



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

---

April 9, 2007

Mr. Rolf Mowatt-Larson  
U.S. Department of Energy  
Director, Office of Intelligence and Counterintelligence  
Mail Stop IN-1 Rm # GA 293  
1000 Independence Avenue S.W.  
Washington, DC 20585

Dear Mr. Mowatt-Larson:

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

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

Very truly yours,

A handwritten signature in cursive that reads "Tommy Butler".

Tommy Butler  
Pantex FIE Director

/cfc

B147-AW-07-0006

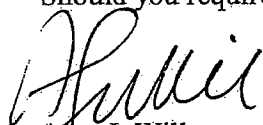
April 6, 2007

Rolf Mowatt-Larssen  
Office of Intelligence and Counterintelligence  
U.S. Department of Energy  
1000 Independence Avenue SW  
Washington D.C., 20585

Subject: **REPORT ON INTELLIGENCE ACTIVITIES**

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.

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



Alan J. Will  
Field Intelligence Element Director  
Remote Sensing Laboratory

AJW:rjf  
Subject Code: INT-1

cc: R. L. Cohn, NVIC, NSF/DO15



# Sandia National Laboratories

Operated for the U.S. Department of Energy's  
National Nuclear Security Administration  
by Sandia Corporation

P.O. Box 5800  
Albuquerque, NM 87185-1231

P.O. Box 969  
Livermore, CA 94551-0969

Phone: (505) 845-8747  
Fax: (505) 284-4388  
Internet: [jlmc Dow@sandia.gov](mailto:jlmc Dow@sandia.gov)

Jerry L. McDowell  
Vice President  
Defense Systems and Assessments

April 4, 2007

Mr. Rolf Mowatt-Larssen  
Director, Office of Intelligence & Counterintelligence  
U. S. Department of Energy  
IN-1, GA-293, FORS  
1000 Independence Ave SW  
Washington, DC 20585

Dear Mr. Mowatt-Larssen,

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.

Sincerely,

Copy to:  
MS 0184 Rick Balthaser, DOE/SSO



*Exceptional Service in the National Interest*



**MEMO****Savannah River National Laboratory**

April 2, 2007

TO: Director of Security, DOE IN

FROM: John P. Veldman, SRNL FIE Director



SUBJECT: Compliance

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

During June 2006 all members of the SRNL Field Intelligence Element reviewed their files for compliance with Executive Order 12333. Their signed statements are on file in Room B001 in building 735-A.

JPV:clp

**Special Technologies Laboratory  
U.S. Department of Energy  
Field Intelligence Element  
5520 Ekwil Street, Suite B  
Santa Barbara, CA 93111**

B200-MM-07-0026

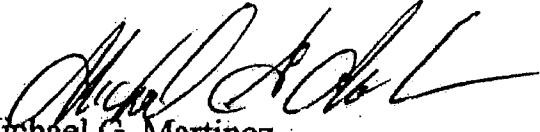
7 January 2, 2006

Rolf Mowatt-Larssen  
U.S. Department of Energy  
1000 Independence Avenue S.W.  
GA/301, IN  
Washington, DC 20585

**Subject: INTELLIGENCE ACTIVITIES**

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.

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

  
Michael G. Martinez  
Special Technologies Laboratory, FIE Director

MM:ke

Subject Code: INT 14-1

cc: R. Cohn, NNSA  
L. Gresham, DOE/HQ IN  
E. Vaden, DOE/HQ IN

**Vaden, Elizabeth**

---

**From:** Karnezis, Nicholas (ALB)  
**Sent:** Thursday, March 29, 2007 2:23 PM  
**To:** Vaden, Elizabeth  
**Subject:** RE: Action: Input Needed to Quarterly Report on Unlawful Activities

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.

---

NICHOLAS J. KARNEZIS, EJ-IV  
Manager / Sr. Counterintelligence Officer  
Albuquerque Regional Office (IN-20)

NNSA Service Center  
PO Box 5400  
Albuquerque, NM 87185  
505-845-5311/4028 (STUIII)  
505-284-7135 (FAX)  
[nkarnezis@doeal.gov](mailto:nkarnezis@doeal.gov)

---

**From:** Vaden, Elizabeth [mailto:Elizabeth.Vaden@in.doe.gov]  
**Sent:** Tuesday, March 27, 2007 11:07 AM  
**To:** IN - HQ-FIE-DIR; IN - SCIO; Borgia, Stan; Gresham, Larry; Goodale, Alex  
**Cc:** Frey, Susan; Vaden, Elizabeth; Kaufman, Linda; Topolski, Robin; Duffman, Rose I. (HQ)  
**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 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."

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

4/10/2007

**Vaden, Elizabeth**

---

**From:** Collins, H. Larry (CN)  
**Sent:** Wednesday, April 04, 2007 11:38 AM  
**To:** Vaden, Elizabeth  
**Subject:** Quarterly Report to the Intelligence Oversight Board

Elizabeth the following is the reponse from Argonne national Laboratory.

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 pertaining to Argonne National Laboratory."

Larry Collins  
Director  
Security and Counterintelligence Division  
Argonne National Laboratory  
9700 South Cass Avenue  
Argonne, Illinois 60439  
(630)252-9919

**Vaden, Elizabeth**

---

**From:** Minniear, Steve (CN)  
**Sent:** Wednesday, March 28, 2007 11:28 AM  
**To:** Vaden, Elizabeth  
**Subject:** RE: Action: Input Needed to Quarterly Report on Unlawful Activities

Elizabeth K. Vaden  
Chief of Staff to the Director  
DOE Office of Intelligence and Counterintelligence

Dear Ms. Vaden:

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.

If you have any questions, please contact me via email or the telephone numbers below.

