

Office of the Communications Security Establishment Commissioner

2017–18

Departmental Results Report

The Honourable Harjit S. Sajjan, PC, OMM, MSM, CD, MP
Minister of National Defence

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Office of the Communications Security Establishment Commissioner, 2018.

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Table of contents

Commissioner’s message	1
Results at a glance	3
Raison d’être, mandate and role: who we are and what we do	5
Raison d’être	5
Mandate and role	5
Operating context and key risks.....	7
Operating context.....	7
Key risks	8
Results: what we achieved	11
Core Responsibilities	11
Communications Security Establishment Commissioner's review program	11
Description	11
Results.....	11
Internal Services.....	15
Description	15
Results.....	15
Analysis of trends in spending and human resources	17
Actual expenditures	17
Actual human resources	18
Expenditures by vote	18
Government of Canada spending and activities	18
Financial statements and financial statements highlights	18
Financial statements	18
Financial statements highlights	19
Supplementary information	21
Corporate information.....	21
Organizational profile	21
Reporting framework.....	21
Supporting information on the Program Inventory	22

Supplementary information tables	22
Federal tax expenditures	22
Organizational contact information	22
Appendix: definitions	25
Endnotes	29

Commissioner's message

I am pleased to provide Parliamentarians and Canadians with my report on the activities and results of the Office of the Communications Security Establishment Commissioner (OCSEC or office) for 2017–18.

The office is responsible to review the activities of Communications Security Establishment (CSE) to ensure it complies with the law and protects the privacy of Canadians. Of the eight classified reports (seven review and one study) submitted to the Minister, containing four recommendations, the Minister and CSE accepted them all.

My mandate also requires that I investigate complaints against CSE that I consider necessary. In the past year, there were no complaints about CSE activities that warranted investigation.

My mandate also includes, under Section 15 of the Security of Information Act, receiving information from persons who are permanently bound to secrecy seeking to defend the release of special operational information – such as certain information relating to CSE activities – on the grounds that it is in the public interest. No such matters were reported to me in 2017–18.

The office was created in 1997 to review CSE activities and since then CSE has accepted and implemented, or is working to address, 95 percent (161) of the 170 recommendations made.

The office has delivered on its mandate in an exceptional manner. The office was both effective and efficient as program targets were exceeded and available resources were not fully expended.

But the challenges of tomorrow are before us. Bill C-59, An Act respecting national security matters, was tabled in the House of Commons in June of 2017. Since that time, the draft legislation has moved through three readings before the House of Commons and the first reading before the Senate. The changes it proposes are most significant. Should the proposed legislation be enacted, the role of reviewing activities of CSE would be assumed by the National Security and Intelligence Review Agency. Under the proposed Intelligence Commissioner Act (one of three new laws created by Bill C-59), my office would transition to the Office of the Intelligence Commissioner, mandated to exercise a new, quasi-judicial role of reviewing ministerial authorizations concerning certain activities of CSE and the Canadian Security Intelligence Service (CSIS). If I am satisfied after my review that the authorizations signed by the minister are reasonable, I would, as Intelligence Commissioner, have the authority to approve them, and only then could the activities be undertaken.

I wish to thank the staff for their professionalism, dedication, expertise and hard work. Not only have we exceeded performance expectations in discharging our responsibilities to review the activities of CSE but at the same time, should the proposed legislation be enacted, we are well advanced in building a new quasi-judicial review program and related internal service activities that would allow for successful transitioning to the Office of the Intelligence Commissioner and the delivery of its mandate.

The Honourable Jean-Pierre Plouffe, CD

Results at a glance

The total spending of the office for 2017–18 was \$1.967 million. The Commissioner was supported by 11 employees, together with a number of subject matter experts, as required.

The Commissioner, each year, provides an overall statement on the lawfulness of CSE activities. This past year, all of the CSE activities reviewed complied with the law.

