



Department of Energy
Washington, DC 20585

362
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July 26, 2005

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

FROM: *nam*
Mary Ann Masterson
Assistant General Counsel
For Procurement and Financial Assistance

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.





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

303
R

**PLEASE
REMOVE ANY
STAPLES**

Date: July 25, 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.

memorandum

Idaho Operations Office

Date: July 25, 2005

Subject: Executive Order No.12863 Unlawful Intelligence Activities Report for Third Quarter FY 2005 (OCC-05-038)

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 April 1, 2005 through June 30, 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

RFO F 1325.8

United States Government

**Department of Energy
Rocky Flats Project Office**

memorandum

30
1

DATE: July 18, 2005

REPLY TO
ATTN OF: OCC:MR:

SUBJECT: Executive Order No. 12863, Unlawful Intelligence Activity Report- 3rd Qtr 2005

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

I am unaware of any DOE intelligence activity 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.



Mell Roy
Chief Counsel

cc:
F. Lockhart, OOM, RFPO
W. Casey, Security Manager



Department of Energy
Washington, DC 20585



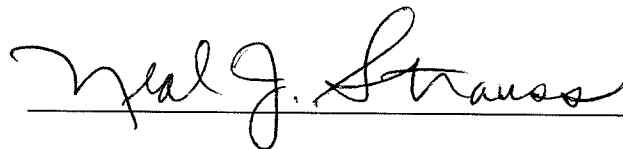
July 18, 2005

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

FROM: Neal J. Strauss
Assistant General Counsel
for Legislation and Regulatory Law

SUBJECT: Executive Order 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.





**Department of Energy**Golden Field Office
1617 Cole Boulevard
Golden, Colorado 80401-3393306
10

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

FROM: Golden Field Office and Regional Support Offices

DATE: July 18, 2005

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.

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

John A. Herrick
Chief Counsel

Please return to:

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

Fax (202) 586-3055



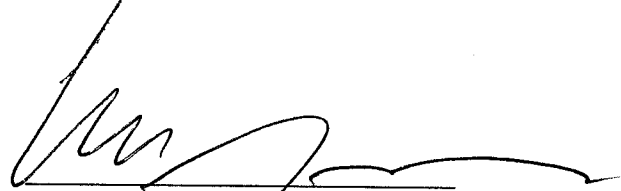
30

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 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 7/7/05

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

UNCLASSIFIED

368
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1. INSERT ABOVE, CLASSIFICATION LEVEL, UNCLASSIFIED, OR OFFICIAL USE ONLY

**U.S. DEPARTMENT OF ENERGY
TELECOMMUNICATION MESSAGE**
(See reverse side for Instructions)

2. MESSAGE CONTAINS WEAPON DATA?

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3. USE WHEN REQUIRED

THIS DOCUMENT
CONSISTS OF 5 PAGES
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4. PRECEDENCE DESIGNATION ("X" appropriate box):

FOR NORMAL USE EMERGENCY USE ONLY

ACTION: Routine Priority Immediate FLASH

INFO: (6 Hrs.) (3 Hrs.) (30 Mins.) (ASAP)

5. TYPE OF MESSAGE

(*X* appropriate box)

Single Address

Multiple Address

Title Address

Book Message

6. FROM

Samuel M. Bradley
GC-53
586-6738

7. OFFICIAL BUSINESS

Samuel M. Bradley (TIME)
(Signature of authorizing official)

A.M.
P.M.

8. DATE

July 6, 2005

9. TO

BROADCAST 6800 (68) (B)

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BE BRIEF - ELIMINATE UNNECESSARY WORDS

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PM / 7/6/05
2200

10. ORIGINATOR (On separate lines, enter Name, Routing Symbol, & Tel. No.)

Samuel M. Bradley
GC-53
586-6738

11. DERIVATIVELY CLASSIFIED NSI

NATIONAL SECURITY INFORMATION
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Derivative Classifier: _____ (Name)

(Title)
Declassify on: _____ (Date or Event/OADR)
Derivatively Classified by: _____ (Guide or Source Document)

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NATIONAL SECURITY INFORMATION
Unauthorized Disclosure subject to Administrative and Criminal Sanctions.

