The Post 9/11 Reorganization of Canada's National Security Infrastructure

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Abstract

It is commonly perceived by certain communities within Canada that the rationale behind the reorganization of Canada's national security infrastructure in the aftermath of the attacks of 9/11 was driven by the need to mimic similar efforts ongoing in the US. Organizational initiatives south of the 49th parallel were being undertaken largely to address concerns regarding inter-agency coordination as identified in the *9/11 Commission Report*.

While there were certainly similar threat-related issues that required Canadian and US governments to reconfigure their respective national security regimes, this paper seeks to demonstrate Canadian initiatives were not driven by a need to mimic parallel efforts in the US. Instead, it reflected an acknowledgement the threat posed by transnational terrorism touched on a greater number of policy and program centres within the Government of Canada (GoC) as compared to threats posed by the Cold War. This necessitated an organizational response in support of the need to better manage and integrate the agendas of an increased number of GoC departments and agencies that now had a national security mandate. Beyond that, there was a need to align the organizational infrastructure to support policy and program linkages behind new national security and a counter-terrorism strategies that were now based on 'prevention' as opposed to 'response', and the securitization of non-traditional, "human" issues identified in Canada's first and only national security policy promulgated in 2004. Furthermore, there is no evidence there were concerns on the part of Canadian decision makers or senior security managers regarding a willingness to share of information or intelligence between Canadian security agencies prior to 9/11 as was suggested was the case in the United States.

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The attacks of 9/11 had a significant impact on the Government of Canada's (GoC) policy agenda. Safety and security issues uncharacteristically rocketed to the top of the policy batting order, particularly with regard to the role civilian agencies would play in mitigating the threat

posed by transnational terrorism. 9/11 resulted in five key drivers that prompted the unprecedented changes to GoC policy and processes. 1) The need to be seen as 'doing something' in response to public angst; 2) To address US concerns regarding the security of its northern border, linked to the potential economic impacts for Canada; 3) To contribute to greater cooperation and coordination at the international level in response to the nature of the threat posed by transnational terrorism; 4) The need to develop a national counter-terrorism (CT) strategy that had prevention and deterrence at its core (previous strategies focused primarily on response); and 5) A realization the threat posed by transnational terrorism required strategies and policy responses that touched on a much more diverse spectrum of policy centres within the GoC (transportation, immigration, health, border control, terrorist financing, local government and private sector participation) as compared to the threat posed by Cold War antagonists.

The most significant organizational changes to Canada's national security framework in response to the attacks took place in the period between December 2003 and April 2004 with the coming to power of the Liberal Party government of Paul Martin and, in parallel, the release of Canada's first and only national security policy entitled *Securing an Open Society: Canada's National Security Policy.* This is not to suggest there was a complete absence of any government machinery processes or organizations in place to coordinate security-related issues prior to 9/11. However, the need for processes, programs and structure necessary to support the management of the national security agenda developed in response to the threat posed by transnational terrorism, particularly at the domestic level, assumed greater importance post-9/11. This demanded the need for an organizational infrastructure that promoted greater policy and program interaction, cooperation, and coordination, and a framework to enable an exchange of

information and intelligence between a greater number of players that assumed a security mandate within the GoC

In additional to the events of 9/11, the *Open Society* policy served as policy coverage for a more integrated approach regarding to national security, linking prevention, response and recovery elements. It also provided, for the first time, a strategic framework for the GoC to give some rationale to decision making and priority setting regarding national security within the broader GoC policy agenda. Perhaps most important from an organizational perspective, in addition to focussing on traditional national security issues (intelligence, border security, national defence, emergency planning and management), it also included non-traditional 'human security' issues such as organized crime, environmental and economic security, pandemics and natural disasters as national security priorities as part of a broad, all-risks approach. This suggests there were ongoing internal policy and timing issues and discussions regarding the organizational structure deemed necessary to support the GoC's response to a range of threats (i.e. not just terrorism) to Canadian society within two Liberal administrations (Chretien and Martin) and between the events of September 11 and the lead-up to the April 2004 release of the *Open Society* policy.

Table 1 denotes the primary roles of the new organizations created as part of the GoC's response to the new threat environment and national security agenda.