Throughout the course of the year:

- the Commissioner submitted eight classified reports (seven review and one study) to the Minister, containing four recommendations; the Minister and CSE accepted all of the recommendations in these reports;
- the Commissioner appeared before parliamentary committees (both Senate and House of Commons) regarding Bill C-22, An Act to establish the National Security and Intelligence Committee of Parliamentarians (NSICOP) and Bill C-59, An Act respecting national security matters. Regarding Bill C-22, Commissioner Plouffe articulated his vision for a productive working relationship with the NSICOP to help ensure the most effective and efficient use of respective resources. Regarding Bill C-59, the Commissioner highlighted several of the proposals he had made in the written submission to the House of Commons Standing Committee on Public Safety and National Security including suggestions to match the new powers for CSE with a broader role for the Intelligence Commissioner;
- the Commissioner has continued meetings and discussions with Canadian and international review bodies addressing issues of accountability structures, authorities oversight and cooperation; and
- the office was actively involved in outreach and networking activities – speaking engagements at universities, presentations at conferences, presentations about its work to new CSE employees, and providing a day and a half workshop, developed by the office, for review practitioners from across government.

For more information on the OCSEC’s plans, priorities and results achieved, see the “Results: what we achieved” section of this report.

Raison d'être, mandate and role: who we are and what we do

Raison d'être

The position of the Communications Security Establishment Commissioner was created to review the activities of the Communications Security Establishment (CSE) to determine whether it performs its duties and functions in accordance with the laws of Canada. This includes having due regard for the privacy of Canadians. The Commissioner's office exists to support the Commissioner in the effective discharge of his mandate.

Mandate and role

The mandate of the Commissioner under the National Defence Act consists of three key functions:

273.63(2)

- a. to review the activities of the CSE to ensure they comply with the law;
- b. in response to a complaint, to undertake any investigation that the Commissioner considers necessary;
- c. to inform the Minister of National Defence and the Attorney General of Canada of any activity of the Communications Security Establishment that the Commissioner believes may not be in compliance with the law;

273.63(3)

- a. to submit an annual report to the Minister, for tabling in Parliament, on the Commissioner's activities and findings within 90 days after the end of each fiscal year;

273.65(8)

to review and report to the Minister as to whether the activities carried out under a ministerial authorization are authorized; and

Under Section 15 of the Security of Information Act:

to receive information from persons who are permanently bound to secrecy and who seek to defend the release of classified information about the Communications Security Establishment on the grounds that it is in the public interest, release that could take place if no response is received in reasonable time to his concerns from both the person's deputy head and the CSE Commissioner.

For more general information about the department, see the “Supplementary information” section of this report.

Operating context and key risks

Operating context

The office continues to review the activities of the Communications Security Establishment (CSE) to determine whether it performs its duties and functions in accordance with the laws of Canada. This includes having due regard for the privacy of Canadians. And the office must continue to ensure it maintains its effective working relationship with CSE, that it reviews those activities most at risk of non-compliance and that through its performance public trust will continue to grow as to the adequacy of the accountability measure in place.

Bill C-59, An Act respecting national security matters, was tabled in the House of Commons in June of 2017. Since that time, the draft legislation has moved through three readings before the House of Commons and the first reading before the Senate. One of the amendments brought to the Bill was the requirement for the Intelligence Commissioner to produce an annual report. As it is currently drafted, the Intelligence Commissioner Act would appoint an Intelligence Commissioner who would be supported by the Office of the Intelligence Commissioner. The transitioning provisions provide for the Commissioner of the Communications Security Establishment to become the Intelligence Commissioner and for all persons formerly occupying a position in the Office of the CSE Commissioner to occupy their position in the Office of the Intelligence Commissioner.

The office continues to fulfill the Commissioner’s existing and ongoing review mandate. But at the same time, the office must position itself to be able to “hit the ground running” should the proposed legislation come into force. The office has been planning and working on transition to the proposed Office of the Intelligence Commissioner. There are still critical areas of significant uncertainty that have yet to be determined – the volume and actual complexity of the workload, precise resource requirements to deliver effectively on the mandate of the Intelligence Commissioner – but the office is in the process of developing a comprehensive quasi-judicial review program and expanding and adjusting internal services in order to address the proposed responsibilities of the new office.

Key risks

Key risks

Risks	Mitigating strategy and effectiveness	Link to the department's Core Responsibilities	Link to mandate letter commitments and any government-wide or departmental priorities
Inadequate review	<ul style="list-style-type: none"> • overall relationship and individual reviews managed and conducted in a professional and respectful manner • regular meetings and briefings continued to be held with CSE regarding new or changing activities, its priorities and issues of significance • continued to apply a risk-based planning process to identify activities for review at greatest risk to non-compliance • attracted and maintained a highly skilled review workforce through the creation of a desirable work environment, rigorous recruiting, and the provision of learning opportunities 	Communications Security Establishment Commissioner's review program	Safe and secure Canada
Loss of public trust	<ul style="list-style-type: none"> • through seminars, conferences, and training sessions continued to describe and promote what the office does and why, and what it achieves in order to increase the understanding and confidence of the public in the role the office plays in the overall security and intelligence accountability framework. • continued to provide to Canadians at every opportunity as much increased transparency of CSE activities as is permitted in order that Canadians know that CSE is subject to rigorous and robust review and that security and privacy considerations are being adequately addressed by CSE in the lawful performance of their duties. • continued to promote the sharing of information and 	Communications Security Establishment Commissioner's review program	Safe and secure Canada

