Unlawful Intelligence Activities (First Quarter, FY 2004)

This memorandum is in response to the Assistant General Counsel's request of January 9, 2004. The NNSA Service Center (Oakland) has reviewed its intelligence activities and the intelligence activities of its contractors during the period October 1, 2003 through December 31, 2003, and have 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 July 22, 2003

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

memorandum

Idaho Operations Office

Date: January 20, 2004

Subject: Executive Order No.12863 Unlawful Intelligence Activities Report for First Quarter FY 2004
(OCC-04-004)

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, 2003, through December 31, 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: January 20, 2004

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.

January 15, 2004

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

FROM: Richard D. Vergas, Supervisory General Attorney

SUBJECT: NNSA Service Center - Oakland Office
Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, CY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003, to December 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
Paralegal Specialist
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

Fax (202) 586-3055



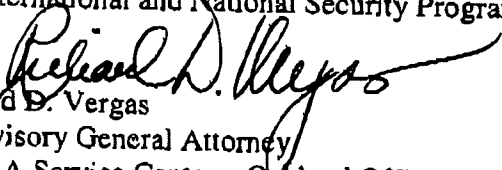
Department of Energy
National Nuclear Security Administration
Service Center



January 15, 2004

COPY

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

FROM: 
Richard D. Vergas
Supervisory General Attorney
NNSA Service Center - Oakland Office

SUBJECT: Unlawful Intelligence Activities (First Quarter, FY 2004)

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Attachment: Negative Report dated July 22, 2003

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

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

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

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

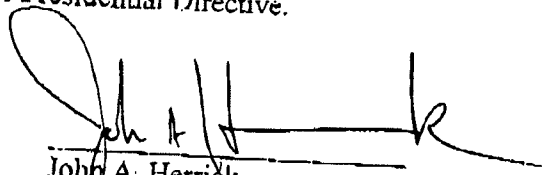
Oakland Office
1301 Clay Street, Suite N-700
Oakland, CA 94612-5208

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 First Quarter, CY 2004

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


John A. Herrick
Chief Counsel

JANUARY 15, 2004

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

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: 1/15/2004
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.

United States Government

Department of Energy

memorandum

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

DATE: January 15, 2004

REPLY TO: OOM:slb (816) 997-3341

SUBJECT: Executive Order No. 12863
Unlawful Intelligence Activities Report for First Quarter 2004

TO: Samuel M. Bradley, Assistant General Counsel
International and National Security Programs (GC-53)

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



Stephanie L. Bogart
Site Office Counsel

Attachment

cc: C.S. Przybylek, NA 3.1

DOE F 1325.8

United States Government

Department of Energy

Memorandum

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

DATE: JAN 13 2004

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 it's control during the period of October 1, through December 31, 2003.

Original Signed By
Douglas S. MacKinlay

Douglas S. MacKinlay
Security Director

cc:
Stephanie Bogart, Counsel
Lorraine A. Cano, AL Audit Liaison
James Pugh, OIG, FOR, Rm 5B-250



Department of Energy
Washington, DC 20585

January 9, 2004

D-
Please return.

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

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

SUBJECT: Unlawful Intelligence Activities (First Quarter, CY 2004)

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, 2003, through December 31, 2003. Your report is due by February 15, 2004.

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)

cc: Inspector General



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

FROM: DAVID R. HILL

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, CY 2004

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

Whitfield 1-14-04
Signature

Please return to:

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

Fax (202) 586-3055

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, CY 2004

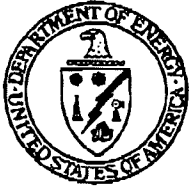
I am unaware of any DOE intelligence activities during the period from October 1, 2003, to December 31, 2003 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature

Please return to:

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

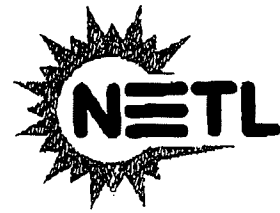
Fax (202) 586-3055



U.S. Department of Energy
National Energy Technology Laboratory

3610 Collins Ferry Road
P.O. Box 880
Morgantown, WV 26507-0880

626 Cochrans Mill Road
P.O. Box 10940
Pittsburgh, PA 15236-0940



FAX TRANSMITTAL

Number of Pages: (Including Transmittal)

Date:

TO: (name)

(company)

Fax Number:

Verification Phone No.:

FROM: (name)

(office)

(telephone)

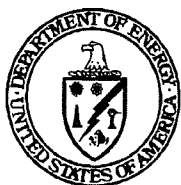
SUBJECT:

MESSAGE:

Please see the attached memo.

