

April 12, 1989

PROPOSED AMENDMENTS TO THE GOVERNMENT SECURITY POLICY

1. Basic Reliability Check

Problem: One component of the Basic Reliability Check is a Criminal Records Name Check. This has been a time-consuming process which delays the Staffing process. Employees with Basic Reliability Checks do not have access to sensitive government information; i.e., Classified or Designated information. In view of this, the Basic Reliability Check is not a function of security.

Proposal: It is proposed that the mandatory requirement for a Basic Reliability Check be removed from the Security Policy. Verification of candidates' education and experience, which is a major component of the Basic Reliability Check, will continue to be done by Staffing, but will be considered to be part of the staffing process, rather than a security requirement. A Criminal Records Name Check could be done, on an optional basis, at the discretion of departments.

2. Enhanced Reliability Check: Pre-requisite for a Security Clearance

Problem: The Security Policy specifies that the Criminal Records Name Check "will be the responsibility of the investigative body". Under the terms of the CSIS Act, however, CSIS is able to provide only an assessment based on its findings to departments. Departments therefore must make their decisions on appointments without all available information. Departments at present do obtain criminal record information from the RCMP in the course of reliability checks, but not for security clearances when CSIS is the investigative body.

Proposal: It is proposed that the Enhanced Reliability Check be considered a pre-requisite for a security clearance. This would give departments access to all details of criminal records, and to screen out applicants who do not meet the reliability requirements.

3. Enhanced Reliability Check: Process

Problem: The length of time required to process an Enhanced Reliability Check (4-6 weeks or longer) places an additional delay on the already lengthy Staffing process. The fingerprint check is the component of

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the Enhanced Reliability Check which takes the bulk of the processing time.

Proposal: It is proposed that managers be given the discretion to decide whether to conduct the fingerprint check before or after granting Enhanced Reliability status and appointment. If the latter, candidates would sign a declaration concerning the existence of a criminal conviction, and a Criminal Records Name Check would be conducted before granting Enhanced Reliability status. This would substantially reduce the processing time prior to appointment. A fingerprint check would be conducted following appointment; if a criminal conviction were found, contrary to the applicant's declaration, the person could be rejected for cause during the probationary period.

Methods to further reduce delays in the security screening process are still being investigated. In particular, ways of streamlining the conduct of Criminal Records Name Checks through the Canadian Police Information Centre (CPIC) are being discussed with the RCMP.

4. Addition of a Field Investigation for Certain Enhanced Reliability Checks

Problem: A small number of positions in certain institutions (i.e., RCMP, CSIS, DND) provide access to extremely sensitive Designated information, the disclosure of which could be life-threatening (eg., drug enforcement matters, witness protection program). The Enhanced Reliability Check does not give adequate assurance in such cases because it does not permit the consideration of a person's associates. A security clearance cannot be performed in such cases because the information to be protected is not in the national interest.

Proposal: It is proposed that a field investigation be permitted as an additional measure for reliability screening for a limited number of highly sensitive positions.

5. Administrative Cancellation

Problem: The purpose of the mandatory Administrative Cancellation requirement is that it provide written evidence that individuals with security clearances or reliability checks are informed and aware when their security screening level is downgraded or cancelled. The requirement in practice is costly and cumbersome, and many institutions have complained about the workload generated.

Proposal: It is proposed that the Administrative Cancellation requirement be made optional.

6. Subject Interviews

Problem: The 1986 Memorandum to Cabinet on the Government Security Policy recommended that subject interviews be phased in for Levels II and III security clearances. This was not done, and it is felt that this would be unnecessary and unjustifiably costly.

Proposal: It is proposed that the investigative institutions (i.e., CSIS, RCMP, DND) determine whether subject interviews are warranted on a case-by-case basis.

7. Age

Problem: The Government Security Policy states a minimum age of 18 for persons undergoing security clearance investigations. The policy also states that 10 years is the normal background period for such investigations. This has the effect of precluding the granting of security clearances to anyone under age 28.

Proposal: It is proposed that the minimum age be lowered to 16.