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(Title)
Declassify on: _____ (Date or Event/OADR)

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Unauthorized disclosure subject to Administrative and Criminal Sanctions Handle as Restricted Data in Foreign Dissemination Section 144.b Atomic Energy Act, 1954

DERIVATIVE CLASSIFIER _____ (Name and Title)

15. INSERT BELOW, CLASSIFICATION LEVEL, UNCLASSIFIED, OR OFFICIAL USE ONLY

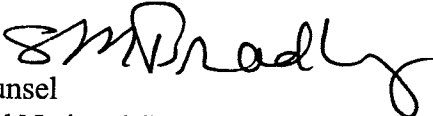
UNCLASSIFIED



Department of Energy
Washington, DC 20585

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



ROUTING AND TRANSMITTAL SLIP

Date

7/11/05

TO: (Name, office symbol, room number, building, Agency/Post)

	Initials	Date
1. Mr. McKissick GA-141		
2.		
3.		
4.		
5.		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post) Paul H. H. H. H.	Room No.—Bldg.
	Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

369 ①

Bradley, Samuel

From: parenti, janis (LSO)
Sent: Wednesday, July 13, 2005 2:46 PM
To: Bradley, Samuel
Cc: Saunders, LaCresia
Subject: FW: Report to Intelligence Oversight Board (Third Quarter, FY 2005)

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

From: Parenti, Janis
Sent: Wednesday, July 13, 2005 11:37 AM
To: Jonas, Dave S (HQ)
Cc: Detwiler, Paul (HQ); Saunders, LaCresia (HQ)
Subject: Report to Intelligence Oversight Board (Third Quarter, FY 2005)

Dave,

Regarding the third 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
Site Counsel
NNSA/Livermore Site Office
(925) 424-4565 (phone)
(925) 423-4279 (fax)



Department of Energy

Washington, DC 20585

370
R

July 7, 2005

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

FROM: Samuel M. Bradley *SMBradley*
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.

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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

8/22/05 9:47:31



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

FROM: PAUL GOTTIELY

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

Presidential Documents

Title 3—

Executive Order 12863 of September 13, 1993

The President

President's Foreign Intelligence Advisory Board

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

PART I. ASSESSMENT OF INTELLIGENCE ACTIVITIES

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

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

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

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

PART II. OVERSIGHT OF INTELLIGENCE ACTIVITIES

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

Sec. 2.2. The IOB shall:

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

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

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

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

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

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

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

PART III. GENERAL PROVISIONS

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

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

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

William Clinton

THE WHITE HOUSE,
September 13, 1993.

[FR Citation 58 FR 48441]

Bradley, Samuel

37 2

From: Bogart, Stephanie (KCSO)
Sent: Tuesday, July 12, 2005 2:14 PM
To: Jonas, Dave; Detwiler, Paul
Cc: Bradley, Samuel
Subject: E.O. 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.

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

372/R

FAX TRANSMISSION



U.S. DEPARTMENT OF ENERGY
Office of Repository Development
1551 Hillshire Drive
Las Vegas, Nevada 89134-6321

SUSAN L. RIVES, CHIEF COUNSEL
Telephone (702) 794-5519
Fax: (702) 794-5000

TO: JACQUELINE MCKISSICK

DATE: JULY 11, 2005

FAX #: (202) 586-3055

PAGES: 2 (EXCLUDING COVER SHEET)

SUBJECT:

Unlawful Intelligence Activities Report for Third Quarter, FY 2005 attached.

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.

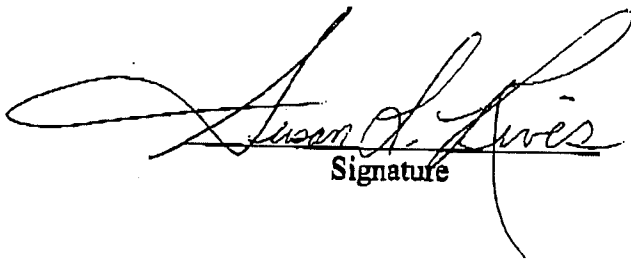
If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication 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.

