

Protecting privacy of Canadians

From [REDACTED]

SPOC Protecting privacy of Canadians Tools and Tradecrafts Compliance Validation Selection and Reporting Guidance [REDACTED] Open Source Guidance Cyber Guidance ELINT Reportin

The SPOC Privacy Picker for Annotations and Markings(Issued June 20, 2013)

SPOC Privacy Picker [REDACTED]

Tired of having to sort through a dozen rules to figure out which communications variable trump the other when applying your privacy annotations or accountability markings? Confused by the charts of several exceptions that outline minute details that may change a piece of traffic or a report category? Ready to bash your computer because policy is just so frustrating and complex? The Privacy Picker may be your tool!

As if sifting through all that traffic wasn't tedious enough, analysts must also take into account a series of convoluted policy considerations to properly mark all of their traffic. That is why the Privacy Picker was developed, a new tool which SPOC hopes will greatly assist analysts in choosing the proper Privacy Annotations, Accountability Markings, and Report Sign-offs.

Please note: The purpose of this policy tool is to *assist* analysts in choosing the appropriate report sign-off category and privacy annotation or accountability marking for traffic items they recognize as one-end Canadian or containing information about Canadians. This tool is *not meant to replace the informed assessment of the analyst*, who may have other pertinent information that may alter the proposed annotation and/or OPS category. The final decision remains the responsibility of the analyst.

New marking for [REDACTED] email begins 1 December 2012 (Issued September 7, 2012)

New requirement to mark "one-end Canadian" [REDACTED] email starts 1 December 2012

In a 4 May 2012 letter from the Chief of CSEC to the Minister of National Defence, and subsequently in a 14 May, 2012 letter from the Minister to the Office of the CSEC Commissioner, a commitment was made to begin providing an annual count of the number of one-end Canadian [REDACTED] email that CSEC retains for foreign intelligence purposes.

"CSEC will begin compiling the number of recognized one-end Canadian emails [REDACTED] that are retained by CSEC on the basis that they are essential to international affairs, defence or security. Assuming no significant obstacles, I recommend that CSEC provide the available data for the current fiscal year in CSEC's Annual report to the Minister with full year data to follow in future years."

In order to meet this obligation, CSEC will provide data for a portion of this fiscal year (FY 12/13), beginning 1 December, and for all subsequent fiscal years thereafter. Training for DGI analysts will be offered starting this September, while relevant policies and SIGINT tools will be updated/modified by 1 December, 2012.

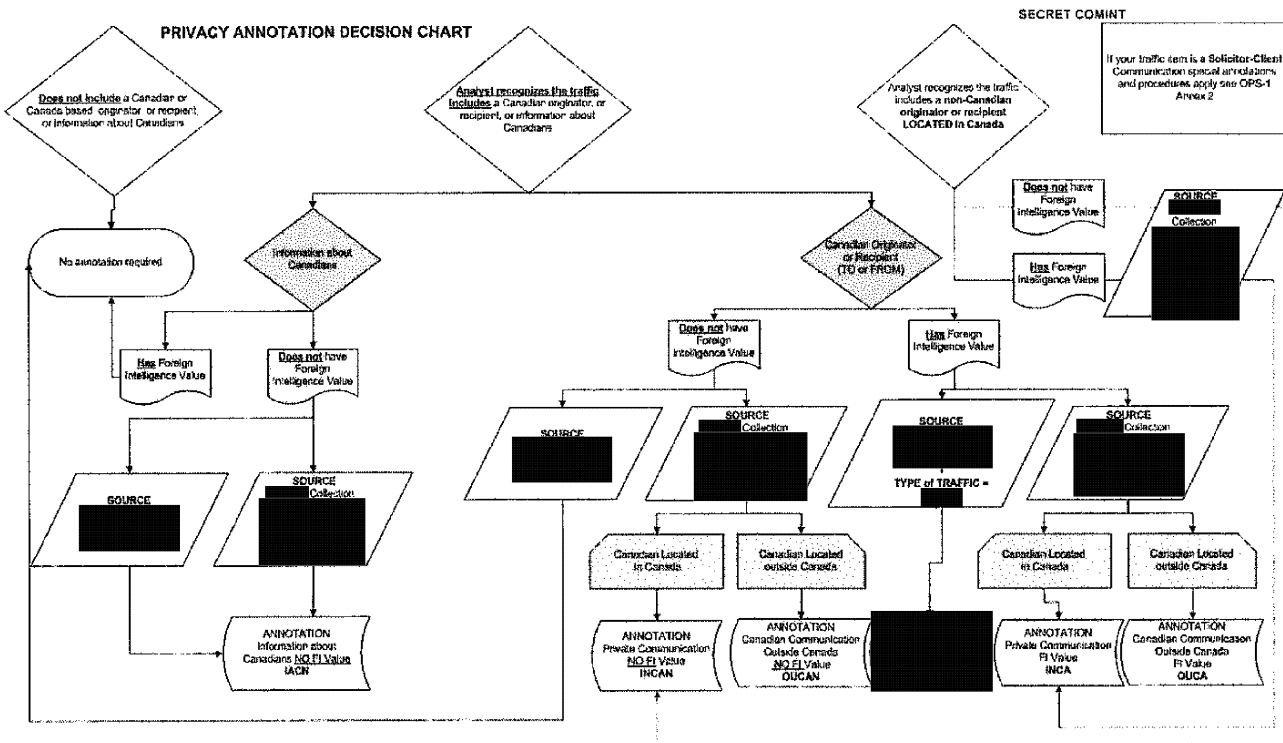
This requirement is not associated with conditions contained in the [REDACTED] Ministerial Authorization. It is being undertaken to provide greater accountability. To differentiate this measure from those associated with MA conditions, we have chosen to express this new requirement as that of marking, one-end Canadian [REDACTED] email.