Steven Minniear  
Steven S. Minniear, CPP  
Senior Counterintelligence Officer  
California Regional Counterintelligence Office  
Office of Intelligence and Counterintelligence  
U.S. Department of Energy  
(925) 423-9872  
(800) 784-1856 (pager)  
[steve.minniear@oak.doe.gov](mailto:steve.minniear@oak.doe.gov)

---

**From:** Vaden, Elizabeth [mailto:Elizabeth.Vaden@in.doe.gov]  
**Sent:** Tuesday, March 27, 2007 10:07 AM  
**To:** IN - HQ-FIE-DIR; IN - SCIO; Borgia, Stan; Gresham, Larry; Goodale, Alex  
**Cc:** Frey, Susan; Vaden, Elizabeth; Kaufman, Linda; Topolski, Robin; Duffman, Rose I. (HQ)  
**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 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."

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

4/10/2007



**Vaden, Elizabeth**

---

**From:** Krok, Donald (CN)  
**Sent:** Tuesday, April 10, 2007 2:18 PM  
**To:** Vaden, Elizabeth  
**Subject:** RE: Urgent: Unlawful Activities Report for 2Q07

Elizabeth:

The Chicago Regional Office provides the following response to your request as noted below.

"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."

Should you have any questions or need additional information please contact me at the soonest.

Signed

Donald J. Krok

Senior Counterintelligence Officer

Chicago Regional Office

---

**From:** Vaden, Elizabeth [mailto:Elizabeth.Vaden@in.doe.gov]  
**Sent:** Tuesday, April 10, 2007 1:06 PM  
**To:** Krok, Donald  
**Cc:** Passo, Daria  
**Subject:** Urgent: Unlawful Activities Report for 2Q07  
**Importance:** High

Don, have you sent me your quarterly unlawful activities report for the Chicago Regional Office (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

4/10/2007

**Vaden, Elizabeth**

**From:** Jack A Way [Jack.Way@inl.gov]  
**Sent:** Tuesday, April 03, 2007 8:27 PM  
**To:** Vaden, Elizabeth  
**Subject:** Re: Action: Input Needed to Quarterly Report on Unlawful Activities

"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."



Idaho National Laboratory

**Jack Way + Counterintelligence Program Manager**  
**Tel: (208) 526-2223 + Fax (208) 526-2849, Email: Jack.Way@inl.gov**  
**Web: www.inl.gov**

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

03/27/2007 11:07 AM

To "IN - HQ-FIE-DIR" <INHQFIEDIR@in.doe.gov>, "IN - SCIO" <SCIO@in.doe.gov>, "Borgia, Stan" <Stan.Borgia@in.doe.gov>, "Gresham, Larry" <Larry.Gresham@in.doe.gov>, "Goodale, Alex" <Alex.Goodale@in.doe.gov>

cc "Frey, Susan" <Susan.Frey@in.doe.gov>, "Vaden, Elizabeth" <Elizabeth.Vaden@in.doe.gov>, "Kaufman, Linda" <Linda.Kaufman@in.doe.gov>, "Topolski, Robin"

<Robin.Topolski@in.doe.gov>, "Duffman, Rose" <rose.duffman@in.doe.gov>

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 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."

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

4/10/2007

**Vaden, Elizabeth**

---

**From:** Fryatt, Nolan (CN)  
**Sent:** Tuesday, April 10, 2007 2:10 PM  
**To:** Vaden, Elizabeth  
**Cc:** Ross, Bill; Richards, Ellen  
**Subject:** Re: Urgent: Unlawful Activities Report for 2Q07 Needed

Elizabeth,

This will cover for the Counterintelligence Office. I have a call in for Bill Ross. Do you need a hard copy also? If so, signed by both Bill and I?

"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 at the Kansas City Plant."

Thanks,

Nolan Fryatt  
 SCIO  
 Kansas City Plant

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

04/10/2007 01:02 PM

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

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*

---

**From:** Vaden, Elizabeth  
**Sent:** Tuesday, March 27, 2007 1:07 PM

4/10/2007

**Vaden, Elizabeth**

---

**From:** Phillips, Bill  
**Sent:** Tuesday, April 10, 2007 3:31 PM  
**To:** Vaden, Elizabeth; Vaden, Elizabeth  
**Cc:** Cynthia Jean Staples; Roth, Terry; James Downs; Montana L Norvell  
**Subject:** ILLEGAL ACTIVITIES REPORT - LOS ALAMOS 2ND QUARTER 07

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.

--

William M. Phillips, III  
Director, Office of Counterintelligence  
Los Alamos National Laboratory  
Phone: (505) 665-6090  
Fax: (505) 667-7637  
Classified Fax: (505) 667-8652  
Mailstop F 675

4/10/2007

**Vaden, Elizabeth**

---

**From:** Turchie, Terry (CN)  
**Sent:** Monday, April 02, 2007 7:25 PM  
**To:** Vaden, Elizabeth  
**Subject:** Re: Action: Input Needed to Quarterly Report on Unlawful Activities

Hello Elizabeth:

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.

Terry Turchie  
Senior Counterintelligence Officer  
Lawrence Livermore National Laboratory

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 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."

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., nothing to report). Both the DOE General Counsel and Inspector General's offices also have advised IN to take care not to include issues in these reports that do not meet the reporting criteria as stated above. If you do anticipate submitting a positive response-or are uncertain as to whether to include an issue-please **call me before** submitting your report.

Lastly, the IOB has asked for quarterly reports on a shorter timeline this year, as I just learned today. Thus, please submit your organization's report to me **by COB Monday, April 9, 2007**. I would prefer to receive your response by email at [elizabeth.vaden@in.doe.gov](mailto:elizabeth.vaden@in.doe.gov), but if you must send it in hard copy, please FAX it to my attention to the IN Front Office's unclassified FAX at 202-287-5999. **If you are considering making a positive response, please call me on Tuesday, April 10** at 202-586-8756 (I will be out of the office from April 2-9). Ultimately, I will put together a response reflecting the inputs of all DOE intelligence organizations for Rolf's signature.

