



Department of Energy
Washington, DC 20585

(211) (R)

January 7, 2004

General Brent Scowcroft
Chairman
Intelligence Oversight Board
The White House
Room 494, Eisenhower Executive Office Building
Washington, D.C. 20502

Dear Chairman Scowcroft:

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

Based on reports from the Department's Deputy and Assistant General Counsel, Field Counsel, and the General Counsel of the Department's National Nuclear Security Administration, I am unaware of any Department of Energy intelligence activities that were, or may have been, unlawful or contrary to Executive Order or Presidential Directive during the period July 1, 2003, through September 30, 2003.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Liberman Otis".

Lee Liberman Otis
General Counsel





Department of Energy
Washington, DC 20585

212 2

December 3, 2003

MEMORANDUM FOR: Lee Liberman Otis
General Counsel

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

SUBJECT: Quarterly Intelligence Activities Report

Attached is a draft quarterly report to the Intelligence Oversight Board (IOB) for activities occurring during the period July 1, 2003, through September 30, 2003. Based upon my personal knowledge and the quarterly reports from the Department's Deputy General Counsel, Assistant General Counsel, Field Counsel, and NNSA General Counsel, I am not aware of any Department of Energy intelligence activities, including activities performed for other agencies, that are, or may have been, unlawful or contrary to Executive Order or Presidential Directive that occurred during this period.

The IOB requires submission of this report by December 31, 2003, the end of the quarter following the quarter the report covers. Also attached is a copy of your letter to the IOB for the prior quarter.

Attachments



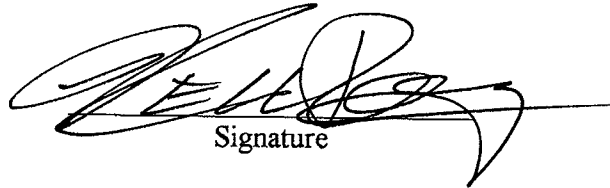
213
12

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

FROM: Mell Roy

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

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



Signature

Attachment
Please return to:

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

Fax (202) 586-3055

United States Government

Department of Energy

memorandum

Rocky Flats Field Office

DATE: JAN 27 2004

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

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

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

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

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

William F. Casey
Security Manager
for Project Support

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

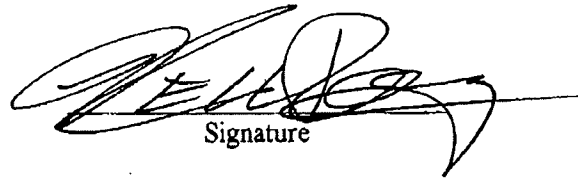
215
R

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

FROM: Mell Roy

SUBJECT: Executive Order No. 12863 Unlawful Intelligence Activities Report
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Jacqueline McKissick
Paralegal Specialist
Office of Assistant General Counsel
for International and National Security Programs, GC-53
Room 6A-141, Forrestal Building

Fax (202) 586-3055

United States Government

Department of Energy

Rocky Flats Field Office

memorandum

DATE: JAN 27 2004

REPLY TO

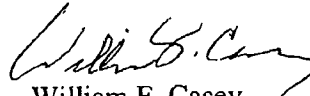
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William F. Casey
Security Manager
for Project Support

cc:

F. Lockhart, OOM, RFFO

M. Roy, OCC, RFFO

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

FACSIMILE TRANSMISSION ROUTING SHEET

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

TO: _____ FAX #: _____ Confirm #: _____

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

Comments: _____

DATE: 11/30/04

Number of Pages: 2 (Including Cover Sheet)

This facsimile is intended only for the use of the recipient(s) to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient (or a person responsible for delivering this to the intended recipient), you are hereby notified that any disclosure, distribution or copying of this information is strictly prohibited. If you have received this facsimile in error, please notify the sender immediately at 303-966-2026 and return the facsimile to him/her at the address shown above via the United States Postal Service. Thank you!



Department of Energy
Washington, DC 20585

716
+ a M/K document

February 11, 2004

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

FROM: Deputy General Counsel

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

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

A handwritten signature in black ink, appearing to read "Eric J Fygi". The signature is fluid and cursive, with a large initial "E" and "F".