SENDER'S FAX INFORMATION: Morgantown Office Pittsburgh Office

FAX: Verification:

**Department of Energy**

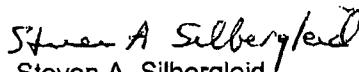
Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

January 13, 2004

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

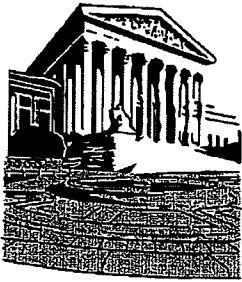
SUBJECT: EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR THE PERIOD OCTOBER 1, 2003 THROUGH DECEMBER 31,
2003

I am unaware of any DOE intelligence activities during the period from October 1, 2003 to December 31, 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

**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: 1-13-04

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
 JACKIE STAUDT, LEGAL TECHNICIAN 630-252-2031
 _____ MICHELLE OLINGER, SECRETARY 630-252-2039

MESSAGE: _____

Unlawful Intelligence Activities
Report attached

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 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003, to December 31, 2003, that I have reason to believe any 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 61-141, Forrestal Building


Fax (202) 586-3055



Department of Energy
Washington, DC 20585

January 9, 2004

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

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

SUBJECT: Unlawful Intelligence Activities (First Quarter, CY 2004)

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, 2003, through December 31, 2003. Your report is due by February 15, 2004.

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)

cc: Inspector General



Printed with soy ink on recycled paper

U.S. Department of Energy
National Nuclear Security Administration
Nevada Site Office
Las Vegas, NV

OFFICE OF CHIEF COUNSEL

FACSIMILE TRANSMISSION ROUTING SHEET
TELECOMMUNICATIONS FACSIMILE MESSAGE

ROUTINE PRIORITY

TO: JACQUELINE MCKISSICK
LOCATION: FORRESTAL GC-3 Room 61-141
PHONE NO.: (202) 586-3371 / FAX No.: (202) 586-3055
FROM: KATHY T ZELL
PHONE No.: (702) 295-3581 FAX No: (702) 295-1067

MESSAGE:

DATE: 1-13-04

NUMBER OF PAGES 3 (Including This Cover Sheet)

I certify this is an UNCLASSIFIED document, transmission is essential, and contains no weapons data.

Signature - Official Business


January 13, 2004

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

FROM: Clinton R. Fitts, Counsel, Pantex Site Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, CY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003, to December 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
Paralegal Specialist
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

Fax (202) 586-3055

Page 4 of 7 To: LANSEN BARROW (SPRO)

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

FROM: *Strategic Petrokum Reserve Project Mgmt. Office*

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
 for First Quarter, CY 2004

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

Lansen C. Barrow
 Signature

Please return to:

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

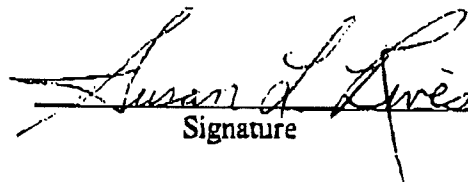
Fax (202) 586-3055

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

FROM: Susan L. Rives, Chief Council

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, CY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003, to December 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
Paralegal Specialist
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

Fax (202) 586-3055

January 12, 2004

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, CY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2003, to December 31, 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
Schenectady Naval Reactors

Please return to:

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

Fax (202) 586-3055

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages 1

To J. McKissick	From HJ Van Dyke
Dept./Agency GC-53	Phone # 518-395-4227
Fax # 202-586-3055	Fax # 518-395-7379