4/10/2007

**Vaden, Elizabeth**

---

**From:** Gifford, Charlene [GIFFORCR@nv.doe.gov]  
**Sent:** Monday, April 09, 2007 5:23 PM  
**To:** Vaden, Elizabeth  
**Subject:** Quarterly Report Jan-Mar

For the Nevada Counterintelligence office, there were no intelligence activities that occurred during the period of January 1, 2007 – March 31, 2007, that may be unlawful or contrary E.O. Presidential Directive or DOE/NNSA implementing procedures.

Charlene Gifford

Nevada Counterintelligence Program

702-295-1137

**Vaden, Elizabeth**

---

**From:** Gross, Gary (CN)  
**Sent:** Tuesday, April 10, 2007 4:48 PM  
**To:** Vaden, Elizabeth  
**Cc:** Biegelman, Randy  
**Subject:** RE: Urgent: Unlawful Activities Report for 2Q07

Hi Liz: Below is my response to your request. As I retired in January and am only in a few days a week, I lost sight of this. Also, Randy Biegelman is the new SCIO here and if you could add him to you distribution list, I would appreciate it. His e-mail address is [rbiegelman@bnl.gov](mailto:rbiegelman@bnl.gov). Sorry about this.

Take Care,  
Gary

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.

---

**From:** Vaden, Elizabeth [mailto:Elizabeth.Vaden@in.doe.gov]  
**Sent:** Tuesday, April 10, 2007 2:11 PM  
**To:** Gross, Gary M  
**Subject:** Urgent: Unlawful Activities Report for 2Q07  
**Importance:** High

Gary, have you sent me your quarterly unlawful activities report for the Northeast Regional CI Office (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

4/10/2007

## Terry, Simone

---

**From:** Hadley, Pam [hadleypj@ornl.gov] on behalf of Rochford, Mike  
**Sent:** Tuesday, April 03, 2007 12:31 PM  
**To:** Terry, Simone  
**Subject:** Intelligence Oversight Board - Second Quarter 2007

Simone,

Each employee of the Oak Ridge Office of Counterintelligence has signed the following statement:

I, (name), certify that I have conducted a thorough review of my intelligence/counterintelligence activities and files. 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.

Thank you,

SCIO Mike Rochford (865/241-9244)

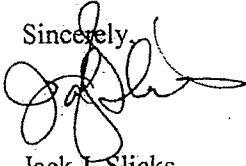
Pamela Hadley  
Executive Secretary for the Office of Counterintelligence P.O. Box 2008, 5300, MS 6076,  
Oak Ridge, TN 37831-6076  
Phone: (865) 241-0233, Fax: (865) 241-0240, Email: hadleypj@ornl.gov



Subject: Action: Input Needed to Quarterly Report on Unlawful Activities

"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."

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Slicks', written over the word 'Sincerely,'.

Jack J. Slicks  
Senior Counterintelligence Officer  
Pacific Northwest National Laboratory



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

---

March 27, 2007

Elizabeth K. Vaden  
Chief of Staff to the Director  
DOE Office of Intelligence and Counterintelligence  
1000 Independence Ave., SW  
Washington, DC 20585

Subject: Quarterly Report on Unlawful Activities

Dear Ms. Vaden:

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.

Sincerely,

A handwritten signature in cursive script that reads "Darlene M. Holseth".

Darlene M. Holseth  
Senior Counterintelligence Officer  
BWXT Pantex

DMH:dlc

**Vaden, Elizabeth**

---

**From:** Hanneman, Mark (CN)  
**Sent:** Thursday, March 29, 2007 3:03 PM  
**To:** Vaden, Elizabeth  
**Cc:** Hanneman, Mark (CN); Gilbert, Dixie

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.

*Mark*

**Mark S. Hanneman**  
**Senior Counterintelligence Officer**  
**DOE HQ OIC, Directorate of Counterintelligence**  
**Richland Regional Office**  
**Office: 509-373-1865**  
**Cell: 509-539-4943**  
*"All that is necessary for the triumph of evil is that good men do nothing." Edmund Burke*

4/10/2007



## Department of Energy

Office of Intelligence & Counterintelligence  
Rocky Mountain Region

April 4, 2007

MEMORANDUM FOR, ELIZABETH VADEN  
CHIEF OF STAFF  
DOE OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

FROM SCOTT A. WILSON *SAW*  
SENIOR COUNTERINTELLIGENCE OFFICER  
ROCKY MOUNTAIN REGIONAL OFFICE  
DIRECTORATE OF COUNTERINTELLIGENCE  
OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

SUBJECT: Quarterly Report to the Intelligence Oversight Board (IOB) on  
Unlawful Intelligence Activities

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.

**Vaden, Elizabeth**

---

**From:** Massone, David  
**Sent:** Monday, April 02, 2007 5:12 PM  
**To:** Vaden, Elizabeth  
**Cc:** Borgia, Stan; Topolski, Robin; Gutierrez, Sidney; Griffis, Ruth (SNL-NM); Held, Edward (CN)  
**Subject:** RE: Action: Input Needed to Quarterly Report on Unlawful Activities\_SNL/CA

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.

David Massone  
Acting SCIO Sandia /California

---

**From:** Vaden, Elizabeth [mailto:Elizabeth.Vaden@in.doe.gov]  
**Sent:** Tuesday, March 27, 2007 11:07 AM  
**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 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."