	cooperation among review bodies so that ultimately joint reviews of high-risk activities can be undertaken that will be both more effective and more efficient.		
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Inadequate review

CSE's mandate covers a wide-range of activities – the collection foreign signals intelligence in support of the Government of Canada's intelligence priorities; the protection of the computer networks and information of greatest importance to Canada; and the provision of assistance to federal law enforcement and security organizations. The Commissioner's mandate is to review the activities of CSE to ensure they comply with the law.

It is critical that the Commissioner identify from the wide-range of activities that CSE is involved in those CSE activities where there is greatest risk to compliance with the law and protection of the privacy of Canadians. Once identified, these activities must be subject to professional, rigorous and robust review. The results of each of these classified reviews must be disclosed to Minister of National Defence. The Commissioner provides an unclassified Annual Report to Parliament summarizing the classified reports. The Commissioner, through these disclosures, provides the Minister, Parliament and the public whether CSE's activities complied with the law and the extent to which the privacy of Canadian was protected.

Effective review

- identification of significant activities of high-risk of non-compliance with the law
- conduct of the review is professional, rigorous and robust
- reporting is factual and fair, objective and independent
- full results disclosure to the extent permitted by law

The identification of what to review is critical. The office uses a risk-based and preventative approach in selecting activities for review. Part of the identification process involves open and frank discussion with CSE made possible by the positive relationship that exists between CSE and the office. These discussions focus on plans and priorities, issues of concern to CSE, the extent of any changes to authorities, technologies, the legal framework, key personnel and operations. The office also considers the adequacy of the existing internal control framework, the results of past reviews and the length of time since a review had been performed.

The conduct of the review is critical to its success. It must be well performed. In this regard, the office has assembled a competent, professional workforce. The staff has been trained in the office review methodology and is supported in the conduct of their reviews by operational

policies and procedures. Effective supervision throughout the conduct of the review helps to ensure the quality of the review. Part-time subject matter experts are engaged to assist in the performance of complex reviews.

The Commissioner submits classified review reports to the Minister of National Defence. These reports document CSE activities, contain findings relating to the review criteria, disclose the nature and significance of any deviations from the criteria, and include any resulting recommendations. Following the standard audit practice of disclosure to the organization being reviewed, draft versions of review reports are presented to CSE for confirmation of factual accuracy. This is essential to the review process. If the facts are not substantiated, the findings, conclusions and any recommendations based on those facts would not be credible.

The Commissioner, by law, is required to submit an annual report to the Minister, for tabling in Parliament, on the Commissioner's activities and findings within 90 days after the end of each fiscal year.

The Commissioner's annual report to the Minister is as transparent as is legally possible. Since his initial appointment in 2013, the Commissioner has sought to increase transparency by whatever means possible in an effort to demystify the work of CSE and better inform the public.

Loss of public trust

The Commissioner stated in his 2016–17 Annual Report that it is critical to allow parliamentarians and the public to know exactly what authorities and limitations CSE is operating under and to be reassured that mechanisms are in place to ensure powers are not abused, and if they are, that they will be brought to light and dealt with. His message was re-echoed by the results of the Government's consultation on national security, which demonstrated a demand from the public for increased accountability, and more transparency on national security. The Commissioner continues to re-examine what information can be disclosed to the public in an effort to promote greater transparency. It is only through increased transparency that accountability can be illustrated, that concerns over unnecessary surveillance and infringement on the rights and freedoms of Canadians can be eliminated and that public trust can be enhanced.

