



National Security Agency/Central Security Service

17 January 2013

Information Paper

Subject: (S//REL TO USA, FVEY) NSA Intelligence Relationship with Germany – Bundesnachrichtendienst (BND)

(S//SI//REL TO USA, FVEY) **Introduction:** NSA established a relationship with its SIGINT counterpart in Germany, the BND-TA, in 1962, which includes extensive analytical, operational, and technical exchanges. In the past year, Germany displayed both eagerness and self-sufficiency in transforming its SIGINT activities and assumed greater risk in support of U.S. intelligence needs and efforts to improve information sharing within the German government, with coalition partners, and NSA. The BND supports NSA's emerging counterterrorism (CT) intelligence relationship with the German domestic services, taking steps to strengthen its SIGINT Development (SIGDEV) capabilities to perform a key technical advisory and support role within Germany. Both partners have agreed to maintain an intelligence focus on CT, transnational organized crime, [REDACTED], counternarcotics (CN), Special Interest Alien Smuggling (SIA), and U.S. and coalition support to Afghanistan (the Afghanistan SIGINT Coalition (AFSC)). In 2012, NSA welcomed BND President Schindler's eagerness to strengthen and expand bilateral cooperation and is exploring new analytic topics of mutual interest including Africa, [REDACTED] and counterproliferation (CP)-related activities. In U.S.-German cyber activity, NSA continues to encourage BND participation in foundational cyber defense discussions to demonstrate its potential to provide a technical platform.

(S//NF) Information Assurance and Computer Network Defense Relationship with Germany.

(S//NF) The Information Assurance Directorate (IAD) has a long-standing relationship with the Bundesamt für Sicherheit in der Informationstechnik (BSI) – the Federal Office of Information Security. After the German Government announced their Cybersecurity Strategy and identified BSI as the lead Agency for cyber defense, BSI expressed great interest in expanding the information assurance (IA) partnership to include computer network defense (CND) collaboration on cyber threats. Key Partners within the German Government along with BSI, are Bundesamt für Verfassungsschutz (BfV), Federal Office for Protection of the Constitution and BND. While BfV and BND have not been traditional IA partners, the expansion to include CND will open additional opportunities to develop relationships with the German agencies responsible for analysis and SIGINT. IAD and the NSA/CSS Threat Operations Center (NTOC) may be able to leverage the formal partnership the NSA Signals Intelligence Directorate (SID) is pursuing with BfV and its already strong relationship with BND (which is providing SIGINT Support to CND for

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20360301

Germany's cyber defense efforts.) A draft IA and CND Memorandum of Understanding (MOU) for CND collaboration is in the coordination process at NSA, BSI and BND will both be signatories.

1. **(U) Key Issues:**

- Issue #1: (S//SI//NF) The BND has been working to influence the German Government to relax interpretation of the privacy laws over the long term to provide greater opportunity for intelligence sharing. In the near term, NSA decided to right-size its presence at the Joint SIGINT Activity (JSA) in Bad Aibling, Germany based on current mission needs and fiscal realities. In May 2012 NSA turned over full responsibility of the FORNSAT collection mission to the BND, allowing NSA's representational team to cultivate new cooperative opportunities with Germany.
- Issue #2: (S//SI//REL TO USA, FVEY) Chief, Special U.S. Liaison Activity Germany (SUSLAG), continues to work with DNI Representative Berlin on new CT initiatives between NSA and the BfV and with other German domestic agencies as appropriate. NSA has developed a significant level of trust and intelligence sharing with the BfV since the 2007 arrests of the Islamic Jihad Union members in Germany which resulted in regular U.S.-German analytic exchanges and closer cooperation in tracking both German and non-German extremist targets. NSA also has held several multilateral technical meetings with BND/BfV/NSA/CIA to introduce SIGDEV methodology and tradecraft to improve the BfV's ability to exploit, filter, and process domestic data accesses and potentially develop larger collection access points that could benefit both Germany and the U.S. The BND supports NSA's emerging CT intelligence relationship with the BfV, taking steps to strengthen its SIGDEV capabilities to perform a key technical advisory and support role within Germany. To facilitate cooperation, an NSA CT analyst, stationed in Berlin, occupies office space in BfV headquarters one day per week to nurture the relationship and facilitate U.S. requirements. Likewise, the Germans developed a communications link improving the connectivity between NSA and BfV/BND, as well as the timeliness of the intelligence exchange.
- Issue #3: (S//NF) NSA IAD, SID and NTOC are interested in leveraging Germany's accesses and capabilities to discover threats and vulnerabilities which provide timely warnings of attacks against U.S. Government and critical infrastructure networks. In December 2012, representatives from NTOC and FAD met with BSI and BND in Germany for bilateral CND discussions. As a result of the engagement, an analytical exchange was held in January 2013.

