



## Department of Energy

Washington, DC 20585

July 26, 2007

487 (R)

The Honorable Stephen Friedman  
Chairman  
Intelligence Oversight Board  
Room 5020, New Executive Office Building  
725 17<sup>th</sup> Street, NW  
Washington, D.C. 20503

Re: Report to the Intelligence Oversight Board (Quarterly Report, April-June 2007; S07IS022)

Dear Mr. Friedman:

Executive Order 12863, "President's Foreign Intelligence Advisory Board," requires the Inspector General to report on a quarterly basis to the Intelligence Oversight Board concerning intelligence activities at the Department of Energy and the National Nuclear Security Administration. For the period April 1, 2007, through June 30, 2007, no Department of Energy or National Nuclear Security Administration intelligence activity has come to my attention that I have reason to believe was unlawful or contrary to Executive order or Presidential directive.

Recently, there was media coverage regarding a security incident at the East Tennessee Technology Park. The incident was handled by the Federal Bureau of Investigation and not by agents at this office. As such, we will not be reporting on this matter.

Pursuant to guidance previously provided by the Intelligence Oversight Board, this quarterly report is not considered an agency record and is the property of the Board. This report is not to be disseminated without the Board's consent. Based upon the recent changes to Intelligence Oversight Board reporting criteria, we are providing a copy of this report to the Director of National Intelligence.

Please contact me if we can provide any further assistance.

Sincerely,

Gregory H. Friedman  
Inspector General

cc: Director of National Intelligence  
General Counsel, Intelligence Oversight Board



**McKissick, Jacqueline**

**From:** Dickerson, Katharine  
**Sent:** Tuesday, October 24, 2006 12:37 PM  
**To:** DL-GC ALL  
**Subject:** Oak Chief Counsel

488 NR

As most of you know, Jennifer Fowler, at the end of September, retired as Chief Counsel of the Oak Ridge Operations Office. Until a replacement has been selected, the Acting Chief Counsel will be as follows:

October 2006 - Nancy Carnes  
November 2006 - Emily Schneider  
December 2006 - Wendy Bryant

The above sequence will start over again in January 2007 if a successor to Jennifer has not been selected.

For those of you who may have Jennifer Fowler's name in an e-mail distribution listing, please remove her name.

Thanks.

**Katharine Dickerson**  
**Office of General Counsel**

Melissa Kessler  
505/845-6141

- 1) Roger Corum (Los Alamos Site Office) site
- 2) Janis Parenti (Oak Ridge NNSA/Livermore Office) ~~Office~~  
925) 423-4279 (fax) 925) 424-4565 (phone)
- 3) Diana M. Cruz (NNSA)
- 4) Steven A. Silbergleid, Chief Counsel
- 5) John A. Herrick (Golden Field Office & Regional Support offices) ~~Office~~  
303-275-4975 (fax) 303-275-4710 (office)
- 6) Lansen Barrow (Strategic Petroleum Reserve Project Mgmt Office) ~~Office~~  
504-734-4030 (fax) Verify (504) 734-4311
- 7) Kathy B. Izell
- 8) Dave Jonas, (NNSA/HQ (NA-D) 7/3/07 (hand carried)
- 9) I.G. - Gregory H. Friedman - I.G. 7/3/07 (hand carried)
- 10) Dave Schlegel (NNSA Y-12 Site Office) 865-574-0492 (fax)

# memorandum

DATE: March 27, 2007  
REPL TO:  
ATTN OF: IG-1  
SUBJECT: Report to the Intelligence Oversight Board (Second Quarter, Fiscal Year 2007)  
TO: See Distribution

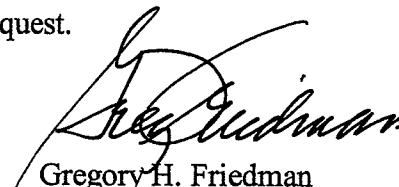
Executive Order 12863, "President's Foreign Intelligence Oversight Board," requires the Inspector General to report on a quarterly basis to the Intelligence Oversight Board concerning intelligence activities at the Department of Energy, including the National Nuclear Security Administration. The purpose of this memorandum is to request that you advise the Office of Inspections and Special Inquiries, IG-40, of any intelligence activities that occurred during the Second Quarter, Fiscal Year 2007 (January 1, 2007, through March 31, 2007) that may be unlawful or contrary to Executive Order, Presidential Directive, or Department of Energy guidelines or implementing procedures, such as the retention of U.S. persons information. We request that the responses from the Department's intelligence and counterintelligence offices include, as an attachment, the responses from their respective field and headquarters elements.

Your response to this request should be based on a thorough review of all the activities under your purview. In order for us to provide our report to the Intelligence Oversight Board in a timely manner, please provide your signed, written reply by **April 6, 2007**. Your reply may be sent by mail, by facsimile, or as an attachment to an e-mail. Any facsimile responses should be sent to IG-40 at (202) 586-4902, and any e-mail responses should be addressed to [glenn.white@hq.doe.gov](mailto:glenn.white@hq.doe.gov). The mailing address for your unclassified response is:

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

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

Thank you for your cooperation with this request.

  
Gregory H. Friedman  
Inspector General

## DISTRIBUTION

Director, Office of Intelligence and Counterintelligence  
Associate Administrator for Management and Administration, National Nuclear Security  
Administration  
Director, Office of Hearings and Appeals  
Director, Office of Nuclear Energy, Science and Technology  
Director, Office of Science  
Chief Health, Safety, and Security Officer  
Chief Information Officer  
Director, National Nuclear Security Administration Service Center  
Manager, Chicago Operations Office  
Manager, Golden Field Office  
Manager, Idaho Operations Office  
Manager, Kansas City Site Office  
Manager, Livermore Site Office  
Manager, Los Alamos Site Office  
Manager, Nevada Site Office  
Manager, Oak Ridge Office  
Manager, Pacific Northwest Site Office  
Manager, Pantex Site Office  
Manager, Rocky Flats Project Office  
Manager, Sandia Site Office  
Manager, Y-12 Site Office  
Manager, Savannah River Operations Office  
Assistant Director, Office of Logistics Management, Environmental Management  
Consolidated Business Center  
Deputy Inspector General for Audit Services  
Assistant Inspector General for Investigations

cc: General Counsel  
General Counsel, National Nuclear Security Administration



**Department of Energy**  
Washington, DC 20585

March 5, 2007

470  
R

The Honorable Stephen Friedman  
Chairman  
President's Intelligence Oversight Board  
Room 5020 - New Executive Office Building  
725 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20503

Dear Chairman Friedman:

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

Based on reports from the Department's Deputy and Assistant General Counsel, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period October 1, 2006, through December 31, 2006.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hill".