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

FROM: Susan L. Rives, Chief Counsel
U.S. Department of Energy, Office of Repository Development

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

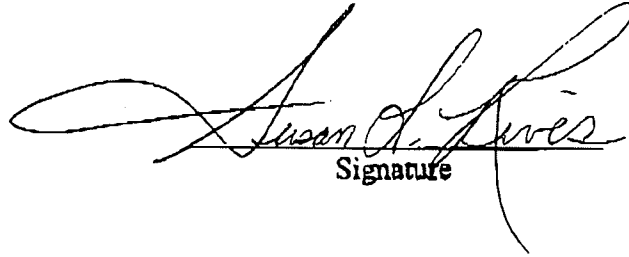
373
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MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: _____

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

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Signature

Please return to:

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

Fax (202) 586-3055



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

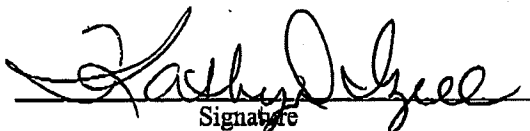
374
R

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 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 any unlawful or contrary to Executive Order or Presidential Directive.


Signature

cc:
D. S. Jonas, NNSA/HQ
R. P. Detwiler, NNSA/HQI

Please return to:

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

Fax (202) 586-3055



Department of Energy
National Nuclear Security Administration
Office of the General Counsel
Forrestal Building, Room 7G-046
Washington, D.C.



330

Attorney-Client Communication
Attorney Work Product


July 11, 2005

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

FROM: R. Paul Detwiler, Deputy General Counsel (Acting) NNSA/HQ and Site
Offices

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

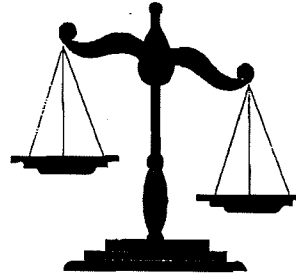
I am unaware of any DOE intelligence activities during the period of April 1, 2005, to June 30, 2005, that would appear to be unlawful or contrary to an Executive Order or a Presidential Directive.


R. Paul Detwiler, Deputy General Counsel
(Acting)

3762

UNCLASSIFIED

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



OFFICE OF CHIEF COUNSEL

CONFIDENTIALITY NOTICE

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

Number of pages including cover sheet: 2

DATE: 7-8-05

TO: Jacqueline
McKissick

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

FROM: Steven A. Silbergleid
Chief Counsel

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

Jackie Staudt, Secretary

PHONE: 630-252-2031

Message:



Department of Energy

Office of Science
Chicago Office
9800 South Cass Avenue
Argonne, Illinois 60439

July 8, 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 APRIL 1, 2005 THROUGH JUNE 30, 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.

A handwritten signature in black ink that reads "Steven A. Silbergleid".

Steven A. Silbergleid
Chief Counsel

cc: Marvin E. Gunn, Jr., OM






Department of Energy

Washington, DC 20585

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)

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Attachment(s)

cc: Inspector General



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

FROM: *Assistant General Counsel for Environment*

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

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 7/7/05
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

Presidential Documents

Title 3—

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President's Foreign Intelligence Advisory Board

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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

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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.

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

William J. Clinton

THE WHITE HOUSE,
September 13, 1993.

[FR Citation 58 FR 48441]

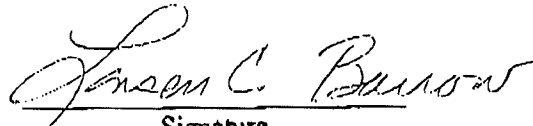
378
2

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 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

Bradley, Samuel379
R

From: Corman, Roger K. (ALB)
Sent: Thursday, July 07, 2005 3:46 PM
To: Jonas, Dave; Detwiler, Paul
Cc: Bradley, Samuel
Subject: RE: Intelligence Activities Report

Here is LASO's Intelligence Activities Report.