TABLE 1

Primary Focus of New National Security Organizations

Organization and Year created	Policy/Program Coordination	Information Exchange	Operational Gap
Financial Transactions and Reports Analysis Centre (FINTRAC) Terrorist financing mandate added to FINTRAC December 2001		✓	
Canadian Air Transport Security Authority (CATSA) April 2002			✓
NORAD Bi-National Planning Group December 2002	✓		
Integrated National Security Enforcement Teams (INSET) 2002		✓	
Joint Nuclear, Biological and Chemical Defence Company (DND) 2002			✓
Cabinet Committee December 2003	✓		
Public Safety and Emergency Preparedness Canada (PSEPC) December 2003	✓	✓	
National Security Advisor (NSA) December 2003	✓		

Canadian Border Services Agency CBSA) December 2003			✓
Integrated Threat Assessment Centre (ITAC) April 2004		✓	
Public Health Agency of Canada (PHAC) April 2004			✓
Marine Security Operations Centres (MSOC) April 2004		✓	
Government Operations Centre (GOC) April 2004			✓
Cross Cultural Round Table April 2004	✓		

In summary, one can see that the resulting reorganizational efforts touched on three main areas of focus. First, some were established to enhance the profile of national security issues within broader GoC policy agendas, promote the coordination and prioritization of policies and resources, and allow for inter-agency cooperation and integration given the expanded national security remit within GoC agencies (e.g. permanent Cabinet Committee on security, the creation of Public Safety and Emergency Planning Canada (PSEPC), enhanced status for the National Security Advisor (NSA) to the Prime Minister). Second, others were created primarily to facilitate the exchange of information and intelligence between a greater number of policy centres (e.g. FINTRAC, INSET teams, MSOC, Government Operations Centre (GOC), ITAC). Finally, initiatives were undertaken to address operational gaps that had been identified or required to facilitate the implementation of recently introduced security-related legislation, or

other policy issues associated with the *Open Society* policy (e.g. CBSA, Public Health Agency, GOC, CATSA,).

Within academic and media communities at the time, there were two common perceptions as to why Canada organized its national security infrastructure the way it did. First, it tried to replicate, or mimic, the organizational restructuring that was taking place in the United States at the same time- the creation of the Department of Homeland Security (DHS) being the best example. Second, and somewhat related, reorganization was required to mitigate the impact related to the 'stove-piping' of information and intelligence amongst Canadian agencies. The inability or unwillingness to share information between US agencies was identified as being one of the main factors behind the 9/11 attacks being perceived as an intelligence failure by the US' 9/11 Commission Report.[1] Challenges with information and intelligence sharing amongst existing security agencies were therefore assumed to exist in Canada as well and, by extension, were perceived as being one of the key drivers behind the reorganization of its national security infrastructure.

While similar broad policy objectives served as an impetus behind reorganizational efforts within the United States and Canada, how this was ultimately achieved within the respective countries displayed significant differences in structure and rationale. It is suggested the differences are sufficient enough to undermine the view the GoC was merely mimicking US efforts. And while the means by which the 9/11 attacks were undertaken were just as much of a shock to Canadian national security agencies, there is little evidence to suggest they had pre-9/11 systemic stove-piping issues when it came to the sharing of information regarding the threat posed by transnational terrorism.

To support this argument, we will first examine the three main organizational efforts undertaken by the Bush administration – the creation of the Department of Homeland Security, the office of the Director of National Intelligence (DNI), and the National Counter-Terrorism Centre (NCTC) - and then consider how comparable Canadian organizational initiatives were undertaken.