David R. Hill  
General Counsel

cc: General Counsel  
President's Foreign Intelligence Advisory Board

October 19, 2007



MEMORANDUM FOR: David R. Hill  
General Counsel

THROUGH: Mary B. Neumayr  
Deputy General Counsel for Environment and Nuclear Programs

FROM: Diana D. Clark  
Assistant General Counsel for International and National Security  
Programs

SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period July 1, 2007, through September 30, 2007. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, Field Counsel, and NNSA General Counsel, I am not aware of any Department of Energy intelligence activities, including activities performed for other agencies, that are, or may have been, unlawful or contrary to Executive Order or Presidential Directive that occurred during this period.

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

In accordance with the August 18, 2006, memorandum from the Assistant to the President for National Security Affairs on the subject of Intelligence Oversight Board Reporting, we and the Inspector General will send copies of our respective IOB reports to Ms. Darlene Connelly, General Counsel, President's Foreign Intelligence Advisory Board, for sharing with the DNI.

Attachments



**Department of Energy**  
Washington, DC 20585

April 23, 2007

The Honorable Stephen Friedman  
Chairman  
President's Intelligence Oversight Board  
Room 5020 - New Executive Office Building  
725 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20503

Dear Chairman Friedman:

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

Based on reports from the Department's Deputy and Assistant General Counsel, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period January 1, 2007, through March 31, 2007.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hill", is written over the typed name.

David R. Hill  
General Counsel

cc: General Counsel  
President's Foreign Intelligence Advisory Board





Department of Energy  
Washington, DC 20585

492A  
R

April 18, 2007

MEMORANDUM FOR: David R. Hill  
General Counsel

THROUGH: Mary B. Neumayr *MBN*  
Deputy General Counsel for Environment and Nuclear Programs

FROM: Diana D. Clark *DDC*  
Acting Assistant General Counsel for International and National  
Security Programs

SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period January 1, 2007, through March 31, 2007. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, Field Counsel, and NNSA General Counsel, I am not aware of any Department of Energy intelligence activities, including activities performed for other agencies, that are, or may have been, unlawful or contrary to Executive Order or Presidential Directive that occurred during this period.

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

In accordance with the August 18, 2006, memorandum from the Assistant to the President for National Security Affairs on the subject of Intelligence Oversight Board Reporting, we and the Inspector General will send copies of our respective IOB reports to Ms. Darlene Connelly, General Counsel, President's Foreign Intelligence Advisory Board, for sharing with the DNI.

Attachments







**Department of Energy**  
Washington, DC 20585

March 5, 2007

The Honorable Stephen Friedman  
Chairman  
President's Intelligence Oversight Board  
Room 5020 - New Executive Office Building  
725 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20503

Dear Chairman Friedman:

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

Based on reports from the Department's Deputy and Assistant General Counsel, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period October 1, 2006, through December 31, 2006.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hill".

David R. Hill  
General Counsel

cc: General Counsel  
President's Foreign Intelligence Advisory Board



**Department of Energy**  
Washington, DC 20585

494  
R

December 12, 2006

The Honorable Stephen Friedman  
Chairman  
President's Intelligence Oversight Board  
Room 5020 - New Executive Office Building  
725 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20503

Dear Chairman Friedman:

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

Based on reports from the Department's Deputy and Assistant General Counsel, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period July 1, 2006, through September 30, 2006.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hill".

David R. Hill  
General Counsel

cc: General Counsel  
President's Foreign Intelligence Advisory Board



**Department of Energy**  
Washington, DC 20585

493  
R

April 23, 2007

The Honorable Stephen Friedman  
Chairman  
President's Intelligence Oversight Board  
Room 5020 - New Executive Office Building  
725 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20503

Dear Chairman Friedman:

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

Based on reports from the Department's Deputy and Assistant General Counsel, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period January 1, 2007, through March 31, 2007.

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,

David R. Hill  
General Counsel

cc: General Counsel  
President's Foreign Intelligence Advisory Board






**Department of Energy**  
Washington, DC 20585

496  
12

January 12, 2007

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 2007)

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, 2006, through December 31, 2006. Your report is due by February 15, 2007.

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

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January 12, 2007

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 2007)

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, 2006, through December 31, 2006. Your report is due by February 15, 2007.

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

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 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 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.

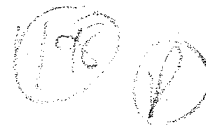
*William Clinton*

THE WHITE HOUSE,  
September 13, 1993.

[FR Citation 58 FR 48441]



Department of Energy  
Washington, DC 20585



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

FROM:

WARREN BELMAN

SUBJECT:

Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Warren Belman

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

1999  
2

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

FROM:

PAUL GOTTlieb

SUBJECT:

Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Paul Gottlieb  
Signature

Please return to:

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

Fax (202) 586-3055





**U. S. Department of Energy  
Idaho Operations Office  
Office of Chief Counsel  
Facsimile Transmittal Request**

500  
P.

**PLEASE  
REMOVE ANY  
STAPLES**

**Date: January 23, 2007**

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**TO: Jacqueline McKissick**

**Organization/Location: Office of International and National Security Programs**

**Phone Number: 202-586-3371**

**FAX Number: 202-586-3055**

**This transmittal consists of 3 pages including cover sheet.**

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**FROM: Judith Stevenson**

**Organization/Location: Office of Chief Counsel**

**Phone Number: 208-526-9313**

**FAX Number: 208-526-7632**

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**Comments: Executive Order No. 12863 Unlawful Intelligence Activities Report for First Quarter FY 2007**

**United States Government**

**Department of Energy**

Idaho Operations Office

# memorandum

Date: January 22, 2007

Subject: Executive Order No.12863 Unlawful Intelligence Activities Report for First Quarter FY 2007  
(OM-OCC-07-002)

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, 2006 through December 31, 2006, 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

United States Government

Department of Energy

# memorandum

Idaho Operations Office

Date: January 22, 2007

Subject: Report to the Intelligence Oversight Board (Fourth Quarter, FY 2006)  
(TD&D-NS-07-001)

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

During the period of October 1, 2006 through December 31 2006, no intelligence activities have come to my attention that I have reason to believe may be unlawful or contrary to Executive Order, Presidential Directive, or Department of Energy guidelines/directives or implementing procedures.

