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Standing Committee on Procedure and House Affairs

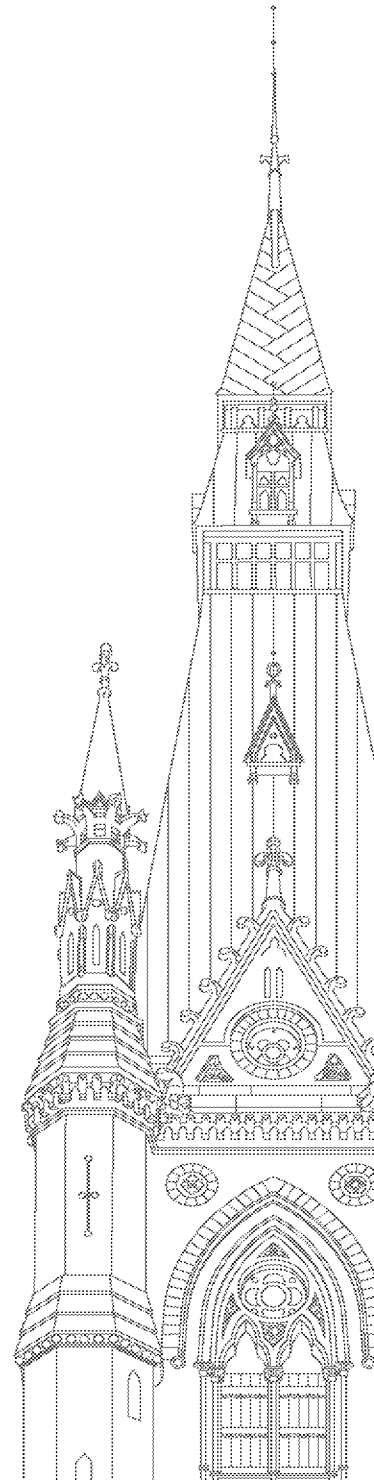
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Thursday, November 23, 2023

Chair: The Honourable Bardish Chagger



Standing Committee on Procedure and House Affairs

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• (1245)

[*English*]

The Chair (Hon. Bardish Chagger (Waterloo, Lib.)): I call the meeting back to order.

On my speaking list for the amendment that has been moved by Mr. Bittle are Mr. Duncan, Monsieur Berthold, Ms. O'Connell and Ms. Goodridge.

We have Mr. Duncan.

Mr. Eric Duncan (Stormont—Dundas—South Glengarry, CPC): Thank you, Madam Chair.

I am glad that our procedure and House affairs committee has moved into an open session for Canadians to see the debate, or the status of our debate, on the motion for document production.

We're here to try to get the necessary documents and the order of the production of the documents pertaining to foreign interference by the Communist Party of China and, specifically, the question of privilege by Mr. Chong. We have one party here that is not getting to a vote and not getting the production of documents completed, and that is the Liberal Party.

To give a quick summary for Canadians to understand where we are, Madam Chair, in ordering the production of the documents within three weeks, there are a couple of things I'll highlight that I think are very reasonable for this committee and Canadians to see. They are the July 2021 CSIS report entitled "People's Republic of China Foreign Interference in Canada: A Critical National Security Threat" and the May 2021 CSIS issues management note sent to the then-minister of public safety and emergency preparedness respecting the Beijing regime's intention to target members of this House, together with all records concerning the transmission to...and so forth.

These are two very key documents that this committee and Canadians deserve to see. The July 2021 CSIS report has been obtained and seen by The Globe and Mail reporters, who issued some bombshell information regarding this topic. It's reasonable for Canadians and us here at this committee to see that. The May 2021 CSIS issues management note was seen by Mr. David Johnston for his report. We deserve to see the same thing as we continue to study this issue.

We tried to get this passed earlier this year, in June and again in the fall. Here we are again now, thankfully in a public session...for Liberals to continue their cover-up and deny us the opportunity to see these documents.

I will say that's all for now, but I look forward to the debate or what Canadians can witness here from the Liberal Party on the other side.

[*Translation*]

The Chair: Mr. Berthold, you have the floor.

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Thank you, Madam Chair.

On May 10, 2023, the Standing Committee on Procedure and House Affairs received the order from the House of Commons to consider the question of privilege related to the intimidation campaign against the member for Wellington—Halton Hills, Michael Chong, and other members. Since then, we have learned...

[*English*]

Mr. Chris Bittle (St. Catharines, Lib.): On a point of order, Madam Chair, I let it slide with Mr. Duncan, but we're debating the amendment and we're going wildly off in all directions. I was hoping that members could bring it back toward the amendment.

The Chair: I think that's relevant. Based on some of the conversations we had in camera about not necessarily wanting to comment on others and so forth, and being offended by it in camera, let's just remember we are in public and be mindful of the work we're doing.

We have Mr. Berthold on the amendment.

[*Translation*]

Mr. Luc Berthold: Thank you, Madam Chair.

Erin O'Toole, MP, has also raised a question of privilege, and the Speaker of the House referred Mr. O'Toole's case to the Standing Committee on Procedure and House Affairs for us to consider. So we have been wanting since May 10 to obtain documents that will show how that campaign of intimidation was orchestrated.

In the motion requesting production of documents that we have before us, the things we are asking for are very simple. One of the things we are asking for is the July 2021 report by the Canadian Security Intelligence Service entitled *People's Republic of China Foreign Interference in Canada: A Critical National Security Threat*.

We are also asking for the May 2021 CSIS issues management note that was sent to the then-minister of public safety and emergency preparedness and all other relevant information that might help us avoid such situations recurring in the future.

The Liberal Party amendment that we have before us concerning the motion, which I will not read because I do not want to take up too much time, is to strike point (a) from the motion, which says that the committee will “acknowledge the failure of officials in the Prime Minister's Office and the Liberal Party of Canada to provide relevant information to this Committee that they had indicated they would undertake to provide”.

In fact, the Prime Minister has made repeated public statements that he is very open to transparency. He has confirmed that he would work with the Standing Committee on Procedure and House Affairs.

We have heard several similar statements from several Liberal government ministers that they would be transparent. At present, it seems that the Liberals do not want to acknowledge that the people in charge in the Prime Minister's Office and the Liberal Party of Canada have not sent the committee the relevant information they had undertaken to provide, despite the fact that we have had a motion to produce documents since June. That is what is unbelievable. This intention to conceal the information is now even more apparent with the amendment moved by my colleague Mr. Bittle.

Madam Chair, you will have gathered that I am opposed to this amendment. Canadians are entitled to know what happened and to see all the documents relating to this matter so that it does not happen again.

Thank you, Madam Chair.

• (1250)

The Chair: Thank you, Mr. Berthold.

[*English*]

On my list, and just so we remember, when we did suspend, there were people who signalled to me to be on the list. I'm waiting for those signals again.

On my list I have Ms. O'Connell next. Then I had Ms. Goodridge.

Ms. Goodridge, I understand that you want to be removed from the list. I have removed you.

Then I have Mr. Turnbull.

That is my list on the amendment so far.

I have Ms. O'Connell.

Ms. Jennifer O'Connell (Pickering—Uxbridge, Lib.): Thank you, Madam Chair.

I'm glad, actually, to speak about this again because, as I have done so before at this committee, I've had an opportunity to speak about how reckless Conservatives are on matters of national security and, once again, we have another opportunity.

What we're discussing here today is an amendment to remove a section in terms of documents that the Conservatives are requesting, documents that the previous two speakers just acknowledged were of national security classification, and that they believe should be open to the public, and the public also consists of China and other foreign adversaries that would love to have our national security information. The opportunity, they said *The Globe and Mail* looked at some of this information and therefore they should too.

They believe that leaks of national security are a good way of securing our country, I guess. There were opportunities for all party leaders to see all of the relevant information, but it was only the Conservative leader who chose not to get the appropriate security clearance. What this means is that Conservatives don't want to handle documents of national security significance with the appropriate controls. They'd like that information to be available to Russia, to China and to whatever other adversary—

An hon. member: [*Inaudible—Editor*]

Ms. Jennifer O'Connell: Mr. Cooper likes to heckle. I know he can't stand the sound of my voice schooling the Conservatives on their reckless behaviour, but he may want to keep his comments to himself for the purpose of this discussion, because he himself has been in serious hot water on a number of occasions.

Mr. Luc Berthold: I have a point of order on relevance.

She should talk about the amendment.

The Chair: That's so cute because we all like to dance around it and then when we have the floor, we forget. I'm going to let her dance, but do try to come back to the amendment.

I would say, in general, let's just speak to the amendment and try to move this along. I encourage all of us to do that.

Go ahead, Ms. O'Connell.

Ms. Jennifer O'Connell: Thanks, Madam Chair.

I'm sorry for being distracted by Mr. Cooper losing it over there. He gets upset when I point out the Conservatives' record on national security matters and the embarrassing fact that their leader refuses to get security clearance to actually see these documents on behalf of Canadians, who he purports to want to represent.

With regard to the amendment, the issue at hand is to provide relevant information to this committee and that they would undertake to provide the removal, in the sense that when you go further in the motion, the relevant information being referred to is documents that are of national security significance. We heard witnesses describe what providing that in an open format would mean. It would mean a risk to our Canadian Armed Forces serving around the world.

Conservatives don't care about our Canadian Armed Forces serving. They don't care about the security risk of providing national security documents in an open format because they want to move forward on a study—

● (1255)

Mr. Eric Duncan: I have a point of order.

The Chair: Mr. Duncan, go ahead on a point of order.

Mr. Eric Duncan: Madam Chair, I just ask for reinforcement of relevance again. You made that comment probably two minutes ago. Maybe we could have the member reminded again of relevance and specifically about what Mr. Bittle just said a couple of minutes before that about their own subamendment.

Please speak to the relevance and repetition. We can get a ruling again on blatantly disrespecting the chair after you politely asked for relevance on the subamendment by Mr. Bittle and reinforced it.

This is complete disrespect for the chair.

The Chair: If I want to talk about disrespect for the chair, then we can take turns and I could go around to everyone. I don't think that's the purpose here.

I am here to chair a meeting. I would like us to debate the amendment. I would like us to come to a conclusion and then try to find a way forward.

Once again, we're all honourable members, so please do speak to the amendment. I do think everyone can understand that there has to be leniency. I've also provided it for the other side, so let's just get along.

Ms. O'Connell.

Ms. Jennifer O'Connell: Thank you, Madam Chair.

It's unfortunate, Madam Chair, that the Conservatives want to shut down my voice when I speak on this committee. It was Mr. Duncan himself who, in the debate on this amendment, brought up the issue of the documents in reference to The Globe and Mail. I'm simply responding. He opened that door and he's going to have to accept the counter-argument now, at this point.

It's fine if they.... Again, they wanted to move to debate this issue in public. Now the member opposite is upset that I am correcting the record on his testimony here and on what he spoke about. Unfortunately, what's good for the goose is good for the gander. He opened the door by discussing the specific documents, and that's precisely what I am now debating.

Madam Chair, in regard to that specific relevant information, which is the subject of this amendment, the Conservatives once again have demonstrated they don't take care with the national security classification and the risk it poses. We're debating amending this motion because of what the testimony was at this very committee. We've had members of the national security community express concern when they released documents into the open source that, once again, our adversaries also access.

Let's talk about some of those adversaries and the warnings we heard about releasing some of the information the amendment on the floor is debating to remove.

What I find interesting in the last few days in this place, and even yesterday, is that the Conservatives have talked about national security. They used a potentially serious incident at our border with the U.S. The Leader of the Opposition took his national security direction from Fox News and other alt-right media calling an incident at the border a terrorist attack without any basis for that claim. He then wove into that his party's slogan to "bring it home".

I find it very difficult to sit here debating this motion today. The reason it's crucial we make these amendments is that the Conservatives can't be trusted with national security. They don't have the relevant security clearance to receive information, and they are reckless with information being distributed to Canadians...to protect them. They would rather listen to alt-right media and fearmonger, instead of waiting for the national security community to come forward with the accurate information.

