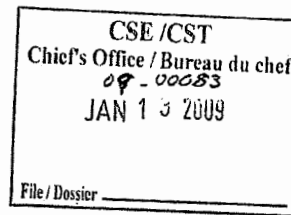


**Office of the
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Mr. John Adams
Chief
Communications Security
Establishment Canada
P.O. Box 9703, Terminal
Ottawa, Ontario
K1G 3Z4

JAN 05 2009

Our file: 5705/C729-2
PIA-350

Dear Mr. Adams:

Re: Privacy Impact Assessment (Mandate-B Activities)

We are sending you this letter in response to the Privacy Impact Assessment (PIA) on the Communications Security Establishment Canada's (CSEC) core 'Mandate-B' activities (under section 273.64(1)(b) of the *National Defence Act*), which the Office of the Privacy Commissioner of Canada (OPC) reviewed from November 24 to 27, 2008. Due to the security classification of this PIA, OPC staff conducted the review on site, which is a departure from our normal review procedures.

While focusing on the two principal 'Mandate-B' activities at CSEC, the PIA also provided some details about a less frequently provided 'Mandate-B' service, as well as about ongoing administrative activities, which involve the collection of a limited amount of personal information. However, the details provided about these secondary activities were not sufficient for the OPC to provide either observations or recommendations. CSEC should determine whether these activities would be appropriately dealt with in a separate PIA.

We have completed our review of the PIA and are now in a position to share our observations.

GENERAL COMMENTS

CSEC's legal mandate to conduct 'Mandate-B' activities is derived from section 2.73.64(1)(b) of the *National Defence Act*: "to provide advice, guidance and services to help ensure the protection of electronic information and information infrastructures of importance to the Government of Canada."

Section 273.64(2)(b) further states that these activities "shall be subject to measures to protect the privacy of Canadians in the use and retention of intercepted information."



PRIVACY RISKS

The PIA identified a number of potential privacy risks, which will not be described in this letter because of the security classification of the PIA. These risks, in addition to appropriate mitigating measures, as outlined in CSEC's relevant Action Plan, have been discussed directly with CSEC.

CONCLUSION

The OPC appreciates the CSEC's commitment to protecting the privacy of Canadians, as demonstrated by its thorough assessment of privacy risks for its principal 'Mandate-B' activities. This assessment was provided in its PIA report and Action Plan. Based on our review of these and other background documents, the OPC is satisfied that the Action Plan will adequately respond to any residual privacy issues raised in the PIA. As such, we will now be closing our file.

If the CSEC intends to make any public reference to OPC's review of this PIA, we ask that you please contact our Office before doing so. Should you have any questions or require further information, please contact Ms. Lara McGuire Ives, A/Manager, PIA Review at (613) 947-7246.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Fagan'.

Michael Fagan
A/Director General
Audit & Review Branch