NSN 7540-01-317-7000

5009-101

GENERAL SERVICES ADMINISTRATION

United States Government

Department of Energy

memorandum

DATE: January 6, 2004
REPL TO:
ATTN OF: IG-1
SUBJECT: Report to the Intelligence Oversight Board (First Quarter, Fiscal Year 2004)
TO: See Distribution

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. The purpose of this memorandum is to request that you advise the Office of Inspections and Special Inquiries, IG-40, of any intelligence activities that occurred during the First Quarter, Fiscal Year 2004, October 1 through December 31, 2003, that may be unlawful or contrary to Executive order, Presidential directive, or Department of Energy guidelines or implementing procedures. We request that the responses from the Department's intelligence and counterintelligence offices include, as attachments, the responses from their respective field elements.

Your response to this request should be based on a thorough review of all the activities under your purview. In order for us to provide our report to the Intelligence Oversight Board in a timely manner, please provide your signed, written reply by **January 20, 2004**. Your reply may be sent by mail, facsimile, or as an e-mail attachment. A facsimile should be sent to IG-40 at (202) 586-4902, and an e-mail should be addressed to james.pugh@hq.doe.gov. The mailing address for your unclassified response is:

U.S. Department of Energy
Office of Inspector General (IG-40)
1000 Independence Avenue, SW
Washington, D.C. 20585

If your response is classified, please contact Mr. James Pugh, Office of Inspections and Special Inquiries, Forrestal Building, Room 5B-250, (202) 586-4109, for our mailing address for classified documents.

Thank you for your cooperation with this request.



Gregory H. Friedman
Inspector General

DISTRIBUTION

Associate Administrator for Management and Administration, National Nuclear
Security Administration
Deputy Administrator for Naval Reactors
Director, Office of Independent Oversight and Performance Assurance
Director, Office of Nuclear Energy, Science and Technology
Director, Office of Security
Director, Office of Hearings and Appeals
Director, Office of Counterintelligence
Director, Office of Intelligence
Director, Office of Science
Director, National Nuclear Security Administration Service Center
Chief Information Officer
Manager, Chicago Operations Office
Manager, Golden Field Office
Manager, Idaho Operations Office
Manager, Kansas City Site Office
Manager, Livermore Site Office
Manager, Los Alamos Site Office
Manager, Nevada Site Office
Manager, Oak Ridge Operations Office
Manager, Ohio Field Office
Manager, Pantex Site Office
Manager, Richland Operations Office
Manager, Rocky Flats Field Office
Manager, Sandia Site Office
Manager, Savannah River Operations Office
Manager, Y-12 Site Office
Assistant Inspector General for Investigations
Assistant Inspector General for Audit Services

cc: General Counsel

General Counsel, National Nuclear Security Administration



Department of Energy

Washington, DC 20585

August 9, 2004

217

2

The Honorable Brent Scowcroft, LtGen USAF (Ret)
Chairman
President's Intelligence Oversight Board
New Executive Office Building 725 - Room 5020
17th Street, N.W.
Washington, D.C. 20503

Dear General 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, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful during the period January 1, 2004, through March 31, 2004.

Over the last four months the Department of Energy (DOE) has engaged in interagency consultations regarding its draft proposed rulemaking to establish new counterintelligence evaluation regulations, including revised regulations governing DOE's use of polygraph examinations, to implement the requirements of section 3152 of the National Defense Authorization Act for Fiscal Year 2002. During these consultations staff from the Office of Intelligence Policy and Review (OIPR) of the Department of Justice indicated their doubts about DOE's view with respect to some of the information that may be collected with the consent of the individual to whom the information pertains, consistent with Executive Order (E.O.) 12333 ("United States Intelligence Activities," December 4, 1981) and the DOE "Procedures for Intelligence Activities," which were approved by the Attorney General pursuant to E.O. 12333. As a result of the consultations with the Department of Justice staff on the draft polygraph program rulemaking, DOE has revised its counterintelligence evaluation procedures to bring them into accord with the OIPR staff view.

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". The signature is fluid and cursive, with a prominent initial "L" and a long horizontal stroke extending to the right.