This amendment is needed because Conservatives can't be trusted with this level of information. They don't understand why some information must be kept classified for the safety of Canadians and for the safety of our armed forces serving around the world. Instead, they want to create a scenario where the adversaries of Canada who seek to influence our elections and harm Canadians.... The Conservatives want to hand those adversaries the combination to the safe. They want those adversaries to know the intelligence Canada has. They want to give them a blueprint of how to better influence our elections by giving them the information we have.

That's what the Conservative motion here today does, and that's why we've moved an amendment to exclude some of this information.

You don't have to take my word for it. You can take the word of the non-partisan national security community, which has testified here, time and again during this study, about the risk of putting classified information into the public domain without any care for or concern about what that information contains, or for the people serving around the world.

● (1300)

It is very damaging and, frankly, should have all Canadians concerned about the people who seek to lead this country, the people who seek to serve in the highest office of this land, who choose not to receive a security clearance, who choose not to have the information and instead would like to create a motion and a committee of searching for nothing. They'd rather allude to a scandal than get down to the work of making our elections, of making our democracy, stronger against attempts of influence. They'd like to create falsehoods that there is somehow information not being relayed to this committee. They have acknowledged that the information relayed was of national security significance.

It also reminds me of what we also saw the Conservatives do this week, which was pretty shocking and concerning, in regard to the Canada-Ukraine Free Trade Agreement.

It's precisely why this amendment—

[Translation]

Mr. Luc Berthold: I have a point of order, Madam Chair.

[English]

Ms. Jennifer O'Connell: I am speaking to the amendment.

[Translation]

Mr. Luc Berthold: I have a point of order.

[English]

Ms. Jennifer O'Connell: Silence my voice. I get it.

The Chair: On a point of order, Mr. Berthold.

[Translation]

Mr. Luc Berthold: Once again, Madam Chair, I raise the question of relevance. It is not about silencing a colleague or doing anything like that.

I am simply saying clearly that we have an amendment, moved by the Liberal Party, that seeks to remove part of the motion seeking production of documents, the motion we are discussing, and that I would like my colleague to speak to that amendment.

I even invite her to read it aloud herself, so she sees what it is about, Madam Chair.

[English]

The Chair: I did not mind most of that comment, but the end of it is, I think, a little bit far.

I do believe, as someone who is listening to this, that except for the last 30 seconds, it justifies why they are moving to amend, or Mr. Bittle has moved to remove the access to these documents or putting them in the public forum. So I do believe there is relevance.

As chair, Ms. O'Connell, I will just say that members would like us to be brief, perhaps not repetitive, and be relevant to the amendment, so I will share that as well.

Ms. O'Connell.

● (1305)

Ms. Jennifer O'Connell: Thank you, Madam Chair. Forgive me. I will clearly explain why I believe the Canada-Ukraine Free Trade Agreement is relevant to my argument on this amendment.

I've just outlined for several minutes why I believe the Conservative Party—this motion overall—is reckless. They don't take the care that is needed with national security documents. The amendment specifically is removing a section that is requesting more information again in the public domain. Why I take such issue with this is built partly on the track record that we've seen from the Conservatives in the last week or two. That is the connection I'm making between the Canada-Ukraine Free Trade Agreement.

While I acknowledge that other members may not like that I'm making this connection, it is certainly within my purview and right as a committee member to share my opinions of why I'm going to support this amendment, but I will do you the courtesy, Madam Chair, of explaining the threads in my thought process so that we can eliminate, hopefully, more of the Conservatives' attempts to just silence me.

On the “relevant information”, that is the line right in the motion that we are amending to remove. What I find interesting about why the Conservatives are requesting relevant information is, again, the track record we've seen just this last week that is deeply concerning.

We've spoken in the House about the Conservatives' champagne trip to the U.K., with one member in particular paid for by the Danube Institute. The Danube Institute published a paper in which they refer to the Russia-Ukraine war and the support for Ukraine as wokeism. Then, just a few weeks later, a Conservative member who came back from that trip—I don't know what was expressed, but certainly I have deep concerns based on these connections—actually referred to the Canada-Ukraine Free Trade Agreement as Liberal woke. I thought, wow: the exact same language used in this Danube alt-right pro-Russia paper and a Conservative member who just came back from a foreign trip paid for by the Danube Institute.

When I come back to this amendment and we talk about relevant information, we witness those turns of events where Ukraine is fighting for its democracy—and fighting for democracy all around the world, frankly—and then we come back to this committee and a motion that wants to put out classified collected national security documentation for the world to see. I'm seeing this pro-Russia language coming from the Conservative Party, and a vote against the Canada-Ukraine Free Trade Agreement.

I'm starting to be concerned. I try not to be paranoid and to see the best interests from Conservatives, but when you start stacking all of these things, you start stacking the fact that they're so reckless with national security documents that the national security community has said that this can put Canadian Armed Forces members at risk, full stop.

Then, yesterday, the leader puts in his “bring it home” slogan—your home, my home, let's all bring it home—national security—

Some hon. members: Hear, hear!

Ms. Jennifer O'Connell: Thank you.

It's really easy to do that for me now, because there's no sincerity left in the Conservative Party. All they do is slogans. Even on something as serious as a potential incident at the Canada-U.S. border yesterday, they fit in the "bring it home" slogan. Really?

• (1310)

Canadians are concerned about our border with the U.S., our greatest ally, and the Conservatives are busy figuring out how to work in "bring it home", and call it a terrorist attack before that information is even determined and released, because they'd rather fearmonger.

[*Translation*]

Mr. Luc Berthold: I have a point of order, Madam Chair.

[*English*]

Ms. Jennifer O'Connell: When you stack this—

The Chair: I'm sorry.

Go ahead on your point of order, Monsieur Berthold.

[*Translation*]

Mr. Luc Berthold: Thank you, Madam Chair.

I really like hearing about the Conservative Party leader's common sense and the solutions he is proposing to help Canadians deal with the harsh reality of today. However, I would point out that the debate is about removing part (a) of the motion, which reads as follows:

(a) acknowledge the failure of officials in the Prime Minister's Office and the Liberal Party of Canada to provide relevant information to this Committee that they had indicated they would undertake to provide;

So we are talking about government transparency. I would like to know my colleague's opinion about this amendment that the liberals want to remove. I would very much like her to talk a bit about it during her remarks.

Although I really like hearing about my leader's common sense, I would like us to stick to the amendment and the motion. If my colleague wants to talk about the other documents we are asking for after that, she may move other motions. We are prepared to discuss them and to listen to her further.

[*English*]

The Chair: I'm going to share this. I know that when we meet again, there will be different people here, but since we are in public and I'm sure everybody is watching, I have provided some time to show some examples of when points of order are not being provided concisely and are being used as an opportunity to give speeches. That is not the intention of a point of order. The clerk and the table would be more than willing to provide people opportunities to learn the procedures.

I would like to be able to chair this committee and not have to remind individuals about when it is and is not appropriate to interrupt. I would ask all members to stay relevant and concise on their points. I also think that sometimes when people are saying that they don't want to be heard, and then we don't hear them, that just adds

to the length of things. I think that if we had fewer interruptions, maybe it would be shorter, but I also don't know that for a fact.

With that said, when you have a point of order, be concise. If anybody would like to know exactly how to ask for a point of order, we can provide those resources and information to you.

That's putting everybody on notice for the future, because the tables will turn, I'm sure, and I just want us all to know.

Ms. O'Connell, go ahead.

Ms. Jennifer O'Connell: Thank you, Madam Chair.

I find it interesting that the member opposite used his opportunity of a point of order to ask me questions. It's wonderful. I'm getting them engaged. Perhaps they will learn why their motion is so flawed, so I will keep going.

My issues with this motion, and why I support the amendment by my colleague Mr. Bittle.... This was the point of my speech that they really wanted to cut off. I think it's because they will very concerned about Canadians seeing their track record on national security matters and how they care more about slogans than protecting Canadian Armed Forces members who are serving on behalf of this country.

In this amendment that we are talking about, I support the removal because the Conservatives are asking for relevant information. The relevant information that they are referring to later in the motion, which we will get to after this amendment, is information that hasn't been provided, but only because of the national security classification and because this committee does not have the ability to receive it in a safe and secure manner.

Their leader had an opportunity to receive it, because it's not being hidden by anyone. The leader of the Bloc and the leader of the NDP had opportunities. I believe even the leader of the Green Party reviewed this information, because it's not being withheld from anybody. It's simply being held in a manner that is to be dealt with with the care and security that our national security community expects of any member of Parliament.

When this amendment asks for relevant information.... I have outlined why I support the amendment and why I don't support the Conservatives' motion. I have seen some very concerning trends from the Conservatives over the last number of weeks. Previously, there was their inability to accept the non-partisan, hard-working national security community that came here and said you can't just release national security information to the public, because that provides our adversaries with that information as well. It puts at risk the Canadian Armed Forces serving members.

I brought up another reason why I can't support their motion and why I support this amendment, which is that the Conservatives showed a strange trend when it came to the Canada-Ukraine Free Trade Agreement. They voted against Ukraine and had some odd connections with the Danube Institute.

Madam Chair, in the last intervention, my colleague opposite talked about the common-sense approach of Conservatives. I demonstrated just yesterday, when we had a potentially serious incident at the Canada-U.S. border, that the Conservatives' common-sense approach was to listen to Fox News, determine it was a terrorist attack—

Mr. Matthew Green (Hamilton Centre, NDP): I have a point of order.

Ms. Jennifer O'Connell: I'm concluding, Madam Chair.

• (1315)

The Chair: I'm sorry. I need to go to the point of order, though, and I would like that sentiment of concluding to be true.

Mr. Matthew Green: The point of order is one of relevance and repetition. I will even grant them the relevance. If there's a thin wedge they can provide there, that's fine, but the repetition...anybody listening to this on ParIVU radio will hear that has been repeated in the Hansard many times already today.

I also note the time, Madam Chair.

The Chair: Thank you. Yes.

Continue, Ms. O'Connell.

Ms. Jennifer O'Connell: Thank you, Madam Chair.

In fairness, I was simply bringing my three points together, but I hear you, Mr. Green.

With that, I will move a motion to adjourn.

(Motion negated: nays 6; yeas 5)

The Chair: We'll continue.

Ms. Jennifer O'Connell: Madam Chair, don't I still have the floor?

The Chair: No, you do not have floor. I have a speaking list.

I have Mr. Green on a point of order.

Mr. Matthew Green: I thought that after the motion the speaking list would be fresh. The motion was defeated so now the speaking list will start again.

The Chair: It's not a debatable motion, so I would keep going with the amendment, just like you when you moved....

Thank you, though, for keeping me on my toes.

The floor will go to Mr. Turnbull.

Mr. Ryan Turnbull (Whitby, Lib.): Thanks, Madam Chair.

It's really great to be back at PROC.

I've really enjoyed the long study that we've done on this topic, and I know we've had a really great meeting today. I really appreciated the comments of my colleagues.

Perhaps for today's meeting, I'll move to suspend.

(Motion agreed to: yeas 11; nays 0)

The Chair: The meeting will be suspended.

Yes, the speaking order on the amendment will continue.

I wish everyone a really good rest of the week and weekend.

Take care. Thanks.

[*The meeting was suspended at 1:19 p.m., Thursday, November 23*]

[*The meeting resumed at 11:06 a.m., Tuesday, November 28*]

The Chair: Good morning, everyone. I call the meeting back to order.

Welcome back to meeting number 96 of the Standing Committee on Procedure and House Affairs.

The committee is resuming its meeting today on the....

No. We're actually on a motion that was put forward by Mr. Cooper. We are currently on an amendment to it.

We had a lot of Liberals who were not here last time—and replacements.

[*Translation*]

Ms. Larouche is with us today.

[*English*]

I'm just going to bring us up to speed.

We have a motion that Mr. Cooper had put on notice on Thursday, October 26. It has been circulated. That was moved two meetings ago. We are currently on an amendment by Mr. Bittle, who is here.