(U) Discussion:

- (S//NF) NSA's in-country representative is the Chief, SUSLAG, located on Mangfall Kaserne in Bad Aibling, Germany. SUSLAG has 18 personnel, consisting of 12 NSA civilians and six contractors. NSA has plans to reduce the SUSLAG workforce to approximately six personnel in FY 2013.

- (S//SI//REL TO USA, FVEY) What we provide to the partner: NSA has provided a significant amount of hardware and software at BND expense, as well as associated analytic expertise to help the BND independently maintain its FORNSAT capability. NSA also exchanges intelligence reporting on both military and non-military targets.
- (TS//SI//NF) What the partner provides to us: NSA is provided access to FORNSAT communications supporting CN, CT, [REDACTED] and Weapons of Mass Destruction (WMD) missions and is an important source of information on drug trafficking and force protection in Afghanistan. The BND provides Igbo language support by translating NSA collection of a high-value, time-sensitive [REDACTED] target. NSA is seeking the proper approvals to accept BND language support in [REDACTED] [REDACTED]. In addition to the day-to-day collection, the Germans have offered NSA unique accesses in high interest target areas.

(U) Success stories:

- (S//REL TO USA, FVEY) Germany has become an active participant in the AFSC, working closely with other member countries and embracing the new AFSC Division of Effort, under which each member country is responsible for covering a specific area of interest to the AFSC and then sharing reporting and metadata on that area with the other AFSC members. AFSC member countries include: the U.S, UK, Canada, Australia, New Zealand, Belgium, Denmark, France, Germany, Italy, Norway, the Netherlands, Spain and Sweden.
- (TS//SI//REL TO USA, FVEY) Having modernized its communications infrastructure in support of its unique FORNSAT GSM access in [REDACTED] the BND became the third largest contributor to the Real Time-Regional Gateway (RT-RG) analysis and processing tool.
- (S//REL TO USA, FVEY) The German government modified its interpretation of the G-10 Privacy Law, protecting the communications of German citizens, to afford the BND more flexibility in sharing protected information with foreign partners.
- (S//SI//REL TO USA, FVEY) The BND has provided unique sustained collection of targets such as [REDACTED] Ministry of Foreign Affairs (MFA), [REDACTED] MFA, [REDACTED] Global System for Mobile Communications (GSM), [REDACTED] GSM, and [REDACTED] Voice over Internet Protocol (VoIP).
- (TS//SI//NF) Problems/Challenges with the partner: Since 2008 NSA has started to foster other areas of cooperation with the BND to satisfy U.S. intelligence requirements at an appropriate level of investment. The BND's inability to successfully address German privacy law (G-10) issues has limited some operations, but NSA welcomed German willingness to take risks and to pursue new opportunities for cooperation with the U.S, particularly in the CT realm. NSA is open to holding a dialogue on topics to address mutual intelligence gaps, including [REDACTED] [REDACTED] and CP-related activities.

(S//REL TO USA, FVEY) Prepared by: [REDACTED] Country Desk Officer (CDO)

TOP SECRET//SI//NOFORN

Germany, DP11

 IA CDO, DP21

TOP SECRET//SI//NOFORN