



Department of Energy
National Nuclear Security Administration
Service Center



298
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November 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 Fourth Quarter FY 2004

"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from July 1, 2004 to September 30, 2004 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



Department of Energy
National Nuclear Security Administration
Nevada Site Office
P.O. Box 98518
Las Vegas, NV 89193-8518

300
12

NOV 3 2004

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 July 1, 2004, to September 30, 2004, 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. Jonas, NNSA/HQ

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
Washington, DC 20585

301
R

November 3, 2004

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

FROM: Deputy General Counsel

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 July 1, 2004 to September 30, 2004 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 stylized with a large loop at the beginning and a long horizontal stroke at the end.

Eric J. Fygi





Department of Energy
National Nuclear Security Administration
Nevada Site Office
P.O. Box 98518
Las Vegas, NV 89193-8518

302
R

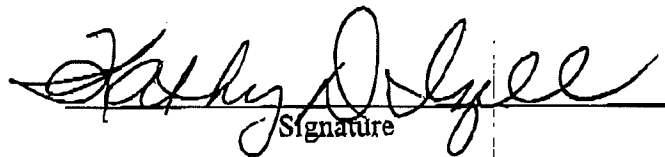
NOV 3 2004

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 July 1, 2004, to September 30, 2004, 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. Jonas, NNSA/HQ

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
Washington, DC 20585

33
R

OCT 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, Fourth 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. (The Office of Counterintelligence is submitting its statement separately.) Copies of these submissions are included in this report. The Office of Intelligence will maintain copies of these submissions.

During the period July 1, 2004 through September 30, 2004, 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.



304
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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 Fourth Quarter, FY 2004

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


Signature

10-27-04

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
Washington, DC 20585

305
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October 21, 2004

MEMORANDUM FOR SAMUEL M. BRADLEY

Assistant General Counsel for International and
National Security Programs

FROM: MARY H. EGGER
Deputy General Counsel for Technology Transfer
and Procurement

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 July 1, 2004, to September 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 Bldg.

Fax (202) 586-3055





Department of Energy

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

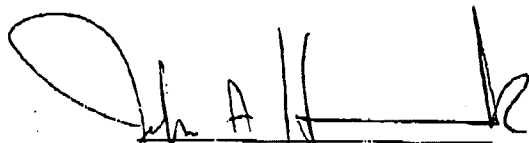
306
V

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, FY 2004

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


John A. Herrick
Chief Counsel

10/21/04
Date

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



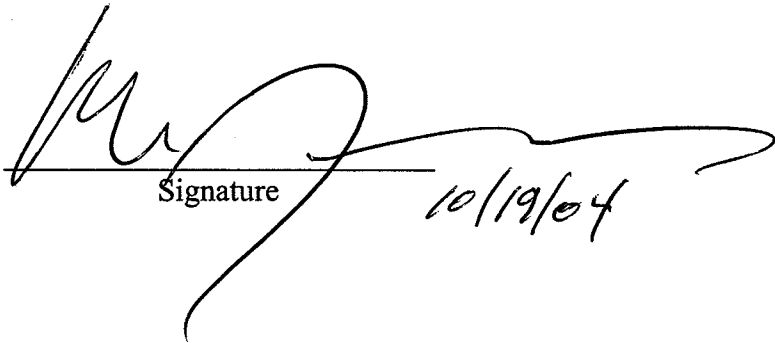
307
R

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

FROM: Marc Johnston

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 July 1, 2004, to September 30, 2004 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature 10/19/04

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

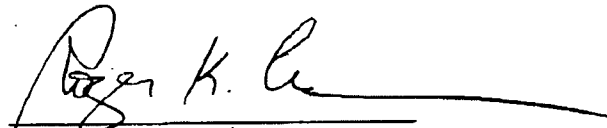
308
②

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

FROM: Los Alamos 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 July 1, 2004, to September 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

309
①

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, FY 2004

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

[Handwritten Signature]

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

310 (circled)

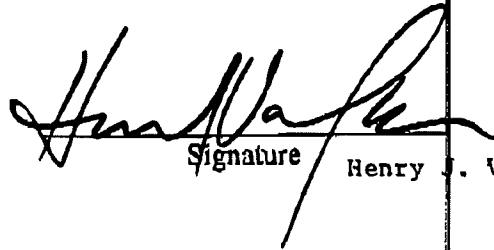
October 18, 2004

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 Fourth Quarter, FY 2004

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



Signature Henry J. Van Dyke, Chief Counsel

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 DGC - GC-53	Phone # 578-395-4227
Fax # 202-586-3055	Fax # 578-395-7379

N8N 7540-01-317-7388

5009-101

GENERAL SERVICES ADMINISTRATION

311 (2)

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

FROM: Assistant General Counsel for General Law

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 July 1, 2004, to September 30, 2004 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Susan Beard

Signature

10/18/04

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

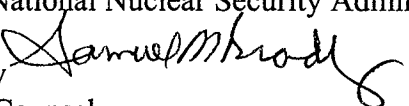


Department of Energy

Washington, DC 20585

October 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 (Fourth 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 July 1, 2004, through September 30, 2004. Your report is due by November 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



Presidential Documents

Title 3—

The President

Executive Order 12863 of September 13, 1993

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.

[FR Citation 58 FR 48441]

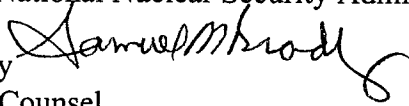


Department of Energy
Washington, DC 20585

312 12

October 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 (Fourth 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 July 1, 2004, through September 30, 2004. Your report is due by November 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



312 R

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

FROM: CARY J. LAVINE

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 July 1, 2004, to September 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

313

R

United States Government

Department of Energy

memorandum

Idaho Operations Office

Date: October 14, 2004

Subject: Executive Order No.12863 Unlawful Intelligence Activities Report for Fourth Quarter FY 2004 (OCC-04-0071)

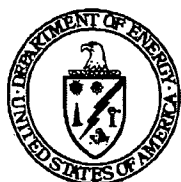
To: Samuel M. Bradley
Assistant General Counsel
For International and National Security Programs
GC-53, 6A-141/FORS

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

I am unaware of any DOE intelligence activities during the period from July 1, 2004, through September 30, 2004, 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

319
R



Department of Energy

Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

October 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 JULY 1, 2004 THROUGH SEPTEMBER 30, 2004

I am unaware of any DOE intelligence activities during the period from July 1, 2004 to September 30, 2004, 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