What has happened with the motion by Mr. Cooper is that (b) was voted on and has been removed. We are currently on an amendment asking to remove (a).

My speaking list continues. I have Mr. Turnbull who is not here. I'm removing him. I have Mr. Lauzon followed by Mr. Duguid.

Mr. Lauzon, the floor is yours.

[*Translation*]

Mr. Stéphane Lauzon: Thank you, Madam Chair.

Given that almost all of us are permanent members, I would like to welcome Ms. Lapointe and Ms. Larouche. I thank them for being here today to support us.

I am going to take the opportunity offered by the fact that we are meeting in public to say I have had time to think about the arguments I made regarding removing point (a) from Mr. Cooper's motion. For the record of this committee, I would like to clarify my arguments on that subject, even if it means repeating myself a little.

Since there are new members here today, I would point out that a question of privilege was raised in May 2023 and that we have had 14 meetings about that question of privilege alone, during which we have met with 35 witnesses from various fields. We have met with members of Parliament, including Mr. Chong, one of the key actors in this matter, and with other individuals. We have also been able to meet with Mr. Blair not just once, but twice, and with Mr. Mendicino, Mr. O'Toole, and the special rapporteur, David Johnston, another of the key actors, I believe. Mr. Johnston testified only once, but he testified for three and a half hours, which is the equivalent of several one-hour appearances. I am naming only the people who testified in connection with this important study.

At the same time, we have also done a study on foreign interference, starting on November 1, 2022, so I think we have looked at the issue from all angles. We have met with a total of 74 witnesses at this committee, some of whom have appeared before us three times. There is even one who testified four times, according to the archives. I was not there.

That means that that all questions have been asked and all the requests have been made to the clerk. We have requested all the documents that the committee had the power to request. It must be understood that a committee does not have a security clearance that allows it to receive all of a government's information. That is understandable. The high security level means that a committee may be independent, but it may not compel the government to give it information that would compromise national security if it were disclosed. It is fine to say that we want to obtain all the reports and all the documents, but that does not mean that we will receive them all.

From the reading and thinking I have done since we parted last time, I am convinced that we have done our due diligence and we are ready to produce a report in order to reach conclusions and make recommendations.

Point (a) of the motion, concerning foreign election interference, says that the committee will:

(a) acknowledge the failure of officials in the Prime Minister's Office and the Liberal Party of Canada to provide relevant information to this Committee that they had indicated they would undertake to provide;

It is directed at specific groups that have not provided documents that had all been requested. We could say it two or three or four or five more times, but the documents requested that could be sent have been provided. I am satisfied that the clerk and the analysts have done their jobs well.

I do not believe that we were now going against everything covered by Mr. Cooper's motion. However, I have the feeling that the Conservatives, once again, are using this motion in order not to finish the report. Once again, they are throwing a wrench in the works to prevent us from finishing our work. The answers we have received may not be the ones the Conservatives wanted, but they are the ones we have been given. Mr. Blair's comments and answers are clear and plain.

Just changing a few words, which we are probably going to propose to you a little later, would facilitate comprehension and we would have a greater chance of reaching an agreement. It should not be dragged out, in my opinion.

I would like to mention, for the newcomers, that a consensus among all parties is imminent, and we will then be able to find a solution and write the report. The clerk and the analysts have worked hard to prepare this report. The report contains a verbatim record of the testimony heard at this committee. I am more than satisfied that this report is ready and that we will be able to achieve our objective and our conclusions.

Regarding point (a) and our recommendations, the thinking I did led me to consider making certain changes. We could simply ask the clerk to communicate with all the witnesses who agreed to provide relevant information to the committee. That entirely includes what I have just said and all the documents that could be sent to a committee. We must use words that exert pressure, for example if we say require all the information. When words that cannot be translated into actions are used, it is hard for us to agree. Obviously, what we want is to achieve our objective. We want to obtain all the documents that can be sent to us, but that can also be used by the analysts to do the report.

We want to end up with a report and recommendations so that we can move on to something else. The Standing Committee on Procedure and House Affairs has other extremely important matters to deal with. Although I have participated on this committee in the past, I am a newcomer. I joined this committee because I want to make progress on matters and work on issues that are extremely important for the committee.

I think we have explored the question in full. I do not want to go on and on about this, but I want to make the point that ordering the production of certain documents and setting deadlines is not appropriate in this case. We have had the opportunity to hear 74 witnesses, ask them all our questions, receive their reports, and hear their presentations. That all means that we have enough information to move forward.

I maintain that point (a) of the motion should be removed in full. Nonetheless, I am prepared to make compromises. We could say that the committee wants to obtain the relevant information, which would be reasonable, but that the information not received will have to be submitted within two weeks. I do not consider it to be acceptable to require that we obtain all the documents.

With that said, I will allow my colleagues an opportunity to speak to this amendment. I think there are other people who want to do so.

I will be happy to come back and present certain arguments following the recommendations we will perhaps make in respect of this motion.

The Chair: Thank you, Mr. Lauzon.

[English]

Go ahead, Mr. Duguid.

Mr. Terry Duguid (Winnipeg South, Lib.): Thank you, Madam Chair.

I want to thank my colleague for his remarks.

Madam Chair, perhaps you will allow me to make a general observation. I promise I will tie it to part (a) of the amendment. Madam Chair, as you know, I am a new member of this committee.

My first observation is that this is the study that never ends, as Mr. Lauzon has suggested. There have been a lot of meetings, a lot of witnesses. There have been 17 meetings on this matter of privilege alone. If you count the foreign interference study, there have been many more. I think the witness count is 74, with many of the witnesses appearing more than once. We have been at this motion of privilege study since May, as you know.

Madam Chair, every time we think we are getting somewhere, Mr. Cooper introduces a new motion. While I love the sound of Mr. Cooper's melodious voice and I have great respect for his intellect, I have less respect for his logic and for his approach to this particular study that seems to be never-ending.

Madam Chair, I would draw your attention to the testimony of Eric Janse, acting Clerk of the House of Commons, who testified to the issue of the privilege motion. You will see this on page 30 of the report that we are trying to get to, Madam Chair. I certainly got the sense of urgency that this matter should be dealt with expeditiously.

Let me quote from his testimony. He explained that steps normally include establishing the facts of what occurred, considering whether the events represented a breach of member's privilege or a contempt of the House, and considering proposed remedies.

He went on to say that he urged members to phrase recommendations carefully if the committee chose to make a report to the House, explaining that they should be actionable and should fall squarely within the committee's mandate.

Madam Chair, as I mentioned, this really is about the privileges of all of us, but particularly of Mr. Chong and Ms. Kwan. I know they are waiting for answers and we are waiting for answers, so it is important that this committee get to solutions and to recommendations as was so strongly recommended by Eric Janse, the acting Clerk of the House of Commons.

When it comes to paragraph (a) of the motion, Madam Chair, this is obviously a partisan shot at the Prime Minister and is clearly not helpful to moving forward. I think Mr. Lauzon had some very positive recommendations on how that could be massaged and how it might be put into a more constructive form, but I would just remind all of us around the table that's what question period is for, for those more partisan elements. This committee is trying to get to the bottom of the issue of privilege so that we can protect those members I mentioned, so that we can protect ourselves and so that we can do our jobs.

I have heard Mr. Green many times being very focused on transparency and on documents, and so in the spirit of getting on with it, I think Mr. Lauzon made some useful suggestions that perhaps we could have the clerk reach out to all witnesses who agreed to provide relevant information to this committee, which has not been received and that the information could be submitted within a few weeks so that we could really get to this report, which, in my view, will need some serious work and some serious editing.

We have recommendations from eminent individuals within our public service, some very solid recommendations on how we can protect our sovereignty and how we can protect the privileges of members of Parliament.

I hope that an amendment is coming forward so that we can find some consensus and can move on.

Madam Chair, with that, I will yield the floor.

The Chair: Thank you, Mr. Duguid.

Mrs. Romanado.

[*Translation*]

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you, Madam Chair.

I am always happy to sit with my colleagues on the Standing Committee on Procedure and House Affairs.

[*English*]

I want to thank you for going over what has happened. I was, unfortunately, unable to be here last Thursday.

It's tough to follow my colleagues because I'm in sort of the same vein.

Obviously, my question with respect to paragraph (a) is this: What's the goal here? If the goal is that we feel that there is documentation that was requested that has not been received and that we would like to receive before proceeding with the report, I'm fine with that.

Obviously, premising a statement with inflammatory language—taking potshots at the Prime Minister's Office, at the Liberal Party and so on—is not going to get us to where we need to be. No member of Parliament would support using inflammatory language.

If the goal is to get the documents that are outstanding—if there are, in fact, documents outstanding, and it's not clear to me that there are—I would support something along those lines. If it's something that will be helpful in terms of determining whether or not Mr. Chong's privilege was, in fact, breached, I'd welcome that.

I think I'd like to get some clarity from the clerk as to whether there are any items outstanding because if there are no items outstanding, I think that this is a moot point that we're having a discussion about.

I don't know if it would be possible for the clerk to give us an update on whether or not any documents are outstanding and, if so, what those would look like. We might be having a conversation for the sake of having a great conversation, but maybe we have already received everything. I'm not sure.

The Chair: I'll just answer that.

After a quick conversation with the clerk, I can say that, basically, witnesses who came would have undertaken to provide documents. I remember that word “undertake” very clearly, and it was repeated.

There was no list being created by the clerk to actually know what was owing, because you would think that if a witness came and undertook to provide documents, they would be provided to us in a timely way.

In that sense, that's where I think this conversation is relevant. We could go to see, or if we know what documents we think are outstanding that are not being referred to, then we can know. However, we would all know the witnesses who came. We would all know what we asked them to provide, depending on who asked them to provide it, so we would be able to get that information. We would know because if somebody was offering me information and I did not receive it—because it would be in our digital binder—I would then be able to say, “Hey, I've not seen this document. Can we follow up?” The clerk would be more than willing to do that. I think it's just sometimes a matter of reminding them.

Mrs. Sherry Romanado: Thank you very much, Madam Chair, for the clarification.

Perhaps that's something we would actually put in paragraph (a). It would be removing the language that obviously none of us would support and saying, as my colleague said, to have the clerk reach out to all the witnesses who undertook to provide us information and ask them to provide that information.

If we can do a cross-reference of what was asked and what was received and then reach out and actually ask for it, I think most of us would support that. It just sounds like we need to know what's outstanding so that we can ask for it and then go from there.

The Chair: I think that's definitely food for thought.

We're currently on an amendment that would remove paragraph (a). That is what's on the floor. I hear the comments being made with regard to whether there are documents that are outstanding that would benefit the report because there was agreement that we wanted to respond to the question of privilege that was referred to here.

I would just say to members that if there is a document you're referring to that's not been received, it would be good for us to know, and that could help.

Mrs. Sherry Romanado: Madam Chair, in that vein, again, I don't know what my colleagues are feeling, but I understand that it was a colleague who was substituting in—replacing me, actually, I think—who moved the amendment to remove paragraph (a). There seem to be conversations that this is not something that people agree with, so I would actually ask for unanimous consent from the committee to remove that amendment and go back to the original, if that's the will of the committee. Then we can discuss amending it.

Is that procedurally better?

The Chair: I would say that, if I don't have agreement, then I would be saying, if we can get to the end of this, we could vote on it.

Mrs. Sherry Romanado: Okay.

The Chair: Then we would see the will of the committee, and then we can get to the main motion as amended.

I'm going to—

Ms. Ruby Sahota (Brampton North, Lib.): I would have an amendment to make today that's more—

The Chair: I have you on my list, and I have Mr. Lauzon.

Ms. Ruby Sahota: I can explain it at that point.

The Chair: Would you like to remove yourself from the list?

Ms. Ruby Sahota: No.

The Chair: The floor is yours, then, Ms. Sahota.

Ms. Ruby Sahota: I would like to explain when people are listening. There are still some side conversations going on. Maybe we could suspend. You could have those conversations. I think they could be productive.

Mr. Matthew Green: We can just leave.