Lee Liberman Otis
General Counsel

cc: Stephen W. Dillard, Director
Office of Counterintelligence



Department of Energy

Washington, DC 20585

August 9, 2004

218
12

The Honorable Brent Scowcroft, LtGen USAF (Ret)
Chairman
President's Intelligence Oversight Board
New Executive Office Building 725 - Room 5020
17th Street, N.W.
Washington, D.C. 20503

Dear General Scowcroft:

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Lee Liberman Otis
General Counsel

cc: Stephen W. Dillard, Director
Office of Counterintelligence



Department of Energy

Washington, DC 20585

August 9, 2004



The Honorable Brent Scowcroft, LtGen USAF (Ret)
Chairman
President's Intelligence Oversight Board
New Executive Office Building 725 - Room 5020
17th Street, N.W.
Washington, D.C. 20503

Dear General 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, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful during the period January 1, 2004, through March 31, 2004.

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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". The signature is fluid and cursive, with a prominent loop at the end.

Lee Liberman Otis
General Counsel


cc: Stephen W. Dillard, Director
Office of Counterintelligence



Department of Energy
Washington, DC 20585

July 14, 2004

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

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

SUBJECT: Unlawful Intelligence Activities (Third Quarter, FY 2004)

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, 2004, through June 30, 2004. Your report is due by August 15, 2004.

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)

cc: Inspector General



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, CY 2004

I am unaware of any DOE intelligence activities during the period from April 1, 2004, to June 30, 2004 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Signature

Please return to:

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

Fax (202) 586-3055

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 Clinton

THE WHITE HOUSE,
September 13, 1993.



Department of Energy
Washington, DC 20585

April 1, 2004

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

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

SUBJECT: Unlawful Intelligence Activities (Second Quarter, CY 2004)

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, 2004, through March 31, 2004. Your report is due by May 15, 2004.

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)

cc: Inspector General



United States Government

Department of Energy

memorandum

Oak Ridge Operations Office

220 R

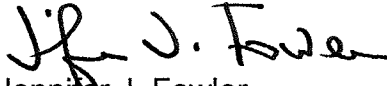
DATE: May 13, 2004

REPLY TO
ATTN OF: CC-10:Boatner

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT
FOR SECOND QUARTER, FY 2004**

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 January 1, 2004, through March 31, 2004, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Jennifer J. Fowler
Chief Counsel

DOE F 1325.8
12.071

United States Government

Department of Energy

Oak Ridge Operations Office

memorandum

7212

DATE: May 13, 2004

REPLY TO
ATTN OF: CC-10:Boatner

SUBJECT: EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT
FOR SECOND QUARTER, FY 2004

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 January 1, 2004, through March 31, 2004, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

J. J. Fowler
Jennifer J. Fowler
Chief Counsel

222
④

FACSIMILE FROM
OFFICE OF CHIEF COUNSEL

FACSIMILE NO.: 865-576-1071

VERIFICATION NO.: 865-576-1203

URGENT: _____
PRIORITY: _____
ROUTINE: _____

DATE: 5/13/04

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



Department of Energy
National Nuclear Security Administration
Washington, DC 20585




APR 21 2004

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
2nd Quarter, FY 2004

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 January 1, 2004, through March 31, 2004, 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 Government

Department of Energy

memorandum

Richland Operations Office

223
D

DATE: APR 20 2004
REPLY TO
ATTN OF: OCC:JLD/04-OCC-0112
SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR SECOND QUARTER FISCAL YEAR 2004

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 January 1, 2004, through March 31, 2004, 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

cc: J. McKissick, GC-53

United States Government

Department of Energy

Richland Operations Office

memorandum

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Betty L. Hollowell

Betty L. Hollowell
Chief Counsel

cc: J. McKissick, GC-53



Department of Energy

Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

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April 15, 2004

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 JANUARY 1, 2004 THROUGH MARCH 31, 2004

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Steven A. Silbergleid
Steven A. Silbergleid
Chief Counsel

cc: Marvin E. Gunn, Jr., OM



memorandum

Idaho Operations Office

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Date: April 15, 2004

Subject: Executive Order No.12863 Unlawful Intelligence Activities Report for Second Quarter FY 2004 (OCC-04-0025)

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)

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Eva M. Auman, Counsel
Office of Chief Counsel