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

From: Jonas, Dave S (HQ)
Sent: Thursday, July 07, 2005 5:12 AM
To: Saunders, LaCresia (HQ); 'Lucy.Knowles@srs.gov'; Fitts, Clinton (PSO); Gagelin, Matthew; Parenti, Janis; Izell, Kathy D. (NV); Reynolds, Michele; Corman, Roger; Bogart, Stephanie (KCSO); Osheim, Elizabeth L.; 'fowlerjj@oro.doe.gov'
Cc: Detwiler, Paul (HQ)
Subject: RE: Intelligence Activities Report

Thanks, LaCresia...one correction. Your reports should be sent to me and Paul with a cc to Sam Bradley. Thanks, Dave

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

From: Saunders, LaCresia
To: 'Lucy.Knowles@srs.gov'; 'Fitts, Clinton (PSO)'; Gagelin, Matthew; parenti, janis (LSO); Izell, Kathy (NEV); Reynolds, Michele (ALB); Corman, Roger K. (ALB); Bogart, Stephanie (KCSO); Osheim, Elizabeth L (ALB); Jonas, Dave; 'fowlerjj@oro.doe.gov'
Cc: Detwiler, Paul; Jonas, Dave
Sent: 06/07/2005 17:21
Subject: Intelligence Activities Report

Please review the following report. If there are any issues that need to be reported, please make sure that you cc. Paul Detwiler your responses. Thank you in advance for your cooperation in this matter.

<<Report to the Intelligence Oversight Board.pdf>>

LaCresia Saunders
NA-3.1 Administrative Assistant/Paralegal
U.S. Department of Energy
National Nuclear Security Administration
(202) 586-8514
(202) 586-0419 (fax)

Page 3 of 6 To: HANK VAN DYKE (SNR)

380
R

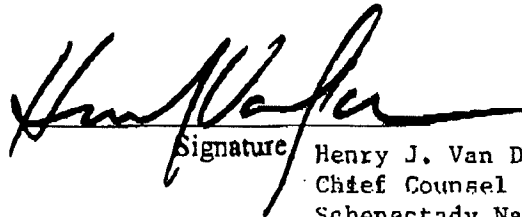
July 7, 2005

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 Third Quarter, FY 2005

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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

387
12

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

OFFICE OF CHIEF COUNSEL

**FACSIMILE TRANSMISSION ROUTING SHEET
TELECOMMUNICATIONS FACSIMILE MESSAGE
ROUTINE X 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:

Since, instructions were a little confused between the Memorandum requesting the report and the e-mail attached, please use the appropriate version for a report.

DATE: July 7, 2005

NUMBER OF PAGES 4 (Including This Cover Sheet)

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

Signature – Official Business



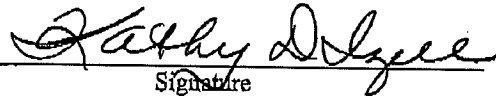
Department of Energy
National Nuclear Security Administration
Nevada Site Office
P.O. Box 98518
Las Vegas, NV 89193-8518

MEMORANDUM FOR: David. S. Jonas, NNSA/HQ
R. Paul Detwiler, NNSA/HQ
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 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 any unlawful or contrary to Executive Order or Presidential Directive.


Signature

cc:
Samuel M. Bradley, 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



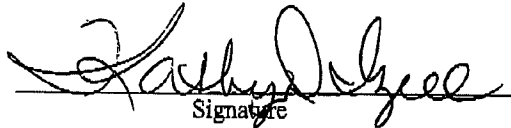
Department of Energy
National Nuclear Security Administration
Nevada Site Office
P.O. Box 98518
Las Vegas, NV 89193-8518

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 Third Quarter, FY 2005

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Signature

cc:
D. S. Jonas, NNSA/HQ
R. P. Detwiler, NNSA/HQ1

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

Hutchins, Virginia A.

From: Izell, Kathy D.
Sent: Thursday, July 07, 2005 6:22 AM
To: Hutchins, Virginia A.
Subject: FW: Intelligence Activities Report

Let's retype it. K.

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

From: Jonas, Dave [mailto:Dave.Jonas@nnsa.doe.gov]
Sent: Thursday, July 07, 2005 4:12 AM
To: Saunders, LaCresia; "Lucy.Knowles@srs.gov"; "Fitts, Clinton (PSO)"; Gagelin, Matthew; parenti, janis (LSO); Izell, Kathy (NEV); Reynolds, Michele (ALB); Corman, Roger K. (ALB); Bogart, Stephanie (KCSO); Osheim, Elizabeth L (ALB); "fowlerjj@oro.doe.gov"
Cc: Detwiler, Paul
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<<Report to the Intelligence Oversight Board.pdf>>

LaCresia Saunders
NA-3.1 Administrative Assistant/Paralegal
U.S. Department of Energy
National Nuclear Security Administration
(202) 586-8514
(202) 586-0419 (fax)

7/7/2005

3820

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

FROM: Thomas Russell, NETL
Chief Counsel

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

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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

September 21, 2005

[Handwritten initials]

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 April 1, 2005, through June 30, 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,

[Handwritten signature of David R. Hill]

David R. Hill
General Counsel




Department of Energy
Washington, DC 20585



January 12, 2006

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

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

SUBJECT: Unlawful Intelligence Activities (First Quarter, FY 2006)

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 October 1, 2005, through December 31, 2005. Your report is due by February 15, 2006.