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



Donald W. Macdonald, Team Lead  
National Security Programs



**Department of Energy**  
Washington, DC 20585

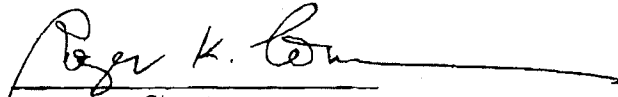
SOL  
R

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 2007**

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature

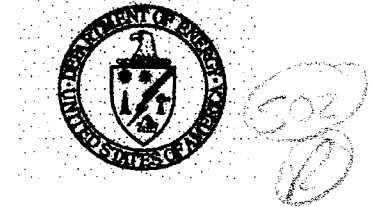
Please return to:

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





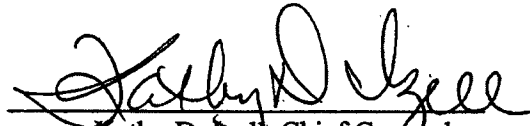
**Department of Energy**  
National Nuclear Security Administration  
Nevada Site Office  
P.O. Box 98518  
Las Vegas, NV 89193-8518



January 18, 2007

**MEMORANDUM FOR:** Samuel M. Bradley, DOE/HQ (GC-53) FORS  
**FROM:** Kathy D. Izell, Chief Counsel, NNSA/NSO, Las Vegas, NV  
**SUBJECT:** Executive Order No. 12863, Unlawful Intelligence Activities  
Report for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period October 1, 2006, to December 31, 2006, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Kathy D. Izell, Chief Counsel

cc:  
D. S. Jonas, NNSA/HQ (NA-1) FORS  
R. P. Detwiler, NNSA/HQ (NA-1) FORS

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

Beverly Dale  
NNSA/OGC

Fax (202) 586-0419





Department of Energy  
National Nuclear Security Administration  
Pantex Site Office  
P. O. Box 30030  
Amarillo, TX 79120



503  
2

JAN 18 2007

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

FROM: *Darrell R. Rickenberg*  
Darrell R. Rickenberg, Pantex Site Counsel

SUBJECT: Executive Order No. 12863, Unlawful Intelligence Activities  
Report for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Department of Energy  
Washington, DC 20585

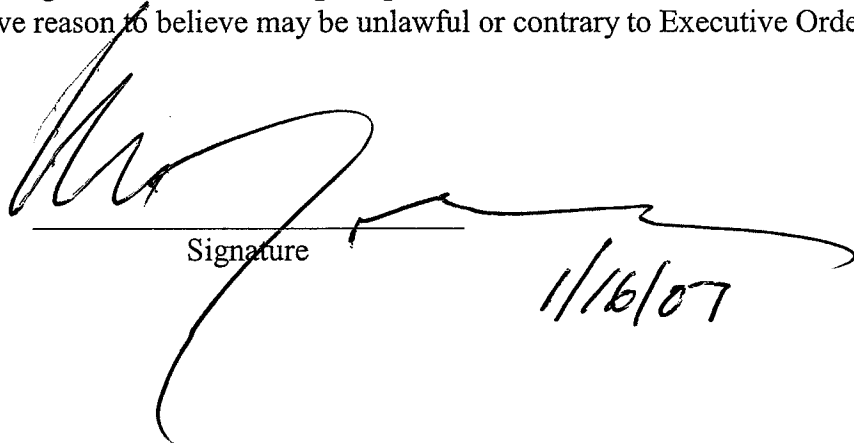
501  
K

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 First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature 11/16/07

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

505  
12

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

FROM: Michael W. Bowers

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Michael W. Bowers 6C-71  
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



53  
12



**Department of Energy**  
Washington, DC 20585

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

**FROM:** Michele Reynolds

**SUBJECT:** Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

*Michele Reynolds*  
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



Printed with soy ink on recycled paper



Department of Energy  
Washington, DC 20585

507  
2

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

FROM: Lawrence A. Gallomp, Ass't GC 76

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 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

508  
12

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

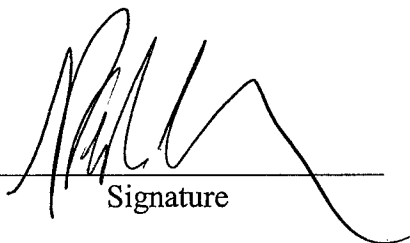
FROM:

STEPHEN E. SKUBEL

SUBJECT:

Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature

1/17/07

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





509  
2

**Department of Energy**  
Washington, DC 20585

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 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature

1/16/07

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

510  
R

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

FROM: Susan Beard, Assistant General Counsel  
for General Counsel

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Susan Beard 1/16/07  
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:** Wednesday, January 17, 2007 4:17 PM  
**To:** McKissick, Jacqueline  
**Subject:** FW: Unlawful Intelligence Activities, 1st Quarter FY 07

51  
P

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

**From:** Parenti, Janis [mailto:janis.parenti@Oak.doe.gov]  
**Sent:** Wednesday, January 17, 2007 3:51 PM  
**To:** Jonas, David; Dale, Beverly  
**Cc:** Yuan-Soo Hoo, Camille (LSO); Kessler, Melissa; Bradley, Samuel  
**Subject:** Unlawful Intelligence Activities, 1st Quarter FY 07

Dave,

Regarding the first quarter of FY 2007, 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  
NNSA/ Livermore Site Office  
Site Counsel  
(925) 424-4565  
(925) 423-4279 (fax)

## McKissick, Jacqueline

---

**From:** Reynolds, Michele [mreynolds@doeal.gov]  
**Sent:** Wednesday, January 17, 2007 10:53 AM  
**To:** McKissick, Jacqueline  
**Cc:** Jonas, David; Detwiler, Paul  
**Subject:** FW: Unlawful Intelligence Activites Report

S2  
L

> -----Original Message-----

> From: Reynolds, Michele  
> Sent: Thursday, January 11, 2007 10:56 AM  
> To: Jonas, Dave S (HQ); Detwiler, Paul (HQ)  
> Cc: 'Melissa.Kessler@nnsa.doe.gov'; Cruz, Diana M.  
> Subject: Unlawful Intelligence Activites Report  
>

> I am not aware of any unlawfu intelligence activities occurring during  
> the 1st quarter reporting period.

**McKissick, Jacqueline**

---

**From:** Bradley, Samuel  
**Sent:** Thursday, January 18, 2007 8:30 AM  
**To:** McKissick, Jacqueline  
**Subject:** For file -- unlawful intelligence activities reporting

53  
R



HQ-#296090-v1-InHQ-#295958-v1-Report\_to\_Intelligence\_Ove... port\_to\_Intell...

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

From: Jonas, David  
Sent: Wednesday, January 17, 2007 5:41 PM  
To: Bradley, Samuel  
Subject: FW: Request for Concurrence

Sam, negative report from NR...v/r

Dave Jonas  
General Counsel  
National Nuclear Security Administration  
U.S. Department of Energy (NA-3.1)  
1000 Independence Avenue, SW  
Washington, DC 20585  
(202) 586-5052 (phone)  
(202) 586-0419 (fax)

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

From: Link, James A CIV NAVSEA 08, 2N-551 [mailto:james.link@navy.mil]  
Sent: Wednesday, January 17, 2007 4:35 PM  
To: Dave Jonas (E-mail)  
Cc: Card, Patrick A CIV SEA 08 NR  
Subject: FW: Request for Concurrence

Sir,

Below is the concurrence provided by LCDR Kevin O'Brien, on behalf of NR, to the memo attached. Specifically, NA-30 concurs with Doc #295958's assertion that the Office of the Associate Administrator for Management and Administration "is unaware of any intelligence activities conducted by this organization during the period from October 1, 2006, through December 31, 2006.