Results: what we achieved

Core Responsibilities

Communications Security Establishment Commissioner's review program

Description

The program activity provides independent review by the Office of the Communications Security Establishment Commissioner of the lawfulness of the activities of the Communications Security Establishment (CSE) to determine whether they complied with the laws of Canada in general and, in particular, the Canadian Charter of Rights and Freedoms, the National Defence Act (NDA), the Criminal Code and the Privacy Act. The program activity also includes undertaking any investigation the Commissioner considers necessary in response to any complaint filed by Canadian citizens and permanent residents of Canada. If the Commissioner believes that CSE may not have complied with the law, he is required to inform the Minister of National Defence and the Attorney General of Canada. In addition, the Commissioner has a duty under the Security of Information Act to receive information from persons who are permanently bound to secrecy if they wish to claim a public interest defence for divulging classified information about CSE, and to provide a response within a reasonable time.

Results

During the 2017–18 reporting year, the Commissioner submitted eight classified reports to the Minister on his reviews of CSE activities.

The seven reviews, and one study, were conducted under the Commissioner's authority:

- to ensure CSE activities are in compliance with the law – as set out in paragraph 273.63(2)(a) of the NDA; and
- to ensure CSE activities carried out under a ministerial authorization are authorized – as set out in subsection 273.65(8) of the NDA.

CSE has accepted and implemented, or is working to address, 95 percent (161) of the 170 recommendations made since 1997, including the four recommendations in reports this year. Commissioners track how CSE addresses recommendations and responds to negative findings as well as areas for follow-up identified in reviews. The Commissioner is monitoring nine recommendations that CSE is working to address – six outstanding recommendations from previous years and three from this year.

This past year, CSE advised the office that work had been completed in response to 11 past recommendations. CSE has already addressed one recommendation from this year.

In the Commissioner's 2008–09 annual report, Commissioner Gonthier reported on his review of CSE activities, conducted under a ministerial directive, in support of its foreign signals

intelligence collection mandate. In this review, he recommended that CSE reconcile certain discrepancies between ministerial expectations and its own practices. He also recommended that CSE review, update and finalize key policy documents respecting these activities, and that it clarify certain terms used in the documents. CSE approved an updated version of the relevant operational policy in May 2017 to clarify guidelines pertaining to the program.

In the 2015–16 cyber defence ministerial authorization review, the Commissioner recommended that CSE promulgate guidance on the consistent annotation and counting of what constitutes a cyber defence private communication. CSE has implemented new guidance and training, as well as instituted upgrades to automate the identification of potential private communications and standardize the counting of cyber defence private communications.

CSE has also taken steps to respond to the Commissioner's recommendation from the review of a specific CSE foreign signals intelligence method of collection conducted under ministerial authorization (summarized in the 2015–16 annual report). The Commissioner recommended that CSE reconcile the discrepancies between its practices and the administrative requirements in the ministerial directive. In September 2017, CSE introduced a foreign signals intelligence operational risk framework that establishes a risk assessment process that considers legal, reputational, partnership and operational risks associated with foreign signals intelligence operations. The collection program now has comprehensive procedures that are accessible to all staff that may be required to engage in activities in support of that program.

In last year's review of CSE information sharing with foreign entities, the Commissioner made three recommendations, two of which CSE fulfilled in July 2017. In response to the recommendation that caveats be applied consistently to all exchanges between CSE and foreign entities and that CSE use appropriate systems to keep a record of all information released, CSE standardized the process of information sharing with foreign entities. In response to the recommendation that CSE issue overarching policy guidance for information exchanges with foreign entities, CSE issued guidelines that incorporate the foreign signals intelligence operational risk framework, as well as new policy.

In last year's review of CSE's foreign signals intelligence activities conducted under ministerial authorization, the Commissioner recommended that CSE reporting to the Minister on private communications describe the private communications better and explain the extent of privacy invasion. Certain communications technologies were creating a distorted view of the number of Canadians or persons in Canada that are involved in (i.e., are the other end of) these CSE interceptions. For the first time this year, CSE reported additional information to the Minister explaining the reason for the substantial increase in the number of recognized private communications.

Another recommendation CSE addressed from the Commissioner's 2016–17 annual report pertained to intercepted solicitor-client privileged communications. CSE modified its policy to describe what is expected of CSE employees when handling solicitor-client communications collected under CSE's foreign signals intelligence mandate.

CSE has also responded to one recommendation made this year in the office's review of 2015–16 CSE disclosures of Canadian identity information. In that review, the Commissioner recommended that CSE take measures to ensure that all requests for the release of suppressed Canadian identity information stipulate both the lawful authority under which the information is being requested and a robust operational justification of the need to acquire that information, consistent with the requesting agency's mandate. CSE has adjusted its processes to ensure that the requesting agency's legal authority is explicit and the operational justification is robust and clear before CSE considers the disclosure of Canadian identity information.