Organizational Initiatives Within The United States

It is suggested that prior to 9/11, federal agencies within the United States charged with a national security, law enforcement, intelligence collection or emergency response mandate, and positioned to deal with the threat posed by transnational terrorism, were already well established. A number of terrorist-related events from the 1983 bombing of the US Marine barracks in Beirut and the 1993 attack on the World Trade Centre, to the attack on the *USS Cole* in 2000, had served to raise the profile of transnational terrorism within these respective agencies. This resulted in at least initial efforts to improve inter-agency integration and the creation of dedicated terrorist-related fusion cells. "While the audacity and the enormity of the attacks made the threat seem new to many, the who, what, why, where and even most of the how of the attacks were not new."[2] In 2000, the U.S. counter-terrorism budget was already $10 billion.[3] Despite greater efforts at inter-agency cooperation and the creation of dedicated terrorist-related desks within individual agencies in the pre-9/11 period, the 9/11 Commission Report referenced previously put forward that an inability or willingness to share and coordinate information between respective agencies in order to get a complete and timely 'all-source' threat picture resulted in what is commonly characterized as an 'intelligence failure'. That, and the difficulty in getting serious policy traction within respective administrations regarding the nature of the threat posed by transnational terrorism and that it was no longer a threat that was confined to "over there."

Consequently, the three main post-9/11 organizational initiatives undertaken within the United States were focussed on improving coordination and consultation between existing agencies,

The Office (September 20, 2001), and ultimately the Department (November 2002), of Homeland Security (DHS) were created in the aftermath of 9/11 as one of the Bush administration's first initiatives in its broader "Global War on Terror" (GWOT). Although there was no initial preconception of what the Office or Department would look like, its creation was characterized as "the most significant transformation of the US government in over half a century"[4]. DHS ultimately brought together, under a single Cabinet positon, 22 *existing* agencies, charged with border and transportation security ("who and what enters the homeland and how"[5]), emergency preparedness and response (including the Federal Emergency Management Agency- FEMA), Chemical, Biological, Radiological, and Nuclear (CBRN) countermeasures and response, the protection of critical infrastructure, cybersecurity, information analysis, and various 'outlier' agencies such as the Secret Service and the Coast Guard- all without "growing government."

The first DHS Secretary, Governor Tom Ridge, characterized the newly created DHS as a holding company, with a complex relationship between existing enterprises, mergers, acquisitions and start-ups, and a focus on a new collective mission but in parallel with traditional mandates.[6] He described its role as providing management and coordination of policy, program , and 'architecture' development through an overarching discipline, to prevent terrorist attacks within the US, reduce vulnerability to terrorism, recover from attacks that did occur, and to assume primary responsibility for coordinating federal efforts with state and local responders.[7] Responsibility for domestic law enforcement at the federal level and intelligence collection

abroad remained with the Department of Justice (Federal Bureau of Investigation - FBI) and the Central Intelligence Agency (CIA) respectively.

The creation of two other high-profile US agencies post 9-11 also warrant an organizational comparison to their closest Canadian counterparts.

In response to underlying concerns regarding the sharing and coordination of intelligence, the 9/11 Commission Report[8] recommended that interagency coordination no longer fall to the Director of the Central Intelligence Agency (DCI) but to a newly created (and another level of bureaucracy) Director of National Intelligence (DNI). Its role would be to "oversee national intelligence centres on specific subjects of interest across the US government and to manage the national intelligence program and oversee the agencies that contribute to it." [9] Under the *National Security Intelligence Reform Act of 2004,* the DNI position was formally created. While the DNI had managerial oversight of civilian agencies under the National Intelligence Program (NIP) budget, those intelligence organizations with remits under the Secretary of Defence, with their substantively larger budgets, (roughly 75-80 percent of the intelligence budget[10]) remained within the Department of Defence (DoD). The DNI was to nevertheless "manage and direct the tasking of, collection and analysis production and dissemination of national intelligence by approving requirements and resolving conflicts."[11] With access to intelligence from all sources, the DNI was tasked with ensuring that all intelligence across the foreign-domestic divide was disseminated within the entire intelligence community.

For the same reasons driving the creation of the position of DNI, the 9/11 Commission Report also recommended the establishment of a National Counterterrorism Centre (NCTC) that would "serve as a centre for joint operational planning and joint intelligence." [12] represented within by a

number of different US national security agencies. The rationale behind the broad mandate of the NCTC - better interagency coordination and dissemination of assessments – resembles at least that of the GoC's ITAC -the fusion of a number of government agencies in the interest of all-source intelligence. But that is where the similarity ends. The mandate of NCTC also includes a role to contribute to both strategic and operational CT planning domestically and abroad. Accordingly, the NCTC became more engaged, in both the operational and corporate management side of the US' broader GWOT strategy. It assumed responsibility for the planning of "discrete counterterrorism tasks" (i.e. specific operations) to be carried out by designated agencies"[13], though not actually engaged itself in conducting actual operations. It also houses centralized databases on international terrorist identities to support US federal, local and international partner watch-lists. These taskings meant that the NCTC's mandate and its related organization went considerably beyond what was envisaged, and ultimately developed, for ITAC's structure and mandate.