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

352
P

January 12, 2006

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

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

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

FROM: _____

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

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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

386
2

January 12, 2006

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

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

SUBJECT: Unlawful Intelligence Activities (First Quarter, FY 2006)

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Assistant General Counsel
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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

7/1/06

**PLEASE
REMOVE ANY
STAPLES**

Date: January 26, 2006

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.

memorandum

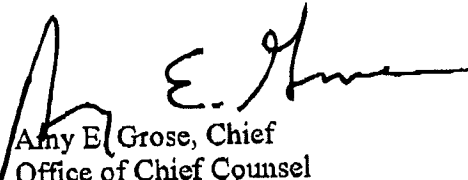
Date: January 26, 2006

Subject: Executive Order No.12863 Unlawful Intelligence Activities Report for First Quarter FY 2006
(OCC-06-01)

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

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

I am unaware of any DOE intelligence activities during the period from October 1, 2005 through December 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




Department of Energy
Washington, DC 20585

388
R

January 12, 2006

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

120 JAN 06 10:58

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

FROM: PAUL GOTTHEL

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

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Paul Gottel
Signature

Please return to:

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

Fax (202) 586-3055

Presidential Documents

Title 3—

Executive Order 12863 of September 13, 1993

The President

President's Foreign Intelligence Advisory Board

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

PART I. ASSESSMENT OF INTELLIGENCE ACTIVITIES

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

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Sec. 3.5. Executive Order No. 12334 of December 4, 1981, as amended,
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William Clinton

THE WHITE HOUSE,
September 13, 1993.

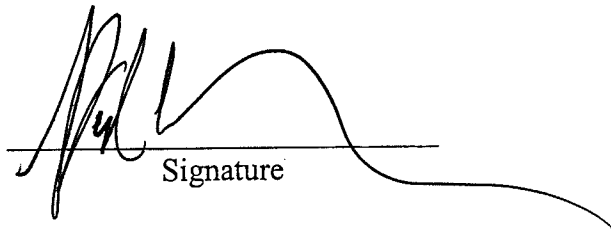
389
R

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

FROM: Stephen C. Skubel GC-32

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

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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

January 23, 2006

370
R

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

FROM: 
Mary Ann Masterson
Assistant General Counsel
For Procurement and Financial Assistance

SUBJECT: Executive Order No. 12863 - Unlawful Intelligence Activities
Report for First Quarter, FY 2006

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



(39) (P)

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

FROM: Susan Beard, GC-7

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

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

Susan Beard
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

Diamond
(392) (2)

January 12, 2006

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

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

SUBJECT: Unlawful Intelligence Activities (First Quarter, FY 2006)

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 October 1, 2005, through December 31, 2005. Your report is due by February 15, 2006.

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

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

Attachment(s)

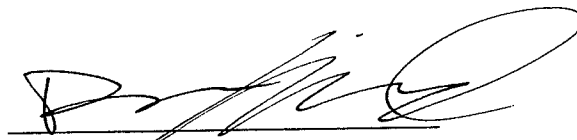
cc: Inspector General

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

FROM: Bruce Diamond

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 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

The President

President's Foreign Intelligence Advisory Board

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

PART I. ASSESSMENT OF INTELLIGENCE ACTIVITIES

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

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

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

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

PART II. OVERSIGHT OF INTELLIGENCE ACTIVITIES

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

Sec. 2.2. The IOB shall:

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

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

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

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

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

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

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

PART III. GENERAL PROVISIONS

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

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

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

William J. Clinton

THE WHITE HOUSE,
September 13, 1993.