V/R  
LCDR Link

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

From: O'Brien, Kevin B CIV SEA 08 NR  
Sent: Wednesday, January 10, 2007 5:51  
To: 'Parker, JoAnne'  
Subject: RE: Request for Concurrence

JoAnne,

I have reviewed the attachments you sent and NA-30 concurs with the response.

R,

Kevin B O'Brien, LCDR, USN  
Special Assistant to the Director  
of Security for Naval Reactors  
kevin.b.o'brien@navy.mil  
ixoye4him@comcast.net  
202-781-5867 (w)  
703-897-0325 (h)  
703-217-8695 (c)

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

From: Parker, JoAnne [mailto:JoAnne.Parker@nnsa.doe.gov]  
Sent: Tuesday, January 09, 2007 9:20  
To: O'Brien, Kevin B CIV SEA 08 NR  
Subject: RE: Request for Concurrence

LCDR O'Brien,

Thank you for responding to the email I sent to Tom. My apologies, but I put errored on my phone number. The correct number is 202-586-1913.

Attached is the proposed response, along with the incoming letter. The concurrence is request as early as possible.

Thanks for your assistance,  
JoAnne  
NA-66  
202-586-1913

United States Government

2007-00014  
Department of Energy

# memorandum

DATE: December 22, 2006  
REPL TO:  
ATTN OF: IG-1  
SUBJECT: Report to the Intelligence Oversight Board (First Quarter, Fiscal Year 2007)  
TO: See Distribution


Executive Order 12863, "President's Foreign Intelligence Oversight Board," requires the Inspector General to report on a quarterly basis to the Intelligence Oversight Board concerning intelligence activities at the Department of Energy, including the National Nuclear Security Administration. The purpose of this memorandum is to request that you advise the Office of Inspections and Special Inquiries, IG-40, of any intelligence activities that occurred during the First Quarter, Fiscal Year 2007 (October 1, 2006, through December 31, 2006) that may be unlawful or contrary to Executive order, Presidential Directive, or Department of Energy guidelines or implementing procedures, such as the retention of U.S. persons information. We request that the responses from the Department's intelligence and counterintelligence offices include, as an attachment, the responses from their respective field and headquarters elements.

Your response to this request should be based on a thorough review of all the activities under your purview. In order for us to provide our report to the Intelligence Oversight Board in a timely manner, please provide your signed, written reply by **January 22, 2006**. Your reply may be sent by mail, by facsimile, or as an attachment to an e-mail. Any facsimile responses should be sent to IG-40 at (202) 586-4902, and any e-mail responses should be addressed to [james.pugh@hq.doe.gov](mailto:james.pugh@hq.doe.gov). The mailing address for your unclassified response is:

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

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

Thank you for your cooperation with this request.

  
Gregory H. Friedman  
Inspector General

**DISTRIBUTION**

Director, Office of Intelligence and Counterintelligence  
Associate Administrator for Management and Administration, National Nuclear Security  
Administration  
Director, Office of Hearings and Appeals  
Director, Office of Nuclear Energy, Science and Technology  
Director, Office of Science  
Chief Health, Safety, and Security Officer  
Chief Information Officer  
Director, National Nuclear Security Administration Service Center  
Manager, Chicago Operations Office  
Manager, Golden Field Office  
Manager, Idaho Operations Office  
Manager, Kansas City Site Office  
Manager, Livermore Site Office  
Manager, Los Alamos Site Office  
Manager, Nevada Site Office  
Manager, Oak Ridge Office  
Manager, Pacific Northwest Site Office  
Manager, Pantex Site Office  
Manager, Rocky Flats Project Office  
Manager, Sandia Site Office  
Manager, Y-12 Site Office  
Manager, Savannah River Operations Office  
Assistant Director, Office of Logistics Management, Environmental Management  
Consolidated Business Center  
Deputy Inspector General for Audit Services  
Assistant Inspector General for Investigations

cc: General Counsel  
General Counsel, National Nuclear Security Administration

MEMORANDUM FOR Gregory H. Friedman  
Inspector General

Davis S. Jonas  
NNSA General Counsel

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

SUBJECT: Report to the Intelligence Oversight Board  
for 1<sup>st</sup> Quarter, Fiscal Year 2007

The Office of the Associate Administrator for Management and Administration, on behalf of the Headquarters element of the National Nuclear Security Administration, is unaware of any intelligence activities conducted by this organization during the period from October 1, 2006, through December 31, 2006, that may be unlawful or contrary to Executive Order, Presidential Directive, or Department of Energy guidelines or implementing procedures.

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

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

Na-66;rmspeidel;65009;1/3/07  
Doc #295958 Report to Intelligence Oversight Board; 1<sup>st</sup> Qtr FY 2007

IDRMS No. 2007-00014

Internal Controls	NA-10	NA-20	NA-30
Speidel 1/3/07	D'Agostino	Tobey	Donald

---

NA-60      NA-60

Lambert      Kane  
                 Signature





Department of Energy  
National Nuclear Security Administration  
Service Center



February 1, 2007

500

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

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

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter FY 2007

"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from October 1, 2006 through December 31, 2006 that may be unlawful or contrary to Executive Order or Presidential Directive. This certification is made in the ordinary course of administrative and contractual oversight to fulfill a reporting requirement only and shall not be deemed evidence of the management, approval or oversight of any intelligence activity by the undersigned or the NNSA Service Center."

  
Signature

Please return to:

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

Fax (202) 586-3055



Department of Energy  
Washington, DC 20585

575  
R

2/7/07

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

FROM: Eric J. Fygi

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006, to December 31, 2006 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Signature

Please return to:

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

Fax (202) 586-3055





**Department of Energy**  
**National Nuclear Security Administration**  
P. O. Box 2050  
Oak Ridge, Tennessee 37831-8009



January 19, 2007

516 P

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

Dear Mr. Friedman:

**REPORT TO THE INTELLIGENCE OVERSIGHT BOARD (FIRST QUARTER, FISCAL YEAR 2007)**

In accordance with the provisions of Executive Order 12863, *President's Foreign Intelligence Oversight Board*, and based upon representations made to me by BWXT Y-12, L.L.C. and Wackenhut Services, Incorporated – Oak Ridge Team, a negative report of intelligence activities is submitted to you for the period of October 1, through December 31, 2006.