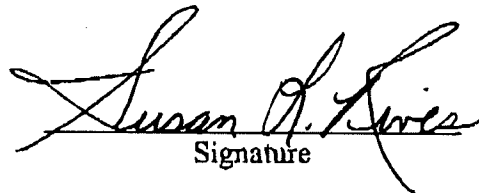
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MEMORANDUM FOR: Samuel M. Bradley
 Assistant General Counsel
 for International and National Security Programs

FROM: Susan L. Rives, OAD Chief Counsel

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 July 1, 2004, to September 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

*Rec'd before
memo went
out!*

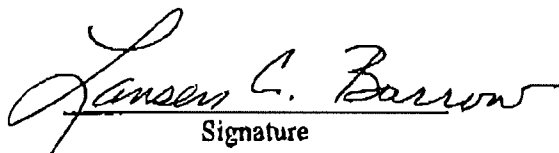
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MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Strategic Petroleum RESERVE Project Mgmt. 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 July 1, 2004, to September 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

3
2

United States Government

Department of Energy

Oak Ridge Office

memorandum

DATE: May 5, 2005

REPLY TO

ATTN OF: CC-10:Carnes

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT FOR SECOND QUARTER, FY 2005**

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 January 1, 2005, through March 31, 2005, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Jennifer J. Fowler
Chief Counsel

316 2

United States Government

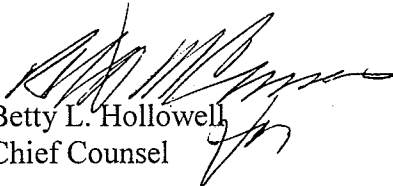
Department of Energy

Richland Operations Office

memorandum

DATE: MAY 11 2005
REPLY TO OCC:JLD/05-OCC-0061
ATTN OF:
SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR SECOND QUARTER FISCAL YEAR 2005
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, 2005, through March 31, 2005, 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

cc: J. McKissick, GC-53



United States Government

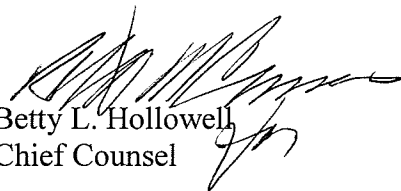
Department of Energy

Richland Operations Office

memorandum

DATE: MAY 11 2005
REPLY TO
ATTN OF: OCC:JLD/05-OCC-0061
SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR SECOND QUARTER FISCAL YEAR 2005
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, 2005, through March 31, 2005, 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

cc: J. McKissick, GC-53

Copy

320
R

3/15/05

The Honorable James Langdon
Chairman
President's Intelligence Oversight Board
Room 5020 - New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20503

Dear Chairman Langdon:

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 October 1, 2004, through December 31, 2004.

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,



Eric J. Fygi
Acting General Counsel

Copy

321
12

March 9, 2005

MEMORANDUM FOR: Eric Fygi
Acting General Counsel

THROUGH: Gary J. Lavine *SL*
Deputy General Counsel for Environment and Nuclear Programs

FROM: Samuel M. Bradley *SL*
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, 2004, through December 31, 2004. 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 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



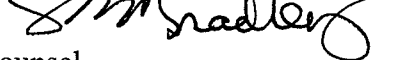
Department of Energy

Washington, DC 20585

322
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April 8, 2005

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 (Second Quarter, FY 2005)

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, 2005, through March 31, 2005. Your report is due by May 15, 2005.

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






Department of Energy
Washington, DC 20585

323
2

April 8, 2005

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

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Attachment(s)

cc: Inspector General






Department of Energy
Washington, DC 20585

374
R

April 8, 2005

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 (Second Quarter, FY 2005)

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Attachment(s)

cc: Inspector General



375
AR

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.

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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.

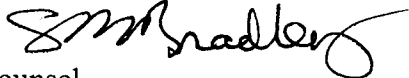


Department of Energy
Washington, DC 20585

326
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April 8, 2005

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 (Second Quarter, FY 2005)

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Attachment(s)

cc: Inspector General



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

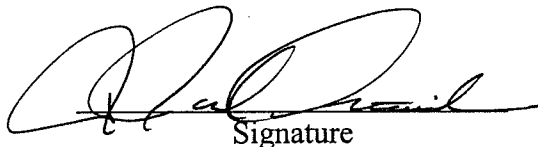
FROM:

*R. Paul Detwiler, Acting Deputy General
Counsel, NSA*

SUBJECT:

Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 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

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President's Foreign Intelligence Advisory Board

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William Clinton

THE WHITE HOUSE,
September 13, 1993.

37
1

FACSIMILE FROM
OFFICE OF CHIEF COUNSEL

FACSIMILE NO.: 865-576-1071

VERIFICATION NO.: 865-576-1203

URGENT: _____
PRIORITY: _____
ROUTINE: _____

DATE: 5/5/05

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 1325.8
(2.02)

United States Government

Department of Energy

Oak Ridge Office

memorandum

DATE: May 5, 2005

REPLY TO

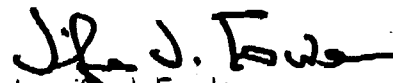
ATTN OF: CC-10:Carnes

SUBJECT:

EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT FOR SECOND QUARTER, FY 2005

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 January 1, 2005, through March 31, 2005, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Jennifer J. Fowler
Chief Counsel

328
P

McKissick, Jacqueline

From: Bradley, Samuel
Sent: Monday, April 18, 2005 4:22 PM
To: McKissick, Jacqueline
Subject: FW: Report to Intelligence Oversight Board (Second Quarter FY 2005)

-----Original Message-----

From: Jonas, Dave
Sent: Monday, April 18, 2005 2:48 PM
To: Bradley, Samuel
Subject: FW: Report to Intelligence Oversight Board (Second Quarter FY 2005)

FYI

Dave Jonas
General Counsel (Acting)
National Nuclear Security Administration
U.S. Department of Energy
(202) 586-5052 (phone)
(202) 586-0419 (fax)

-----Original Message-----

From: Parenti, Janis [mailto:janis.parenti@Oak.doe.gov]
Sent: Monday, April 18, 2005 2:38 PM
To: Jonas, Dave S (HQ)
Cc: Detwiler, Paul (HQ)
Subject: Report to Intelligence Oversight Board (Second Quarter FY 2005)

Dave,

Regarding the second quarter of FY 2005, I am unaware of any intelligence activities that were unlawful or contrary to Executive Order, Presidential directive or Department of Energy guidelines or implementing procedures.