Department of Energy

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

3/5/06

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

FROM: Golden Field Office and Regional Support Offices

DATE: January 24, 2006

SUBJECT: Executive Order No. 12863 Unlawful Intelligence
Activities Report for First Quarter, FY 2006

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 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



Department of Energy

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

JACKI M. COSTELLO
PARALEGAL

TELEPHONE
303-275-4710

FACSIMILE
303-275-4975

FACSIMILE TRANSMITTAL SHEET

TO: Jacqueline McKissick		
COMPANY: Office of Assistant General Counsel for International and National Security Programs		DATE: 1/25/2006
FAX NUMBER: (202) 586-3055		TOTAL NUMBER OF PAGES INCLUDING COVER PAGE: 2
PHONE NUMBER: (202) 586-3371		
RE: Golden Field Office Unlawful Intelligence Activities Report - 1 st Quarter FY06		

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

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

**Department of Energy**

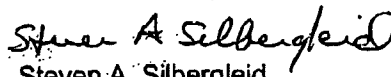
Office of Science
Chicago Office
9800 South Cass Avenue
Argonne, Illinois 60439

JAN 18 2006

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

SUBJECT: EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR THE PERIOD OCTOBER 1, 2005 THROUGH DECEMBER 31,
2005

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


Steven A. Silbergleid
Chief Counsel

cc: Marvin E. Gunn, Jr., OM




(375) (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 First Quarter, FY 2006

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 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

376 R



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

JAN 13 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 Fourth Quarter, FY 2004

I am unaware of any DOE intelligence activities during the period from July 1, 2004, to December 31, 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

Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

397
R

JAN 13 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 OCTOBER 1, 2004 THROUGH DECEMBER 31,
2004**

I am unaware of any DOE intelligence activities during the period from October 1, 2004 to December 31, 2004, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Steven A. Silbergleid
Chief Counsel

cc: Marvin E. Gunn, Jr., OM



386 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 Fourth Quarter, FY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2004, to December 31, 2004 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Lansen C. Barrow
Signature

Please return to:

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

Fax (202) 586-3055

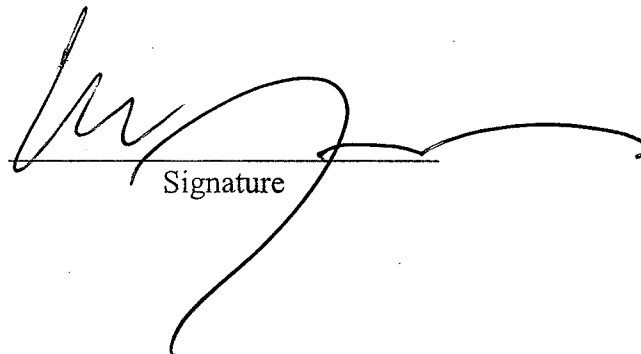
377 2

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 October 1, 2004, to December 31, 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

400 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 Fourth Quarter, FY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2004, to December 31, 2004 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Susan Beard 1/14/05
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


(401) (R)

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

FROM: THOMAS RUSSIA
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 October 1, 2004, to December 31, 2004 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.


Signature 1-13-05

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

402
R

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

Whithee 1-13-05
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

403 2

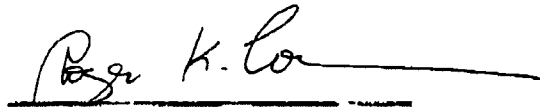
JAN 19 2005

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

FROM: Los Alamos Site Office (LASO)

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for Fourth Quarter, FY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2004, to December 31, 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

404 P

January 13, 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 Fourth Quarter, FY 2004

I am unaware of any DOE intelligence activities during the period from October 1, 2004, to December 31, 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 ALJ VAN DYKE
Dept./Agency GC-53	Phone # 518-395-4227
Fax # 202-586-3055	Fax # 518-395-7379

NSN 7540-01-317-7388

5010-101

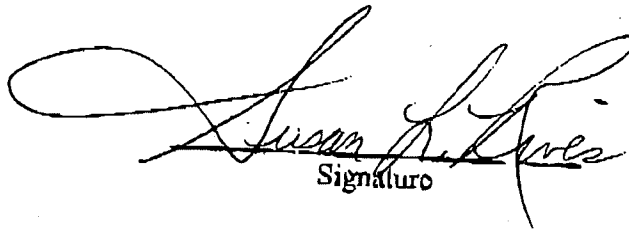
GENERAL SERVICES ADMINISTRATION

405 R

MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs
FROM: Susan L. Rives, 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 October 1, 2004, to December 31, 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