If there are any questions concerning this negative report, please contact David C. Schlegel, YSO Safeguards and Security, at (865) 574-4312.

Sincerely,

Theodore D. Sherry  
Manager  
Y-12 Site Office

Y12-20:Schlegel

cc:  
S. M. Bradley, GC-53, FORS  
D. S. Jonas, NA-1, FORS  
T. L. Slack, Y-12-01, YSO  
S. L. Gaines, Y12-10, YSO  
S. L. Daly, Y12-20, YSO

## McKissick, Jacqueline

---

**From:** Stephanie.Bogart@nnsa.doe.gov  
**Sent:** Tuesday, February 06, 2007 9:54 AM  
**To:** Jonas, Dave  
**Cc:** Kessler, Melissa; McKissick, Jacqueline  
**Subject:** Executive Order No. 12863 Unlawful Intelligence Activities Report for First Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from October 1, 2006 to December 31, 2006 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

**McKissick, Jacqueline**

---

**From:** Williams, JoAnn  
**Sent:** Wednesday, February 21, 2007 1:57 PM  
**To:** McKissick, Jacqueline  
**Subject:** Local travel

SIB NR

Please put me in for mileage Feb 16 from Forrestal to germantown to home. Be 30 miles there and 35 back home.

Address is 1413 Juliana PI Alex VA 22304

Meetings too close together for bus

*Jo Ann Williams*  
6-6899

**McKissick, Jacqueline**

---

5/19 WR

**From:** Williams, JoAnn  
**Sent:** Thursday, February 15, 2007 9:24 AM  
**To:** McKissick, Jacqueline  
**Subject:** please put me in for local travel

2 taxi round trips from DOE to State

1. Feb 2 \$ 8.00 plus 80 cent tip each way
2. Feb 7 \$ 10.50 and \$1 tip each way for 2 people--me and SAM



**Department of Energy**  
Washington, DC 20585

520  
R

March 21, 2007

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

FROM: Diana Clark *ddc*  
Acting Assistant General Counsel  
for International and National Security Programs

SUBJECT: Unlawful Intelligence Activities (Second Quarter, FY 2007)

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 January 1, 2007, through March 31, 2007. Your report is due by April 25, 2007.

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: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: \_\_\_\_\_

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 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]


523

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Bruce Diamond

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 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

52

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: WARREN BELMAR

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Warren Belmar  
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

523

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Michael W. Bowers

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Michael W. Bowers

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

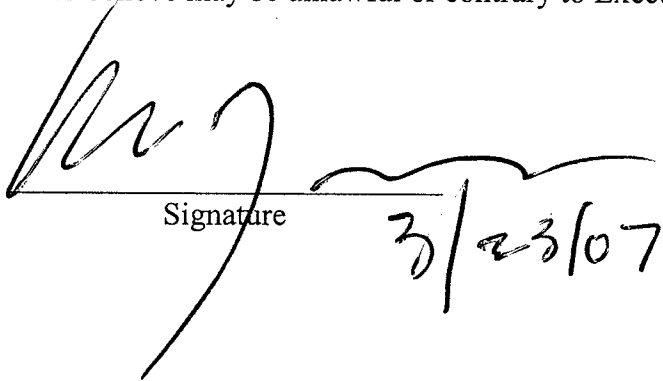
523  
2

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Marc Johnston

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature 3/23/07

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

525

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM:

PAUL GOTTlieb

SUBJECT:

Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 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



526  
②

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Laurence A. Pollomp, Ass't General Counsel  
@OTL

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 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

527

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: MARY NEUMAYR

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 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

578

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Susan Beard

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Susan Beard 3/23/07  
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

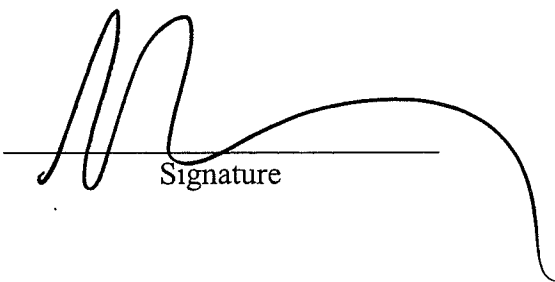
573

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: STEPHEN C. PRATOR GC-31

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature 3/13/07

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



4/12/07

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Eric J. Fygi  
Deputy General Counsel

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

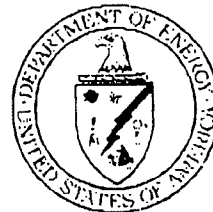
Signature

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

53



**Department of Energy**

**National Nuclear Security Administration  
P. O. Box 2050  
Oak Ridge, Tennessee 37831-8009**

**April 5, 2007**

**MEMORANDUM FOR:** Ms. Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

**FROM:** Theodore D. Sherry  
Manager, Y-12 Site Office

**SUBJECT:** Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
\_\_\_\_\_  
Signature

Y12-20:Schlegel

- cc:
- G. H. Friedman, IG-1, FORS
- D. S. Jonas, NA-1, FORS
- T. L. Slack, Y-12-01, YSO
- S. L. Gaines, Y12-10, YSO
- S. L. Daly, Y12-20, YSO



# FAX Cover Sheet NNSA Y-12 Site Office

**Fax: (865) 574-0492**

**Unclassified**

DATE: 04/05/07

NUMBER PAGES ATTACHED: 1

TO: Jacqueline McKissick

PHONE: \_\_\_\_\_

FAX: (202) 586-3055

FROM: David Schlegel (865)574-4312

SUBJECT:

Executive Order No. 12863 Unlawful Intelligence Activities Report for Second Quarter, FY 2007

MESSAGE:

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Department of Energy  
National Nuclear Security Administration  
Service Center

532  
10



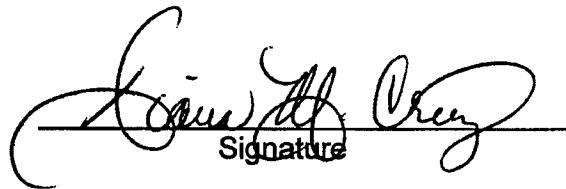
April 5, 2007

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

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

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from January 1, 2007 through March 31, 2007 that may be unlawful or contrary to Executive Order or Presidential Directive. This certification is made in the ordinary course of administrative and contractual oversight to fulfill a reporting requirement only and shall not be deemed evidence of the management, approval or oversight of any intelligence activity by the undersigned or the NNSA Service Center."

