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MEMORANDUM FOR THE MINISTER OF NATIONAL DEFENCE

Ministerial Authorization Year-End Reporting 2011-12

(For Information)

Summary

- The attached year-end reports satisfy Communications Security Establishment Canada (CSEC) reporting requirements related to the interception, use and retention of private communications incidentally intercepted by CSEC under the terms of the 2011-12 Ministerial Authorizations (MAs).
- This year, CSEC is reporting to you on six Signals Intelligence (SIGINT) MAs and one Information Technology Security (ITS) MA.
- The Ministerial Authorizations also require that CSEC report to you on any significant issues that arise in their implementation. The attached reports highlight two significant issues related to the 2011-12 reporting period. These issues have been resolved and are explained in detail in the 2011-12 report.

Background

- The seven recently expired CSEC MAs that contain year-end reporting requirements are:
 - [REDACTED] Interception [REDACTED]
 - Interception Activities Conducted in Support of Canadian Forces Operations in Afghanistan;
 - [REDACTED] Interception [REDACTED]
 - Interception Activities [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - CSE Interception Activities [REDACTED] and,
 - Protection of Government of Canada Computer Systems and Networks: Cyber Defence Operations (CDO).
- In accordance with the terms of these MAs, CSEC must report to you on the use and retention of incidentally intercepted private communications related to each of these activity areas, as per the specific requirements for SIGINT and ITS MAs, respectively.

Canada

Year-End Report for MAs Expired on 30 November 2012

- CSEC year-end reporting is provided to you in a single consolidated report, which is attached to this Memorandum.
- Additional information has also been included on the overall results of CSEC collection programs, to provide context to these activities.
- In addition to the specific requirements for the SIGINT MAs outlined in Part I of the attached report, CSEC is required to report to you when any serious issue arises in the implementation of SIGINT MAs, of which one was encountered during this reporting period regarding [REDACTED] collection trends [REDACTED]. This issue concerns the temporary suspension of [REDACTED] during the reporting period to address an unexpected spike in incidental communications collected under the [REDACTED] program.
- In addition to the specific requirements for the ITS MA outlined in Part II of the attached report, I must review, on a twice-yearly basis, the number of private communications used or retained by CSEC to identify, isolate or prevent harm to Government computer systems or networks. I continue to conduct these reviews at a frequency that surpasses this requirement.
- A second significant issue relates to an adjustment of the 2010-11 Cyber Defence Operations MA End-Report that was issued to you last year. This adjustment is to correct an undercount of [REDACTED] private communications incidentally intercepted by CSEC during the 2010-11 reporting period under that MA. This undercount was caused by a coding error in the program relied upon to identify communications data contained in CSEC Cyber Defence repositories. The error has been thoroughly investigated and a solution has been verified and implemented.
- Solicitor-Client Privilege
[REDACTED]
- I can confirm that all activities carried out under each of these MAs were conducted in accordance with the Ministerial Directives *Privacy of Canadians* and *Accountability Framework* issued to CSEC on 19 June 2001 and reissued on 20 November 2012, and with CSEC's own relevant operational policies.
- I would be pleased to provide further details on CSEC activities carried out under the 2011-12 CSEC MAs at your request.


John Forster
Chief