Eric J Fygi





Department of Energy
National Nuclear Security Administration
Service Center



February 9, 2004

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

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

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

"To the best of my knowledge, information and belief, I am unaware of any DOE intelligence activities during the period from October 1, 2003 to December 31, 2003 that may be unlawful or contrary to Executive Order or Presidential Directive. This certification is made in the ordinary course of administrative and contractual oversight to fulfill a reporting requirement only and shall not be deemed evidence of the management, approval or oversight of any intelligence activity by the undersigned or the NNSA Service Center."


Signature

Please return to:

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

Fax (202) 586-3055

<p align="center">U.S. DEPARTMENT OF ENERGY TELECOMMUNICATION MESSAGE</p> <hr/> <p>PRECEDENCE DESIGNATION ("X" appropriate box): FOR NORMAL USE EMERGENCY USE ONLY</p> <hr/> <p>ACTION: <input type="checkbox"/> Routine <input type="checkbox"/> Priority <input type="checkbox"/> Immediate <input type="checkbox"/> FLASH INFO: <input type="checkbox"/> (6 Hrs.) <input type="checkbox"/> (3 Hrs.) <input type="checkbox"/> (30 mins) <input type="checkbox"/> (ASAP)</p>		<p>MESSAGE CONTAINS WEAPON DATA? ("X" appropriate box. Message Center will not transmit message unless one box is marked.) <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <hr/> <p>USE WHEN REQUIRED</p> <p>THIS DOCUMENT CONSISTS OF: <u> 1 </u> PAGES PLUS THIS COVER</p>	
<p>FROM:</p> <p>Diana M. Cruz, Legal Staff Assistant U.S. Department of Energy Albuquerque Operations Office Office of Chief Counsel P.O. Box 5400 Albuquerque, NM 87185-5400 Phone No: (505) 845-6659 Fax No: (505) 845-6913</p>		<p>TYPE OF MESSAGE: ("X" appropriate box) <input type="checkbox"/> Single Address <input type="checkbox"/> Title Address <input type="checkbox"/> Multiple Address <input type="checkbox"/> Book Message</p> <hr/> <p>OFFICIAL BUSINESS (TIME)</p> <p align="right">_____ A.M./P.M.</p> <p align="center">(Signature of authorizing official)</p> <hr/> <p>DATE</p> <p align="center">02/09/04</p>	

TO

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

Christa Southworth, NA-1 (202) 586-0419

This message is intended only for the use of the individual to whom it is addressed and may contain information that is privileged, confidential and/or restricted from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or fax and return the original message to the sender at the above address via the U.S. Postal Service. Thank you.

United States Government

Department of Energy

memorandum

Oak Ridge Operations Office

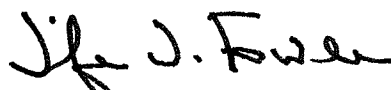
DATE: January 30, 2004

REPLY TO
ATTN OF: CC-10:Boatner

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

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

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



Jennifer J. Fowler
Chief Counsel

February 5, 2004

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

FROM: Mary H. Egger, GC-60

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

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



Signature

Please return to:

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

Fax (202) 586-3055

United States Government

Department of Energy

Richland Operations Office

memorandum


DATE: JAN 28 2004

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

SUBJECT: EXECUTIVE ORDER NO. 12863 UNLAWFUL INTELLIGENCE ACTIVITIES
REPORT FOR FOURTH QUARTER FISCAL YEAR 2003

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

I am unaware of any DOE intelligence activities during the period from October 1, 2003, through December 31, 2003, that I have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive. If you have any questions, please contact me on (509) 376-7311.



Betty L. Hollowell
Chief Counsel

FACSIMILE FROM
OFFICE OF CHIEF COUNSEL

FACSIMILE NO.: 865-576-1071

VERIFICATION NO.: 865-576-1203

URGENT: _____
PRIORITY: _____
ROUTINE: _____

DATE: 1/30/04

TO: Sam Bradley/Jacqueline McKissick TELEPHONE NO.: 202-586-6738

LOCATION: _____

FACSIMILE NO.: 202-586-3055 VERIFICATION NO.: _____

FROM: Jennifer Fowler TELEPHONE NO.: 865-576-1200

THIS TRANSMITTAL CONSISTS OF 1 UNCLASSIFIED PAGE(S), EXCLUDING THIS COVER SHEET.