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., nothing to report). Both the DOE General Counsel and Inspector General's offices also have advised IN to take care not to include issues in these reports that do not meet the reporting criteria as stated above. If you do anticipate submitting a positive response—or are uncertain as to whether to include an issue—please **call me before** submitting your report.

Lastly, the IOB has asked for quarterly reports on a shorter timeline this year, as I just learned today. Thus, please submit your organization's report to me **by COB Monday, April 9, 2007**. I would prefer to receive your response by email at [elizabeth.vaden@in.doe.gov](mailto:elizabeth.vaden@in.doe.gov), but if you must send it in hard copy, please FAX it to my attention to the IN Front Office's unclassified FAX at 202-287-5999. **If you are considering making a positive**

4/10/2007

**Vaden, Elizabeth**

---

**From:** Held, Edward (CN)  
**Sent:** Monday, April 02, 2007 3:35 PM  
**To:** Vaden, Elizabeth  
**Cc:** Borgia, Stan; Topolski, Robin; Massone, David; Gutierrez, Sidney; Griffis, Ruth (SNL-NM)  
**Subject:** RE: Action: Input Needed to Quarterly Report on Unlawful Activities

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.

E. Bruce Held  
SCIO Sandia/New Mexico

---

**From:** Vaden, Elizabeth [mailto:Elizabeth.Vaden@in.doe.gov]  
**Sent:** Tuesday, March 27, 2007 11:07 AM  
**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 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."

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., nothing to report). Both the DOE General Counsel and Inspector General's offices also have advised IN to take care not to include issues in these reports that do not meet the reporting criteria as stated above. If you do anticipate submitting a positive response—or are uncertain as to whether to include an issue—please **call me before** submitting your report.

Lastly, the IOB has asked for quarterly reports on a shorter timeline this year, as I just learned today. Thus, please submit your organization's report to me **by COB Monday, April 9, 2007**. I would prefer to receive your

4/10/2007

## Vaden, Elizabeth

---

**From:** Menger, Robert (CN)  
**Sent:** Tuesday, March 27, 2007 2:12 PM  
**To:** Vaden, Elizabeth  
**Cc:** diane.broome@srs.gov  
**Subject:** Re: Action: Input Needed to Quarterly Report on Unlawful Activities

"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."

Robert E. Menger  
Senior Counterintelligence Officer  
Southeast Region, IN-20  
U.S. Department of Energy  
(803) 725-7646



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

SUS 2



APR 03 2007

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

FROM:   
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





**Department of Energy**  
Washington, DC 20585

546  
K

July 25, 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 April 1, 2007, through June 30, 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".

David R. Hill  
General Counsel

cc: General Counsel  
President's Foreign Intelligence Advisory Board



**Department of Energy**  
Washington, DC 20585



July 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*  
Assistant General Counsel for International and National Security  
Programs

SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period April 1, 2007, through June 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



June 20, 2007

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

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

SUBJECT: Unlawful Intelligence Activities (Third 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 April 1, 2007, through June 30, 2007. Your report is due by July 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  
Assistant General Counsel  
for International and National Security Programs

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

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

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 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.*

SVP  
P

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 Third Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 2007 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





Department of Energy

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

550



July 6, 2007

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

**FROM:** Kenneth D. Ivey, Jr.  
Assistant Manager for Safeguards and Security, Y-12 Site Office

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

I am unaware of any Department of Energy intelligence activities during the period from April 1, 2007 to June 30, 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature

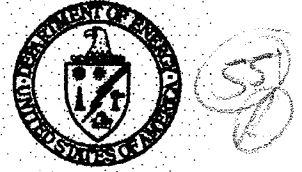
Y12-20:Schlegel

cc:

G. H. Friedman, IG-1, FORS  
D. S. Jonas, NA-1, FORS  
G. R. White, IG-42, FORS  
M. T. Rochford, OCI, MS 6076, ORNL  
T. L. Slack, Y-12-01, YSO  
S. L. Gaines, Y12-10, YSO  
S. L. Daly, Y12-20, YSO



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



July 10, 2007

MEMORANDUM FOR: Diana D. Clark, DOE/HQ (GC-53) FORS

FROM: Sharon A. Hejazi, Site Counsel, NNSA/NSO, Las Vegas, NV

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

I am unaware of any DOE intelligence activities during the period April 1, 2007, to June 30, 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

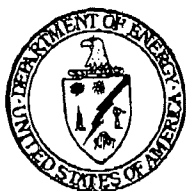
  
Sharon A. Hejazi, Site Counsel

cc:  
D. S. Jonas, NNSA/HQ (NA-1) FORS  
R. P. Detwiler, NNSA/HQ (NA-1) FORS  
G. R. White, DOE/HQ (IG-42) 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



**Department of Energy**

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

530

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

FROM: Golden Field Office

DATE: July 9, 2007

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

I am unaware of any DOE intelligence activities during the period from April 1, 2007 through June 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

John A. Herrick  
Chief Counsel

Please return to:

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

Fax (202) 586-3055

ESD

9 July 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 Third Quarter, FY 2007

I am unaware of any Naval Nuclear Propulsion Program intelligence activities during the period from 1 April 2007 through 30 June 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



DAVID S. TROEGER

**McKissick, Jacqueline**

---

**From:** Link, James A CIV NAVSEA 08, 2N-551 [james.link@navy.mil]  
**Sent:** Monday, July 09, 2007 3:57 PM  
**To:** White, Glenn  
**Cc:** McKissick, Jacqueline; Kessler, Melissa; Troeger, David S CIV SEA 08 NR  
**Subject:** NA-30 Unlawful Intelligence Report (Third Quarter, Fiscal Year 2007)

Subject Report for Naval Reactors (NA-30) provided below.