Janis M. Parenti
Livermore Site Office Counsel
Ph: (925) 424-4565
Fx: (925) 423-4279

329
P

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 Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

David R. Hill 4/13/05
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

Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

330
R

APR 15 2005

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, 2005 THROUGH MARCH 31, 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005 to March 31, 2005, 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



331
R

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

FROM: LA SO

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 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

332
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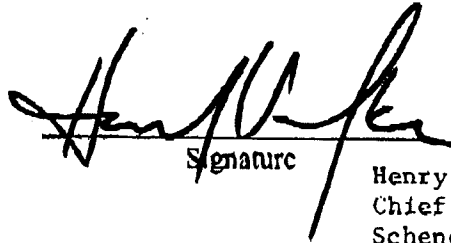
Apr 11, 2005

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 Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 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 Office

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 109 (7-90)

FAX TRANSMITTAL

of pages 1

To	J McKissick	From	HJ VAN DYKE
Dept./Agency	OGE-GIC-53	Phone #	518-395-4227
Fax #	202-586-3055	Fax #	518-395-6670

FAX TRANSMISSION

333
D



U.S. DEPARTMENT OF ENERGY
Office of Repository Development
P.O. Box 364629
N. Las Vegas, Nevada 89036-8629

DIANE QUENELL, PARALEGAL/FOIA-PA OFFICER
Telephone (702) 794-5004
Fax: (702) 794-5000

To: *Jaqueline McKissick* DATE: *April 11, 2005*

FAX #: *202 586-3055* PAGES: *2* (EXCLUDING COVER SHEET)

SUBJECT: *Unlawful Intelligence Activities Report*

Being faxed is our subject report as requested in Mr. Bradley's April 8, 2005, memorandum

Diane

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 me immediately by telephone and return the original message to me at the above address via the U.S. Postal Service. Thank you.

334
R

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

FROM: Susan Beard

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Susan Beard 4/14/05
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

35
2

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

FROM: THOMAS J. RUSSIAL
CHIEF COUNSEL IN ETU

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 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

336 ②

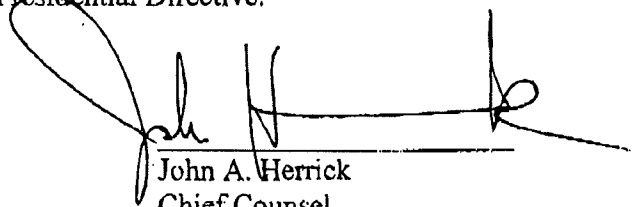
MEMORANDUM: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Golden Field Office and Regional Support Offices

DATE: April 12, 2005

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



John A. Herrick
Chief Counsel

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

Sam Bradley



Department of Energy
National Nuclear Security Administration
Washington, DC 20585

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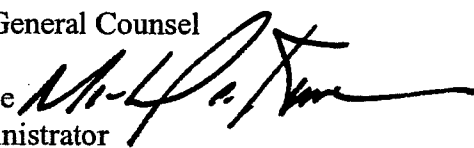
APR 20 2005

MEMORANDUM FOR

Gregory H. Friedman
Inspector General

David S. Jonas
Acting NNSA General Counsel

FROM:

Michael C. Kane 
Associate Administrator
for Management and Administration

SUBJECT:

Report to the Intelligence Oversight Board for 2nd
Quarter, Fiscal Year 2005

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, 2005, through March 31, 2005, 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, for assistance.

cc: Director, Office of Intelligence, IN-1
General Counsel, GC-1

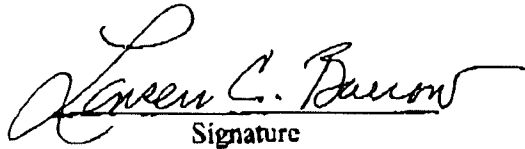
335
R

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

FROM: Strategic Petroleum Reserve Project Mgmt. Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 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
Idaho Operations Office
OFFICE OF CHIEF COUNSEL
Facsimile Transmittal Request**

339
12

**PLEASE
REMOVE ANY
STAPLES**

Date: April 14, 2005

TO: Jacqueline McKissick

Organization/Location: Office of International and National Security Programs - 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 page excluding cover sheet.

United States Government

Department of Energy

memorandum

Idaho Operations Office

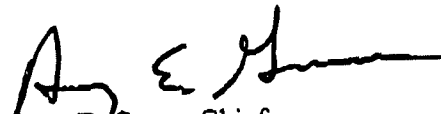
Date: April 14, 2005

Subject: Executive Order No. 12863 Unlawful Intelligence Activities Report for Second Quarter FY 2005 (OCC-05-021)

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 January 1, 2005 through March 31, 2005, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Amy E. Grose, Chief
Office of Chief Counsel

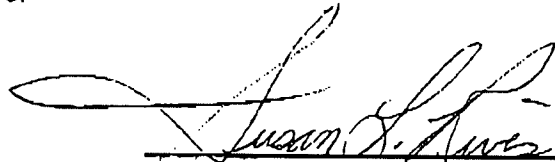
340 R

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

FROM: Office of Reproductive Development

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature
Chief Counsel

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 Nuclear Security Administration
Nevada Site Office
Las Vegas, NV

341
R

OFFICE OF CHIEF COUNSEL

FACSIMILE TRANSMISSION ROUTING SHEET
TELECOMMUNICATIONS FACSIMILE MESSAGE

ROUTINE PRIORITY _____

TO: Jacqueline McKissick

LOCATION: Office of Assistance General Counsel GC-3 Room 61-141 Forrestal

PHONE NO.: 202-586-3371

FAX No.: (202) 586-3055

FROM: Kathy Izell

PHONE No.: (702) 295-3581

FAX No.: (702) 295-1067

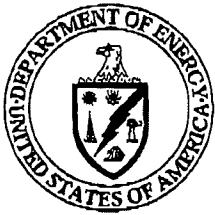
MESSAGE:

DATE: April 11, 2005

NUMBER OF PAGES 2 (Including This Cover Sheet)

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

Signature – Official Business



Department of Energy
National Nuclear Security Administration
Nevada Site Office
P.O. Box 98518
Las Vegas, NV 89193-8518

APR 11 2005

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 Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005, to March 31, 2005, that I have reason to believe any unlawful or contrary to Executive Order or Presidential Directive.


Signature

cc:
David S. Jonas, NNSA/HQ

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
Washington, DC 20585

312
R

April 8, 2005

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, FY 2005)

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, 2005, through March 31, 2005. Your report is due by May 15, 2005.

