



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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VOLUME 148 • NUMBER 082 • 1st SESSION • 42nd PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, September 27, 2016**

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**Speaker: The Honourable Geoff Regan**

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# HOUSE OF COMMONS

Tuesday, September 27, 2016

The House met at 10 a.m.

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*Prayer*

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## ROUTINE PROCEEDINGS

•(1005)

[*Translation*]

### CHIEF ELECTORAL OFFICER OF CANADA

**The Speaker:** I have the honour to lay upon the table a report of the Chief Electoral Officer entitled “An Electoral Framework for the 21st Century: Recommendations from the Chief Electoral Officer of Canada Following the 42nd General Election”.

\* \* \*

[*English*]

### PRIVACY COMMISSIONER

**The Speaker:** I have the honour to lay upon the table the report of the Privacy Commissioner on the application of the Personal Information Protection and Electronic Documents Act and the Privacy Act. Pursuant to Standing Order 108(3)(h) this document is deemed to have been permanently referred to the Standing Committee on Access to Information, Privacy and Ethics.

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### SALARIES ACT

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.)** moved for leave to introduce Bill C-24, An Act to amend the Salaries Act and to make a consequential amendment to the Financial Administration Act.

(Motions deemed adopted, bill read the first time and printed)

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### RAILWAY SAFETY ACT

**Ms. Linda Duncan (Edmonton Strathcona, NDP)** moved for leave to introduce Bill C-304, An Act to amend the Railway Safety Act and the Canadian Environmental Assessment Act, 2012 (transport of dangerous goods by rail).

She said: Mr. Speaker, in 2005, my community of Wabamun Lake suffered the devastating impacts of a train derailment and spill of

700,000 litres of bunker C fuel and pole oil into our lake, with a sizeable amount still remaining.

That same summer, a train derailed spilling sodium hydroxide into the Cheakamus River in British Columbia, killing more than 500,000 fish.

In 2013, a runaway train carrying crude oil derailed in the town of Lac-Mégantic, killing more than 40 people and leaving the community traumatized to this day.

I arrived in this place determined to seek action on rail safety. Today, I am tabling a bill to strengthen measures to assess and regulate rail shipping of dangerous cargo.

My bill would make two significant changes to federal laws on rail safety and environmental assessment.

First, it would impose a mandatory duty to undertake a federal environmental assessment of any activity potentially dangerous to health and the environment, and it would extend the right to concerned communities to request such a review, including concerns about rail.

Second, my bill would amend the Railway Safety Act to require additional approval for specified volumes of dangerous cargo. This is critical, as dangerous rail traffic is reported to have increased a thousandfold over recent years, and the National Energy Board is forecasting an additional tenfold increase over the next 25 years. It is time for preventive action.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

### CRIMINAL CODE

**Mr. Chandra Arya (Nepean, Lib.)** moved for leave to introduce Bill C-305, An Act to amend the Criminal Code (mischief).

He said: Mr. Speaker, I rise today to introduce my private member's bill, which seeks to amend subsection 430(4.1) of the Criminal Code of Canada.

*Routine Proceedings*

Hatred based on race, colour, religion, ethnic origin, gender identity, and sexual orientation are some of the worse things in our democratic society. As it stands, this subsection, which deals with mischief motivated by hate, is currently limited to race, colour, religion, and ethnic origin. I would expand this to include gender identity and sexual orientation.

Also, currently this subsection limits properties to places of worship, such as churches, synagogues, mosques, and temples. I would expand this to include schools, daycare centres, sports arenas, seniors residences, colleges, universities, and community centres.

(Motions deemed adopted, bill read the first time and printed)

**Mr. Nathaniel Erskine-Smith:** Mr. Speaker, I would like to seek unanimous consent of the House for the following motion to address agricultural concerns. That, notwithstanding any Standing Order or usual practice of the House, Bill C-246, an act to amend the Criminal Code, the Fisheries Act, the Textile Labelling Act, the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act and the Canada Consumer Product Safety Act (animal protection), be amended as follows: (a) that clauses 3, 4, 5, 6 and 8 be deleted; (b) that clause 7 be amended by replacing lines 33 and 34 on page 5 with the following: 7 paragraph 445.1.91(b) of the act is replaced by following: (b) in any manner encourages, promotes, aids, or assists at or receives money for the fighting or baiting of animals or birds, including breeding, training, or transporting an animal or bird to fight another animal or bird; 7.1 the act is amended by adding the following after section 445.1, 445.2 (1) everyone commits an offence who (a) negligently causes unnecessary pain, suffering, or injury to an animal or a bird; (b) being the owner or the person having the custody or control of an animal or a bird wilfully or recklessly abandons it or negligently fails to provide suitable and adequate food, water, air, shelter, and care for it; or (c) negligently injures an animal or bird while it is being conveyed (2) for the purposes of subsection (1) negligently means departing markedly from the standard of care that a reasonable person would use; (3) everyone who commits an offence under subsection (1) is guilty of (a) an indictable offence and liable to imprisonment for a term of not more than two years, or (b) an offence punishable on summary conviction and liable to a fine not exceeding \$5,000 or to imprisonment for a term of not more than six months or to both; (7.2) the portion of subsection 447.1(1) of the act before paragraph sub (a) is replaced by the following: 447.1(1) the court may in addition to any other sentence that it may impose under subsection 444(2), 445(2), 445.1(2), 445.2(3), 446(2), or 447(2) and that the bill be reprinted as amended.