SPECIAL NOTE TO RECIPIENT:

FOR DOE-OCC USE
VERIFICATION TIME:

UNCLASSIFIED USE ONLY

DOE F 1325.6
(2.82)

United States Government

Department of Energy

memorandum

Oak Ridge Operations Office

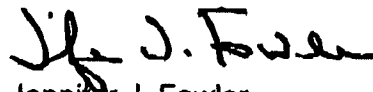
DATE: January 30, 2004

REPLY TO
ATTN OF: CC-10:Boatner

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

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

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



Jennifer J. Fowler
Chief Counsel



Department of Energy
Washington, DC 20585

January 21, 2004

MEMORANDUM FOR

GREGORY H. FRIEDMAN
INSPECTOR GENERAL

LEE SARAH LIBERMAN OTIS
GENERAL COUNSEL

FROM:

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

SUBJECT:

REPORTING PURSUANT TO EXECUTIVE ORDER
12863, FIRST QUARTER FY 2004

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

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

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





Department of Energy
National Nuclear Security Administration
Washington, DC 20585

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

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

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

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

A handwritten signature in black ink, appearing to read "D. S. Jonas", is written over a horizontal line.

David S. Jonas
Deputy General Counsel
National Nuclear Security Administration

January 22, 2004



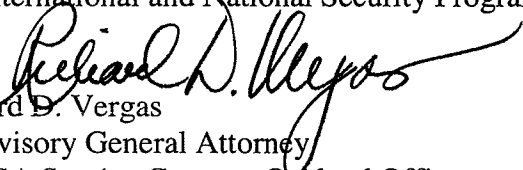


Department of Energy
National Nuclear Security Administration
Service Center



January 15, 2004

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

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

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

This memorandum is in response to the Assistant General Counsel's request of January 9, 2004. The NNSA Service Center (Oakland) has reviewed its intelligence activities and the intelligence activities of its contractors during the period October 1, 2003 through December 31, 2003, and have no reportable activities. Our negative certification is attached.

Please feel free to contact me at (510) 637-1672 if you have further questions.

Attachment: Negative Report dated July 22, 2003

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

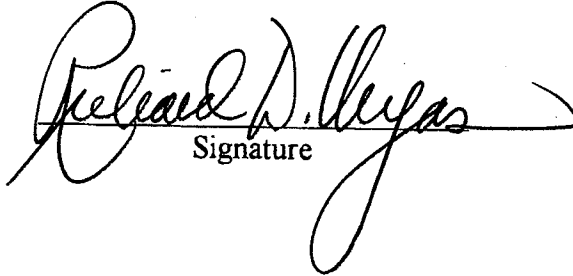
January 15, 2004

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

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

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

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Signature

Please return to:

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

Fax (202) 586-3055



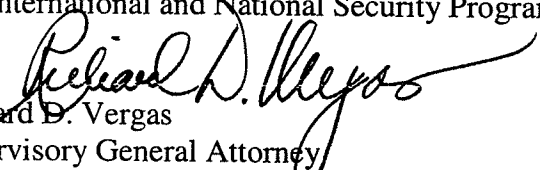
Department of Energy
National Nuclear Security Administration
Service Center



COPY

January 15, 2004

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Assistant General Counsel
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Camille Yuan-Soo Hoo, Manager, LSO w/attachment
Steve Minniear, CI w/attachment

memorandum

Idaho Operations Office

Date: January 20, 2004

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

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

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

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



Eva M. Auman, Counsel
Office of Chief Counsel



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

**PLEASE
REMOVE ANY
STAPLES**

Date: January 20, 2004

TO: Jacqueline McKissick

Organization/Location: GC-53

Phone Number: (202) 586-3371

FAX Number: (202) 586-3055

FROM: Lisa Cripps

Organization/Location: DOE-ID, OCC

Phone Number: (208) 526-0276

FAX Number: (208) 526-7632

Comments:

This transmittal consists of 1 pages excluding cover sheet.

January 15, 2004

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

FROM: Richard D. Vergas, Supervisory General Attorney

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

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

Fax (202) 586-3055



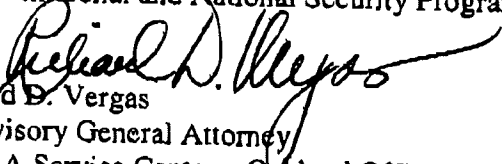
Department of Energy
National Nuclear Security Administration
Service Center