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

McKissick, Jacqueline

From: Bradley, Samuel
Sent: Monday, April 18, 2005 8:52 AM
To: McKissick, Jacqueline
Subject: FW: Unlawful Intelligence Activities Second Quarter FY-05

343
L

-----Original Message-----

From: Jonas, Dave
Sent: Monday, April 18, 2005 8:42 AM
To: Bradley, Samuel
Subject: FW: Unlawful Intelligence Activities Second Quarter FY-05

Sam I also have a negative from Los Alamos site office, which was faxed to you. v/r

Dave Jonas
General Counsel (Acting)
National Nuclear Security Administration
U.S. Department of Energy
(202) 586-5052 (phone)
(202) 586-0419 (fax)

-----Original Message-----

From: Clinton Fitts [mailto:CFITTS@pantex.doe.gov]
Sent: Monday, April 18, 2005 8:42 AM
To: Dave.Jonas@nnsa.doe.gov
Subject: Unlawful Intelligence Activities Second Quarter FY-05

Negative Report from PXS0.

McKissick, Jacqueline

From: Bradley, Samuel
Sent: Tuesday, April 19, 2005 9:38 AM
To: McKissick, Jacqueline
Subject: FW: Executive Order No. 12863 Unlawful Intelligence Activities Report for Second Quarter, FY 2005



-----Original Message-----

From: Jonas, Dave
Sent: Tuesday, April 19, 2005 8:58 AM
To: Bradley, Samuel
Subject: FW: Executive Order No. 12863 Unlawful Intelligence Activities Report for Second Quarter, FY 2005

Dave Jonas
General Counsel (Acting)
National Nuclear Security Administration
U.S. Department of Energy
(202) 586-5052 (phone)
(202) 586-0419 (fax)

-----Original Message-----

From: Stephanie.Bogart@nnsa.doe.gov [mailto:Stephanie.Bogart@nnsa.doe.gov]
Sent: Tuesday, April 19, 2005 8:50 AM
To: Dave.Jonas@nnsa.doe.gov
Cc: Saunders, LeCresia
Subject: Executive Order No. 12863 Unlawful Intelligence Activities Report for Second Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from January 1, 2005 to March 31, 2005 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Stephanie L. Bogart, Counsel
Kansas City Site Office
Phone: (816) 997-3341
Fax: (816) 997-3718
e-mail: Stephanie.Bogart@nnsa.doe.gov

Cell: (816) 985-4805
Pager: (800) 251-7886
Text Page 2517886@skytel.com



Department of Energy
Washington, DC 20585

352

APR 25 2005

MEMORANDUM FOR GREGORY H. FRIEDMAN
INSPECTOR GENERAL

ERIC J. FYGI
ACTING GENERAL COUNSEL

FROM: JOHN A. RUSSACK *John A. Russack*
DIRECTOR, OFFICE OF INTELLIGENCE
AND SENIOR INTELLIGENCE OFFICER

SUBJECT: Report to Intelligence Oversight Board (Second Quarter,
Fiscal Year 2005)

Pursuant to my authorities as the Department of Energy's Senior Intelligence Officer, I have requested a review of the intelligence activities under my purview. Based on the written submissions I have received from each of the twelve field intelligence elements (see attached), I am aware of no intelligence activities that occurred during the period January 1, 2005 through March 31, 2005 that may be unlawful or contrary to Executive Order, Presidential Directive, or Department of Energy guidelines or implementing procedures.

Attachments



memorandum

Idaho Operations Office

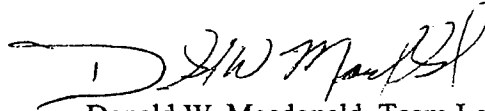
Date: April 14, 2005

Subject: Report to the Intelligence Oversight Board (Second Quarter, FY 2005)
(R&D-NS-05-004)

To: James W. Pugh
Office of Inspections
DOE-HQ, IG-40, 5B-250/FORS

During the period of January 1, 2005 through March 31, 2004, no intelligence activities have come to my attention that I have reason to believe may be unlawful or contrary to Executive Order, Presidential Directive, or Department of Energy guidelines/directives or implementing procedures.

Should questions arise or you wish to schedule a periodic review of this function at the Idaho Operations Office, please contact me at (208) 526-6520.



Donald W. Macdonald, Team Lead
National Security Programs

William D. Ross
Director, Field Intelligence Element
Kansas City Plant

**Federal Manufacturing
& Technologies**

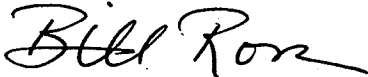
Honeywell
2000 East 95th Street
P.O. Box 419159
Kansas City, MO 64141-6159
816-997-3012

April 8, 2005

Mr. John A. Russack
Director, Office of Intelligence
U.S. Department of Energy
Forrestal Building
DOE/IN Room GA-301
1000 Independence Avenue SW
Washington, DC 20585

Subject: REQUIRED REPORTING ON INTELLIGENCE ACTIVITIES: FY05 1st QUARTER

During the period of January 1, 2005, to March 31, 2005, no activities have come to my attention that may be illegal or contrary to Executive Order 12333, other Executive Orders and Presidential Directives, or the DOE "Procedures for Intelligence Activities", section XVI.D.1.



W. D. Ross

Copies:

C. R. Bibb, KCP
R. M. Jensen, KCP
M. J. Nault, KCP
N. D. Fryatt, KCP
S. C. Taylor, KCSO
KCP FIE file



Lawrence Livermore National Laboratory

April 20, 2005

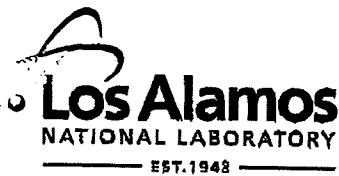
U.S. Department of Energy
Office of Energy Intelligence
GA301/IN-1
Attn: John Russack, Director
1000 Independence Avenue, SW
Washington, DC 20585-0430

Subject: Quarterly Report to Inspector General on Intelligence Activities at LLNL

This report is in response to the Department of Energy Inspector General's request for confirmation of the appropriateness of intelligence activities at Lawrence Livermore National Laboratory during the period, January 1, 2005 – March 31, 2005. To the best of my knowledge, activities conducted during this period were in accordance with Executive Orders, Presidential directives, and Department of Energy guidelines and implementing procedures for intelligence activities.

Sincerely,

Melanie L. Elder
Director
Livermore Field Intelligence Element



Office of the Director
Special Advisor

P. O. Box 1663, Mail Stop B247
Los Alamos, New Mexico 87545
505-667-0513/Fax 505-664-0855

Date: April 1, 2005
Refer To: SA-DIR:05-012

John A. Russack, Director
Office of Intelligence
U.S. Department of Energy
Washington, D.C. 20585

SUBJECT: EXECUTIVE ORDER 12333 PRESIDENT'S INTELLIGENCE OVERSIGHT BOARD

During the period 1 January to 31 March 2005, 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.