Finally, the Commissioner recommended, in two past reviews, that amendments be made to the National Defence Act. In the office's review of CSE information technology security activities conducted under ministerial authorization (reported in the Commissioner's 2014–15 annual report), the Commissioner recommended that subsection 273.65(3) of the National Defence Act be amended to remove any ambiguities respecting CSE's authority to conduct information technology security activities that risk the interception of private communications. Also, as a result of a review of CSE foreign signals intelligence metadata activities, where the Commissioner found that CSE had failed to minimize certain Canadian identity information prior to sharing it with CSE's Second Party partners, the Commissioner recommended that the National Defence Act be amended to provide an explicit authority and a clear framework for CSE metadata activities. On June 20, 2017, the government tabled Bill C-59, an Act respecting national security matters. Part 3 of this Bill enacts the Communications Security Establishment Act, which includes clarified provisions pertaining to information technology security authorities as well as provisions pertaining to authorities to collect and use metadata.

Legal interpretation issues have bedeviled this office since 2001 when CSE was first legislated following the terrorist attacks in the United States. Since then, past and present Commissioners have made various recommendations to amend the NDA. The Commissioner is pleased that the government has taken action that responds to these recommendations.

The actual results exceeded the targets. At this point in time, there are no planned changes to the direction of the core responsibility.

There is no experimentation component to the core responsibility.

There are no Gender-Based Analysis Plus findings or results related to the core responsibility.

There have been no horizontal reviews undertaken with other review departments.

Results achieved

Departmental results	Performance indicators	Target	Date to achieve target	2017–18 Actual results	2016–17 Actual results	2015–16 Actual results
The CSE performs its duties and functions in accordance with the laws of Canada and with due regard for the privacy of Canadians	• % of reviews completed within targeted time frames	80%	March 31, 2018	89%	100%	100%
	• % of recommendations accepted	80%	March 31, 2018	100%	100%	100%

Budgetary financial resources (dollars)

2017–18 Main Estimates	2017–18 Planned spending	2017–18 Total authorities available for use	2017–18 Actual spending (authorities used)	2017–18 Difference (Actual spending minus Planned spending)
1,581,736	1,581,736	1,629,594	1,392,546	(189,190)

Human resources (full-time equivalents)

2017–18 Planned full-time equivalents	2017–18 Actual full-time equivalents	2017–18 Difference (Actual full-time equivalents minus Planned full-time equivalents)
8.5	8.5	0

Overall performance has exceeded expectations. The core responsibilities are being met, the results achieved are exceeding targets and the actual spending is less than planned spending. The overall reduction is due almost exclusively to reductions in two areas. The office continues to increase the performance capacity of its own internal resources and reduce the engagement of part-time technical expertise and, as a result, planned expenditures for professional services did not fully materialize for a reduction of \$134,000. Planned upgrades and replacement of capital assets for use in the review program were not required for a further reduction of \$33,000.

Financial, human resources and performance information for the Office of the CSE Commissioner's Program Inventory is available in the GC InfoBase.ⁱ

Internal Services

Description

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct service categories that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. The 10 service categories are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

Results

Budgetary financial resources (dollars)

2017–18 Main Estimates	2017–18 Planned spending	2017–18 Total authorities available for use	2017–18 Actual spending (authorities used)	2017–18 Difference (Actual spending minus Planned spending)
527,480	527,480	571,478	574,515	47,035

Human resources (full-time equivalents)