  
Signature

Please return to:

Jacqueline McKissick  
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**

---

533  
17

**From:** Clark, Kerry M. [kclark@doeal.gov]  
**Sent:** Thursday, April 05, 2007 11:16 AM  
**To:** Jonas, Dave  
**Cc:** Kessler, Melissa; White, Glenn; McKissick, Jacqueline  
**Subject:** Executive Order No. 12863 Unlawful Intelligence Activities Report for Second Quarter, FY2007

Executive Order No. 12863 Unlawful Intelligence Activities Report for Second Quarter, FY2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007 to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

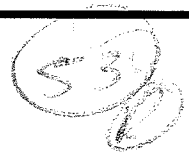
Kerry M. Clark  
(505) 845-6141  
Department of Energy  
National Nuclear Security Administration  
Office of the General Counsel  
Counsel for the Office of Secure Transportation

4/5/2007

**McKissick, Jacqueline**

---

**From:** Stephanie.Bogart@nnsa.doe.gov  
**Sent:** Thursday, April 05, 2007 10:14 AM  
**To:** Jonas, Dave  
**Cc:** Kessler, Melissa; White, Glenn; McKissick, Jacqueline  
**Subject:** Executive Order No. 12863 Unlawful Intelligence Activities Report for Second Quarter, FY2007

A handwritten number '53' is circled in blue ink in the top right corner of the page.

I am unaware of any DOE intelligence activities during the period from January 1, 2007 to March 31, 2007 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

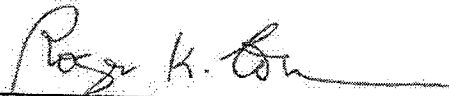
5/2/07

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Los Alamos Site Office

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 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

5 3/2  
R

3 April 2007

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
For International and National Security Programs

From: Director of Security, Naval Nuclear Propulsion Program (NA-30)

Subj: Executive Order No. 12863 Unlawful Intelligence Activities  
Report for Second Quarter, FY 2007

I am unaware of any Naval Nuclear Propulsion Program intelligence activities during the period from 1 January 2007, to 31 March 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



PATRICK CARD

537  
P

3 April 2007

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
For International and National Security Programs

From: Director of Security, Naval Nuclear Propulsion Program (NA-30)

Subj: Executive Order No. 12863 Unlawful Intelligence Activities  
Report for Second Quarter, FY 2007

I am unaware of any Naval Nuclear Propulsion Program intelligence activities during the period from 1 January 2007, to 31 March 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



PATRICK CARD

**McKissick, Jacqueline**

538 NR

**From:** Clark, Diana  
**Sent:** Tuesday, April 03, 2007 12:44 PM  
**To:** Gurney, John  
**Cc:** McKissick, Jacqueline  
**Subject:** FW: Executive Order No. 12863, Unlawful Intelligence Activities Report for Second Qtr, FY 2007



34804.pdf (22 KB)

FYI

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

**From:** Tonya Moon [mailto:TMoon@pantex.doe.gov]  
**Sent:** Tuesday, April 03, 2007 12:20 PM  
**To:** Clark, Diana  
**Cc:** White, Glenn; Kessler, Melissa; Jonas, Dave  
**Subject:** Executive Order No. 12863, Unlawful Intelligence Activities Report for Second Qtr, FY 2007

If you received this message, you are listed as an addressee or a cc: on the above-referenced document(s). This is the only copy of this document that you will be receiving. If you need a hard copy of this document, please print from the attached file(s).

If you have problems receiving this email transmittal/attachments, please contact me.

Tonya Moon  
Administrative Assistant  
GenQuest, Inc.  
tmoon@pantex.doe.gov  
Ofc (806) 477-6282  
Fax (806) 477-5894



Department of Energy  
National Nuclear Security Administration  
Pantex Site Office  
P. O. Box 30030  
Amarillo, TX 79120

539



APR 03 2007

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: *Darrell R. Riekenberg*  
Darrell R. Riekenberg, Pantex Site Office

SUBJECT: Executive Order No. 12863, Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

cc:  
David S. Jonas, NA-3.1  
Melissa Kessler, NA-3.1  
Glenn White, IG-40

540 12

National Nuclear Security Administration



National Nuclear Security Administration  
Savannah River Site Office  
P.O. Box A  
Aiken, SC 29802

FAX COVER SHEET

Fax Number: 803-208-1182  
Verification Number: 803-208-1357  
or: 803-208-8416

Date: 2 April 2007

To: Jacqueline Mc Kissick / Melissa Kessler / Glen White

From: Tim Fischer

Pages: 2

Including Cover Sheet

Remarks/Comments: Quarterly Unlawful Intel. Activities  
negative reply.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**McKissick, Jacqueline**

540

---

**From:** Parenti, Janis [janis.parenti@Oak.doe.gov]  
**Sent:** Monday, April 02, 2007 1:58 PM  
**To:** Jonas, Dave  
**Cc:** Yuan-Soo Hoo, Camille (LSO); Kessler, Melissa; Dale, Beverly; Detwiler, Paul; McKissick, Jacqueline; White, Glenn; Mortensen, Rich (LSO)  
**Subject:** Unlawful Intelligence Activities, 2nd Quarter FY 07

Dave,

I am unaware of any DOE intelligence activities during the period from January 1, 2007 to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Janis M. Parenti  
Site Counsel  
NNSA/Livermore Site Office  
Phone: (925) 424-4565  
Fax: (925) 423-4279  
janis.parenti@oak.doe.gov

4/3/2007

**McKissick, Jacqueline**

---

**From:** Izell, Kathy D. [izell@nv.doe.gov]  
**Sent:** Monday, April 02, 2007 12:20 PM  
**To:** White, Glenn  
**Cc:** McKissick, Jacqueline  
**Subject:** FW: Unlawful Intelligence Activities



fyi

---

**From:** Izell, Kathy D.  
**Sent:** Wednesday, March 28, 2007 2:56 PM  
**To:** McKissick, Jacqueline (DOE HQ)  
**Cc:** Jonas, Dave S (DOE HQ); Kessler, Melissa B (DOE HQ); Detwiler, Paul (DOE HQ)  
**Subject:** FW: Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Kathy Izell  
Chief Counsel  
Nevada Site Office

---

**From:** Kessler, Melissa [mailto:Melissa.Kessler@nnsa.doe.gov]  
**Sent:** Friday, March 23, 2007 12:18 PM  
**To:** Bogart, Stephanie (KCSO); Clark, Kerry M (ALB); Corman, Roger K. (ALB); Cruz, Diana M (ALB); Darrell Riekenb@pantex.doe.gov ; Frank Putzu (NR); Frazier, Chekiya (ALB); Hejazi, Sharon (NEV); Izell, Kathy (NEV); James Link (NR); Michele Reynolds; Osheim, Elizabeth L (ALB); parenti, janis (LSO); Sanchez, Margaret (ALB); Short, Josephine A (ALB); Terri Slack; Tim Fischer  
**Cc:** Jonas, Dave  
**Subject:** Unlawful Intelligence Activities

The time has come again to submit a quarterly report on unlawful intelligence activities (Executive Order No. 12863). Please provide a written response concerning any information of which you are aware that is required to be reported for the period January 1, 2007 through March 31, 2007.