Raymond A. Vitkus
Special Advisor
Office of the Director

RAV:cam

Cy: FAXED 202/287-5999: J. Russack, DOE, IN-1
T. J. Harmeson, LASO, A316
P. S. Moss, LASO, A316
Lorraine A. Cano, DOE/AL/OFFM
US Department of Energy
NNSA/Service Center
P. O. Box 5400
Albuquerque, NM 87184
J. C. Giles, ALD-TR, A135
H. O. Dogliani, ISR/IT, B229
S. L. Barnes, S-DO, MS G733
M. S. Ryan, AA-1, G998
DIR/SA File



Department of Energy

Washington, DC 20585

APR 12 2005

MEMORANDUM FOR: JOHN A. RUSSACK
DIRECTOR
DEPARTMENT OF ENERGY
OFFICE OF INTELLIGENCE

FROM: *Travis Pullen for* RICHARD L. COHN
DIRECTOR
NEVADA INTELLIGENCE CENTER
DEPARTMENT OF ENERGY
OFFICE OF INTELLIGENCE

SUBJECT: Intelligence Activity Compliance Report for the
Second Quarter, FY 2005

During the second quarter of FY 2005 (January 1, 2005, through March 31; 2005), the Nevada Intelligence Center has not engaged in any intelligence or intelligence-related activities (nor have we become aware of any) which may be contrary to Executive Order, Presidential Directive, or Department of Energy guidelines or implementing procedures.

Should you have any questions, please contact me, at (702) 295-0911.

cc:
Patricia A. Long, Special Assistant/Counsel

Original to Elizabeth Vaden



OFFICIAL USE ONLY
OAK RIDGE NATIONAL LABORATORY

MANAGED BY UT-BATTELLE FOR THE DEPARTMENT OF ENERGY

Jon Kreykes
Director, Oak Ridge FIE
P.O. Box 2008
Oak Ridge, TN 37831-8284
(865) 576-2211
kreykesja@ornl.gov

April 20, 2004

Ltr.#FII05-027

Mr. Michael G. Ortmeier
U.S. Department of Energy
Office of Intelligence (IN-1)
Forrestal Building, GA-301
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Mr. Ortmeier:

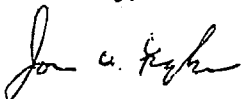
**Contract Number DE-AC05-00OR22725: Quarterly Report on
Department of Energy (DOE) Procedures for Intelligence Activities
and Reporting of Questionable Activities, January – March 2005**

This letter report is being made pursuant to Sections XVI.D.1.b and X. of DOE's
Procedures for Intelligence Activities, dated October 19, 1992.

During the reporting period, January – March 2005, no activities have been brought to my
attention that I have reason to believe may be illegal or ~~contrary to Executive Order 12333,~~
other applicable Executive orders, or the DOE Procedures for Intelligence Activities.

If you have any questions, please call me at 865-576-2211.

Sincerely,



Jon A. Kreykes
Director
Oak Ridge Field Intelligence Element

c: G. W. Blanchard, DOE/ORO
L. M. Eble, DOE/ORO
W. O. Fioravanti
P. L. Hosford: RC

OFFICIAL USE ONLY
Contains information which may be exempt from public
release under the Freedom of Information Act (5 U.S.C.
552), Exemption Number(s) 6. Approval by the
Department of Energy prior to public release is required.

Reviewed by: J. A. Kreykes Date: 04-20-2005

OFFICIAL USE ONLY

Pacific Northwest National Laboratory

Operated by Battelle for the
U.S. Department of Energy

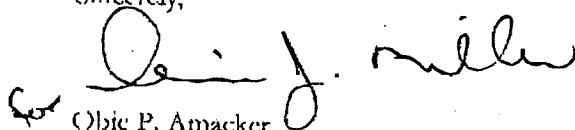
April 6, 2005

John A. Russack, Director
Office of Intelligence (IN)
U.S. Department of Energy
Forrestal Building, GA-301
1000 Independence Avenue, SW
Washington, DC 20585-0430

Dear Mr. Russack:

During the period of January 1 through March 31, 2005, 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 and Presidential Directives, or Department of Energy "Procedures for Intelligence Activities".

Sincerely,



Obie P. Amacker
FBI Director
National Security Directorate

OPA:lb

Cc: EK Vaden, DOE-HQ, IN-1
LP Chandler, DOE-HQ, IN-1
SI. Frey, DOE-HQ, IN-1
TL Davis, DOE/Richland Operations Office
DE Trader, DOE/Richland Operations Office

902 Battelle Boulevard • P.O. Box 999 • Richland, WA 99352

Telephone (509) 372-4161 □ Email Don.Bradley@pnl.gov □ Fax (509) 372-4412



P.O. Box 30020 Amarillo, Texas 79120 806/477-3000

April 1, 2005

Via Fax # 202/287-5999
and Regular Mail

Mr. John A. Russack
U.S. Department of Energy
Director, Office of Intelligence
Mail Stop IN-1 Rm # GA 293
1000 Independence Avenue S.W.
Washington, DC 20585

Dear Mr. Russack:

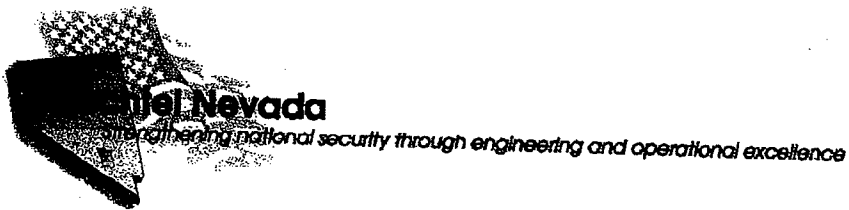
During the period January 1, 2005 to March 31, 2005, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Orders, Presidential Directives, the DOE Procedures for Intelligence Activities, or applicable DOE order or policy.

If you have any questions, please feel free to contact me directly at (806) 477-5670 or Tommy Butler at (806) 477-7448.

Very truly yours,

William R. Mairson
Manager, Integrated Safety & Business
Management

cc: Gary Wisdom, PXSO, 12-36
Laura Pendlebury, PXSO, 12-36
Tommy Butler, BWXT, 9060C
File



B146-AW-05-0013

April 19, 2005

John Russack
Office of Intelligence
U.S. Department of Energy
1000 Independence Avenue SW
Washington D.C., 20585

Subject: **REPORT ON INTELLIGENCE ACTIVITIES**

During the period of January 1, 2005 to March 31, 2005, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order 12958, other Executive Orders, Presidential Directives, DOE Procedures for Intelligence Activities, or applicable DOE policies.

Should you require any additional information, please contact my office at (702) 295-8001.