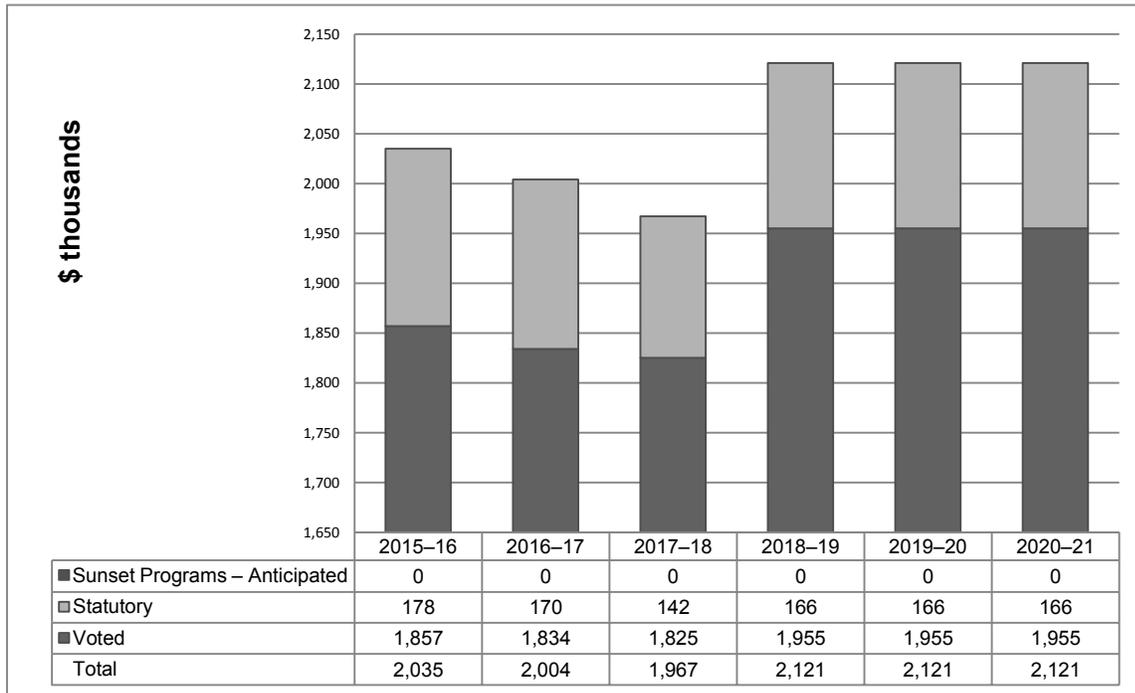
2017–18 Planned full-time equivalents	2017–18 Actual full-time equivalents	2017–18 Difference (Actual full-time equivalents minus Planned full-time equivalents)
3	3	0

As mentioned earlier, Bill C-59 was tabled in the House of Commons in June of 2017. Additional professional service costs (legal and other professional services) were incurred to ensure that the office would be in a position to respond to the proposed legislation and transition successfully to the Office of the Intelligence Commissioner.

Analysis of trends in spending and human resources

Actual expenditures

Departmental spending trend graph



Budgetary performance summary for Core Responsibility and Internal Services (dollars)

Core Responsibility and Internal Services	2017–18 Main Estimates	2017–18 Planned spending	2018–19 Planned spending	2019–20 Planned spending	2017–18 Total authorities available for use	2017–18 Actual spending (authorities used)	2016–17 Actual spending (authorities used)	2015–16 Actual spending (authorities used)
Independent, external review of CSE activities to determine compliance with the laws of Canada	1,581,736	1,581,736	1,628,744	1,628,744	1,629,594	1,392,546	1,359,747	1,498,360
Internal Services	527,480	527,480	491,894	491,894	571,478	574,515	644,631	536,517
Total	2,109,216	2,109,216	2,120,638	2,120,638	2,201,072	1,967,061	2,004,378	2,034,877

The expenditures have been declining slightly over the past three years, less than 2% per year and less than 3.4% overall. With the office focusing on increasing its internal capacity for the performance of reviews and diminishing its reliance on the engagement of part-time external expertise, these cost savings were planned for and realized.

Actual human resources

Human resources summary for Core Responsibility and Internal Services
(full-time equivalents)

Core Responsibility and Internal Services	2015–16 Actual full-time equivalents	2016–17 Actual full-time equivalents	2017–18 Planned full-time equivalents	2017–18 Actual full-time equivalents	2018–19 Planned full-time equivalents	2019–20 Planned full-time equivalents
Independent, external review of CSE activities to determine compliance with the laws of Canada	8.5	8.5	8.5	8.5	8.5	8.5
Internal Services	3	3	3	3	3	3
Total	11.5	11.5	11.5	11.5	11.5	11.5

The office has continued to discharge its core responsibility effectively and efficiently. The full-time equivalents have remained constant over the past three years.