<<Unlawful Intel Activity Report July 07.pdf>>

V/R  
LCDR James A. Link, JAGC, USN  
Staff Judge Advocate  
Naval Sea Systems Command (Code 08)  
(202) 781-5716  
Fax (202) 781-6408



**Department of Energy**  
**National Nuclear Security Administration**  
**Kansas City Site Office**  
P.O. Box 410202  
Kansas City, Missouri 64141-0202



July 6, 2007

MEMORANDUM FOR: Diana Clark, Assistant General Counsel  
for International and National Security Programs,  
GC-53

FROM: Stephanie L. Bogart  
Counsel

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

FILE No: 310

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

cc: G. White, DOE/IG  
D. Jonas, NNSA/GC

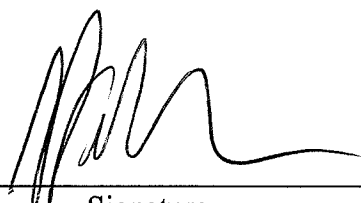
53

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

FROM: STEPHEN SKUTEL, GC-71

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

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
\_\_\_\_\_  
Signature 7-25-07

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

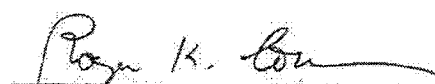
532

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 Third Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 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





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

557 R



JUL 05 2007

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

FROM:   
Darrell R. Riekenberg, Pantex Site Counsel

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

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 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  
Jacqueline McKissick, GC-53  
Glenn White, IG-40

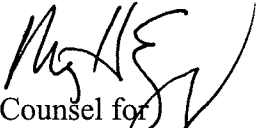


**Department of Energy**  
Washington, DC 20585

558

July 5, 2007

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

FROM: Mary H. Egger   
Deputy General Counsel for  
Technology Transfer and Procurement

SUBJECT: Executive Order No. 12863 Unlawful Intelligence  
Activities Report

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.

559

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

FROM: Michael W. Bowers, Acting ABC for Legislation + Regulatory Law

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

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 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



**Department of Energy**  
National Nuclear Security Administration  
Livermore Site Office  
PO Box 808, L-293  
7000 East Avenue  
Livermore, California 94551-0808




**JUL 02 2007**

MEMORANDUM FOR DIANA CLARK  
Acting Assistant General Counsel  
For International and National Security Programs

FROM: JANIS PARENTI, SITE COUNSEL

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

I am unaware of any DOE intelligence activities during the period from April 1, 2007 to June 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
\_\_\_\_\_  
JANIS M. PARENTI

Return to:

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

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

FROM: Janis M. Parenti, <sup>DOE/</sup>NNSA Livermore Site  
 Office, Site 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.

Janis M. Parenti  
 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

June 28, 2007

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

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

SUBJECT: Unlawful Intelligence Activities (Third 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 April 1, 2007, through June 30, 2007. Your report is due by July 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

OPTIONAL FORM 99 (7-90)

**FAX TRANSMITTAL**

# of pages ▶

To	<i>Janis Parenti</i>	From	<i>Jakki McKissick</i>
Dept./Agency	<i>DOE/NSA/Kivera</i>	Phone #	<i>202-586-3371</i>
Fax #	<i>925-423-4279</i>	Fax #	<i>202-586-3055</i>

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

MEMORANDUM FOR: Diana Clark  
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 Third Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Timothy P. Fischer, Site Counsel  
Savannah River Site Office

2 July 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

**McKissick, Jacqueline**

---

**From:** timothy.fischer@nnsa.srs.gov  
**Sent:** Tuesday, July 03, 2007 8:33 AM  
**To:** White, Glenn; McKissick, Jacqueline  
**Cc:** Kessler, Melissa  
**Subject:** Unlawful Intelligence Activity Report Q3 FY07  
**Importance:** High

The quarterly report from the Savannah River Site Office, NNSA, is attached.

Timothy P. Fischer  
Site Counsel  
Savannah River Site Office  
(803) 208-8656 (office)  
(803) 507-8740 (mobile)

7/3/2007





**Department of Energy**  
Washington, DC 20585

June 28, 2007

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

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

SUBJECT: Unlawful Intelligence Activities (Third 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 April 1, 2007, through June 30, 2007. Your report is due by July 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

OPTIONAL FORM 99 (7-90)

**FAX TRANSMITTAL**

# of pages **5**

To <i>Lansen Barrow</i>	From <i>Jekki McKissick</i>
Dept./Agency <i>Strategic Petroleum Reser.</i>	Phone # <i>202-586-3371</i>
Fax # <i>504-934-4030</i>	Fax # <i>202-586-3055</i>

NSN 7540-01-317-7368

5099-101

GENERAL SERVICES ADMINISTRATION



**National Nuclear Security Administration**  
Sandia Site Office  
P.O. Box 5400  
Albuquerque, New Mexico 87185-5400

560

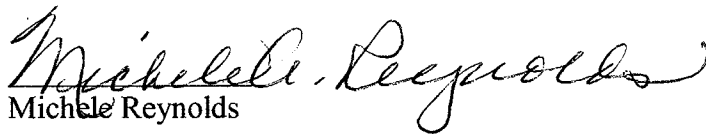


MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Michele Reynolds

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

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

  
Michele Reynolds

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



Department of Energy  
National Nuclear Security Administration  
Service Center

50



June 28, 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 Third Quarter, FY 2007

"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from April 1, 2007 through June 30, 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

563  
P

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 Third Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Mary B. Neumayr  
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



**National Nuclear Security Administration**

Sandia Site Office

P.O. Box 5400

Albuquerque, New Mexico 87185-5400

563  
2

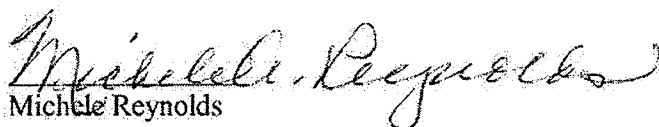


MEMORANDUM FOR: Diana Clark  
Acting Assistant General Counsel  
for International and National Security Programs

