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SECRET**SECURITY AND INTELLIGENCE THREATS TO ELECTIONS (SITE) TASK FORCE
MANDATE AND MEMBERSHIP****Accepted premise:**

- The Government of Canada committed through the *Countering an evolving threat: Update on recommendations to counter foreign interference in Canada's democratic institutions* report, to review the mandate and membership of the Security and Intelligence Threats to Elections (SITE) Task Force.

Issue to explore:

- Whether to clarify and broaden the SITE Task Force's mandate.

Context:

- The SITE Task Force was established as part of the government's Plan to Protect Canada's Democracy in 2019. It is currently composed of the Canadian Security Intelligence Service (CSIS), the Communications Security Establishment (CSE), Global Affairs Canada (GAC), and the Royal Canadian Mounted Police (RCMP).
- During general elections, SITE provides regular briefings on national security developments and potential threats to the integrity of the election to the Panel of five senior public servants administering the Critical Election Incident Public Protocol (the Protocol).
- The SITE Task Force was originally established as a focal point to bring these entities together and a mechanism to facilitate information sharing among them. No new mandate was provided: it was expected that these organizations would conduct business as usual, within their own existing mandate, and would share that information with one another through the SITE Task Force.
- In its April 2023 report, *Countering an evolving threat: Update on recommendations to counter foreign interference in Canada's democratic institutions* (the Report), the government committed to review the mandate and membership of SITE as well as an examination to make SITE a permanent entity with a mandate to conduct regular reporting on foreign interference activities.
- More recently, SITE has been directed to adopt an enhanced operational posture in the context of the four by-elections whose polling day was June 19, 2023, and the fifth one held on July 24, 2023. This includes monitoring for foreign interference to the fullest extent of their mandate and to provide daily situation reports to the Deputy Minister Committee on Intelligence Response (DMCIR).
- SITE has also been directed to produce both a classified and an unclassified report, soon after polling day, consisting of their assessment of foreign interference identified in the four initial by-elections, and additional ones for the July 24 by-election given the elapsed time between both.

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SECRET**Gaps:**

- Clarifying the role of the SITE Task Force for Canadians:
 - o The public webpage of the SITE Task Force provides a low level of information. In the context of the current public discussion about the Cabinet Directive on the Protocol, further clarification will be sought on the role of the SITE Task Force.
 - o In the context of the recent by-elections and the current one, SITE played an enhanced role, and this role was clarified in the publication of a news release.
 - o There is an agreement that SITE's mandate needs to be made public. SITE's public after-action report includes some language.
 - o There would be advantage to clarify what is not in scope for SITE to review. This would contribute to more transparency and to building resilience and awareness among Canadians.
- Clarifying the mandate of the SITE Task Force for SITE members:
 - o A clarified mandate represents a better starting point to think about resources and to manage other actors' expectations.
 - o In the context of the by-elections, SITE was left to decide what was and what was not in scope. This needs to be codified.
 - o Should SITE become permanent, the expectations in terms of what 'ongoing' means need to be clarified.
- Making SITE permanent:
 - o In the 30-Day Report, the government committed to review the mandate of SITE, including examining whether to make it a permanent entity, with a mandate to conduct regular reporting on foreign interference activities.
 - o SITE is already permanent, in the sense that the agencies accomplish their mandate at all times and meet on a regular basis to share information. The tempo is not the same at all times: it is accelerated in the lead-up to elections.
 - o Clarity is sought as to whether its permanency would be linked to a requirement to produce regular reports on its observations of foreign interference, in which case more resources would be required.
 - o Question of resources: CSE is resourced to monitor federal general elections. However, monitoring for by-elections took a toll in its other files. Should it be monitoring for democratic institutions, it would need resources. To be clear, what changes during elections time is not the operations (CSE monitors for the same things at all times) but rather the administration overhead.
- Membership of SITE:
 - o It would make sense to expand the membership of the SITE Task Force to include an entity that would take the role of Chair and be tasked with coordinating the operational departments on a permanent basis. Ideas include the Counter Foreign Interference Coordinator within Public Safety Canada or PCO-DI.
 - o Others believe that the membership of SITE should be operational only.
 - o It may be preferable to have a tighter group and not to expand the membership.
- Monitoring for domestic interference:

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- o While amendments were made to the Cabinet Directive on the Protocol to clarify that interference could emanate from both a domestic or a foreign source, Rosenberg noted that the SITE Task Force's membership has not been adjusted to address the nature of interference.
 - o SITE (CSIS) only monitors incidents of foreign nature, and takes this comment by Rosenberg to mean that it is monitoring for incidents of foreign nature taking place in Canada, notably through proxies. Domestic interference is not a national security concern. As such, it is likely that the SITE membership would not need to change on this basis.
 - o Because CSIS has the mandate to do so, SITE also monitors events of ideologically motivated violent extremism, which may be of domestic nature, but are clearly illegal. Similarly, the RCMP investigates offences of domestic nature.
 - o CSE sees the updated Cabinet Directive as allowing the monitoring of all interference, including domestic, as long as it fits within one of the organization's mandate.
- Clarifying who the SITE Task Force provides briefings to:
- o The Panel has been in place for the past two general elections. For the recent set of by-elections and the current one, the Deputy Ministers Committee on Intelligence Response has been set up to receive assessments of foreign interference threats during the by-elections and to brief and advise ministers with mandates to combat foreign interference.
 - o The membership of the DMCIR is more encompassing than that of the Panel as it includes all members of the Panel (except for the DM of Justice), members of the SITE Task Force and other deputies.
 - o For CSE, it makes no sense to brief the DMCIR at all times and to have the Panel only for elections periods. That creates a discontinuity.
 - o Question of the threshold: CSE mentioned that the threshold to inform the DMCIR is lower than that of the Panel. How do they define both thresholds? Why is that? Is it the same for all agencies?
 - o Questions remain:
 - How can the Panel and DMCIR co-exist?
 - Not necessarily an issue if DM JUS becomes a member of the DMCIR but may not be possible to have the Clerk sit on the DMCIR. Mitigation: Everyone, but the SITE Task Force members, does the TTX at all times and everyone is ready.
- Public reporting by SITE:
- o They argue it sets a dangerous precedent.
 - o If they say that SITE has not seen anything, it represents classified information. It is a fine balance between being transparent to Canadians and protecting national security.
 - o CSE agrees that a public narrative is required.

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