Ms. Ruby Sahota: No, I don't want you to leave. I'm not saying it as a—

Could we suspend? We don't have all the members. I feel Mr. Cooper's motion—

The Chair: I don't really fully know what happened, so I am—

Ms. Ruby Sahota: I'm ready to vote.

The Chair: Mr. Lauzon, you're on the list. Do you want to remove yourself from the list?

Mr. Stéphane Lauzon: Yes, remove my name.

The Chair: I am suspending.

● (13125)

(Pause)

● (13130)

The Chair: We are resuming our meeting.

Thank you for that quick conversation.

I would say, as was mentioned, that I'm calling the question on the amendment by Mr. Bittle to remove (a).

(Amendment agreed to: yeas 6; nays 5)

The Chair: The yeas have it. The (a) has been removed from the motion.

Go ahead, Ms. Sahota.

Ms. Ruby Sahota: I will remove myself from the list.

The Chair: Now we get to back to the main motion as amended.

I have a list that I will be continuing with. I will let you know who's on that list.

Back to before the amendment came, my list had Mr. Duguid, Mr. Turnbull, Mr. Duncan, Madam Goodridge and Monsieur Lauzon. I'm going to remove.... I'm going to keep them just in case they come back. I will do that for now.

The floor is Mr. Duguid's on the main motion as amended twice.

Mr. Duguid, you have the floor.

Mr. Terry Duguid: Madam Chair, I will stand down and put my name on the list after everyone has spoken.

The Chair: Are you asking me to add your name to the bottom of this list?

Mr. Terry Duguid: Yes, please.

The Chair: That's done.

Mr. Duncan, go ahead.

Mr. Eric Duncan: I will cede my time and go to the bottom of the list, please.

The Chair: Do you want to go right now to the bottom of the list?

I have Monsieur Lauzon followed by Ms. Sahota, Mr. Duguid and Mr. Duncan.

Go ahead, Monsieur Lauzon.

Mr. Stéphane Lauzon: Madam Chair, we are back to the main motion.

[*Translation*]

We are talking about the main motion. If I understand correctly, after votes were held, points (a) and (b) were removed.

I would like to speak briefly to point (c), which refers to the analysts and the clerk. In fact, it directs the clerk to prepare, within three weeks, “a report on all undertakings given by witnesses who have appeared during these studies and the status of those undertakings, other than the undertakings referred to in paragraph (b)”. Given that point (b) has been removed, point (c) no longer serves any purpose. Everyone understands that. Because point (b) is referred to in point (c), point (c) no longer serves any purpose. My colleagues will have an opportunity to talk about this shortly, but I believe that our view of things is the same.

Point (d) is to “direct the clerk to contact any witness who has not completely satisfied any undertaking referred to”. It refers to point (a). It asks the clerk to contact all witnesses who agreed to provide the committee with relevant information, but point (a) has been removed.

Here again, in point (d), the clerk cannot be directed to contact witnesses, since point (a) has been removed. In my opinion, point (d) is now null and void. If no change is made to point (d), it no longer serves any purpose. It therefore cannot ask for documents to be produced, since that point has been removed.

Mr. Clerk, does what I am saying make sense? Should point (d) be removed, as point (c) has been, because of point (a)?

The Clerk of the Committee (Mr. Michael MacPherson): I think point (d) refers to point (c), so it is complete as it is.

Mr. Stéphane Lauzon: They go together, do they not?

The Clerk: Yes.

Mr. Stéphane Lauzon: I think it is obvious that it should be removed.

The Clerk: I do not see any reason to remove point (d).

[*English*]

The Chair: Okay.

[*Translation*]

Mr. Stéphane Lauzon: Right.

[*English*]

The Chair: The way the clerk is interpreting it is that one is about preparing the report and one is about contacting the people in the report. The two are able to be connected, because if you prepare the report, it would be nice to contact the people.

He's seeing them as two different things. They are two different items.

[*Translation*]

Mr. Stéphane Lauzon: Right.

[*English*]

The Chair: One is preparing the report and one is contacting the people who are in the report.

Mr. Stéphane Lauzon: Now it's clear to me. I don't have any questions.

The Chair: That's excellent. Thank you.

Ms. Sahota.

Ms. Ruby Sahota: The clerk just stated that it's referring to (b), so it's no longer...

Mr. Stéphane Lauzon: Paragraph (c) is no longer... It's with the (a). However, with the (d) we should.... It's not related.

Ms. Ruby Sahota: Okay, (d) is not related.

The Chair: Paragraph (c) is asking the clerk to prepare the report with whomever owes documents, and whatever else. Paragraph (d) is getting the clerk to contact the people in the report. Paragraph (c) is to “direct the analysts and clerk to prepare” for us, and (d) is “direct the clerk to contact” them.

The two are needed. He's not suggesting that they be removed. They are not redundant.

Ms. Ruby Sahota: Okay.

The Chair: You're saying that they do have value in the motion. One is to create the report of the outstanding documents. One is to contact the people.

Ms. Ruby Sahota: Who are we...?

I guess it's my turn, anyway. I'd like further clarification. I ask who we are really contacting at this point, because (a) has completely been removed.

The motion reads:

That, in relation to its order of reference of Wednesday, May 10, 2023, concerning the intimidation campaign orchestrated by Wei Zhao against the Member for Wellington—Halton Hills and other Members, and in relation to its study on foreign election interference, the Committee

(a) direct the analysts and clerk to prepare, for the members of the Committee, within three weeks, a report on all undertakings given by witnesses who have appeared during these studies and the status of those undertakings, other than the undertakings referred to....

I think I understand more clearly. It's just that so many changes have happened.

Basically, the analysts would... We have a report. The analysts would go back with the perspective.... Correct me if I'm wrong and tell me what you're understanding is so that we're all on the same page. You'd go back and go through all the witness lists that we've ever had, give us some kind of table, maybe, or however you would like to format it, of all the undertakings. Then, I think there would be a timing needed because you would give us that. You would let us know what the status of those undertakings is—so completed versus those that are not completed. Then I would think that (d) would only come after we would be able to review all those undertakings, what you give us. Then we would be able to direct you as to whom to contact and whom not to contact. That's something I would propose that I think makes sense.

In (d) it states, “direct the clerk to contact any witness who has not completely satisfied any undertaking”. I feel there should be a step in between. The way this reads, to me, is you're preparing a report for committee members. I assume we should have a meeting on that report, then. The clerk wouldn't automatically see the report on his own and go and start contacting people—or would we have a discussion as to what the undertaking was, whether we find that it was complete or not complete? Would we discuss that? The way that we have a report right now, we're not getting to review that report.

When the analysts bring us this report, would we have an opportunity to review it or would all of this just happen between the analysts and the clerk? That's my question.

Mr. Stéphane Lauzon: I have a point of order, Madam Chair.

The Chair: You have a point of order, Monsieur Lauzon.

Mr. Stéphane Lauzon: Yes. I bring this point first: I would like to talk with my colleagues. Can we suspend for a couple of minutes? We want to talk together about this.

Mr. Eric Duncan: They want to talk together, to talk it out, Chair. They're asking to [*Inaudible—Editor*]

The Chair: Suspension will happen when there is agreement. If certain people want to have conversations, that's what's happening. People can have conversations in the room. I can't just suspend because somebody wants to have a conversation with people. That's why conversations happen.

I don't see agreement here to suspend. It's actually not really a point of order, but sure....

I will give the floor back. Can I just—

Ms. Ruby Sahota: I believe I put out the question and you were having some discussions. I think you're going to respond. Is that right?

The Chair: I will respond to you based on the conversation I just had.

This is in regard to the witnesses who appeared and committed to undertake to provide us documents. We can go through the testimony and confirm who did that. We can let you know who we received it from.

If the committee decides, by whatever motion we pass, that we get to do a summary of who owes us documents and then we contact them, that's what the clerk will do. If the committee decides

that we want to have a report, have all of us look at it and then call witnesses, that's what we will do.

Within (d) it does suggest—I'm reading from the motion—to “direct the clerk to contact any witness who has not completely satisfied any undertaking”. The clerk would not be able to determine “has not completely satisfied” without members letting us know if they're satisfied or not, so that is something we would need direction on, but what the committee determines is what we will do.

If the committee wants a report to be prepared, brought back to committee to discuss before the clerk contacts people, then that's what we'll do. If the committee decides we're going to get a report created and then the clerk contacts them for testimony, that's what we'll do. Members are going to determine what they would like us to do—“us” being the clerk.

Ms. Sahota, I do have others on the list. Are you almost...?

Ms. Ruby Sahota: Are we back on the complete motion?

Since I wasn't here last time, could I get some update on paragraph (e)? Is paragraph (e) still as it stands?

The Chair: We're on the main motion as amended. The amendment was the removal of paragraph (b), followed by the removal of paragraph (a). Everything else remains.

Ms. Ruby Sahota: Okay. Everything else remains.

Paragraph (c) and paragraph (d) make sense to me. It's what we were discussing earlier, and it's what Mrs. Romanado was also referring to, at that point. I assume that was the conversation Mr. Cooper and Mr. Green were having, as well, but I could be completely wrong. Therefore, I was hopeful we were moving in a positive direction. I'm glad.

I have no issues with paragraph (c) or paragraph (d), but I need more clarification on paragraph (e). It is quite long. I'd put out there that it's not necessary for the Conservative members to help me out with justifications for paragraph (e), but I would appreciate it if paragraph (e) were explained to me, since I've lost my footing a bit here. If no one wishes to do so, I could just continue trying to figure it out and taking time before I feel ready to vote on paragraph (e).

However, paragraph (c) and paragraph (d) look good to me at this point.

I'd put that out there. If Mr. Cooper could help me out a bit and explain paragraph (e) to me, I would appreciate it.

The Chair: Thank you.

I have Mr. Duguid, followed by Mr. Duncan and Mrs. Romanado.

Mr. Duguid.

Mr. Terry Duguid: Thank you, Madam Chair.

I am very much in favour of what Ms. Sahota just recommended: hearing from Mr. Cooper. I don't know how the rules work, in terms of allowing an intervention for clarification. I'm ready to speak, but I wouldn't mind hearing from Mr. Cooper, as well.

The Chair: Unfortunately, I don't believe you're going to be hearing his melodious voice yet.

If you would like to have the floor, you can. Otherwise, I have Mr. Duncan on the floor, who might provide some insights.

Mr. Terry Duguid: I'll provide a few comments, Madam Chair, just reflecting on Ms. Sahota's comments a few moments ago.

I think in light of the discussion we had on (a), I'm now okay on (c) and (d). Those points, (c) and (d), would have been moot had (a) been amended in the way that I think my colleagues were going to suggest.

One of the reasons I want to hear more about (e) is that one of our substitute members the other day talked very eloquently about our national security and some of the recklessness we've seen from the Conservative Party. We have to protect our nation. Protecting our nation is sometimes about protecting intelligence. We saw the leader of the opposition the other day rush to judgment and call what was unfortunately a tragic accident a terrorist attack. They are always willing to jump to those kinds of conclusions without the proper backing of evidence.

What I'm concerned about in (e) is jeopardizing our national security. We know that there are foreign threats out there. That's why we want to get to the motion of privilege and deal with the report that is before us.

If I had some suggestions for amendments, which I would love to talk with my colleagues about—that's one of the reasons for the requested suspension—we need to give clear, clear direction to the departments and agencies tasked with gathering these documents to be judicious and to apply redactions to the access to information and privacy acts so that we protect our national security, we protect our sovereignty and we protect our members. That's the reason we are studying this motion of privilege in the first place.

I think in the spirit of what I have heard around the table, we do want more evidence and more documentation so that we can get to the end of this study and we can deal with the matter of privilege related to Mr. Chong and Ms. Kwan and all of our members who have been subjected to foreign interference.

With that, I will once again yield the floor. I am concerned about (e). I am concerned about protecting our sovereignty and protecting our country from foreign interference. That is why I would like a little more information.

Thank you, Madam Chair.

• (13150)

The Chair: Thank you.

I have Mr. Duncan, followed by Mrs. Romanado and then Ms. Sahota.