Canadian Counterparts

In comparison with the United States where it has been noted most of the requisite agencies were already established, the GoC was obliged to apply security-related mandates to a number of different departments and agencies where none had existed before. This was to implement counter-terrorism strategies and polices that were now preventative in nature (as opposed to responsive as was the case prior to 9/11), and to integrate within the national security community the non-traditional policy centres that had been securitized in the *Open Society* policy. In both cases, this resulted in the need for an organizational structure that provided not just for better collaboration as was the case in the United States, but for enhanced policy coordination and prioritization, information sharing between a greater number of entities, and to fill certain

operational gaps. As Table 1 denotes, a dozen new agencies or departments were created as a result.

To dispute the view that Canadian efforts mimicked those of the United States, a comparison between the three US agencies just referenced and their closest Canadian counterparts is offered. They will be compared from their respective managerial mandates and structure, and when they came 'on line'. We will then look separately at the issue of whether there were issues related to information stove-piping, First, some background on the Canadian counterparts.

When Paul Martin became Prime Minister in December 2003, one of his first acts was to announce the creation a new ministry -Public Safety and Emergency Preparedness Canada (PSEPC).

Given the enhanced post-9/11 importance of national security within the broader GoC agenda and policy priorities, there was a need to augment the status of the department deemed responsible for national security in general and counter-terrorism strategies specifically, and to buttress the government narrative to the Canadian public regarding the threat posed by transnational terrorism.

In response to these requirements, while the remit of the new Public Safety department resulted in the department assuming responsibility for both a number of existing and newly created agencies, perhaps the most significant outcome of the organizational change, at least in its initial years, was to have it led by the then new Deputy Prime Minister (Anne McLellan). In addition to significantly enhancing the profile of the department and its mandate around the Cabinet table, it also provided the necessary authority to get things done (e.g. the promulgation of a new national security policy) and overcome potential bureaucratic lethargy in the course of doing so. The

tandem of a senior cabinet minister with the mandate for domestic safety and security, in combination with the enhanced status of the newly created position of National Security Advisor to the Prime Minister (see below), significantly increased the profile of the national security agenda within the GoC's political machinery.

While the new department included those agencies that were included under the departmental precursor to PSEPC (the former Solicitor General – the RCMP, CSIS, the Correctional Service of Canada, the National Parole Board, and the Canada Fire Arms Centre) it also assumed direct responsibility for the newly created Canada Border Services Agency (CBSA) and the Office of Critical Infrastructure Protection and Emergency Preparedness (OSIPEP) that was previously housed originally in the Department of National Defence (DND).

The department's operational remit is quite varied, somewhat akin to the DHS, including national security, border security, cyber security, protection of critical infrastructure (industrial, utilities, financial, trade, transportation), and planning in response to natural disasters, Officials from PSEPC are also expected to provide objective advice to senior decision makers on applicable legislation and governance (ideally in consultation with the NSA), and manage certain operational issues such as the administration of Canada's designated terrorist group and 'no-fly' listings. PSEPC officials are also mandated to determine how best to work with private sector entities (particularly social media and utility providers), and engagement with other levels of government and local communities.

The closest Canadian counterpart to the DNI's mandate would be the National Security Advisor to the Prime Minister (NSA). Given the increased number of departments and agencies with a mandate linked to national security issues, it made sense that some type of overarching, high-