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

All responses should be directed to Jacqueline McKissick but please also remember to submit a copy of your response to our office.

Your response is due by April 25, 2007.

Please let me know if you have any questions.

4/3/2007


547 2

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Savannah River Site Office - NNSA

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature  
Timothy P. Fischer  
Site 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

53

MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Michele Reynolds

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report  
for Second Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from January 1, 2007, to March 31, 2007 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-14 I, Forrestal Building  
Fax (202) 586-3055



Department of Energy  
Washington, DC 20585

APR 12 2007

MEMORANDUM FOR GREGORY H. FRIEDMAN  
INSPECTOR GENERAL

DAVID R. HILL  
GENERAL COUNSEL

FROM: ROLF MOWATT-LARSEN  
DIRECTOR, OFFICE OF INTELLIGENCE AND  
COUNTERINTELLIGENCE

SUBJECT: Second Quarter FY 2007 Report Pursuant to E.O. 12863

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

The following statement is made pursuant to my authorities as the Department of Energy's Senior Intelligence Officer and my responsibilities pursuant to the National Security Act of 1947, Executive Orders 12333 and 12863, Presidential Decision Directive/NSC-61, "DOE Procedures for Intelligence Activities," and DOE Delegation Order No. 00-020.00 (1.18). Copies of submissions received from field intelligence and counterintelligence organizations are attached to this report.

During the period January 1, 2007, through March 31, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order 12333, other Executive Orders, Presidential Directives, or the DOE Procedures for Intelligence Activities.

Attachments as stated



## Vaden, Elizabeth

---

**From:** Tilden, Jay  
**Sent:** Tuesday, April 10, 2007 4:17 PM  
**To:** Vaden, Elizabeth  
**Cc:** Goodale, Alex; Day, Chris; Stover, Elmer; Cioccio, John; Maubert, Paul  
**Subject:** RE: Urgent: Unlawful Activities Report for 2Q07

During the period January 1 through March 31, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order or Presidential Directive.

Jay Tilden for Alex Goodale - DDI - IN-10

---

**From:** Vaden, Elizabeth  
**Sent:** Tuesday, April 10, 2007 2:14 PM  
**To:** Goodale, Alex  
**Cc:** Tilden, Jay  
**Subject:** Urgent: Unlawful Activities Report for 2Q07  
**Importance:** High

Alex (or Jay, if appropriate), have you sent me your quarterly unlawful activities report for IN-10 (see below)? We're on a tight deadline this quarter as the PFIAB has modified the deadline for agencies' submissions. Could you please send me your inputs, using the wording below, today? Of course, my apologies if you've already sent me something and it's been misplaced on my end.

Thanks for your help,

*Elizabeth K. Vaden*  
*Chief of Staff to the Director*  
*DOE Office of Intelligence and Counterintelligence*  
*(202) 586-8756*

---

**From:** Vaden, Elizabeth  
**Sent:** Tuesday, March 27, 2007 1:07 PM  
**To:** IN - HQ-FIE-DIR; IN - SCIO; Borgia, Stan; Gresham, Larry; Goodale, Alex  
**Cc:** Frey, Susan; Vaden, Elizabeth; Kaufman, Linda; Topolski, Robin; Duffman, Rose  
**Subject:** Action: Input Needed to Quarterly Report on Unlawful Activities

Dear IN Deputy Directors, FIE Directors, and SCIOs:

It's time for IN to prepare its quarterly report to the Intelligence Oversight Board (IOB) on unlawful intelligence activities. Please read the following carefully, as there are some modifications to our process this time around.

This quarterly report is intended to identify any intelligence activities that occurred in DOE during that period that were either 1) unlawful or 2) contrary to Executive Order or Presidential Directive. The current report will cover the second quarter of fiscal year 2007 (January 1 through March 30, 2007). As SIO, Rolf is responsible for submitting a report on behalf of the entire DOE intelligence complex, including copies of the reports from each element in that complex. The SIO's report goes to the DOE Inspector General and General Counsel offices, which in turn report to the IOB on behalf of the entire Department.

To help simplify and focus the reporting process, please use the following formulation in making your response:

"During the period January 1 through March 31, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order or Presidential Directive."

The statement should be signed by you as SCIO, FIE Director, or IN Deputy Director.

The template is written in the negative because the vast majority of responses IN gets each quarter are negative (i.e.,

**Vaden, Elizabeth**

---

**From:** Borgia, Stan  
**Sent:** Friday, April 06, 2007 9:01 AM  
**To:** Vaden, Elizabeth  
**Subject:** Action: Input Needed to Quarterly Report on Unlawful Activities


**Importance:** High

**Elizabeth,**

**During the period January 1 through March 30, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order or Presidential Directive.**

**CERTIFICATION**  
**QUARTERLY UNLAWFUL ACTIVITIES REPORT**

During the period January 1, 2007 through March 31, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order 12333, other Executive Orders, Presidential Directives, or the DOE Procedures for Intelligence Activities.

  
Larry M. Gresham  
Deputy Director for Management  
Office of Intelligence and Counterintelligence  
Date: March 31, 2007



Idaho National Laboratory



April 2, 2007

CCN 209049

Mr. Rolf Mowatt-Larssen  
Director, Office of Intelligence and Counterintelligence  
IN-1/Forrestal Building, Room GA 301  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585-1290

SUBJECT: Contract No. DE-AC07-05ID14517 – SECOND QUARTER REPORT FOR FISCAL  
YEAR 2007

Dear Mr. Rolf Mowatt-Larssen:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Steven D. Hartenstein", written over a horizontal line.

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

cjc

cc: M. L. Adams, DOE-ID, MS 1221  
K. P. Ananth, INL, MS 3750  
V. C. Pearson, DOE-ID, MS 1170  
L. A. Sehlke, INL, MS 3810  
J. A. Way, INL, MS 1320

## Vaden, Elizabeth

---

**From:** bross@nnsa.doe.gov  
**Sent:** Tuesday, April 10, 2007 3:17 PM  
**To:** Vaden, Elizabeth  
**Subject:** Re: Urgent: Unlawful Activities Report for 2Q07 Needed

Elizabeth ...

I thought that the quarterly unlawful activities report for KCP had gone out.

During the period January 1 through March 31, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order or Presidential Directive.

I will follow up with a hard copy that is signed by the SCIO and me.