Go ahead, Mr. Duncan.

Mr. Eric Duncan: Madam Chair, I will remove myself again and ask to go to the bottom.

The Chair: Okay.

Go ahead, Mrs. Romanado.

Mrs. Sherry Romanado: Thank you very much, Madam Chair.

I think where some of the confusion came in with respect to (c) and (d) is that reference to preparing a report. I think it's more preparing a list of undertakings instead of a detailed report. I think that's where there was some confusion.

I'm fine with collating a list of what was asked and what was received and then presenting it to the committee so that we can determine what is absolutely crucial for us to be able to look at before we finalize the report on the point of privilege. I too have some issues with respect to (e). I know that we can't discuss in public what is referenced in the draft report, so I can't really explain publicly why I have some concerns about (e) without breaking privilege of what's in the report that has not been made public yet.

With respect to other parts of the motion, I do have some concerns as well. I'm not sure if other members have some of those same concerns—we keep getting people going to the bottom of the list—with respect to, for instance, (e)(iii). I think the language can be worked on a little bit. Right now it says that it be provided that “these documents be deposited without redaction, in both official languages, with the Office of the Law Clerk and Parliamentary Counsel”.

I'm prepared to move an amendment on that point. I would prefer that it say “the Departments and Agencies tasked with gathering these documents apply redactions according to the Access to Information and Privacy Act, and”.

I would like to move that amendment.

The Chair: Do you have it in both official languages?

You're just removing. Is that right?

Can you please confirm what you're doing?

Mrs. Sherry Romanado: What I'm saying is that under “provided that”, bullet point (iii) currently—

The Chair: I'm sorry.

To get us to the same spot, we are on the main motion under (e), under (B). Is that right?

Mrs. Sherry Romanado: Under (B), there's the section that says “provided that”. Right under that is (iii). It says, “these documents be deposited without redaction, in both official languages, with the Office of the Law Clerk and Parliamentary Counsel”.

Replace that with “the Departments and Agencies tasked with gathering these documents apply redactions according to the Access to Information and Privacy Act, and”.

The Chair: Do you have that in both official languages?

Mrs. Sherry Romanado: I do not, but I can get it to you.

The Chair: Can you email it to the—

Mrs. Sherry Romanado: Should we suspend while I get that to you?

The Chair: Yes. That's a great idea.

Can I please have it sent to the clerk? Once it has come to the clerk, I'll have it circulated around.

The meeting is suspended until we get that. Do that quickly, please.

• (13150) _____ (Pause) _____

• (13200)

The Chair: The amendment has been passed around, and everyone should have it, including the interpreters.

Go ahead, Mrs. Romanado.

Mrs. Sherry Romanado: Thank you very much, Madam Chair.

As I was saying to one of my colleagues during the suspension, I want to make sure people understand where I'm coming from with this amendment. It is strictly that, as you all know, I have serious concerns about having classified information in the public domain, given the possible dangers to assets who do this for a living. One of my concerns is that information that is not redacted but that should be redacted could put some of those assets at risk and and/or alienate our Five Eyes partners.

My concern is that having those documents in the public domain may be of concern, so that is why I'm bringing the amendment, but I want to hear from my colleagues. I just want them to know where I'm coming from in this regard, as my only concern is information that is classified putting at risk our intelligence assets, who go to great lengths to gather that information.

The Chair: Thank you, Mrs. Romanado.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Thank you very much, Madam Chair.

Mrs. Romanado's amendment guts the substance of the production motion now before us. Mrs. Romanado asserts that the basis for her amendment is supposed concern that classified information would somehow be brought into the public domain when, in fact, if one were to read the motion, it is very evident that it would not be the case. This motion simply provides that the departments and agencies—the PCO, the PMO, ministers' offices—turn over the documents, one set that they redact and another set that is unredacted.

The parliamentary law clerk, who is completely independent and who has a full national security clearance, would then make the final determination as to what remains classified and what can be released to the committee. In other words, instead of the Prime Minister's Office making that decision, it would be the independent law clerk. In other words, it's an independent process that removes the politics with respect to the production of documents.

With respect to the access to information standard that Mrs. Romanado, if her amendment were adopted, would provide for in the way of production, that has resulted in virtually nothing being pro-

duced to this committee. It has resulted in pages and pages of blank pages and, as a result, we as a committee have received nothing. It is an effort to gut the motion, to cover up for the Prime Minister's Office and ministers in this government who were aware two years ahead of time that MP Chong and his family were being targeted by Zhao Wei and the Beijing regime, and did nothing about it and kept MP Chong in the dark. That's the substance of what Ms. Romanado is bringing forward. It's a cover-up attempt.

• (13205)

The Chair: Thank you, Mr. Cooper.

Go ahead, Mrs. Sahota.

Ms. Ruby Sahota: I appreciate Mr. Cooper's explanation. I kind of get it to some degree. However, we have heard testimony here, and it wasn't just from the public safety minister. It was a very thorough explanation the minister gave about where this note had gone and why the computer system or whatnot that it goes to...and the fact that nobody had briefed him on it. The process is that the deputy and those who work for him would see this information. The department would bring this to the attention of the deputy. The deputy would then brief the minister on it. None of that was done in this process.

Whether there was a document out there or not out there, I don't think that's necessarily the question the Conservatives are interested in getting at.

I'm assuming that what you want to get at is that the government did know about this, the public safety minister in particular, you're saying. You're trying to get to a point where you can figure out whether he came here and lied, his deputies lied and all the departments are lying—that everyone is lying—and he was briefed and he knew, and that at that point this document is going to explain that, as to what date he was briefed on and the knowledge he carried. No document is going to do that, yet what we may end up doing in the process of this is risking our security.

As my colleague has said, we have already, through this process, come across times when I think we have put our Five Eyes allies in discomfort. We need to continue to work with them. They expect that Canada is the type of country that takes security very seriously and, therefore, that is why we are a partner in that alliance. If we show our incompetence or our disregard for these things and we become novices in dealing with this type of information, I don't think that's going to be a good look for Canada.

Mr. Cooper, it seems, through the explanation he's given, has already concluded that this is what he's trying to find. I get it. It's like being a scientist: "This is the end result I want to get to and I want to figure out how I get to this end result." Unless you think the public safety minister was lying here at committee, the deputy was lying and also everyone that has been put in place and appointed by the Conservative government, all of them are lying... We know that our bureaucrats are independent. Our bureaucrats, many of them, have been put in place by the Conservative Party of Canada.

This is an issue that I have seen re-emerge, whether it's in debate in the House, in inferences that are made or in outright accusations that are made by members of the Conservative Party and by their leader, Mr. Pierre Poilievre, to basically come to a conclusion on their own without any evidence, without wanting to see evidence—ever. We've seen that happen. The leader has done that many times, where he's like: "I don't want a briefing. I don't want to know what's really out there when it comes to foreign interference. I don't want to know whether Canadians are being killed on Canadian soil. I don't want that briefing because I want to be able to just go out there and allege whatever I can."

I think it is so irresponsible and is childish behaviour, especially from a party that aspires to come back into government. That's not a good look on a party that aspires to come back into government, because what are you showing Canadians? That you would put Canada at risk, that you would alienate our allies? Anything to get a political point...?

That's what we're seeing in the House right now: anything to get a point. Some of it is being miscalculated because you're becoming so blinded by getting those political points that you're not seeing the damage that comes in that way, damage such as the risk to the lives of senators, the risk that can be caused to our assets, which could happen....

• (13210)

I think Mrs. Romanado made a good point. Things that rise to a level that could not be seen by the public should not be coming to this public forum in this committee. This is not the place. We have done a really good job here trying to figure out.... Yes, there are things to correct so that other members are not put in the position that Mr. Chong was put in. Mr. Chong should have been clearly notified and more should have been done to protect him. I think that's something on which we can all agree.

We're not looking to not respond back to Mr. Chong and make sure that improvements are made and that what happened doesn't happen again. We want to get to that place. That's why we want to take a look at and review the report and report back to Parliament on that. However, I'm finding that what we're doing here is just trying to score some political points.

I know Mr. Cooper feels that the whole system is lying, but I do not feel that. I trust our Canadian institutions. I trust our departments to not be lying.

An hon. member: [*Inaudible—Editor*]

Ms. Ruby Sahota: That's fine. You don't have to trust the minister.

There were many independent witnesses who came before this committee and told us how the process worked. When it comes to the CSIS note and all of that, we know, through the department, what that process looked like. It wasn't a matter of—

The Chair: Madam Larouche, you have a point of order.

[*Translation*]

Ms. Andréanne Larouche (Shefford, BQ): Madam Chair, out of respect for our interpreters, I would ask Ms. Sahota to be careful and not move papers around close to the mics.

The Chair: Thank you, Ms. Larouche.

[*English*]

Ms. Ruby Sahota: Thank you. I appreciate that, and I apologize to the interpreters. I didn't realize that had happened. Thanks for pointing that out.

I don't know the intention of the Conservative Party of Canada. Are they going to come in and just wipe out all departments and wipe out everybody else—nobody is trustworthy other than them? They can just go up to the mic and make accusations. They don't want briefings. They don't want to know what the evidence holds.

If there is something stated in a note, what we learned is that the ministers and the Prime Minister are not briefed on every single piece of intelligence that comes forward, or even exchanges of documents that happen at the departmental level. That is what we heard.

We should maybe be recommending from this committee that there are certain types of things—and we had those discussions today—that when they rise to interference and intimidation of a member of Parliament from being able to carry out their duties, it's very important that the minister is made aware of that. I think the departments have now realized that, too, after what happened and having had these conversations at this committee.

If we're looking for some honest results to come out of this, I think the rule should be that we make sure we strengthen our system so that doesn't happen, so intimidation doesn't happen by foreign actors.

Even internally, our constituents are allowed, of course, to give us their opinions on matters and inform us as to how we should vote on matters. If it were to rise to a level where we're being intimidated or threatened, or family members are being threatened if we don't take a particular action—as we saw just happen in the Senate—then that rises to a level of great concern.

Therefore, it should be taken very seriously by the public safety minister. As there is an investigation in the Senate right now about that too, I think they are now seeing how important this is. Having the study here at this committee I think has brought some light to that.

I stand with Mrs. Romanado's amendment to paragraph (B) item (iii) that the departments and agencies that are tasked with gathering these documents should apply redactions according to the access to information and privacy acts. If we're seeing any types of documents, I think that is standard. That should be done, unless we're going to get some kind of special security clearance and view everything in camera and all of that.

I don't know whether that's a process that could be undertaken; that's not written here or anything like that. I think in the absence of that, we should be applying this amendment and voting in favour of it.

Thank you, Madam Chair.

• (13215)

The Chair: Thank you, Ms. Sahota.

I have Mr. Duguid, followed by Madam Larouche.

Mr. Terry Duguid: Thank you, Madam Chair.

I want to thank my colleagues for their interventions.

I'm going to start where I began previously, which is that every time we think we're headed to the finish line with this particular study, Mr. Cooper introduces another motion. We've had 17 meetings and 34 witnesses and climbing. Many of those witnesses have appeared more than once.

I have read the report that we want to get to, because we want to get to actions, to conclusions. We want to protect parliamentarians. We want to get answers for Mr. Chong, Ms. Kwan and, frankly, all of us, because we know that foreign actors are out there. They mean our country ill will. They mean democracy ill will and that's why I'm really concerned about (e) and why I support the amendment by Mrs. Romanado.

We've heard from many senior public officials. Let me list a number of them: Tara Denham, director general, office of human rights, freedoms and inclusion, Department of Foreign Affairs, Trade and Development; Michael Duheme, commissioner, Royal Canadian Mounted Police; Mark Flynn, deputy commissioner, Royal Canadian Mounted Police; Cherie Henderson, assistant director, requirements, Canadian Security Intelligence Service; and about six or seven other senior public servants.

What do they all conclude through their public testimony? That there are flaws in our processes. There are things that need to be fixed. Therefore, we really need to get on with it. We need to get to the report.