A handwritten signature in cursive script, appearing to read "A. Will".

Alan J. Will
Field Intelligence Element Director
Bechtel Nevada Remote Sensing Laboratory

AJW:ibd

Subject Code: INT-1

cc: L.M. Gresham, DOE/HQ, IN-1

**Sandia National Laboratories**Operated for the U.S. Department of Energy by
Sandia CorporationP.O. Box 5800
Albuquerque, NM 87185-1205Phone: (505) 844-8358
Fax: (505) 844-1424
Internet: adromig@sandia.gov**A. D. Romig, Jr.**
Vice President, Nonproliferation and Assessments

April 08, 2005

Mr. John Russack, Director
Office of Intelligence, IN-1
U. S. Department of Energy
Washington, DC 20585Dear Mr. Russack: *John*

During the period of January 1, 2005, to March 31, 2005, ~~no activities or engagement in independent activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order 12333, other Executive Orders and Presidential directives, or the DOE "Procedures for Intelligence Activities."~~ I also certify that, to the best of my knowledge, all information pertaining to U. S. entity is being retained in compliance with E. O. 12333 and the DOE procedures.

Sincerely,

Copy to:
Ron Holton, DOE/SSO, MS 0184

MEMO

Savannah River National Laboratory

April 6, 2005

TO: Director of Security, DOE IN-1

FROM: A. L. Boni, Manager, Director SRNL FIE

AL Boni 4-6-05

SUBJECT: Compliance

Special classified intelligence-related programs presently carried out within the Nonproliferation Technologies Section of the Savannah River National Laboratory continue to be conducted in compliance with Presidential Directives and Executive Orders, in particular Executive Order 12333.

Bechtel Nevada

Special Technologies Laboratory
5520 Ekwill Street, Suite B
Santa Barbara, CA 93111

B200-MM-05-0026

April 1, 2005

John Russack
U.S. Department of Energy
1000 Independence Avenue S.W.
GA/301, IN-1
Washington, DC 20585

Subject: **INTELLIGENCE ACTIVITIES**

During the Period January 1, 2005 through March 31, 2005, 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."

Please call me at (805) 681-2401 if you have any questions.



Michael G. Martinez
Special Technologies Laboratory, FIE Director

MM:ke

Subject Code: INT 14-1

cc: L. Gresham, DOE/HQ IN-1
E. Vaden, DOE/HQ IN-1

346
2

FAX TRANSMISSION

DEPARTMENT OF ENERGY
National Nuclear Security Administration
Los Alamos Site Office
Los Alamos, NM 87544
(505) 667-4667
Fax: (505) 665-4873

To: *Jacqueline M^o Kessick* Date: *4/12/05*
Fax #: *202-586-3055* Pages: 2, including this cover sheet.
From: Pat Wolford
Office of Counsel

COMMENTS:

*Please fax the 3rd Quarter's
transmittal to Roger K. Cormor,
LASD, instead of Beth Osheim,
LAAO. (same fax number - 505-665-4873.)*



Department of Energy
Washington, DC 20585

347
2

June 9, 2005

The Honorable James Langdon
Chairman
President's Intelligence Oversight Board
Room 5020 - New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20503

Dear Chairman Langdon:

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 January 1, 2005, through March 31, 2005.

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 "Eric J. Fygi", written over a horizontal line.

Eric J. Fygi
Acting General Counsel



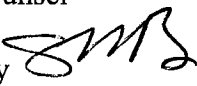


Department of Energy
Washington, DC 20585

348 12

June 7, 2005

MEMORANDUM FOR: Eric Fygi
Acting General Counsel

FROM: 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, 2005, through March 31, 2005. 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 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



United States Government

memorandum

Department of Energy

Oak Ridge Office




DATE: August 10, 2005

REPLY TO
ATTN OF: CC-10:Carnes

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT
FOR THIRD QUARTER, FY 2005**

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 April 1, 2005, through June 30, 2005, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Jennifer J. Fowler
Chief Counsel

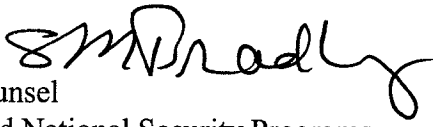


Department of Energy
Washington, DC 20585

350 2

July 7, 2005

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 2005)

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 [he 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, 2005, through June 30, 2005. Your report is due by August 15, 2005.

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



(35) (2)

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 Third Quarter, FY 2005

I am unaware of any DOE intelligence activities during the period from April 1, 2005, to June 30, 2005 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

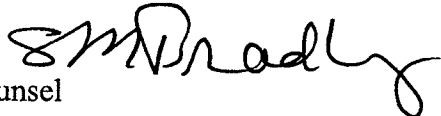


Department of Energy
Washington, DC 20585

352
VI

July 7, 2005

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 2005)

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 [he 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, 2005, through June 30, 2005. Your report is due by August 15, 2005.

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





Department of Energy
National Nuclear Security Administration
Service Center



353 2

August 12, 2005

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

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

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Third Quarter FY 2005

"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from April 1, 2005 to June 30, 2005 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 SC."

Diana M. Cruz
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

356 2

FACSIMILE FROM
OFFICE OF CHIEF COUNSEL

FACSIMILE NO.: 865-576-1071

VERIFICATION NO.: 865-576-1203

URGENT: _____
PRIORITY: _____
ROUTINE: _____

DATE: 8/10/05

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 1325.9
12.071

United States Government

Department of Energy

Oak Ridge Office

memorandum

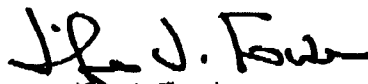
DATE: August 10, 2005

REPLY TO
ATTN OF: CC-10:Carnes

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT
FOR THIRD QUARTER, FY 2005**

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 April 1, 2005, through June 30, 2005, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Jennifer J. Fowler
Chief Counsel

United States Government

Department of Energy

memorandum

Richland Operations Office

(35) (2)

DATE: JUL 27 2005
REPLY TO
ATTN OF: OCC:JLD/05-OCC-0095
SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR THIRD QUARTER FISCAL YEAR 2005

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 April 1, 2005, through June 30, 2005, 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

memorandum

Richland Operations Office

350 R

DATE: JUL 27 2005
REPLY TO
ATTN OF: OCC:JLD/05-OCC-0095
SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR THIRD QUARTER FISCAL YEAR 2005

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 April 1, 2005, through June 30, 2005, 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



Department of Energy

Washington, DC 20585

JUL 26 2005

MEMORANDUM FOR GREGORY H. FRIEDMAN
INSPECTOR GENERAL

359
R

ERIC J. FYGI
ACTING GENERAL COUNSEL

FROM: LARRY GRESHAM 
PRINCIPAL DEPUTY DIRECTOR, OFFICE OF
INTELLIGENCE AND SENIOR INTELLIGENCE OFFICER

SUBJECT: Report to Intelligence Oversight Board (Third Quarter,
Fiscal Year 2005)

Department of Energy intelligence components are required to submit a quarterly report detailing any activities in contravention of Executive Orders, Presidential Directives, or Departmental intelligence guidelines. Based on the written submissions I have received from each of the twelve field intelligence elements (see attached), I am aware of no intelligence activities that occurred during the period April 1, 2005 through June 30, 2005 that may be unlawful or contrary to Executive Order, Presidential Directive, or Department of Energy guidelines or implementing procedures.