• (1010)

**The Speaker:** Does the hon. member have the unanimous consent of the House to move the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

[*Translation*]

## PETITIONS

### IMPAIRED DRIVING

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):** Mr. Speaker, I have a lot of respect for my friend and colleague from British Columbia, the member for Langley—Aldergrove.

[*English*]

The member for beautiful Langley, as he likes to call it, has made me discover Families for Justice, a group of Canadians who have had a loved one killed by an impaired driver. They believe that Canada's impaired driving laws are much too lenient. They want the crime to be called what it is, vehicular homicide. It is the number one cause of criminal death in Canada. More than 1,200 Canadians are killed every year by a drunk driver.

Canadians are calling for mandatory sentencing for vehicular homicide and for this Parliament to support Bill C-226, the impaired driving act, which is now in committee.

### JUSTICE

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Mr. Speaker, I am presenting 10 petitions this morning, which include signatures from constituents in the ridings of MPs for Essex, Niagara West, and Windsor West, all in support of Cassie and Molly's law.

A Statistics Canada study shows that more than 60,000 Canadian women were victimized by domestic violence while pregnant between 2004 and 2009.

The Native Women's Association of Canada fully endorses Bill C-225, protecting pregnant women and their preborn children, indicating that at least 18 of the missing and murdered aboriginal women and girls were pregnant.

Canadians know this law is needed in a national strategy against violence against women.

[*Translation*]

### IRAN

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, I am presenting a petition that calls on the Government of Canada to maintain the listing of the Islamic Republic of Iran as a state supporter of terrorism, pursuant to section 6.1 of the State Immunity Act, for as long as the Iranian regime continues to support terrorism.

### INTERNET ACCESS

**Mr. Rémi Massé (Avignon—La Mitis—Matane—Matapédia, Lib.):** Mr. Speaker, I am pleased to rise today on behalf of over 4,000 of my constituents to present a petition calling for better access to Internet and cell phone services.

*Government Orders***GOVERNMENT ORDERS**

I wish I could have submitted this document electronically, but our limited ability to access the Internet made that difficult or even impossible. In many parts of my riding, such as the regional county municipalities of Avignon, La Mitis, Matane, and Matapédia, access to these services is inadequate and, in some cases, non-existent. Many communities lack the tools they need to ensure their economic and social development, not to mention their safety.

Everyone knows that, these days, access to Internet and cell phone services is essential to the growth, development and prosperity of our businesses. The people in our cities and towns need this infrastructure. That is why the petitioners have turned to our government.

I will continue to support our fellow citizens' efforts to resolve the access issue.

[*English*]

## JUSTICE

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, I have two petitions I would like to table today. The first is with respect to Cassie and Molly's law. The petitioners call on the House of Commons to pass legislation that would recognize preborn children as separate victims when they are killed or injured during the commission of an offence against the mother.

• (1015)

## IRAN

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, the second petition calls on the House to maintain the listing of Iran as a state sponsor of terror. The petitioners recognize grievous abuses of human rights by the Iranian state as well as the threat that the state poses to international peace and security.

## FALUN GONG

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I have a petition regarding Falun Gong, which is a traditional Chinese spiritual discipline that consists of meditation, exercises, and moral teachings based on the principles of truthfulness, compassion, and tolerance.

In 1999, the Chinese Communist Party launched a nationwide persecution campaign to eradicate Falun Gong. Millions of Falun Gong practitioners have been arrested, put in custody, and many sentenced to long prison terms of up to 20 years, where torture and abuse are routine, and tens of thousands are feared dead as a result.

Petitioners are calling on us, in a public way, to call for an end to the persecution of Falun Gong in China.