This latest request and motion from Mr. Cooper just drags things out and, I might add, may put our security at risk. Again, I would refer to, as a number of my colleagues have, the reckless behaviour of the Leader of the Opposition the other day when he jumped to conclusions and called an accident on a bridge that joins our two countries a terrorist attack. That does not give our allies, the Five Eyes, confidence.

I'm very concerned that we are opening things up that may put our national security, our sovereignty and the privileges of members around the table and members in the House in jeopardy, and so, I fully intend to support the amendment by my colleague. I'm hoping that we can move on and get support for this around the table.

Thank you, Madam Chair.

• (13220)

The Chair: Thank you, Mr. Duguid.

I'm going to Mr. Cooper.

Mr. Michael Cooper: I'll go to the bottom of the list.

The Chair: All right.

I have Monsieur Lauzon.

[*Translation*]

Mr. Stéphane Lauzon: Madam Chair, it is Ms. Larouche's turn.

The Chair: No, Ms. Larouche changed her mind.

Mr. Stéphane Lauzon: Thank you, Madam Chair.

Obviously, I am coming back to the main motion and Ms. Romanado's amendment. I am going to start with that.

Ms. Romanado proposes that the department and agencies tasked with gathering these documents apply redactions according to the Access to Information and Privacy Act. I think we can easily accept Ms. Romanado's proposal.

We have to remember that the report contains certain documents and that certain witnesses appeared. Obviously, the report is not public and certain material may not be mentioned. Of the witnesses who appeared here, there were Mr. Chong and Mr. O'Toole, who testified about everything they knew. They sent all the information necessary for the committee's work to move forward. Other witnesses appeared, such as the senior assistant deputy minister, office of the chief information officer, Treasury Board Secretariat. Obviously, what he said in his testimony was said by several witnesses. He said that he could not disclose information that he did not know or that was at a high security level, but he stated that the agencies and departments were tasked with providing the documents that it was possible to obtain. I think that was clear from the outset.

The Conservatives did not like some of the answers, but they are the answers we got. They would like to lay blame on Minister Blair because he said several times, when he testified, that he had never had that information. It had never reached his office. I understand that the Conservatives consider that answer to be inadequate, so they are trying to get the answer by other means, which do not exist. That is what is preventing this committee from moving forward. In fact, were it not for this question, which Mr. Blair answered honestly, we would not be here today.

Let me remind you that for the study of the report, people testified to tell us about parliamentary privilege and the role of committees. They explained our role clearly. I have read, in the evidence, what Eric Janse, acting clerk of the House of Commons, said. He explained the procedure to us clearly. He explained it to all the members. He answered the Conservatives' questions about how information and documents could be sent to this committee. He stated clearly that the role of the speaker of the House is not to rule as to the facts, but to ensure that members' rights and privileges to examine documents requested by this committee are respected. He also stated that by referring this to the committee, the House had determined that this matter called for more thorough consideration.

We can therefore deduce from these explanations that the committee may make the requests that it wants, but security levels have to be respected. I understand that the Conservatives do not like getting redacted documents. Redacting is used to conceal information that is critical for national security. It is for the good of our government. Measures are proposed for combating interference, but publication of certain information, precisely, could jeopardize the security of the government in the face of foreign interference.

● (13225)

We must therefore respect both the right of committees and the government's rules for high security.

When Michel Bédard, interim law clerk and parliamentary counsel, talked to us about parliamentary privilege and the role of this committee, he told us that, in general, parliamentary privileges were rooted and recognized in the Constitution. They are rules, and they must be followed. He also explained that committees of the House have the privilege of being able to request documents, including documents dealing with national security, but may not jeopardize national security.

I understand that committees may use certain rules. We are free to ask the questions we want. I am happy to participate on the committee to move things forward. In the past, I have participated in certain studies done by the committee that moved our government forward.

Today, they are trying hard to require that documents be deposited without redaction. It makes no sense to ask that of a government. It is irresponsible on the part of parliamentarians to meet in committee to request exclusivity. Other committees have also requested documents that are sensitive in terms of national security, the security of our families. They are requesting documents with no redaction.

There is redaction because someone, somewhere, has determined that it was not wise to provide sensitive documents or words in documents that could jeopardize our national security. They involve matters as important as the one we are dealing with.

I am therefore not comfortable with the word “redaction” in the language of this motion. However, the rest of the wording and what relates to the two official languages, the office of the law clerk and parliamentary counsel is fine with me.

It would be so simple to ask that the departments and agencies tasked with gathering these documents use redaction in accordance with the law. There is no request to add redaction where it must not be used.

It is simply requested that redaction be applied according to the Access to Information Privacy Act, to protect our national security and our security as parliamentarians. This seems obvious to me; otherwise, our national security would be endangered.

I think this is one of the points in the motion that it is easiest to amend. It is consistent with everything the witnesses told us about procedures. The witnesses told us what they could tell us; some of them have sent us documents, while others are yet to be received.

I agree about working with the clerk and the analysts to ensure that our report is well documented. I am open to that. However, playing with a sensitive aspect like redaction is very dangerous.

This is why point (iii) of the motion, which reads as follows, must be removed:

(iii) these documents be deposited without redaction, in both official languages, with the Office of the Law Clerk and Parliamentary Counsel,

It must be replaced by “the departments and agencies tasked with gathering these documents apply redactions according to the Access to Information and Privacy Act.”. That would make complete sense.

● (13230)

I therefore strongly support Ms. Romanado's amendment.

By relying on other testimony, I could prove that it is dangerous to play with national security. I will argue as long as I can that the passage calling for documents to be deposited without redaction must be removed.

I will stop here, Madam Chair, but you can put my name back at the bottom of the list.

The Chair: Thank you, Mr. Lauzon.

[English]

Mr. Cooper.

Mr. Michael Cooper: I have nothing to add on this point.

The Chair: Mr. Duguid.

Mr. Terry Duguid: Madam Chair, I have certainly come to the conclusion in my short time on this committee that there's one thing the Conservative Party members are interested in, and that is partisan points: embarrassing the government. Like in question period, facts often are distorted and are massaged so that they are not facts any more. They are alternate facts, to quote someone from the Trump era.

We are obligated to protect the nation. We're obligated to protect the privileges of our members. That's what we're trying to get to with this privilege motion and study, and we're not getting there, because we're always on a sideshow that Mr. Cooper is creating by keeping on with introducing motions, extending the period through which we're not getting at the report, getting to action and getting to recommendations that will protect our members, protect democracy and protect our sovereignty.

The amendment that Mrs. Romanado has introduced is that:

the Departments and Agencies tasked with gathering these documents apply redactions according to the Access to Information and Privacy Act,

These are the laws of the land. This is legislation that we all abide by. We have no choice. It is legislation that has been passed by the House of Commons. If Mr. Cooper would like to amend or replace those pieces of legislation, they can bring forward opposition motions in the House. They can do a number of things to amend those pieces of legislation.

I did read from the record of testimony during the course of this study. Unfortunately—or maybe fortunately—I was not privy to all the witnesses, but I have read their testimony. I think I ended off with Mike MacDonald, senior assistant deputy minister, office of the chief information officer; David Morrison, deputy minister, foreign affairs, Department of Foreign Affairs, Trade and Development; Dan Stanton, former executive manager, Canadian Security Intelligence Service; Rob Stewart, deputy minister, international trade, Department of Foreign Affairs, Trade and Development; and, importantly, Jody Thomas, national security and intelligence adviser, Privy Council Office.

All of these public servants, who have served Conservative and Liberal administrations, told the truth on the stand. They are required to.

I recall reading their testimony and hearing a few of them personally, some of them who were back for the second time. They acknowledge that foreign interference is a major issue facing our country, and that is why we are having a foreign interference inquiry led by an independent judge. It will be non-partisan. It will get to the bottom of things, but we are dealing with the motion of privilege today, and I would again go back to some previous comments. I'm concerned about the privileges of all members, including Mr. Chong, including Ms. Kwan and including all of us around the table and in the House.

● (13235)

I would like to get to the report and would respectfully request that the honourable member from Alberta stop putting motions on the floor that drag this thing out so that we can get to recommendations and we can get to actions and we can deal with the issue of privilege, which is really the focus of our efforts today and over the last 17 or 18 meetings.

I am concerned with the tenor of some of Mr. Cooper's comments about national security and his lack of trust with pieces of legislation, such as the Access to Information Act and the Privacy Act.

Again, I would put to him that if he's so concerned about those pieces of legislation, which are on the books and which guide us in our actions, then he should be introducing motions in the House. His party should be introducing opposition motions that work to correct those pieces of legislation if he believes there are flaws.

Thank you, Madam Chair.

● (13240)

The Chair: Thank you.

It's Mr. Lauzon, Mr. Cooper and then Ms. Sahota.

Go ahead, Mr. Lauzon.

[*Translation*]

Mr. Stéphane Lauzon: Thank you, Madam Chair.

Thank you for your comments, Mr. Duguid.

I am going to come back to some concrete examples that show how providing certain documents may jeopardize national security.

A number of witnesses came to talk to us about that at this committee, including both former and present senior security officials.

I am going to quote Michael Duheme, the commissioner of the Royal Canadian Mounted Police, who was accompanied by Mark Flynn, then the deputy commissioner of the RCMP. He sent us some quite relevant information concerning the question we are considering today.

Mr. Duheme told us that Patrick McDonnell, sergeant-at-arms and corporate security officer for the House of Commons, had informed this committee that there were concerns associated with foreign interference involving a member of Parliament in particular, but that he was going to communicate directly with the MP or their staff instead of communicating with their office.

In the questions Mr. Blair was asked, much was said about the Five Eyes group, which obtains information from all over. Mr. Blair learned about relevant information relating to the situation when he read a newspaper article, at the same time as everyone else. He testified about this several times. Regarding foreign interference, protocols have been put in place by senior security officials, and they have been adhered to.

Some witnesses told us about the procedure they follow in their organization when they receive information. They explained clearly that information could come from all over, be it the media or a resource person, for example. They look for information on the web and by using the tools available to them to combat foreign interference. They are also supported by Global Affairs Canada. This is information that comes from all over. It may come from members of Parliament and people on the ground in other countries.

Ms. Denham said that the goal was to understand the information environment and be more familiar with the tactics used in that space. She stated that the information and disinformation campaigns carried on by foreign states were not necessarily significant enough in themselves to influence the outcome of an election.

Some witnesses also said that certain information had to be corroborated and that this committee therefore had checking to do before passing information on to anyone. The information must be not only screened, but also verified. That was clear in the testimony we received, at least from what I have read.

As well, they said that because the activities in question were not going to influence the outcome of the election, they did not pass certain information on, and what they did pass on was sent in such a way that it was not brought to the attention of Mr. Blair, the minister, before it became public. That could not be any clearer, to me.

● (13245)

So disclosure of all the documents in issue that were requested in point (iii), without redaction, could jeopardize national security.

That is why my colleague has proposed an amendment for the departments and agencies tasked with gathering all these documents to redact them according to the Access to Information and Privacy Act. There can be no exemptions.

When there was discussion of information concerning the foreign threat to democratic processes and the measures taken to neutralize it, Mr. Duheme informed the committee that the RCMP was going to investigate the allegations of intimidation against Michael Chong. That work has been done.

He added that he had not launched an investigation into the allegations of intimidation affecting Mr. O'Toole and Ms. Kwan, the member for Vancouver East. He said the RCMP had been informed of these cases through public disclosure mechanisms. That information was given. What more can we ask?

Mr. Flynn said he had signed a memorandum of agreement with the commissioner of Canada elections. The RCMP communicated with the commissioner. It offered her its assistance in connection with the investigation by her team into the allegations of intimidation against members of Parliament. Everything was done according to the rules.

Saying that the information we have today is not sufficient for writing the report and that we want more is just a way of not accepting the answer already received because it is not the one we wanted. That is how I understand it.

Asking that the departments and agencies redact all these documents according to the rules means respecting Canadian national security and the fight against election interference.