level ‘secretariat’-type unit would be charged with assisting Cabinet members and the Prime Minister’s Office (PMO) in coordinating issues of policy and programming, and to monitor program and policy activities within the community on an ongoing basis. Prior to 9/11, the position of the Coordinator of Security and Intelligence in the Privy Council Office (PCO) was in place to fulfill most of these duties, being responsible for providing coordination to the security and intelligence activities of all government civilian agencies and, through the Clerk of the Privy Council, (Canada’s senior bureaucrat) advising the Prime Minister on security and intelligence matters. Soon after 9/11, the Security Coordinator’s role was grafted on to the position of Deputy Clerk and Counsel, and subsequently the position of Associate Clerk. While this multi-tasking was of some utility from a machinery-of-government perspective in the immediate post /911 period, when new CT legislation and policy was being crafted, it ultimately took away from the Coordinator devoting sufficient energies to the coordination function within the national security community. There was a greater need for attention by the Prime Minister to national security matters and with that a need to provide for sustained attention on security matters on the part of his senior advisors (i.e. not being ‘double-hatted’). Hence the position of NSA, designed to be the senior bureaucratic pipeline to the Prime Minister on issues of national security threats, intelligence assessment and coordination of related government policy, was announced under the new Martin government in December 2003.

The 2004 *Open Society* National Security Policy announced the creation of the Integrated Threat (now Terrorism) Assessment Centre (ITAC). Its mandate somewhat resembles the raison d’etre of the US’NCTC. ITAC is to serve as a fusion centre of a number of GoC agencies tasked with providing all-source –based comprehensive threat assessments, which are distributed in a timely manner within the GoC’s intelligence community and to senior decision makers, international

partners, and to relevant first–line responders such as law enforcement, critical infrastructure stakeholders and the private sector, evaluating both the probability and potential consequences of identified threats. Ideally, ITAC provides the organizational framework to detect and disrupt high-risk individuals or groups by sharing and analyzing information generated by, and shared between, represented agencies. Typically, ITAC-based assessments focus on the short-to-medium term, or on special events such as the Olympics or G7 events, as opposed to broader strategic or geopolitical assessments. ITAC is also responsible for assessing and recommending the National Terrorism Threat Level, which is updated regularly.

ITAC has representation from a number of different intelligence and law enforcement agencies as mandated under the *Open Society* policy. These include traditional security-based departments: PSEPC, CSIS, RCMP, the Communications Security Establishment (CSE), DND, and CBSA. It also includes Global (Foreign0 Affairs, FINTRAC, PCO, the Correctional Services of Canada, Transport Canada, Canada Revenue Agency, and representation from two external law enforcement agencies- the Ontario Provincial Police (OPP) and the Surete du Quebec.

Key Organizational and Mandate Differences

Broadly speaking, a case can be made that reorganizational initiatives within Canada's national security infrastructure were similar those in the United States. In both countries, organizational and mandate modifications were undertaken to respond to enhanced and unfamiliar threat levels posed by transnational terrorism against the domestic environment, the need for new strategies to counter and disrupt them, and with a focus on civilian organizations. The respective reorganizations were also driven to facilitate better coordination and cooperation between federal

agencies with a national security mandate and local levels of government, first responders and the private sector.

The most common reference point in support of the view that Canadian reorganization efforts mimicked those of US agencies focused on the comparison between the creation of the US DHS and Canada's PSEPC. Their respective mandates provided for prevention and response not only to threats posed by terrorism, but to natural disasters and global issues such as pandemics or environmental security and, at the time, the emerging threat posed by cyber-attacks on key infrastructures. Both departments were expected to provide leadership on the strategic architecture for domestic security going forward, together with policy and program development and implementation, and the development of engagement strategies with local governments and the private sector.

The creation of the new Department immediately generated comparisons to DHS ("Taking a cue from the United States, the federal government created an overarching public security ministry to help Canada deal with everything from terrorist threats to natural disasters."[14]). This view is supported by Keeble, who noted that in many ways, PSEPC "is the Canadian counterpart to US DHS, to ensure the kind of coordination necessary in a post-September 11 world to oversee intelligence and security functions as well as conduct border operations."[15] The new PSEPC Minister (and Deputy Prime Minister) Anne McLellan nevertheless went to great pains to explain it was not a "mirror image of the one south of the border", and that, in the interest of providing a capacity to ensure a more coordinated response to unexpected calamities, "it would have been created regardless of whether the US had created its Homeland Security Department."[16]

That said, the creation of the new PSEPC Department did incorporate some mandates that were similar to DHS.[17] Both DHS and PSEPC would serve as the Cabinet-level departments charged with coordinating federal responses to threats to both the country's national security at the domestic level, however defined. Specifically, and consistent with the DHS' immediate and primary focus on border security, arguably the most comprehensive reorganization initiative within the national security purview of the GoC involved the creation of the Canada Border Services Agency (CBSA), that was ultimately housed within PSEPC. The creation of CBSA served to enhance the enforcement and prevention capacity of the 'human' element of border control that was legislatively addressed in the *Immigration and Refugee Protection Act* of 2001, and in parallel to the processing of commercial goods under the US-Canada Smart Border Accords of 2002.