Attachments





360 11

July 11, 2005

CCN 201755

Mr. Larry M. Gresham
Principal Deputy, Office of Intelligence
IN-1/Forrestal Building
U. S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-3430

SUBJECT: Contract No. DE-AC07-05ID14517 - THIRD QUARTER REPORT FOR FISCAL YEAR 2005

Dear Mr. Gresham:

This letter documents the performance review of intelligence activities under Executive Order 12863, "President's Foreign Intelligence Advisory Board." No activities were found that may be unlawful, contrary to Executive Orders, Presidential Directives, DOE guidelines, or implementing procedures.

If you have any questions, please call me at 208 526-1967.

Sincerely,

A handwritten signature in black ink, appearing to read "S. D. Hartenstein", with a stylized, flowing script.

S. D. Hartenstein, Acting Director
INL Field Intelligence Element
National and Homeland Security

dmt

cc: J. J. Grossenbacher, INL, MS 3750
M. G. Ortmeier, HQ DOE/TN-1
L. A. Schlke, INL, MS 3810
C. A. Thompson, NE-ID, MS 1240

300

Honeywell

William D. Ross
Director, Field Intelligence Element
Kansas City Plant

**Federal Manufacturing
& Technologies**
Honeywell
2000 East 95th Street
P.O. Box 419159
Kansas City, MO 64141-6159
816-997-3012

July 7, 2005

Mr. John A. Russack
Director, Office of Intelligence
U.S. Department of Energy
Forrestal Building
DOE/IN Room GA-301
1000 Independence Avenue SW
Washington, DC 20585

Subject: REQUIRED REPORTING ON INTELLIGENCE ACTIVITIES: FY05 2nd QUARTER

During the period of April 1, 2005, to June 30, 2005, no activities have come to my attention that may be illegal or contrary to Executive Order 12333, other Executive Orders and Presidential Directives, or the DOE "Procedures for Intelligence Activities", section XVLD.1.



W. D. Ross

- Copies:
- C. R. Bibb, KCP
- R. M. Jensen, KCP
- M. J. Nault, KCP
- N. D. Fryatt, KCP
- S. C. Taylor, KCSO
- KCP FIE file



Lawrence Livermore National Laboratory

July 21, 2005

U.S. Department of Energy
Office of Energy Intelligence
GA301/IN-1
Attn: Larry Gresham, Acting Director
1000 Independence Avenue, SW
Washington, DC 20585-0430

Subject: Quarterly Report to Inspector General on Intelligence Activities at LLNL

This report is in response to the Department of Energy Inspector General's request for confirmation of the appropriateness of intelligence activities at Lawrence Livermore National Laboratory during the period, April 1, 2005 – June 30, 2005. To the best of my knowledge, activities conducted during this period were in accordance with Executive Orders, Presidential directives, and Department of Energy guidelines and implementing procedures for intelligence activities.

Sincerely,

Melanie L. Elder
Director
Livermore Field Intelligence Element

Office of the Director
Special Advisor
P. O. Box 1663, Mail Stop B247
Los Alamos, New Mexico 87545
505-667-0513/Fax 505-664-0855

Date: July 5, 2005
Refer To: SA-DIR:05-025

John A. Russack, Director
Office of Intelligence
U.S. Department of Energy
Washington, D.C. 20585

SUBJECT: EXECUTIVE ORDER 12333 PRESIDENT'S INTELLIGENCE OVERSIGHT BOARD

During the period 1 April to 30 June 2005, 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.



Thomas P. Suchocki
Acting Special Advisor
Office of the Director

TPS:cam

Cy: FAXED 202/287-5999: J. Russack, DOE, IN-1
T. J. Harneson, LASO, A316
P. S. Moss, LASO, A316
Lorraine A. Cano, DOE/AL/OFFM
US Department of Energy
NNSA/Service Center
P. O. Box 5400
Albuquerque, NM 87184
J. Douglas Beason, ALD-TR, A135
H. O. Dogliani, ISR/IT, B229
S. L. Barnes, S-DO, MS G733
M. S. Ryan, AA-1, G998
DIR/SA File

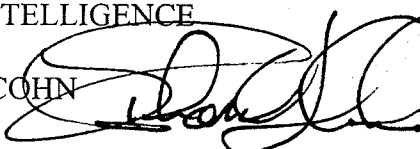


Department of Energy

Washington, DC 20585

JUL - 7 2005

MEMORANDUM FOR: LARRY M. GRESHAM
PRINCIPAL DEPUTY
DEPARTMENT OF ENERGY
OFFICE OF INTELLIGENCE

FROM: RICHARD L. COHN 
DIRECTOR
NEVADA INTELLIGENCE CENTER
DEPARTMENT OF ENERGY
OFFICE OF INTELLIGENCE

SUBJECT: Intelligence Activity Compliance Report for the
Third Quarter, FY 2005

During the third quarter of FY 2005 (April 1, 2005, through June 30, 2005), the Nevada Intelligence Center has not engaged in any intelligence or intelligence-related activities (nor have we become aware of any) which may be contrary to Executive Order, Presidential Directive, or Department of Energy guidelines or implementing procedures.

Should you have any questions, please contact me, at (702) 295-0911.



OFFICIAL USE ONLY
OAK RIDGE NATIONAL LABORATORY

MANAGED BY UT-BATTELLE FOR THE DEPARTMENT OF ENERGY

James N. Sumner
Director, Oak Ridge FIE
P.O. Box 2008
Oak Ridge, TN 37831-8284
(865) 574-9230
sumnerjn@ornl.gov

July 12, 2005

Ltr. #FII05-047

Mr. Larry M. Gresham
Principal Deputy
U.S. Department of Energy
Office of Intelligence (IN-1)
Forrestal Building, GA-301
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Mr. Gresham:

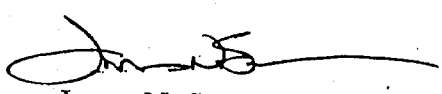
Contract Number DE-AC05-00OR22725: Quarterly Report on Department of Energy (DOE) Procedures for Intelligence Activities And Reporting of Questionable Activities, April – June 2005

This letter report is being made pursuant to Sections XVI.D.1.b and X. of DOE's Procedures for Intelligence Activities, dated October 19, 1992.