Election interference is a matter of extreme concern and extreme importance, particularly since we are getting reach for an upcoming election. We should finish what we are doing here as quickly as possible so that our recommendations can be implemented before the next election. We are asking no more than that. We have to complete this process and make good recommendations in order to achieve our objective.

Asking for documents that it is not possible to produce is irresponsible on the part of parliamentarians. You cannot ask the impossible. That is all this amendment is proposing.

In my opinion, all the measures taken to neutralize the threat of foreign interference in our democratic processes are extremely important.

I hope we can complete our work on this issue as quickly as possible, so we are able to write our report. There is still work to be done. All members of the committee know that the report will undoubtedly be read line by line, paragraph by paragraph. Information will be added while the report is being written. If a member is not happy about something, we will be able to discuss it and move the report forward. However, we have to get started as quickly as possible.

I really get the feeling that after Mr. Cooper's main motion, the Conservatives are going to propose more. I really get the feeling that this is not over yet. I really get the feeling that they are going to move amendments that will delay us once again.

● (13250)

What is important to understand from my message is that if we apply texts according to the rules of a committee and the rules of national security, the committee will be able to achieve a good re-

sult. For that, everyone has to agree to remove the parts where it asks for documents to be provided without redaction. At this stage, it makes no sense for parliamentarians to agree to language like that. If we want to be responsible members of Parliament, we cannot accept it.

Madam Chair, I strongly support my colleague's amendment proposing amendments to point (iii) of Mr. Cooper's motion.

You can put my name back on the list of speakers.

Thank you.

[English]

The Chair: Thank you.

Mr. Cooper.

Mr. Michael Cooper: I'll be very brief, Madam Chair.

What we're witnessing is a pathetic spectacle by the Liberals. They say they want to get to the bottom of the issue relating to the question of privilege, yet they are filibustering a motion that would empower this committee to do that by receiving all relevant documents and communications among the relevant departments and officials, including the Prime Minister's Office and the PCO.

There's a very good reason for that. It is very apparent that the Prime Minister's Office and ministers in this government, including Minister Blair, were briefed or should have known that Michael Chong was being targeted by Beijing, and kept him in the dark for two years. That is what is happening here. They are embarrassed about that failure. As a result, they are going to all lengths possible to gut my motion. By the way, they're filibustering an amendment put forward by a Liberal member. They want to move ahead with this, but they're filibustering their own amendment.

I reiterate that the notion that national security is somehow being imperiled as a result of this motion is absurd. Mr. Duguid said the Access to Information Act and Privacy Act are about the law of the land when it comes to the production of documents. What on earth is he talking about? He should get his facts straight. We have a motion before us. It's very straightforward. It was crafted in consultation with the law clerk, who I think knows a little more than Mr. Lauzon or Mr. Duguid do about national security, seeing as he has full national security clearance.

It would simply provide that, instead of the Prime Minister's Office deciding what is produced and what isn't, it send its redactions to the law clerk, and sends an unredacted version of the relevant communications. The law clerk makes a final determination as to what is redacted and what isn't. There's nothing more and nothing less to the motion.

If the Liberals truly want to get on with this, they should stop filibustering and let's get to a vote.

The Chair: Thank you, Mr. Cooper.

Ms. Sahota.

Ms. Ruby Sahota: Thank you, Madam Chair.

I would argue that what's pathetic is the Conservatives' fishing expedition, which has been going on since we started this study and, I would say, even going back to the beginning of the foreign interference....

We have a report before us right now, and this report is about a serious issue concerning a Conservative colleague, and the Conservatives don't want to get to it. They don't want to report back to the House. All they want to do is play games.

They are only following the leadership of their supreme leader, who constantly doesn't want to see the facts, doesn't want to be briefed on anything, and doesn't want to know the truth so that he cannot be blamed afterwards for fudging the truth, and for, obviously, being extremely dangerously irresponsible in almost every intervention I've seen that concerns public safety and that concerns the security of Canada. Canadians should know how dangerous the leader of the Conservative Party is and how all the Conservative members are just following in a lineup, taking his lead and ready to create fear amongst Canadians.

We have a Privacy Act. Those redactions are not just made willy-nilly without any serious thought behind them. The Prime Minister himself does not sit there and redact all those documents. The Prime Minister does not have time for that, and neither does the PMO. The departments and agencies those documents come from, just like when anybody makes an access to information request, have a role to play to make sure that information is protected. That has been happening since, I think, this act went into place in 1983. This is nothing new. It shouldn't be shocking.

The Conservatives complied with this all the time. It's just that with what's happening now, it doesn't matter who it hurts or how dangerous it is, they cannot get enough of making accusations and coming to conclusions before having any evidence before them.

Everything we have heard at this committee, so far, has led us to the fact that, yes, a serious incident did happen. I do not disagree with Mr. Cooper when he says that a member of his party should be concerned as to why he was not informed when he should have been informed about what was happening. We know that to be true.

How do we correct that? That is this committee's role. Why did that information not get to Mr. Chong? Why did that information not get to the then public safety minister? The public safety minister should have had that information. There is an issue with that information getting there, and we should be recommending how we can resolve that issue, but Mr. Cooper's not interested.

Mr. Cooper does not want to resolve any issues because he is following his leader's direction, which is to just make any kinds of statements. They make the statements and figure out the facts later. They try to fill in the dots and go on fishing expeditions to destroy people's credibility and careers.

It doesn't matter who gets in their way because they're power hungry. They're so power hungry that they cannot see the damage they're creating along that path. I warn them that this is a really dangerous path we're headed down. We've seen it play out over the last month in the House because they've taken—I would say this is what I'm seeing—the position that they are just going to steamroll ahead.

Again, I have to emphasize, and Canadians need to know, that there have been many occurrences, even at this committee, where we've said, "Let's send this to NSICOP. Let's get this studied properly. Let's have a national inquiry." The government has worked with the NDP, without too much help from the Conservatives, on coming up with a plan to have a full national inquiry on this issue. I think that's a responsible way to deal with this and to also deal with the expanded types of threats Canada is facing right now, but the Conservatives weren't interested in that either.

● (13255)

When we were having the study on foreign interference, and time and time again, we wanted to also include other issues, they said, "No, we just want to talk about our ridings that may have been affected and only those. We don't want to talk about anything else," because their interest is only about gaining power.

That is the only thing. It's not about the good of Canada, what's good for Canadians, what's good for government or what's good for Parliament. It's all about power, and that's what we're seeing play out here again. It's, "Let's not report back to the House. Let's not try to fix the system. Let's try to blow it all up. Let's see how we can do more damage."

We did get the facts here at committee. Let's get the facts. The facts are that there is a broken process, and we need to fix that process, but instead of fixing it, what I'm seeing is a two-year-long study. It's absolutely ridiculous. That's one way to never get anything done at this committee. At least let's report back.

I would like to submit a report and show that all the work we have done has amounted to something, rather than taking another year to do this privilege motion. It's absolutely ridiculous.

When the House referred this motion to us, I don't think the House or even your colleague expected to have this privilege motion go on and on. Even when we had your member here as a witness, nobody cared to ask him any questions.

Mr. O'Toole came. He also has experienced issues in this area. Everyone wanted him to be here. We debated a motion to try to get all these other witnesses to committee. Those witnesses came, and Conservatives were not interested at all in hearing from those witnesses, so I think I will call for a suspension of today's meeting, please, Madam Chair.

● (13300)

The Chair: Are you moving to suspend?

Ms. Ruby Sahota: I'm moving to suspend.

The Chair: Excellent.

The meeting is suspended. I'll see you on Thursday.

[*The meeting was suspended at 1:02 p.m., Tuesday, November 28*]

[*The meeting resumed at 11:30 a.m., Thursday, November 30*]

• (17930)

The Chair: Good morning, everyone. I call the meeting to order.

Welcome back to meeting 96 of the Standing Committee on Procedure and House Affairs.

The committee is resuming consideration of the motion proposed by Mr. Cooper with regard to the question of privilege related to the member for Wellington—Halton Hills and other members. The committee will now resume consideration of the amendment proposed by Mrs. Romanado.

On my speaking list I have Mr. Lauzon, Mrs. Romanado and Mr. Calkins.

We'll resume with Mr. Lauzon.

Mr. Stéphane Lauzon: I would like to put my name at the end of the list, please.

The Chair: Mrs. Romanado.

Mrs. Sherry Romanado: Madam Chair, I'd like to put myself on the bottom of the list, too.

The Chair: Mr. Calkins.

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Thank you, Chair.

It's good to be back at procedure and House affairs.

I wasn't here last week, so for clarification, on the amendments that have already been made to the motion that was originally tabled by my colleague Mr. Cooper, it has been agreed to strike out paragraphs (a) and (b). Then the wording is, "That, in relation to its order of reference of Wednesday, May 10" up until it says "Members, and in relation to its study on foreign election interference, the Committee", and then it proceeds directly to paragraph (c).

Is that correct?

The Chair: Yes.

Mr. Blaine Calkins: Well, I haven't had an opportunity, because I've been away—

The Chair: I'm sorry to interrupt, but we are currently at (B)(iii) and the amendment that has been proposed by Mrs. Romanado. That is what we are debating at this time.

Mr. Blaine Calkins: All of (b) has not been stricken?

The Chair: It's (c), (d), (e), under (e) is a (B), and then it says "provided that" (iii).

Mr. Blaine Calkins: We're discussing a subamendment.

The Chair: We're discussing an amendment by Mrs. Romanado.

Mr. Blaine Calkins: Okay. Thank you, Madam Chair.

This is what has been playing out for quite some time at this committee. Members seem reluctant, for reasons I don't comprehend, to exercise not only our obligation but also our capability to request documents.

I'll remind anybody who might be listening why we're here. It is to deal with an issue regarding one of our colleagues, Mr. Chong of Wellington—Halton Hills, and a number of other colleagues from other political parties whose privileges have been put to question.

It's an order from the House of Commons. We have heard from witnesses. The only remaining thing to decide is regarding information relating to documents that could and should potentially be included in the report. Hence, there is a motion by my colleague Mr. Cooper.

The playbook we have seen throughout this is that parliamentarians, according to some at this table, ought not to have any more access to documents than anybody else making an access to information request. That's clearly not the case.

In rulings that have happened in the past.... What's at question here is, of course, whether or not we want a redacted copy and an unredacted copy of these documents put before the law clerk of the House of Commons—the law clerk who works in the interest of Parliament and the House of Commons—and have him examine both the unredacted and redacted documents to make a further determination as to whether or not the rights and privileges of members of Parliament have been upheld in the procurement of these documents, so parliamentarians can have all the information they are entitled to have to make a determination and use that information in a report.

I will remind my colleagues here that the interim Law Clerk and Parliamentary Counsel for the House of Commons, Mr. Michel Bédard, was here at this committee. I will remind colleagues of the comments he made in response to questions from our then colleague Mr. Nater and others regarding parliamentarians' right to access documents, and what we could or ought to have available to us.

I will quote Mr. Bédard in answering one of those questions. He said, "Documents that could be sought and obtained by committee include solicitor-client privilege [and] documents dealing with national security". These aren't my words. This is not my interpretation. This is the interpretation of the actual law clerk, the interim law clerk, who works on our behalf.

It's clear that the issue at hand, dealing with the privileges of our colleague Mr. Chong and others—Mr. O'Toole and Ms. Kwan—falls under the rubric, because virtually every witness we've heard from has either been a representative of our national security agencies or has public oversight of those agencies. This is a national security issue regarding our ability to hold free and fair elections without foreign interference, and to ensure parliamentarians are not subjected to any undue influence in their roles or capacities as members of Parliament. It is a national security issue.

It has been clear that we should have access to those documents. It has been clear from Mr. Bédard, the interim Law Clerk and Parliamentary Counsel. This is why it's only reasonable that we as members of this committee should be able to have the unredacted and redacted documents sent to the one and same person, the law clerk of the House of Commons, to make a determination as to whether or not it meets the threshold or test of what members of Parliament could or should see.