Department of Energy
Washington, DC 20585

406 R

October 23, 2003

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

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

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

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

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

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

Attachment(s)



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

FROM: _____

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

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

Signature

Please return to:

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

Fax (202) 586-3055

Presidential Documents

Title 3—

Executive Order 12863 of September 13, 1993

The President

President's Foreign Intelligence Advisory Board

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(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

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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]

407 R

January 18, 2006

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

FROM: Schenectady Naval Reactors Office

SUBJECT: Executive Order No. 12863 (Unlawful Intelligence Activities Report
for First Quarter, FY 2006)

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to
December 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 99 (7-90)

FAX TRANSMITTAL

of pages 1

To	J. McKissick	From	H.J. VAN DYKE
Dept./Agency	DNIC - GC-53	Phone #	518-395-4227
Fax #	202-586-3055	Fax #	518-395-6670

NGN 7540-D1-317-7368

5090-101

GENERAL SERVICES ADMINISTRATION

408 P

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

FROM: THOMAS J RUSSIAL
CHIEF COUNSEL NETL

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

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


Signature

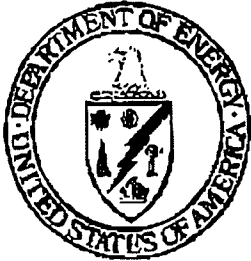
Please return to:

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

(409) (R)

FAX TRANSMISSION



U.S. DEPARTMENT OF ENERGY
Office of Repository Development
1551 Hillshire Drive
Las Vegas, NV 89134-6321

SUSAN L. RIVES, CHIEF COUNSEL
Telephone (702) 794-5519
Fax: (702) 794-5000

TO: JACQUELINE MCKISSICK

DATE: JANUARY 13, 2006

FAX #: (202) 586-3055

PAGES: 2 (INCLUDING COVER SHEET)

SUBJECT:

Unlawful Intelligence Activities Report for First Quarter, FY 2006

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.

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

FROM: Susan L. Rives, Chief Counsel
U.S. Department of Energy; Office of Repository Development

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 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



470 R

Department of Energy

Strategic Petroleum Reserve Project Management Office
900 Commerce Road East
New Orleans, Louisiana 70123

FAX TRANSMITTAL

DATE: 1/13/06
TO: Jacqueline McKissick
FROM: LANSEN C. BARROW

FAX NUMBER (504) 734 - 4030

VERIFY (504) 734 - 4315

SUBJECT: Executive Order No. 12863
Unlawful Intelligence Activities Report 1st Qtr FY'06

_____ PAGES (EXCLUDING COVER SHEET)

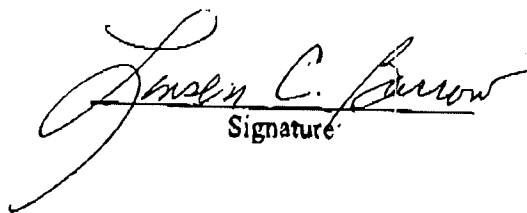


MEMORANDUM FOR: Samuel M. Bradley
Assistant General Counsel
for International and National Security Programs

FROM: Strategic Petroleum Reserve Project Mgmt. Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 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

McKissick, Jacqueline

From: Bradley, Samuel
Sent: Tuesday, February 07, 2006 8:39 AM
To: McKissick, Jacqueline
Subject: FW: Report to Intelligence Oversight Board (First Quarter, FY 2006)



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

From: Parenti, Janis [<mailto:janis.parenti@Oak.doe.gov>]
Sent: Monday, February 06, 2006 7:46 PM
To: Jonas, Dave
Cc: Detwiler, Paul; Bradley, Samuel; Yuan-Soo Hoo, Camille (LSO); Nicholson, Jill
Subject: Report to Intelligence Oversight Board (First Quarter, FY 2006)

Dave,

Regarding the first quarter of FY 2006, I am unaware of any intelligence activities not in accordance with Executive Orders, Director of Central Intelligence directives and Department of Energy guidelines or implementing procedures for intelligence activities.