Expenditures by vote

For information on the Office of the CSE Commissioner's organizational voted and statutory expenditures, consult the Public Accounts of Canada 2017–18.ⁱⁱ

Government of Canada spending and activities

Information on the alignment of the Office of the CSE Commissioner's spending with the Government of Canada's spending and activities is available in the GC InfoBase.ⁱ

Financial statements and financial statements highlights

Financial statements

OCSEC's financial statements (unaudited) for the year ended March 31, 2018, are available on the departmental website.ⁱⁱⁱ

Financial statements highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2018 (dollars)

Financial information	2017–18 Planned results	2017–18 Actual results	2016–17 Actual results	Difference (2017–18 Actual results minus 2017–18 Planned results)	Difference (2017–18 Actual results minus 2016–17 Actual results)
Total expenses	2,297,073	2,169,251	2,163,226	(127,822)	6,025
Net cost of operations before government funding and transfers	2,297,073	2,169,251	2,163,226	(127,822)	6,025

The planned results were based on the full utilization of the appropriation whereas the office actually lapsed funds. The difference in total expenses between the two years is immaterial.

Condensed Statement of Financial Position (unaudited) as of March 31, 2018 (dollars)

Financial Information	2017–18	2016–17	Difference (2017–18 minus 2016–17)
Total net liabilities	302,729	196,628	106,101
Total net financial assets	245,834	175,701	70,133
Departmental net debt	56,895	20,927	35,968
Total non-financial assets	513,410	624,320	(110,910)
Departmental net financial position	456,515	603,393	(146,878)

The office's liabilities consist mainly of ongoing trade accounts payable and accrued salaries and wages. The accounts payable to other government departments have increased almost \$70 thousand as a result of un-invoiced salary costs by other government departments of employees hired by the office. As a result of delays of several months in transferring pay files to the office for employees hired by the office, these employees continued to be paid by their former departments.

The office's financial assets consist mainly of accounts receivable from other government departments and agencies, as well as amounts due from the Consolidated Revenue Fund (CRF)

that may be disbursed from the CRF without further charges to the office's authorities. The increase of \$70 thousand in total net financial assets is mostly due to an increase in amounts due from the CRF.

The office's net debt has increased by \$36 thousand and is the residual of the asset and liability transactions.

The office's non-financial assets consist mainly of tangible capital assets. The decrease of \$111 thousand is mostly due to the amortization of these assets.

The decrease of \$147 thousand to the office's net financial position, which is the difference between the total non-financial assets and the departmental net debt, is almost entirely attributable to the decrease in tangible capital assets as a result of amortization.

Supplementary information

Corporate information

Organizational profile

Appropriate minister: The Honourable Harjit S. Sajjan, PC, OMM, MSM, CD, MP
Minister of National Defence

Institutional head: The Honourable Jean-Pierre Plouffe, CD – Commissioner

Ministerial portfolio: National Defence

Enabling instrument: National Defence Act^{iv}; Inquiries Act^v; Security of Information Act^{vi}

Year of incorporation / commencement: 1996

Other: 2008 – the Commissioner's office was granted its own appropriation from Parliament.

Reporting framework

The office's Departmental Results Framework and Program Inventory of record for 2017–18 are shown below.

Departmental Results Framework	Core Responsibility: Review of CSE activities to determine compliance with the law		Internal Services
	Departmental Result: Timely and effective review of the Communications Security Establishment's compliance with the laws and legislation governing its activities	% of recommendations accepted % of reviews completed within targeted time frames	
Program Inventory	The Communications Security Establishment Commissioner's Review Program		

Concordance between the Departmental Results Framework and the Program Inventory, 2017–18, and the Program Alignment Architecture, 2016–17

2017–18 Core Responsibilities and Program Inventory	2016–17 Lowest-level program of the Program Alignment Architecture (PAA)	Percentage of lowest-level Program Alignment Architecture program (dollars) corresponding to the Program in the Program Inventory
Core Responsibility: independent, external review of CSE activities to determine compliance with the laws of Canada		
Program: Communications Security Establishment Commissioner's review program	Lowest-level PAA program: Communications Security Establishment Commissioner's review program	100%

Supporting information on the Program Inventory

Financial, human resources and performance information for the Office of the CSE Commissioner's Program Inventory is available in the GC InfoBase.ⁱ

Supplementary information tables

The following supplementary information tables are available on the Office of the CSE Commissioner's website^{vii}:

- ▶ Departmental Sustainable Development Strategy
- ▶ Internal audit

Federal tax expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the Report on Federal Tax Expenditures.^{viii} This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

Organizational contact information

The Office of the Communications Security Establishment Commissioner can be reached at the following address:

Office of the Communications Security Establishment Commissioner
P.O. Box 1474, Station "B"
Ottawa ON K1P 5P6

The Office may also be reached:

Telephone: 613-992-3044
Facsimile: 613-992-4096
Email: info@ocsec-bccst.gc.ca

For further information on the Office of the Communications Security Establishment Commissioner, its mandate and function, please visit the office's website^{ix}.

