

Sally A. Nicholson
Chief, Information Review & Release Group
FOIA Public Liaison
Information Management Office
Office Of The Director of National Intelligence

Reference: ODNI Case No. DF-2021-00126

Clarification:

I was seeking any records of potential threats to health and safety that were generated by the German Embassy or in relation to the embassy documented by any agency that might fall in your purview.

Surveillance abuses: Due to the news in relation to the alleged hacking of Angela Merkel's cellular phone, and the fragile relations recently between both countries as highlighted. I was seeking files created in relation to the embassy and its staffers including records of surveillance abuses committed by United States entities towards the German Embassy. Including documents that might be pertinent to the City of Boston and the related news stories.

Also including any DNI authored or reviewed damage reports, studies of damage, or mentions in any reports, briefs, or emails during the time-frame as specified related to the embassy.

Reference:

Norway summons US embassy official over spying claims

The move comes amid revelations this week that Denmark helped the US National Security Agency spy on political leaders in Europe, including German Chancellor Merkel.

<https://www.dw.com/en/norway-summons-us-embassy-official-over-spying-claims/a-57769737>

Operation Dunhammer: https://www.washingtonpost.com/world/europe/nsa-spying-macron-merkel/2021/05/31/b4b13940-c22f-11eb-89a4-b7ae22aa193e_story.html

Danish public broadcaster reveals ongoing NSA spying on top EU officials

On Monday evening, German Chancellor Angela Merkel and French President Emmanuel Macron protested official revelations of electronic spying by the US National Security Agency (NSA), aided by Danish intelligence, targeting top German, French, Norwegian and Swedish officials. The targets included Merkel, President Frank-Walter Steinmeier and former social-democratic chancellor candidate Peer Steinbrück.

<https://www.wsws.org/en/articles/2021/06/02/euro-j02.html>

President Obama assured German Chancellor Angela Merkel on Wednesday that the United States is not and will not tap her phone calls — but White House spokesman Jay Carney dodged questions about the possibility of past spying.

<https://thehill.com/video/administration/330175-obama-assures-merkel-us-not-monitoring-her-calls>

News magazine Der Spiegel, whose research prompted the government's response, reported that a document apparently from an NSA database indicates Merkel's cellphone was first listed as a target in 2002.

<https://www.cbc.ca/news/world/nsa-s-alleged-spying-on-merkel-may-have-broken-german-law-1.2253378>

Best,

William Fernandes

Macron says wiretapping ‘not acceptable between allies’ after report adds details about old NSA program

By [Rick Noack](#) and [Ellen Nakashima](#)

May 31, 2021 at 5:17 p.m. EDT



PARIS — French President Emmanuel Macron on Monday declared that wiretapping "is not acceptable between allies" and asked the United States for clarity after new claims emerged about National Security Agency efforts to spy on European leaders between 2012 and 2014.

Denmark’s public broadcaster reported over the weekend that the Danish foreign intelligence service had helped the NSA gain access to underwater Internet cables, allowing officials to track calls, messages, chats and browsing histories of select targets in an operation code-named Dunhammer.

The NSA’s wiretapping of friendly foreign leaders, including German Chancellor Angela Merkel, was first revealed in documents leaked by former contractor Edward Snowden in 2013. According to the latest reports, the Danish agency also helped the NSA to monitor officials and high-profile politicians in France, Norway and Sweden.

The practice, current and former U.S. officials say, should not come as a surprise, because allies routinely spy on each other.

A spokeswoman for the National Security Council declined to comment on Monday. A spokesman for the NSA also declined to comment.

“There is no room for suspicion between” the United States and its European allies, Macron said Monday, speaking after a [Franco-German video summit](#). “We requested that our Danish and American partners provide all the information on these revelations and on these past facts. We are awaiting these answers,” he added.

Merkel said she “could only agree” with Macron.

In 2013, the revelations shook political relations between the United States and Europe. “Trust needs to be rebuilt,” Merkel said at the time. Intelligence sharing among allies and partners, though, continued.

James R. Clapper Jr., who was director of national intelligence at the time, recalled the diplomatic tensions after the Snowden leak, which included reports that the NSA had collected millions of digital communications in France and the phone calls of the Brazilian and Mexican presidents.

“We had many uncomfortable and awkward meetings,” Clapper said. “We had our usual venting sessions and went on with business. We acknowledged that nation-states do things in their interest.”

In a 2014 speech, President Barack Obama promised that the United States would not track the communications of “heads of state and government of our close friends and allies” — “unless there is a compelling national security purpose.” That gives intelligence agencies plenty of wiggle room.

Espionage can be a stabilizing factor, intelligence experts say, reducing the chances of surprise.

“I think nations would be irresponsible if they didn’t conduct some sort of spying operations, even on their supposed allies,” Robert Deitz, a former NSA general counsel and a former senior counselor to ex-CIA director Michael V. Hayden. “Even close allies that have enormous trust in each other’s governments reserve the right to spy on the citizens of those countries for their own national security.”

Added Deitz, a professor of public policy at George Mason University: “Even our European friends are known to spy on us from time to time.”

In 2015, Germany’s *Süddeutsche Zeitung* reported that the German foreign intelligence service, the Bundesnachrichtendienst, had aided U.S. agents with monitoring politicians, companies and others in several neighboring countries, including France.

Nakashima reported from Washington.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

MuckRock News
c/o William Fernandes
DEPT MR 108077
411A Highland Ave
Somerville, MA 02144-2516

September 8, 2021

Reference: ODNI Case No. DF-2021-00126

Mr. Fernandes,

This letter responds to your Freedom of Information Act (“FOIA”) request dated 11 February 2021 and received by the Office of the Director of National Intelligence on 12 February 2021, in which you seek, “...*any and all records pertaining to the [German] embassy and any potential threats to public health and or safety including but not limited to overreaching surveillance abuses being committed by any entities, damage reports, studies of damage, or mentions in any reports, briefs, or emails during the time-frame as specified.*”

Upon review of your request, we are uncertain of the specific records you seek. While we would be able to conduct a search for records about the German Embassy in Boston in general, we require clarity as to the other aspects of your request. For example, when you reference “...any potential threats to public health and safety...” do you mean by or from the German Embassy itself? Or when you say “...overreaching surveillance abuses being committed by ‘any entities’...” do you mean by the German Embassy personnel? The phrasing of your request makes it difficult to determine the records for which you are requesting.

The FOIA requires the requester to provide a description of the desired record(s) so that the Government is able to locate the record(s) with a reasonable amount of effort. More detail is required for us to determine the appropriate files to search. Processing of your request is being held in abeyance pending a response from you within 30 days of the date of this letter, clarifying your request. Correspondence related to your request should include the case number assigned to your request, which is included in the Reference line above. If we do not hear from you within that time, we will assume that you are no longer interested in pursuing this request, and we will administratively close your case with no further processing.

If you have any questions, please feel free to contact our Requester Service Center at dni-foia@dni.gov or (703) 275-1313. You may also reach out to me directly at dni-foia-liaison@dni.gov or (703) 275-3500.

Sincerely,



Sally A. Nicholson
Chief, Information Review &
Release Group
FOIA Public Liaison
Information Management Office