FROM: Michele Reynolds

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

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

  
Michele Reynolds

Please Return to:

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

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 Third Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 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

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

FROM: Bruce M. Diamond GC-51

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

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 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

56  
1



**Department of Energy**

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

**JUN 26 2007**

Diana Clark  
Acting Assistant General Counsel for  
International and National Security Programs, HQ  
GC-53 FORS

**SUBJECT: EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES  
REPORT FOR THE PERIOD APRIL 1, 2007 THROUGH JUNE 30, 2007**

I am unaware of any DOE intelligence activities during the period from April 1, 2007 to June 30, 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

*Steven A. Silbergleid*  
Steven A. Silbergleid  
Chief Counsel

cc: Robert C. Wunderlich, OM





567  
R

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 Third Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Susan Beard 6/22/07  
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

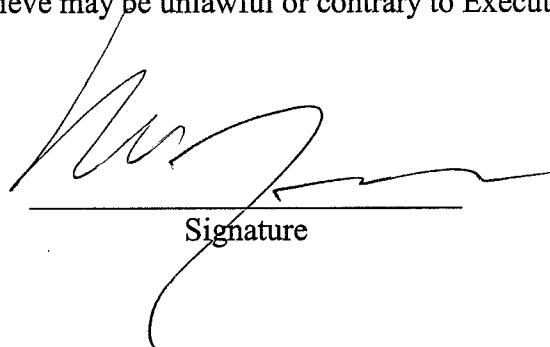
565  
2

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 Third Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from April 1, 2007, to June 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
6/21/07

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



**Department of Energy**  
Washington, DC 20585

539  
10

September 20, 2007

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

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

**SUBJECT:** Unlawful Intelligence Activities (Fourth 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 July 1, 2007, through September 30, 2007. Your report is due by October 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 the 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: Diana D. Clark  
Assistant General Counsel  
for International and National Security Programs

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

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 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) 586-7373



---

---

# Presidential Documents

---

Title 3—

Executive Order 12863 of September 13, 1993

The President

President's Foreign Intelligence Advisory Board

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

## PART I. ASSESSMENT OF INTELLIGENCE ACTIVITIES

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

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

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

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

## PART II. OVERSIGHT OF INTELLIGENCE ACTIVITIES

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

**Sec. 2.2.** The IOB shall:

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

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

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

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

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

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

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

## PART III. GENERAL PROVISIONS

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

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

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

*William J. Clinton*

THE WHITE HOUSE,  
*September 13, 1993.*



Department of Energy  
Washington, DC 20585

570  
R

September 20, 2007

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

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

SUBJECT: Unlawful Intelligence Activities (Fourth 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 July 1, 2007, through September 30, 2007. Your report is due by October 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 the 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: Diana D. Clark  
Assistant General Counsel  
for International and National Security Programs

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

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 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) 586-7373



---

---

# 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]

DOE F 1325.8  
(2-00)

United States Government

Department of Energy

Oak Ridge Office

**memorandum**

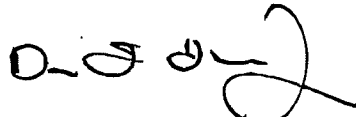
DATE: October 12, 2007

REPLY TO:  
ATTN OF: CC-10:Carnes

SUBJECT: **EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES REPORT  
FOR FOURTH QUARTER, FY 2007**

TO: Diana D. Clark, Assistant General Counsel for International and National Security  
Programs, GC-53, Headquarters, FORSTL

I am unaware of any DOE intelligence activities during the period July 1, 2007 through September 30, 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Don F. Thress, Jr.  
Chief Counsel

572  
**McKissick, Jacqueline**

---

**From:** Wethington, Bonni [BWethington@doeal.gov]  
**Sent:** Tuesday, October 02, 2007 7:23 PM  
**To:** McKissick, Jacqueline; White, Glenn  
**Cc:** Jonas, Dave; Kessler, Melissa  
**Subject:** Unlawful Intelligence Activities Report for Fourth Quarter, FY 2007

I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

/s/

Roger Corman, Site Counsel  
Los Alamos Site Office  
(505) 667-4668  
rcorman@doeal.gov

573 12

---

**McKissick, Jacqueline**

**From:** Thacker, Heather  
**Sent:** Monday, September 24, 2007 3:59 PM  
**To:** White, Glenn; McKissick, Jacqueline  
**Cc:** Kessler, Melissa  
**Subject:** FW: Unlawful Intelligence Report (Fourth Quarter, Fiscal Year 2007)

**Attachments:** IG unlawful request 09-30-07.pdf



IG unlawful request  
09-30-07.p...

I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Heather Thacker  
Office of the General Counsel  
National Nuclear Security Administration US Department of Energy  
202.586.6924

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

**From:** Kessler, Melissa  
**Sent:** Thursday, September 20, 2007 3:57 PM  
**To:** Dale, Beverly; Detwiler, Paul; Gervas, Paul; Izell, Kathy; Jonas, Dave; Izell, Kathy D.; Landolt, Keith; Lips, Walter; Maez, Will; Nguyen, Anh T; Pak, Christina; Thacker, Heather; Bogart, Stephanie; Clark, Kerry M; Corman, Roger K.; Cruz, Diana M; Riekenberg, Darrell; Frank Putzu (NR); Frazier, Chekiya; Hejazi, Sharon A; James Link (NR); Reynolds, Michele; Osheim, Elizabeth L; parenti, janis; Sanchez, Margaret; Short, Josephine A; Terri Slack; Tim Fischer  
**Subject:** Unlawful Intelligence Report (Fourth Quarter, Fiscal Year 2007)

Please see the attached memorandum regarding your Report to the Intelligence Oversight Board for the Fourth Quarter of FY 2007.