Additional Information:

- If you would like additional information on this topic please contact the SPOC lead for this issue, [REDACTED]@cse-cst.gc.ca)
- An excellent resource on Markings and Annotations used in [REDACTED] can be found in the [REDACTED] Reference Guide/Marking
- The Privacy Annotations page offers a different style of decision table, for Privacy Annotations only

Privacy Annotation/Accountability Marking Decision Tree

This Privacy Annotation Decision Chart has been developed by SPOC to help analysts choose the appropriate Privacy Annotation or Accountability Marking.



OPS 1 QUIZ Guidance (Issued June 25, 2012)

BACKGROUND

Per D2's message issued June 15, 2012, all CS/EC personnel who operate under the authority of DC SIGINT, within the SIGINT Production Chain, must now complete the OPS-1 Quiz on an annual basis

This includes military SIGINT personnel. Commander CHOG will issue instructions to all military members at a later date. The initial time frame will be different for the military to synchronize with the Canadian Forces annual posting cycle.

Personnel employed in the following groups are required to take the Ops-1 Quiz annually

- DGA,
- DGCORE,
- DGI,
- DGMS,
- DGP, and
- CFIOG SIGINT personnel.

Note: Administrative personnel (AO's, EA's) are not required to take this quiz.

Follow this link to take the quiz: OPS-1 Quiz

DETAILS

- If a person fails the quiz twice, OSS will notify the individual's supervisor. A 10 day grace period will be put in place to allow for the individual to review Ops 1 thoroughly before attempting subject quiz again. The individual will again have two attempts before being locked out.
- If the person fails, the supervisor will again be notified and all SIGINT Database accesses will be suspended until the individual successfully completes subject quiz.
- Some personnel may be unable to complete the Ops 1 Quiz by the specified date of 1 October, 2012, (i.e. Maternity/Paternity leave, Sick leave etc), the responsible supervisor is to notify SPOR and the individual will complete subject quiz in the "Ops 1 Quiz Month" of February 2013.
- All new hires and transfers to SIGINT will complete the Ops 1 Quiz as per the standing pre-requisite for SIGINT 101. In such cases where SIGINT 101 is not immediately available to the new SIGINT employee, the individual will have 90 days to complete the quiz.
- If an individual has not taken the requisite annual quiz, and no extenuating circumstances are present, SPOR will contact the individual and his/her supervisor to ensure that the member is not only aware of the requirement, but also advise that SIGINT Database accesses will be suspended until such time as the individual has successfully completed the quiz.

FAQ

Q1: Is an Integree, Co-Op student or contractor required to take the quiz?

A1: Yes, all personnel who fall under DC/SIGINT are required to take the test on annual basis. (AOs/EAs are the only ones who are exempt.)

Q2: If I am away from my position for an extended period of time and miss the February 2013 deadline, what happens then?

A2: Ensure that your supervisor notifies SIGINT Programs Operational Requirements (SPOR) that you will be unavailable to take the Quiz by the month of February 2013 due to a maternity/paternity leave, LWOP, or other reason. All personnel who miss this quiz for due reason may take it upon their return, either within 90 days of return or the month of September (which will be catch up month), whichever comes first.