The reorganization also transferred responsibility for the inter-agency coordination of critical infrastructure protection and emergency preparedness from the Department of Defence to PSEPC, similar to DHS, in recognition that national security required a nexus between both prevention and response capabilities (crisis management and consequence management) within the GoC and with other levels of government and first responders. Within both DHS and PSEPC, it was envisaged that a domestic security strategy would require the capacity to coordinate response and recovery efforts not just for national security issues such as terrorism, but also in response to threats to public safety from natural or pandemic-like causes, and to augment the capacities of local resources with federal agencies if so required. So why re-invent the wheel, inasmuch that the agencies to do so were already established (FEMA in the United States and the Office of Critical Infrastructure, Preparedness and Emergency Planning – OCIPEP- in Canada)?[18]

As observed by Roach, “The new ministry (PSEPC) was designed in part to allow for… a more comprehensive and ‘rationale’ approach to the various risks Canadians face as eventually reflected in the National Security Policy.” [19] More broadly speaking, both DHS and PSEPC provided a greater profile and platform for issues related to domestic security within their respective administrations.

In terms of actual organizational structure, however, there were significant differences between the two agencies.

As noted, DHS was an amalgam of some twenty-two agencies with existing security-related mandates being brought under line management control of a single Department and Secretary. By integrating and assuming direct line responsibility for twenty-two different agencies, DHS adopted a classical hierarchical approach to the management of its sub-agencies. PSEPC’s mandate was based on more of a networked approach. While the Department does have managerial responsibility for some key agencies (CSIS, RCMP, CBSA), it has, in parallel, a mandate to coordinate with, but not directly manage, the many other agencies within the GoC with a domestic security mandate that nevertheless maintain their respective managerial and accountability independence. This is institutionally consistent with, and respectful of, Westminster principles, buttressed by the concept of Cabinet collective responsibilities. As noted by the GoC’s former National Security Advisor Rob Wright **(**2003- 2005) there was no intention that PSEPC have direct oversight of all the key agencies responsible for issues that were security related. Its role was primarily one of coordination. “Nobody wanted to duplicate the DHS. It was a disaster.” [20] Former PESPC Deputy Minister Margaret Bloodworth stated unequivocally “It wasn’t the job of the PS minister to run other agencies that had a security-related mandate.” [21]

Furthermore, the DHS did not have the same internal capacity regarding the collection and analysis of intelligence as did PSEPC, the latter through its line responsibility for both the federal law enforcement (RCMP) and national security (CSIS) agencies. These same functions remained outside the remit of DHS (FBI/CIA respectively). Also, while PSEPC did include a mandate for the enforcement of immigration and refugee policies and statutes through CBSA, day-to-day policy and program functions remained within Immigration Canada. Unlike Canada, the United States chose to fully securitized immigration policy by including it in the mandate of the DHS.

There are three key points to make relative to the position of the NSA as it pertains to the 'mimic' question. First, unlike his/her American DNI counterpart, the NSA's responsibilities did not initially result in the integration of the foreign –defence/national security remits residing within PCO, although there was obviously close cooperation between the two policy centres (These functions were ultimately put under the responsibilities of the NSA close to ten years later). Second, as was the case with PSEPC, the NSA did not have line or budgetary responsibility for those security-mandated agencies located outside of PCO that it dealt with on a day-to-day basis as did the DNI. Finally, it can be stated the primary roles and function of the either the Coordinator or the NSA were established well before the actual creation of the position of DNI in 2004.