Appendix: definitions

appropriation (crédit)

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (dépenses budgétaires)

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Core Responsibility (responsabilité essentielle)

An enduring function or role performed by a department. The intentions of the department with respect to a Core Responsibility are reflected in one or more related Departmental Results that the department seeks to contribute to or influence.

Departmental Plan (plan ministériel)

A report on the plans and expected performance of an appropriated department over a three-year period. Departmental Plans are tabled in Parliament each spring.

Departmental Result (résultat ministériel)

A Departmental Result represents the change or changes that the department seeks to influence. A Departmental Result is often outside departments' immediate control, but it should be influenced by program-level outcomes.

Departmental Result Indicator (indicateur de résultat ministériel)

A factor or variable that provides a valid and reliable means to measure or describe progress on a Departmental Result.

Departmental Results Framework (cadre ministériel des résultats)

Consists of the department's Core Responsibilities, Departmental Results and Departmental Result Indicators.

Departmental Results Report (rapport sur les résultats ministériels)

A report on an appropriated department's actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

evaluation (évaluation)

In the Government of Canada, the systematic and neutral collection and analysis of evidence to judge merit, worth or value. Evaluation informs decision making, improvements, innovation and accountability. Evaluations typically focus on programs, policies and priorities and examine questions related to relevance, effectiveness and efficiency. Depending on user needs, however,

evaluations can also examine other units, themes and issues, including alternatives to existing interventions. Evaluations generally employ social science research methods.

experimentation (expérimentation)

Activities that seek to explore, test and compare the effects and impacts of policies, interventions and approaches, to inform evidence-based decision-making, by learning what works and what does not.

full-time equivalent (équivalent temps plein)

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

gender-based analysis plus (GBA+) (analyse comparative entre les sexes plus [ACS+])

An analytical approach used to assess how diverse groups of women, men and gender-diverse people may experience policies, programs and initiatives. The “plus” in GBA+ acknowledges that the gender-based analysis goes beyond biological (sex) and socio-cultural (gender) differences. We all have multiple identity factors that intersect to make us who we are; GBA+ considers many other identity factors, such as race, ethnicity, religion, age, and mental or physical disability. Examples of GBA+ processes include using data disaggregated by sex, gender and other intersecting identity factors in performance analysis, and identifying any impacts of the program on diverse groups of people, with a view to adjusting these initiatives to make them more inclusive.

government-wide priorities (priorités pangouvernementales)

For the purpose of the 2017–18 Departmental Results Report, those high-level themes outlining the government’s agenda in the 2015 Speech from the Throne, namely: Growth for the Middle Class; Open and Transparent Government; A Clean Environment and a Strong Economy; Diversity is Canada’s Strength; and Security and Opportunity.

horizontal initiative (initiative horizontale)

An initiative where two or more departments are given funding to pursue a shared outcome, often linked to a government priority.

non-budgetary expenditures (dépenses non budgétaires)

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (rendement)

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator (indicateur de rendement)

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting (production de rapports sur le rendement)

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

plan (plan)

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

planned spending (dépenses prévues)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

priority (priorité)

A plan or project that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s) or Departmental Results.

Program (programme)

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

Program Inventory (répertoire des programmes)

Identifies all of the department's programs and describes how resources are organized to contribute to the department's Core Responsibilities and Results.

result (résultat)

An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (dépenses législatives)

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

sunset program (programme temporisé)

A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target (cible)

A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (dépenses votées)

Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

Endnotes

- i. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- ii. Public Accounts of Canada 2017–2018, <http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html>
- iii. Financial Statements, <http://www.ocsec-bccst.gc.ca/s47/s34/eng/financial-statements>
- iv. National Defence Act, <http://laws-lois.justice.gc.ca/eng/acts/N-5/>
- v. Inquiries Act, <http://laws-lois.justice.gc.ca/eng/acts/i-11/>
- vi. Security of Information Act, <http://laws-lois.justice.gc.ca/eng/acts/O-5/>
- vii. The office's website, <http://www.ocsec-bccst.gc.ca/s47/eng/publications>
- viii. Report on Federal Tax Expenditures, <http://www.fin.gc.ca/purl/taxexp-eng.asp>
- ix. The office's website, <http://www.ocsec-bccst.gc.ca/index.php?lang=eng>