Q3: I completed the test and it prompted me to log the date so I know when to do it again next year, do I have to do my test yearly from date of test or in the month of February?

A3: This year, all of SIGINT will have to complete the exam NLT 1 October 2012, (unless you have taken the test since July 2011). Starting in 2013, Ops 1 Quiz's will be conducted annually in the month of February.

Q4: Will I find out if I pass/fail immediately?

A4: Yes, a pass/fail is automatically generated, also, you will be made aware of what questions you had wrong and what the correct answer is.

Any queries can be addressed to Manager, SIGINT Programs, Oversight and Compliance.

Solicitor-Client Privilege

BACKGROUND

Solicitor-Client Privilege

IMMEDIATE ACTION

In a SIGINT context, the expression "direct at" means to intentionally intercept the communications of an individual

In order to abide by the condition on part (a) of the CSEC mandate, specifying that CSEC will not direct its activities at Canadians or persons in Canada, analysts must **Solicitor-Client Privilege**

Solicitor-Client Privilege

As a measure to protect the privacy of Canadians, analysts must NOT delete associated records in the Target Knowledge Base (TKB), but must mark the entity as "Protected", by entering a check in the box provided for that purpose

Any reporting under way solely based on communications of a Canadian dual citizen must cease, and the draft must be destroyed

All actions taken as a result of this change were to be reported to SPOC by June 12, 2012

OTHER RELATED ISSUES

Targeting Guidelines (CSOI-4-4): Communal / Individual Selectors

Under CSOI-4-4, Targeting and Selector Management Using [REDACTED] National SIGINT Systems for End Product Reporting, a distinction is made between communal (shared) and individual (exclusive) selectors. This distinction is relevant in the case of dual Canadian citizens, as any selector that is deemed "individual", i.e. only used by a Canadian person, may not be targeted

A communal selector [REDACTED] may be targetable, depending on the following factors

- [REDACTED]
- [REDACTED]
- [REDACTED]

Where [REDACTED] collection is not effective, [REDACTED] may be conducted [REDACTED] in accordance with OPS-3-1, Procedures for [REDACTED] Activities, and with SPOC interim guidance on [REDACTED] targeting (see CFRRID 969400)

Privacy Annotations (OPS-1)

In the process of targeting a "communal" selector or any foreign selectors, private communications or communications of Canadians outside Canada may be collected incidentally. When recognized, these communications must be annotated in accordance with OPS-1, Annex 2

Naming (OPS-1-7)

There are no anticipated changes to OPS-1-7, Naming Procedures, in relation to **Solicitor-Client Privilege**. Should you encounter a situation where a Canadian (dual) citizen [REDACTED] is relevant to a report, you must abide by the procedures outlined in Chapter 7, Naming Canadians [REDACTED]

Metadata Analysis - Contact Chaining (OPS-1-10)

This decision is not considered to have an impact on OPS-1-10 Procedures, given that the activities carried out under Ops 1-10 are based on lawfully collected metadata and intended solely for the purposes of discovering foreign lead information that can assist the SIGINT FI mandate, and there are many checks and balances in place to ensure that those activities have the right focus.

As stated in OPS-1-10, in cases where the nationality or location of the person to whom the identifier relates is difficult or not possible to determine [REDACTED], the [REDACTED] should be treated as relating to a foreigner located outside Canada unless there are indications that it relates to a Canadian located anywhere or any person in Canada

Conversely, [REDACTED] seems to be associated with Canada [REDACTED] should be treated as Canadian unless there is strong evidence that the person is not a Canadian located anywhere or is not a person located in Canada.

If you have any questions regarding metadata analysis, consult your TL or manager

Reporting Guidelines : (CSOI-4-1) Reporting Angle, Attribution, and Sign-off Procedures

There are no anticipated changes to SIGINT Reporting guidelines, as outlined in CSOI-4-1. In drafting reports, analysts must focus on the activities of foreign intelligence targets. For example, if a report covers discussions between a foreign person and a Canadian, emphasis will be on the foreign person's description or assessment of the discussion, and not the identity, statements or views of the Canadian

Attribution should be handled in accordance with CSOI-4-1, Chapter 4.2. For example, in a report based on [REDACTED] from a Canadian dual citizen, the attribution could take the following form: [REDACTED]

If a report is based on a communication involving a dual Canadian citizen that was acquired incidentally under part (a) of the mandate, it requires OPS-1 signoffs, as outlined in Appendix L of CSOI-4-1, SIGINT Reporting (description of OPS-1 categories and associated levels of signoffs)

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