The primary mandate of ITAC – better interagency coordination and dissemination of all-source assessments – resembles at least the one core mission of the NCTC, that of the fusion of a number of government agencies in support of the same all-source assessments. But that is where the similarity ends. As noted previously, the broader mandate of NCTC also specifies that while it contribute to both strategic and operational CT planning domestically, it also has a parallel focus on US counter-terrorism efforts abroad. The NCTC is engaged in both the planning of the

operational and corporate management side of the US' broader GWOT strategy. The role of ITAC in Canada's broader CT strategy is much more constrained.

The timings of the organizational changes is important from another perspective, in that key comparative organizational changes – DNI and NSA, NCTC and ITAC, could not have enabled the GOC to mimic parallel US organizational changes. The NCTC was created after ITAC. The new Canadian NSA position was announced a year before the DNI, and its core functions had been in place before 9/11 in the office of the Coordinator of Security and Intelligence in PCO. PSEPC came one year after the creation of the DHS, so DHS *could* have been used as a model. It has been suggested that this was not the case for the reason put forward. Furthermore, and before the 9/11 attacks, concerns about the protection of critical infrastructure and the need for broader organizational oversight and planning, akin to PSEPC's ultimate structure and mandate, came to be widely recognized as a result of GoC preparations for the Y2K rollover, not just for computers but also to all other key infrastructure and utilities.[22]

It is therefore posited that both Canada and the US were obliged to up their respective games in a generally similar fashion to the threat posed by transnational terrorism, especially at the domestic level. Both were required to create domestic counter-terrorism strategies that were based on prevention, not just response, led by civilian agencies. Both governments took the opportunity to have their lead domestic agencies expand the concept of national security to provide for prevention, response and recovery elements, and to include non-traditional events such as natural disasters, pandemics and environmental security within their purview. Both saw the need for greater cooperation and coordination with other levels of government, first responders and the private sector as being key to national security strategies. So in the broadest of terms, the

reorganizations that occurred within the respective countries were undertaken in response to similar drivers.

Yet there were also enough significant differences to argue that Canadian initiatives did not mimic parallel US efforts. First, the GoC's prevention-based CT strategy and the securitization of non-traditional policy centres under the *Open Society* policy required a security remit be applied to a number of agencies where none had existed before. As reflected in Table 1, this required the creation of a dozen new agencies to fill coordination, information and intelligence exchange and new operational requirements. It has been suggested that those agencies with a CT or national security mandate within the United States were already largely in place prior to 9/11. New agencies that were ultimately created focused primarily on the need for better inter-agency coordination. Second, the mandates, responsibilities and remits of the newly created NCTC and DNI went beyond those of their Canadian counterparts. Third, the DHS and DNI assumed direct managerial responsibility for twenty-two existing agencies and departments and civilian intelligence agencies respectively that reported to them. Management of, and accountability for, security-related mandates within departments and agencies in the GoC remained the responsibility of the respective individual ministers. The DHS assumed a hierarchical approach to its organization. Canada's was based on a more networked approach. Finally, the timings of when the new agencies came 'on-line' in Canada point to them being in place prior to their respective US counterparts in two of three cases.

Information Stove-Piping?

For the purposes of national security within Canada, and counterterrorism specifically, 9/11 and transnational terrorism had significant impact on the role of intelligence. The shift to a CT policy

and strategy that was grounded in prevention rather than response meant that intelligence was to play a significantly enhanced role. In addition to having to work within a more ambiguous, complex and multi-sourced threat environment, intelligence agencies were now tasked with identifying 'what could happen' as opposed to 'what just happened'. Furthermore, and as noted previously, the GoC's CT strategy, and the *Open Society* policy required a greater number of policy centres be brought into the intelligence-sharing loop, with a corresponding variety of intelligence requirements.

One of the salient questions is whether there were challenges associated with information or intelligence sharing between respective GoC national security and law enforcement agencies in the pre-9/11 environment that were exposed as a result of the 9/11 attacks, suggesting the need for an organizational fix. Such was identified to be the case in the United States, as articulated in the 9/11 Commission Report, which ultimately provided the rationale for the creation of the DNI and the NCTC. If there were similar issues from a Canadian perspective, was any subsequent reorganization undertaken to address them, again mimicking US initiatives?