January 15, 2004

COPY

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

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

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

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

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

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

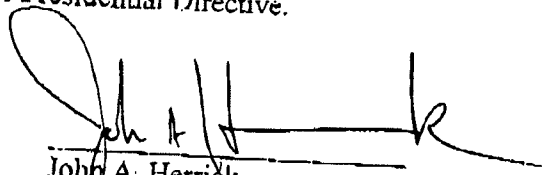
Oakland Office
1301 Clay Street, Suite N-700
Oakland, CA 94612-5208

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

FROM: Golden Field Office and Regional Support Offices

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

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


John A. Herrick
Chief Counsel

JANUARY 15, 2004

Please return to:

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

Fax (202) 586-3055

<p>U.S. DEPARTMENT OF ENERGY TELECOMMUNICATION MESSAGE</p> <hr/> <p>PRECEDENCE DESIGNATION ("X" appropriate box): FOR NORMAL USE EMERGENCY USE ONLY</p> <hr/> <p>ACTION: <input checked="" type="checkbox"/> Routine Priority Immediate FLASH INFO: (6 Hrs.) (3 Hrs.) (30 mins) (ASAP)</p>	<p>MESSAGE CONTAINS WEAPON DATA? ("X" appropriate box. Message Center will not transmit message unless one box is marked.) YES <input checked="" type="checkbox"/> NO</p> <hr/> <p>USE WHEN REQUIRED THIS DOCUMENT CONSISTS OF: <u> 2 </u> PAGES PLUS THIS COVER</p>
<p>FROM: Stephanie Bogart, Attorney U.S. Department of Energy National Nuclear Security Administration Kansas City Site Office P.O. Box 410202 Kansas City, MO 64141-0202 Phone: (816) 997-3341 Fax: (816) 997-3718 e-mail: sbogart@kcp.com</p>	<p>TYPE OF MESSAGE: ("X" appropriate box) <input checked="" type="checkbox"/> Single Address Title Address Multiple Address Book Message</p> <hr/> <p>OFFICIAL BUSINESS</p> <hr/> <p style="text-align: center;">(Signature of authorizing official)</p> <hr/> <p>DATE: January 15, 2004 TIME: 12:29 PM</p>
<p>TO: Jacqueline McKissick Fax #: 202-586-3055</p> <p>Paralegal Specialist Office of Assistant General Counsel for International and National Security Programs, GC-53 Room 6A-141, Forrestal Building</p> <p>Subject: Unlawful Intelligence Activities (First Quarter, FY 2004)</p> <p>Pat Currier retired last April and I am the new Site Office Counsel for the Kansas City Site Office. The fax number is the same.</p>	
<p><small>This message is intended only for the use of the individual to whom it is addressed and may contain information that is privileged, confidential and/or restricted from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or fax and return the original message to the sender at the above address via the U.S. Postal Service. Thank you.</small></p>	



Department of Energy

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

SUZANNE M. HOFFMAN
PARALEGAL

TELEPHONE
303-275-4710

FACSIMILE
303-275-4790

FACSIMILE TRANSMITTAL SHEET

TO: Jacqueline McKissick		
COMPANY: Office of Assistant General Counsel for International and National Security Programs		DATE: 1/15/2004
FAX NUMBER: (202) 586-3055		TOTAL NUMBER OF PAGES INCLUDING COVER PAGE: 2
PHONE NUMBER: (202) 586-3371		
RE: Golden Field Office Unlawful Intelligence Activities Report		

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

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

United States Government

Department of Energy

memorandum

National Nuclear Security Administration

Kansas City Site Office

Kansas City, Missouri 64141-0202

DATE: January 15, 2004

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

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

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

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



Stephanie L. Bogart
Site Office Counsel

Attachment

cc: C.S. Przybylek, NA 3.1

DOE F 1325.8

United States Government

Department of Energy

Memorandum

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

DATE: JAN 13 2004

REPLY TO: OSS:dsm (X-2749)

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

TO: Steven C. Taylor, Acting Manager, KCSO

Executive Order No. 12863 requires the Department of Energy General Counsel and the Office of the Inspector General to report to the Intelligence Oversight Board "on a quarterly basis...concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive."

As required the Kansas City Site Office (KCSO) reviews current security and intelligence information, both through local files and through contact with the Senior Counterintelligence Officer (SCIO) for the site Management and Operating (M&O) contractor.

As of the most recent review this office has no information indicating that any unlawful intelligence activities have occurred at this site, or at sites under it's control during the period of October 1, through December 31, 2003.

Original Signed By
Douglas S. MacKinlay

Douglas S. MacKinlay
Security Director

cc:

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