During the reporting period, April – June 2005, no activities have been brought to my attention that I have reason to believe may be illegal or contrary to Executive Order (EO) 12333, EO 12863, other applicable Executive orders, or the DOE Procedures for Intelligence Activities.

If you have any questions, please call me at 865-574-9230.

Sincerely,



James N. Sumner
Director
Oak Ridge Field Intelligence Element

- c: G. W. Blanchard, DOE/ORO
- L. M. Eble, DOE/ORO
- P. L. Hosford: RC
- W. O. Fioravanti

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Contains information which may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552), Exemption Number(s) 6. Approval by the Department of Energy prior to public release is required.

Reviewed by: J. N. Sumner Date: 07-12-2005

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Pacific Northwest National Laboratory

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U.S. Department of Energy

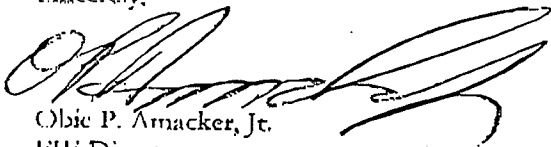
July 7, 2005

Larry Gresham, Principal Deputy
Office of Intelligence (IN)
U.S. Department of Energy
Forrestal Building, GA-301
1000 Independence Avenue, SW
Washington, DC 20585-0430

Dear Mr. Gresham:

During the period of April 1 through June 30, 2005, 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 and Presidential Directives, or Department of Energy "Procedures for Intelligence Activities".

Sincerely,



Obie P. Amacker, Jr.
NIE Director
National Security Directorate

OPA:lb

Cc: LK Vaden, DOE-HQ, IN-1
LP Chandler, DOE-HQ, IN-1
SL Frey, DOE-HQ, IN-1
TJ Davis, PNSO
DE Trader, PNSO

902 Battelle Boulevard • P.O. Box 999 • Richland, WA 99352

Telephone (509) 372-6915 | Email obie.amacker@pnl.gov | Fax (509) 372-4412

07/03/2005 11:00 AM 004770001 ESH-QA 002

BWXT Pantex

P.O. Box 30020 Amarillo, Texas 79120 806/477-3000

July 1, 2005

Via Fax #202/287-5999
and Regular Mail


Mr. John A. Russack
U.S. Department of Energy
Director, Office of Intelligence
Mail Stop IN-1 Rm # GA 293
1000 Independence Avenue S.W.
Washington, DC 20585

Dear Mr. Russack:

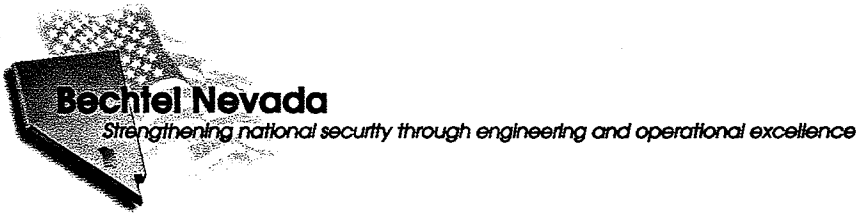
During the period April 1, 2005 to June 30, 2005, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Orders, Presidential Directives, the DOE Procedures for Intelligence Activities, or applicable DOE order or policy.

If you have any questions, please feel free to contact me directly at (806) 477-5670 or Tommy Butler at (806) 477-7448.

Very truly yours,


William R. Mairson
Manager, Integrated Safety & Business
Management

cc: Gary Wisdom, PXSO, 12-36
Laura Pendlebury, PXSO, 12-36
Tommy Butler, BWXT, 12-37
File



B146-AW-05-0021

July 11, 2005

Larry Gresham, Principal Deputy
Office of Intelligence
U.S. Department of Energy
1000 Independence Avenue SW
Washington D.C., 20585

Subject: **REPORT ON INTELLIGENCE ACTIVITIES**

During the period of April 1, 2005 to June 30, 2005, 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, DOE Procedures for Intelligence Activities, or applicable DOE policies.

Should you require any additional information, please contact my office at (702) 295-8001.

Alan J. Will
Field Intelligence Element Director
Bechtel Nevada Remote Sensing Laboratory

AJW:ibd
Subject Code: INT-1

cc: M. G. Ortmeier, DOE/HQ, IN-1



Sandia National Laboratories

Operated for the U.S. Department of Energy by
Sandia Corporation

P.O. Box 5800
Albuquerque, NM 87185-1221

Phone: (505) 845-8747
Fax: (505) 284-4388
Internet: jimcdow@sandia.gov

Jerry McDowell
Vice President, National Security Programs

JUL 15 2005

Mr. Larry Gresham, Principal Deputy
Office of Intelligence
U. S. Department of Energy
Washington, DC 20585

Dear Mr. Gresham,

During the period of April 1, 2005, to June 30, 2005, no activities or engagement in independent activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order 12333, other Executive Orders and Presidential directives, or the DOE "Procedures for Intelligence Activities." I also certify that, to the best of my knowledge, all information pertaining to U. S. entities is being retained in compliance with E. O. 12333 and the DOE procedures.

Sincerely,

Copy to:
MS 0184 Ron Holton, DOE/SSO

SAVANNAH RIVER NATIONAL LABORATORY
Aiken, SC

July 7, 2005

TO: Director of Security, DOE IN-1
FROM: Merrilee D. Anderson, SSO *M.D. Anderson*
SUBJECT: Reporting Questionable Intelligence Activities

During the period April 1 through June 30, 2005, 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 and Presidential Directives, or the DOE "Procedures for Intelligence Activities.

Bechtel Nevada

**Special Technologies Laboratory
5520 Ekwill Street, Suite B
Santa Barbara, CA 93111**

B200-MM-05-0038

July 6, 2005

John Russack
U.S. Department of Energy
1000 Independence Avenue S.W.
GA/301, IN-1
Washington, DC 20585

Subject: **INTELLIGENCE ACTIVITIES**

During the Period April 1, 2005 through June 30, 2005, 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."

Please call me at (805) 681-2401 if you have any questions.



Michael G. Martinez
Special Technologies Laboratory, FIE Director

MM:ke
Subject Code: INT 14-1

cc: L. Gresham, DOE/HQ IN-1
E. Vaden, DOE/HQ IN-1