Bill Ross  
FIE Director  
Kansas City Plant  
National Secure Manufacturing Center  
(816) 997-4151  
bross@nnsa.doe.gov

"Vaden,  
Elizabeth"  
<Elizabeth.Vaden@  
in.doe.gov>

04/10/2007 01:02  
PM

"Ross, Bill" <bross@kcp.com>,  
"Fryatt, Nolan (CN)"  
<nfryatt@kcp.com>

To

cc

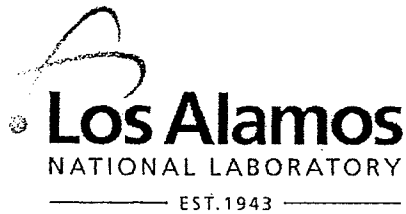
"Richards, Ellen"  
<erichards@kcp.com>

Subject  
Urgent: Unlawful Activities Report  
for 2Q07 Needed

Bill and Nolan, have either of you sent me your quarterly unlawful activities report for KCP (see below)? We're on a tight deadline this quarter as the PFIAB has modified the deadline for agencies' submissions. Could you each please send me your inputs, using the wording below, today? Of course, my apologies if you've already sent me something and it's been misplaced on my end.

Thanks for your help,

Elizabeth K. Vaden  
Chief of Staff to the Director  
DOE Office of Intelligence and Counterintelligence  
(202) 586-8756



Office of the Associate Director for Threat Reduction  
P.O. Box 1663, MS: B224  
Los Alamos, NM 87545  
505-664-0910 / 505-667-4332

Date: April 5, 2007  
Refer to: TR-IT: 07-010

Rolf Mowatt-Larsen, Director  
Office of Intelligence  
U.S. Department of Energy  
Washington, D.C. 20585

**SUBJECT: EXECUTIVE ORDER 12333 PRESIDENT'S INTELLIGENCE OVERSIGHT BOARD**

During the period January 1 through March 30, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order 12333, other Executive Orders, Presidential Directives, or the DOE Procedures for Intelligence Activities.



Harald Dogliani  
FIE Deputy Director

HOD: sms

Cy: Elizabeth Vaden, DOE, IN-1  
Louis Krasnovsky, DOE/AL/OFFM  
US Department of Energy  
NNSA/Service Center  
P. O. Box 5400  
Albuquerque, NM 87184  
J. Douglas Beason, AD-TR, A135  
S. L. Barnes, SEC-PSS5, G733  
M. S. Ryan, EA-Audits, A249  
TR-IT File



# Lawrence Livermore National Laboratory

April 10, 2007

U.S. Department of Energy  
Office of Intelligence and Counterintelligence  
GA301/TN-1  
Attn: Rolf Mowatt-Larssen, Director  
1000 Independence Avenue, SW  
Washington, DC 20585-0430

Re: Follow-Up on IWFO Concern/Quarterly Report

In the Quarterly Report to the Inspector General on Intelligence Activities at Lawrence Livermore National Laboratory (LLNL) during the period October 1, 2006 through December 31, 2006, it was stated that for one of our programs, funding that had historically come to LLNL through IWFO had changed to Work for Others funding beginning in FY06. LLNL Senior Management has initiated an audit, which is ongoing; to determine the nature of the change and to determine if this program is indeed no longer conducting "intelligence related" activities, as defined by Executive Order 12333 and DOE Procedures for Intelligence Activities.

I expect to have an update and assessment summary in the near future.

Sincerely,

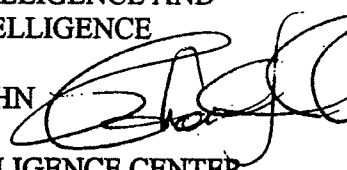
Charles W. Spain  
Director  
Livermore Field Intelligence Element



**Department of Energy**  
Washington, DC 20585

**APR - 5 2007**

**MEMORANDUM FOR:** ROLF MOWATT-LARSEN  
DIRECTOR  
U.S. DEPARTMENT OF ENERGY  
OFFICE OF INTELLIGENCE AND  
COUNTERINTELLIGENCE

**FROM:** RICHARD L. COHN   
DIRECTOR  
NEVADA INTELLIGENCE CENTER  
U.S. DEPARTMENT OF ENERGY  
OFFICE OF INTELLIGENCE AND  
COUNTERINTELLIGENCE

**SUBJECT:** Intelligence Activity Compliance Report for the  
Second Quarter, FY 2007

During the period January 1, 2007, through March 31, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order or Presidential Directive.

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



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**OAK RIDGE NATIONAL LABORATORY**

MANAGED BY UT-BATTELLE FOR THE DEPARTMENT OF ENERGY

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

March 1, 2007

FIE 07-006

Ms. Elizabeth Vaden  
U.S. Department of Energy  
Office of Intelligence (IN-1)  
Forrestal Building, GA-301  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585

Dear Ms. Vaden:

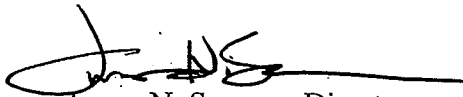
**Contract Number DE-AC05-00OR22725: Quarterly Report on Department of Energy (DOE) Procedures for Intelligence Activities and Reporting of Questionable Activities, January – March 2007**

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

During the reporting period, January – March 2007, no activities have been brought to my attention that I have reason to believe may be illegal or contrary to Executive Order 12333, other applicable Executive orders, or the DOE Procedures for Intelligence Activities.

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

Sincerely,



James N. Sumner, Director  
Oak Ridge Field Intelligence Element

JNS:nlc

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

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

Reviewed by: J. N. Sumner Date: 3-01-2007

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# Pacific Northwest National Laboratory

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

March 31, 2007

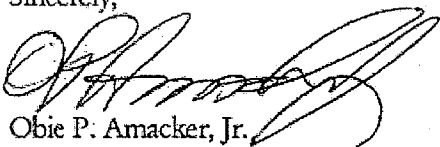
Rolf Mowatt-Larssen, Director  
Office of Intelligence (IN)  
U.S. Department of Energy  
Forrestal Building, GA-301  
1000 Independence Avenue, SW  
Washington, D.C. 20585-0430

## QUARTERLY STATUS REPORT ON QUESTIONABLE ACTIVITIES

Dear Director,

During the period of January 1 through March 31, 2007, no activities have come to my attention that I have reason to believe may be illegal or contrary to Executive Order or Presidential Directive.

Sincerely,



Obie P. Amacker, Jr.  
PNNL FIE Director  
National Security Directorate

OPA: slt

cc: Elizabeth K. Vaden, DOE-HQ, IN-1  
Richard H. Perry, DOE-HQ, IN-1  
Susan L. Frey, DOE-HQ, IN-1  
Terry L. Davis, PNSO  
Deborah E. Trader, PNSO  
Julie K. Turner, PNSO  
James F. Suess, PNSO

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