From a GoC perspective, key participants and decision makers at the time of 9/11 have stressed there were few, if any, challenges associated with a willingness to share intelligence and information within GoC agencies leading up to 9/11. Furthermore, these same agencies had a good handle on the relative nature of the threat posed by transnational terrorism from an operational and investigative perspective within Canada. For example, they were able to quickly and collectively establish there was no Canadian nexus to the 9/11 attack. The CSIS Director at the time of the attacks, Mr. Ward Elcock, stated there were no concerns related to stove-piping as it related to management of the terrorism threat domestically There was nothing to suggest there was a need for a comprehensive re-organizational fix to facilitate the flow of information, nor

was there the need for a *Patriot Act* equivalent to remove some of the institutional constraints to information sharing that were present in the United States.[23]

This view is supported by then Coordinator of Intelligence and Security within PCO at the time, Mr. Richard Fadden. He noted the community of Canadian security agencies was much smaller than in the United States, which provided for greater inter-agency cooperation and consultation, both formally and informally. "If challenges were encountered, we simply picked up the phone."[24] Organizationally, both the federal law enforcement and main intelligence gathering agencies – RCMP and CSIS- were already co-located within the same Ministry (Solicitor – General) prior to 9/11. Although the Canadian intelligence community is relatively small compared to those of other countries, this allows for, and indeed encourages, an inherent cohesion that is impossible in a larger security and intelligence communities. "This is fostered through both formal and informal interdepartmental structures, and a complex of interpersonal and professional relationships and communication links."[25] Even at the senior Cabinet level, the sharing of information was not seen as an issue. Minister John Manley, a key member of Cabinet tasked with developing the GoC's initial policy response to 9/11, noted "I don't think that I ever heard there was an issue regarding stove-piping as there was in the US. It never emerged. There wasn't a problem that one hand didn't know what the other was doing. Nor was there an external-domestic split. We were already collecting abroad." [26]

Conclusion

Despite the narrative reflected in Canada's one and only national security policy that "there can be no more important obligation for a government than the protection and safety of its citizens" and that "security is the foundation of our prosperity"[27], the extent of the threat revealed by the

9/11 attacks "came as a shock to the political system, and Canadian responses to security threats post-9/11 were a reflection of the trauma occasioned by the event". [28] Jeffrey noted "The need to reassure Canadians of their own safety drove the [governing] Liberals into uncharted waters. Not since the invocation of the *War Measures Act* in 1970 had a federal government been confronted with such a perceived threat to the state and its citizens." [29] The threat from terrorism was something that was traditionally anathema to most Canadians, but it was now represented as a very real danger which Canadians took seriously in the aftermath of 9/11, and who looked, in turn, to the federal government to protect them.

It is suggested the main driver and timing behind the restructuring of the GoC's national security infrastructure was an understanding on the part of key decision makers that the threat posed by transnational terrorism required the involvement of a greater number of policy/agency centres within the GoC. A more comprehensive whole-of-government response and strategy was required when compared to the threats posed by the Cold War. And while there were few, if any, concerns related to the willingness to share information amongst Canadian agencies prior to 9/11, a post-9/11 CT strategy based on prevention required that more agencies would collect and analyse information and provide the resulting intelligence to decision makers. The number of agencies with a national security mandate was also augmented as a result of non-traditional issues and agendas being securitized under the *Open Society* national security policy. The US administration did not require the same degree of organizational change in this respect, as US agencies charged with front-line national security mandates were well established prior to 9/11. Organizational changes in the United States were undertaken largely in response to the calls for better coordination between the existing agencies.

For all the policies adopted, for all the structures changed or adjusted and for all the bureaucratic mechanisms streamlined or augmented, mitigating a broad spectrum of threats remains an uncertain enterprise. Nevertheless, it is something of a testament to those involved in the GoC's response to 9/11 in general, and in the reorganization of Canada's national security infrastructure specifically during the years between 2001 and 2004, that the legislation, policies, programs and organizations that were put in place over those years have remained largely unchanged, even as the nature of the threats to Canadians and Canadian interests has evolved over time. They have, y any possible and plausible measure, provided Canadians over the last two decades with an enviable balance of security while respecting those norms and values inherent in a democratically-based society.

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