It asks that you send a copy of your response to Glenn White (GLENN.WHITE@hq.doe.gov) at the Office of the Inspector General. Please also send a copy to me, as well as Jacqueline McKissick (JACQUELINE.MCKISSICK@hq.doe.gov) at DOE/GC.

The memo requests that you submit your declaration by October 12, 2007.

If you have nothing to report, it is sufficient for you to simply send an e-mail stating the following:

"I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive."

Please let me know if you have any questions.

Thank you,  
Melissa

Melissa B. Kessler  
Office of the General Counsel  
National Nuclear Security Administration  
phone: 202-586-8514  
fax: 202-586-0419  
Melissa.Kessler@nnsa.doe.gov

**McKissick, Jacqueline**

---

**From:** Izell, Kathy D. [izell@nv.doe.gov]  
**Sent:** Thursday, September 20, 2007 4:28 PM  
**To:** White, Glenn  
**Cc:** McKissick, Jacqueline; Kessler, Melissa



"I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive."

Kathy Izell  
Deputy General Counsel for Procurement



**McKissick, Jacqueline**

---

**From:** Maez, Will [wmaez@doeal.gov]  
**Sent:** Thursday, September 20, 2007 4:04 PM  
**To:** White, Glenn  
**Cc:** McKissick, Jacqueline; Kessler, Melissa; Izell, Kathy D.  
**Subject:** Unlawful Intelligence Report



I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Will Maez, Office of General Counsel, NNSA

## McKissick, Jacqueline

---

**From:** Clark, Kerry M. [kclark@doeal.gov]  
**Sent:** Monday, October 15, 2007 11:47 AM  
**To:** White, Glenn  
**Cc:** McKissick, Jacqueline; Kessler, Melissa  
**Subject:** Unlawful Intelligence Report

I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 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

317 2

**McKissick, Jacqueline**

---

**From:** Hejazi, Sharon [hejazi@nv.doe.gov]  
**Sent:** Thursday, October 11, 2007 12:05 PM  
**To:** White, Glenn  
**Cc:** McKissick, Jacqueline; Kessler, Melissa  
**Subject:** Unlawful Intelligence Activities Report for Fourth Quarter, FY 20 07

I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Sharon A. Hejazi

Nevada Site Counsel

NNSA/NSO



**Department of Energy**  
Washington, DC 20585




October 10, 2007

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

FROM: Mary H. Egger  
Deputy General Counsel  
For Technology Transfer and Procurement

SUBJECT: Executive Order No. 12863 -  
Unlawful Intelligence Activities Report

I am unaware of any DOE intelligence activities during the period of July 1, 2007, to September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
\_\_\_\_\_  
Signature



57

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

FROM: Strategic Petroleum Reserve-Project Management Office  
~~L. Barrow, FE-444~~

SUBJECT: Exccutive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 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) 586-7373

580  
2

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

FROM: Strategic Petroleum Reserve-Project Management Office  
 L. Barrow, FE-44.4

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

*Larsen C. Barrow*  
 Signature

Please return to:

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

Fax (202) 586-7373



Department of Energy  
Washington, DC 20585

58

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

FROM: WARREN BELMAR

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 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) 586-7373





Department of Energy

Washington, DC 20585

532  
6

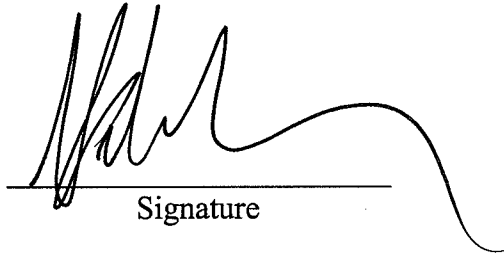
MEMORANDUM FOR: Diana D. Clark  
Assistant General Counsel  
for International and National Security Programs

FROM:

STEPHEN C. SCAR

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 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) 586-7373





**McKissick, Jacqueline**

---

**From:** timothy.fischer@nnsa.srs.gov  
**Sent:** Friday, October 05, 2007 10:41 AM  
**To:** White, Glenn; McKissick, Jacqueline  
**Cc:** Kessler, Melissa



I am unaware of any DOE intelligence activities at the NNSA's Savannah River Site Office during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

---

Timothy P. Fischer  
Site Counsel  
Savannah River Site Office  
(803) 208-8656 (office)  
(803) 507-8740 (mobile)

OCT 03 2007

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

FROM: James Parenti, NNSA, Livermore Site Office,  
Site Counsel

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

James M. Parenti  
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) 586-7373

**Department of Energy**

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

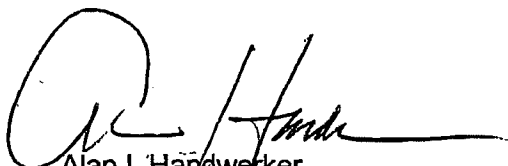
533  
6

**OCT 3 2007**

Diana Clark  
Assistant General Counsel for  
International and National Security Programs, HQ  
GC-53 FORS

**SUBJECT: EXECUTIVE ORDER NO. 12863, UNLAWFUL INTELLIGENCE ACTIVITIES  
REPORT FOR THE PERIOD JULY 1, 2007 THROUGH SEPTEMBER 30, 2007**

I am unaware of any DOE intelligence activities during the period from July 1, 2007 to September 30, 2007, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



Alan I. Handwerker  
Acting Chief Counsel

cc: Robert C. Wunderlich, OM



Printed on Recycled Paper



**Department of Energy**

Washington, DC 20585

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

FROM:

Daniel Cohen

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Daniel Cohen  
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) 586-7373





**Department of Energy**

Washington, DC 20585

5/2/07

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

FROM: Susan Beard

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Susan Beard 9/21/07  
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) 586-7373





**Department of Energy**  
Washington, DC 20585

5/2/07

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

FROM: PAUL Gottlieb

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 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) 586-7373





Department of Energy

Washington, DC 20585

557

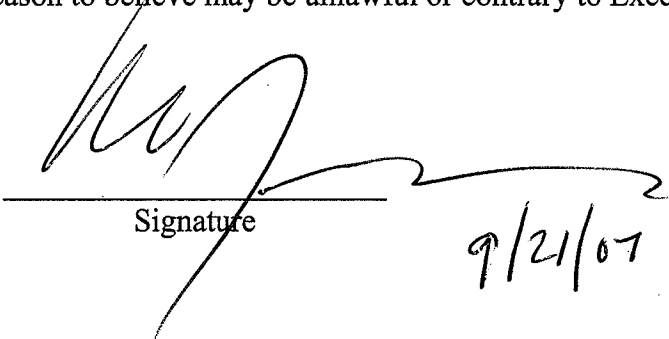
MEMORANDUM FOR: Diana D. Clark  
Assistant General Counsel  
for International and National Security Programs

FROM:

Marc Johnston

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature 9/21/07

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) 586-7373





Department of Energy

Washington, DC 20585


246

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

FROM: Bruce Diamond, GC-51

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities

I am unaware of any DOE intelligence activities during the period from July 1, 2007, to September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

  
Signature

9/21/07

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) 586-7373





**McKissick, Jacqueline**

---

**From:** Lips, Walter  
**Sent:** Friday, September 21, 2007 11:29 AM  
**To:** White, Glenn  
**Cc:** Kessler, Melissa; McKissick, Jacqueline

I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Walt Lips  
NA-3.1  
202-586-1806, FAX 6-0419  
walter.lips@nnsa.doe.gov



Department of Energy  
National Nuclear Security Administration  
Service Center

592 2



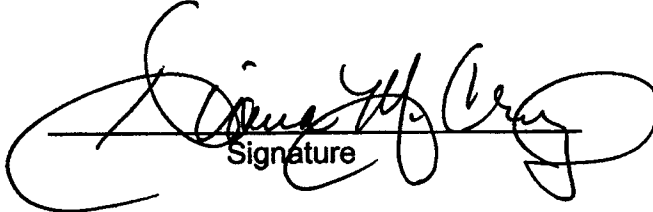
September 27, 2007

**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 Fourth Quarter, FY 2007

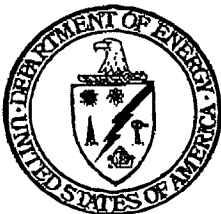
"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that may be unlawful or contrary to Executive Order or Presidential Directive. This certification is made in the ordinary course of administrative 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



# Department of Energy

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

JACKI M. COSTELLO  
PARALEGAL

TELEPHONE  
303-275-4710

FACSIMILE  
303-275-4975

## FACSIMILE TRANSMITTAL SHEET

<b>TO:</b> Jacqueline McKissick		
<b>COMPANY:</b> Office of Assistant General Counsel for International and National Security Programs		<b>DATE:</b> 9/21/2007
<b>FAX NUMBER:</b> (202) 586-7373		<b>TOTAL NUMBER OF PAGES INCLUDING COVER PAGE: 2</b>
<b>PHONE NUMBER:</b> (202) 586-3371		
<b>RE:</b> Golden Field Office Unlawful Intelligence Activities Report – 4 <sup>th</sup> Quarter FY07		

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

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

**Department of Energy**

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

53A  
E

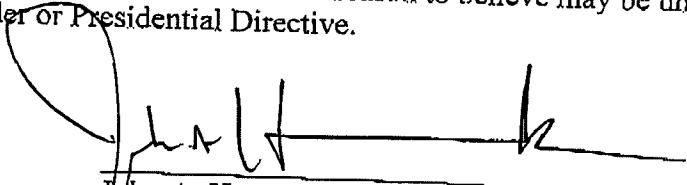
MEMORANDUM: Diana Clark  
Assistant General Counsel  
for International and National Security Programs

FROM: Golden Field Office

DATE: September 21, 2007

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

I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.



John A. Herrick  
Chief Counsel

Please return to:

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

Fax (202) 586-7373

5948  
McKissick, Jacqueline

---

**From:** Darrell Riekenberg [DRiekenb@pantex.doe.gov]  
**Sent:** Monday, October 01, 2007 5:10 PM  
**To:** White, Glenn  
**Cc:** McKissick, Jacqueline; Kessler, Melissa  
**Subject:** Unlawful Intelligence Activities Report (Fourth Quarter, Fiscal Year 2007)

Mr. White,

I am unaware of any DOE intelligence activities during the period from July 1, 2007 through September 30, 2007 that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive.

Darrell R. Riekenberg  
DOE/NNSA  
Site Counsel, Pantex Site Office  
P.O. Box 30030  
Amarillo, TX 79120-0030  
phone: 806-477-7129

United States Government

Department of Energy

# memorandum

5/15 12

DATE: June 30, 2006  
REPL TO:  
ATTN OF: IG-1  
SUBJECT: Report to the Intelligence Oversight Board (Third Quarter, Fiscal Year 2006)  
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 Third Quarter, Fiscal Year 2006, April 1, 2006, through June 30, 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 **July 21, 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. 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  
Deputy Administrator for Naval Reactors  
Director, Office of Hearings and Appeals  
Director, Office of Nuclear Energy, Science and Technology  
Director, Office of Science  
Director, Office of Security and Safety Performance Assurance  
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 Financial 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