● (17935)

Mr. Bédard also said, “The committee could decide to put measures in place to protect the confidentiality of the documents...”. We have done that in the context of this motion from Mr. Cooper.

We are not suggesting in any way, shape or form that we simply demand unredacted documents directly to this committee. That is why we want to put it in front of the lens of the law clerk, who has already suggested in his comments that Parliament has the right to request those documents. He said, “Ultimately, it’s for the committee to decide.”

We are the committee, so we can make that decision and that determination. Whether something has been done before or not, it’s certainly, according to the law clerk for the House of Commons, within the realm for us to make that determination for ourselves and to request those documents.

In a question from my colleague Mr. Nater about how to deal with the production of documents, what can or could be made public, he asked about making these provisions. Following up on these provisions and how we would go about doing that, Mr. Bédard said, “the committee may put measures in place to address concerns that were raised respecting the protection of the confidentiality attached to the documents.”

We have that ability, and those provisions are certainly incorporated into the motion by my colleague, Mr. Cooper, insofar as ensuring confidentiality so that we’re not giving away anything that would potentially be a state secret. We have the ability to discuss these things when discussing the draft report. However, if we don’t have the right information or the fulsome information in our report or in our draft consideration, we would be doing a disservice not only to Mr. Chong and the numerous other colleagues who have also been implicated in this sordid affair, but we would be doing a disservice to the House of Commons and to the electors and the voters of this country if we don’t get to the bottom of this.

Further, Mr. Bédard made it very clear, to assure the government caucus members at this committee, when he said, “the right of this committee and the House of Commons to obtain documents is not subject to any specific clearance from the government. [The] committee has the right to obtain the documents.”

He also went on to say that there are “two counsels in [his] office, including [himself], who have top security clearance.” That debunks an argument that has been unsuccessfully made by some at this committee that the law clerk doesn’t have the capacity, capability or authority, or ought not to have the authority, to look at these classified documents and top security clearance documents.

It’s very clear that the law clerk and one other in the law clerk’s office have that top security clearance. There is nothing for us, as members of this committee, to fear from having the law clerk, and the others who are designated in the law clerk’s office who have top security clearance, see the unredacted versions of the documents and making a comparison with the redacted ones, to ensure that this committee is getting access to all of the information it should in order to include that information, or to at least include the context of that information, into our draft report for consideration.

Mr. Bédard went on to say, in further questioning and in cross-examination at this committee, “With a document containing proposed redactions and one without, we’re able to compare and analyze them much more easily.”

Isn’t that exactly what this motion seeks to do? This motion basically says that the law clerk’s office ought to receive the unredacted and redacted versions. The law clerk himself has testified that having both the unredacted and redacted versions would make their job a lot easier.

● (17940)

He went on to say:

Indeed, some information could reveal intelligence sources without us being aware of it, because we lack context. That’s why we asked for proposed redactions and a line of communication with the entity or department that generated the document; to get more context if needed.

This is an astute observation by the law clerk so that they don’t fumble or make a mistake that others at this table are using as a crutch to deny this committee getting access to security-cleared information from the documents that have been vetted, not only by the departments and agencies themselves but by our law clerk.

These arguments and answers to the questions by the law clerk himself ought to put to rest any of the concerns that members at this committee have with the motion at hand.

Mr. Bédard went on to say that if there is “any mandate to our office to redact national security information or top secret information, that would be provided with proposed redactions so that we could assess and have context and, I trust, a line of communication with the department...”

It’s so important that they have the redacted and non-redacted documents so that they can make that examination, understand why the redactions were made, and have communication with the various departments if necessary to make sure a national security mistake is not made.

He reassured the committee, “In some cases if there is a tough call, I will err on the side of caution and inform the committee accordingly...”

To me, that is the precautionary principle—erring on the side of national security. I believe that’s what he said, and that’s how I received that information. That, my colleagues, should assuage any concerns that any of us might have about having access to these documents after they have been vetted by the law clerk’s office.

Again, if the words of the law clerk himself aren’t enough to comfort and to reassure members of this committee, then I don’t know what other expert information we could possibly bring. I would then be left with the conclusion that this is politically motivated and a cover-up of information about something the that government has done or failed to do in keeping our institutions free from interference and also what the government has done or failed to do in protecting the privileges of members of Parliament, withholding information and so on.

Either way, I would simply ask colleagues to imagine it was you instead of Mr. Chong, Mr. O'Toole, Ms. Kwan or the others who might be affected. How would you feel if you were in their shoes? Would you not want this committee to have all the information possible in this particularly disturbing affair and be able to make very clear and definitive recommendations to the government on how we can ensure that something like this doesn't come to pass again, that our electoral process actually is as free as possible from outside or foreign interference and that members of Parliament, once they are elected, don't have to suffer intimidation from a foreign entity, as we have so freely seen? It was publicly admitted by a representative of the Beijing administration that they took credit for changing the outcomes of at least two seats in the lower mainland in British Columbia.

If that isn't enough to send shivers up and down the spines of members of this committee—

● (17945)

The Chair: Mr. Calkins, I apologize for having to interrupt you as you were articulating—

Mr. Blaine Calkins: I'm sure you're doing this because you have to, Madam Chair.

The Chair: I would only do it because I have to.

The bells are ringing. We do have 30-minute bells happening in the House. We could work throughout bells for about 20 minutes and then go vote in the House. I see some agreement to want to do that.

Mr. Blaine Calkins: If we have to go vote, we have to go vote.

The Chair: The Conservatives do not want to work through the bells. That's okay.

We will suspend our meeting. We'll see you after bells.

The meeting is suspended.

[*The meeting was suspended at 12:38 p.m., Thursday, November 30*]

[*The meeting resumed at 11:03 a.m., Tuesday, December 5*]

● (29900)

The Chair: Good morning, everyone. I call the meeting back to order.

Welcome back to meeting number 96 of the Standing Committee on Procedure and House Affairs.

We are resuming the motion that is being debated, and we are currently on an amendment.

When we suspended last time, Mr. Calkins had the floor, so I will return the floor to Mr. Calkins.

Mr. Blaine Calkins: Thank you, Madam Chair.

It's a pleasure to resume the meeting. I trust that this meeting won't be interrupted with several votes, like the last meeting was.

I'm happy to resume. Just quickly, I don't want to belabour any more than I already have the points I made in the last meeting. I want to reiterate that as members of this committee, we have, I be-

lieve, a duty. It's very unprecedented to be dealing with something as significant as the intimidation of or threats to a member of Parliament. Whatever we decide here as a committee will be used as a precedent should this unfortunate set of circumstances ever happen again.

I read some comments into the record last meeting regarding our parliamentary law clerk and the testimony the law clerk had put before us indicating that if the law clerk had a set of both redacted and unredacted documents, that would give the law clerk's office the context they need to make a determination as to what they need to keep redacted for the purpose of national security; to also be able to determine whether parliamentary privileges would apply and if there were certain things that members of this committee and members of the House of Commons ought to see in regard to this rather upsetting and sordid affair regarding not only Mr. Chong but other members of Parliament, both past and present; and to make recommendations that would be to the net benefit of restoring our democracy, restoring trust in our institutions and ensuring members of Parliament are free to exercise their responsibilities.

To that end, I also have, Madam Chair, a letter in my hand that's addressed to you. We've all, I believe, been given copies of this. I would like to read it into the record so that we can reiterate the point of what we're—

● (29905)

The Chair: I will be interrupting you for a second, because I do think that accuracy in information is pertinent. It has just been received by the clerk, literally at eleven o'clock, so it has not been circulated. For the purpose of the record and for members wondering why some people refer to something that they've not received, we've just received a letter.

As much as the Internet and things are fast, we are human beings that forward it to members. The clerk will have it circulated, but that does not preclude you from being able to refer to it.

Mr. Blaine Calkins: Thank you, Madam Chair.

I will be curious to see what my colleagues think of this letter. I appreciate your intervention and your making sure that everybody has a copy. I don't believe that would prevent me from referring to the letter right now.

It's dated December 4, so it's very current. This is on letterhead for the Honourable Michael Chong, our colleague for whom the question is before this committee.

The Honourable Bardish Chagger

House of Commons

Ottawa, ON

K1A 0A6

Dear Chair Chagger,

I understand a motion was introduced at the Standing Committee on Procedure and House Affairs which, if adopted, would order the production of documents relating to the question of privilege on the intimidation campaign against me orchestrated by a People's Republic of China consular official in Toronto, Mr. Wei Zhao.

It has come to my attention that the Committee is debating an amendment to paragraph e) of the motion that, if adopted, would have the effect of limiting the information in the documents the committee would order.

It is imperative the Committee obtain all the information related to the intimidation campaign against me in order to fully understand what transpired within the Government of Canada that allowed this campaign to go on for two years without the Government informing me. Without such information, the Committee will not be able to fully understand what took place and will not be able to make recommendations to the House to prevent future occurrences to me or other members. The privileges, immunities, and powers of the House of Commons and its members would be weakened as a result.

Section 18 of the Constitution Act, 1867 establishes the privileges, immunities, and powers of the House of Commons and its members, which have endured for more than one hundred and fifty years since Confederation. They have endured because successive generations of parliamentarians have jealously guarded any diminishment of these privileges, immunities, and powers, which are essential to members in their discharge of their duty to represent their constituents.

Therefore, I believe the amendment should be rejected and the main motion adopted in order to obtain the information needed for the Committee to come to conclusions and make recommendations.

It would be greatly appreciated if you would convey my views on this question of privilege to members of the Committee by way of this letter.

Sincerely,

Michael Chong

That is with his signature, and it's been copied to the vice-chairs of this committee.

Madam Chair, the subject of the study and investigation himself, one of our colleagues and a member, has eloquently and articulately made the same points that Conservative members at least, as well as others at this table, have made, that we do have a duty and responsibility and the authority to request the production of these documents, and that power is granted to us through the Constitution. The parliamentary law clerk has said that it would not be a problem for their office to deal with both redacted and unredacted documents so that we could have the fulsome information we need in order to report proper findings as a result of this investigation that we've all put so much time and effort into. It would be a shame now to say after all of that work and all of that effort that's been done that we're going to leave some stones unturned and some business unfinished just for a matter of political expediency.

With that, Madam Chair, I would urge my colleagues to vote against the amendment and to restore the integrity of the original motion calling for the law clerk to see unredacted and redacted documents and to then provide this committee with the information it should have.

Thank you.

● (29910)

The Chair: Thank you, Mr. Calkins.

Mr. Cooper.

Mr. Michael Cooper: I'll put my name at the bottom of the list.

The Chair: Mr. Lauzon.

[*Translation*]

Mr. Stéphane Lauzon: Thank you, Madam Chair.

Obviously, we are talking about the amendment moved by Ms. Romanado to Mr. Cooper's motion, and our colleague Mr. Calkins has clearly shown that once again, the Conservatives want to prolong our work in the course of performing our functions on the Standing Committee on Procedure and House Affairs.

Since I arrived here, I have observed that every time we are about to make a decision, there are objections. We are always ready to vote, but the Conservatives always move an amendment or sub-amendment.

Yesterday, again, I observed that the Conservatives had submitted three more questions of privilege. We will never get our work on these matters at this committee finished. It seems that our job is to answer all these questions.

It is easy to see how all the efforts we make to reach decisions amount to nothing.

For that reason, Madam Chair, I propose that debate on this motion be adjourned.

[*English*]

The Chair: I'll call the question.

Mr. Blaine Calkins: I'm sorry, Madam Chair, but just so I'm clear, is Mr. Lauzon moving to adjourn the debate on the amendment or on the motion?

A voice: It would have the same effect.

Mr. Stéphane Lauzon: It's on the motion.

The Chair: I'm sorry, but I'm just going to confirm. He is moving to adjourn debate on this matter, so whether it's the amendment or the main motion, it doesn't matter.

Mr. Stéphane Lauzon: It doesn't matter.

The Chair: I'll call the question.

(Motion agreed to: yeas 6; nays 5)

The Chair: It carries.

The meeting is suspended and we'll come back in camera.

[*Proceedings continue in camera*]

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