



~~FOR OFFICIAL USE ONLY~~

National Reconnaissance Office

12 July 1999

NROD 22-3

Office of Inspector General

SUBJECT: Obligations to Report Evidence of Possible Violations of Federal Criminal Law and Illegal Intelligence Activities

A. SYNOPSIS. This National Reconnaissance Office Directive (NROD) sets forth responsibilities and procedures for reporting possible or suspected violations of federal criminal law or illegal intelligence activities and rescinds NROD 12, Obligations to Report Evidence of Possible Criminal Activity.

B. AUTHORITY. National Security Act of 1947; 28 U.S.C. 535; 5 U.S.C. 301; Executive Order (EO) 12333; EO 12334; NROD 22-1, Office of Inspector General

C. APPLICATION. This Directive applies to all personnel assigned or detailed to the National Reconnaissance Office (NRO).

D. BACKGROUND AND RESPONSIBILITIES. Intelligence Community agencies are required by statute and EO to report possible violations of federal criminal law and possible illegal intelligence activities (i.e., activities that may constitute a violation of the U.S. Constitution, federal law, EO or Presidential Directive) to the Department of Justice (DOJ), the President's Intelligence Oversight Board, and/or the Congressional Intelligence Committees. In order to ensure that the NRO fully complies with these reporting requirements, all NRO personnel shall report to the NRO Inspector General (IG) or General Counsel (GC) ANY and ALL possible violations of federal criminal law or illegal intelligence activities they become aware of during the course of performing their official duties; whether the activity or conduct involves NRO personnel; other U.S. Government employees; contractors; employees of contractors; other persons or entities acting on behalf of the NRO or other agency or department of the U.S. Government; or any other person. The sensitive or classified nature of information

~~FOR OFFICIAL USE ONLY~~

that may be subject to this reporting requirement does not in any way diminish the dual responsibilities of NRO personnel to make immediate reports of illegal activity and to protect intelligence sources and methods from unauthorized disclosure. Reporting in accordance with the procedures outlined below ensures that NRO personnel fulfill these respective obligations.

E. PROCEDURES.

1. The NRO personnel shall immediately report to the IG allegations or evidence concerning possible violations of federal criminal law or illegal intelligence activities on the part of NRO personnel, contractors, or other persons or entities acting on behalf of the NRO when such violations relate to NRO funds, programs, property, operations, or activities. Violations include, but are not limited to: contract and procurement fraud; time and attendance or travel fraud; theft or conversion of NRO funds or property; bribery; conflicts of interest; improper use of government computers; false statements on official matters; illegal searches, wiretapping, physical or electronic surveillance; violation of EO 12333 requirements pertaining to the collection of information on and the operational use of U.S. persons; improper funding of NRO programs or activities; obstruction of justice; illegal technology transfer or other export violations or violations of U.S. Customs laws; and drug trafficking. The Director, NRO has designated the IG to conduct preliminary investigative inquiries into possible violations of federal criminal law in accordance with EO 12333, and to report evidence of possible violations to the DOJ, Defense Criminal Investigative Service and/or other appropriate law enforcement agencies.

2. Allegations or evidence concerning possible violations of federal criminal law not relating to NRO funds, programs, property, operations, or activities shall be immediately reported to the GC for handling in accordance with EO 12333 crimes reporting and/or other applicable procedures. Examples of such possible violations may include allegations or evidence of personal criminal conduct unrelated to government employment or criminal activity in connection with the funds, programs, property, operations, or activities of a non-NRO government department or agency or private entity.

3. The IG and the GC shall coordinate as appropriate with concerned NRO components, the DOJ and/or other law enforcement

~~FOR OFFICIAL USE ONLY~~

NROD 22-3
Office of Inspector General

agencies, the Intelligence Oversight Board and/or the Congressional Oversight Committees to help ensure that classified information relating to any report of possible violation of criminal law or illegal intelligence activity is protected from unauthorized disclosure during any subsequent investigation or legal proceeding.

/Signed/

Keith R. Hall
Director

OPR: Office of Inspector General
This directive supersedes NRO Directive 12 (20 Oct 94)

~~FOR OFFICIAL USE ONLY~~