Janis M. Parenti
Site Counsel
NNSA/Livermore Site Office
(925) 424-4565 (phone)
(925) 423-4279 (fax)

412 R

United States Government

Department of Energy

memorandum

Richland Operations Office

DATE: JAN 24 2006
REPLY TO: OCC:JLD/06-OCC-0025
ATTN OF:
SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR FIRST QUARTER, FISCAL YEAR 2006

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

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 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
Betty L. Hollowell
Chief Counsel

cc: J. McKissick, GC-53

413 12

United States Government

Department of Energy

memorandum

Richland Operations Office

DATE: JAN 24 2006
REPLY TO
ATTN OF: OCC:JLD/06-OCC-0025
SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR FIRST QUARTER, FISCAL YEAR 2006

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

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 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
Betty L. Hollowell
Chief Counsel

cc: J. McKissick, GC-53

414 R

DOE F 1325 / (00-90)

(Exception to SF 14, Approved by NARS, June 1079 E-G(08-90))

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3. USE WHEN REQUIRED THIS DOCUMENT CONSISTS OF 5 PAGES NO. OF COPIES, SERIES

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FOR COMMUNICATION CENTER USE MESSAGE IDENTIFICATION NR: DTG: 7

6. FROM Samuel M. Bradley GC-53 586-6738

7. OFFICIAL BUSINESS (TIME) Samuel M Bradley/gem A.M. (Signature of authorizing official) P.M.

B. DATE 1/12/06

9. TO BROADCAST 6800 (68) (B)

COMMUNICATION CENTER ROUTING

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FAKED

BE BRIEF - ELIMINATE UNNECESSARY WORDS

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63055

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DERIVATIVE CLASSIFIER (Name and Title)

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UNCLASSIFIED



Department of Energy
Washington, DC 20585

January 12, 2006

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

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

SUBJECT: Unlawful Intelligence Activities (First Quarter, FY 2006)

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 October 1, 2005, through December 31, 2005. Your report is due by February 15, 2006.

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

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

Attachment(s)

cc: Inspector General

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

FROM: _____

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
for First Quarter, FY 2006

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 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

Federal Register
Vol. 58, No. 177

Wednesday, September 15, 1993

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.

Federal Register / Vol. 58, No. 177 / Wednesday, September 15, 1993 / Presidential Documents

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.

Federal Register / Vol. 58, No. 177 / Wednesday, September 15, 1993 / Presidential Documents

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

William J. Clinton

THE WHITE HOUSE,
September 13, 1993.

[FR Citation 58 FR 48441]

415 R

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

OFFICE OF CHIEF COUNSEL

FACSIMILE TRANSMISSION ROUTING SHEET
TELECOMMUNICATIONS FACSIMILE MESSAGE

ROUTINE X 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:

Since, instructions were a little confused between the Memorandum requesting the report and the e-mail attached, please use the appropriate version for a report.

DATE: January 6, 2006

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



JAN - 5 2006

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 President's Unlawful Intelligence
Activities Report for First Quarter, FY 2006

I am unaware of any DOE intelligence activities during the period from October 1, 2005, to December 31, 2005, that I have reason to believe any unlawful or contrary to Executive Order, or Presidential Directive, or Department of Energy guidelines or implementing procedures.


(Signature)

cc:
D. S. Jonas, NNSA/HQ
R. P. Detwiler, NNSA/HQ
LaCresia Saunders, NNSA/HQ

Please return to:

Jacqueline McKissick
Office of Assistant General Counsel
For International and National Security Programs, GC-3
Room 61-141, Forrestal Building
Fax (202) 586-3055

McKissick, Jacqueline

From: Bradley, Samuel
Sent: Monday, January 09, 2006 3:31 PM
To: McKissick, Jacqueline
Subject: FW: E.O. No. 12863 Unlawful Intelligence Activities Report for First Quarter, FY 2006

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

From: Stephanie.Bogart@nnsa.doe.gov [mailto:Stephanie.Bogart@nnsa.doe.gov]
Sent: Monday, January 09, 2006 3:29 PM
To: Jonas, Dave; Detwiler, Paul
Cc: Bradley, Samuel
Subject: E.O. No. 12863 Unlawful Intelligence Activities Report for First Quarter, FY 2006

I am unaware of any DOE intelligence activities during the period from October 1, 2005 through December 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

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