\* \* \*

**QUESTIONS ON THE ORDER PAPER**

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

[*English*]

**NATIONAL SECURITY AND INTELLIGENCE COMMITTEE OF PARLIAMENTARIANS ACT**

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.)** moved that Bill C-22, An Act to establish the National Security and Intelligence Committee of Parliamentarians and to make consequential amendments to certain Acts, be read the second time and referred to the Standing Committee on Public Safety and National Security.

She said: Mr. Speaker, I rise to begin second reading of Bill C-22, which would establish the national security and intelligence committee of parliamentarians.

[*Translation*]

This bill is a tangible expression of our commitment towards meaningful engagement with parliamentarians and for enhanced accountability.

[*English*]

It would provide for a structured and responsible framework to share highly classified information with parliamentarians so that they can scrutinize national security activities, hold the government to account, and ensure that our national security agencies consistently act responsibly.

Canada is a free and just society. It is a beacon in the world when it comes to democratic principles. When this government took office, we made a strong commitment to uphold and advance these principles and to enhance our democratic institutions.

National security is one of the most important responsibilities of any government. Canadians expect their government to keep them safe. At the same time, Canadians also expect their government to pursue this objective in a way that respects our fundamental rights and freedoms. This government has always advocated that any renewed powers to government agencies to combat threats to the security of Canada, must be accompanied by strengthened accountability. The protection of both security and our rights and freedoms must be maintained or neither can truly be achieved. In fact, this became a central plank in the platform we set out for the people of Canada in the election held last October.

*Government Orders*

Within Canada's Westminster system, Parliament is where the opposition fulfills its obligation to hold the government to account. However, the open forum of the House of Commons and its standing committees present a challenge with respect to the review of national security activities. To be effective, such reviews require knowledge and understanding of classified information that, if publicly released, could harm the national interest. Our government found it unacceptable that among the Five Eyes allies, Canada is the only nation whose elected officials do not have a forum to review and examine the classified activities of our national security agencies.

We know the previous government was opposed to giving parliamentarians a role in overseeing the actions and conduct of our national security agencies. However, we believe otherwise. Our Prime Minister long ago recognized the need for increased scrutiny. It was a commitment he made during the last Parliament. It was a commitment he made during the election campaign. It was a commitment for which he asked the Minister of Public Safety and me to work together so that Canadians could see real results. It is a promise made, a promise kept.

I also want to take this opportunity to thank the current Parliamentary Secretary to the President of the Treasury Board for the hard work she did on this file in her previous role as the Liberal critic on national defence.

I also want to highlight the fact that my colleague, the hon. member for Malpeque, introduced a private member's bill to create a committee of parliamentarians in 2013. This goes to show our long-standing commitment to protect both public safety and the rights of Canadians to privacy. The bill aims to establish an effective forum wherein parliamentarians can access classified information in a secure and responsible manner. Better information will lead to more informed parliamentary debate about national security activities and enhance accountability.

• (1020)

[*Translation*]

We have studied the national security parliamentary committee models of our Westminster allies, namely Australia, New Zealand, and the United Kingdom.

In fact, earlier this year, my colleague, the Minister of Public Safety and Emergency Preparedness, travelled to the U.K. to see first-hand how their committee, the Intelligence and Security Committee of Parliament, is established.

While the models used by our allies were informative, ultimately, this is a made-in-Canada approach.

[*English*]

The bill would create a committee of parliamentarians comprising members from the House and the other place with a mandate to scrutinize our national security and intelligence activities in any department and agency, including ongoing operations, unless the responsible minister determines that the review would be injurious to national security. It would also be able to conduct strategic and systematic reviews of the framework that supports national security and intelligence activities, including legislation, regulatory policies, expenditures, and administrative procedures.

I would like to take a moment to discuss this broad mandate. Canada currently has a number of review bodies that examine the activities of specific government organizations engaged in national security operations and report to Parliament, such as the Security and Intelligence Review Committee, the commissioner of the Communications Security Establishment, and the RCMP's Civilian Review and Complaints Commission. These bodies play an important role in the accountability framework of our three main national security agencies: CSIS, CSE and the RCMP. I would be remiss not to highlight the particularly good work they do in investigating public complaints and ensuring that these agencies operate lawfully.

However, we recognize that something more is needed. That is why, unlike these review bodies, the mandate of the committee would not be limited to reviewing specific organizations but would instead encompass all national security activities conducted within the Government of Canada.

I would note that this government-wide mandate is unique to Canada, and no other international model we examined provides for such a broad scope. This government-wide perspective will enable the committee to perform strategic and systemic reviews of our national security apparatus and examine the legal, regulatory, policy, and expenditure framework under which it operates. This will help ensure that our national security system as a whole is functioning effectively and efficiently, all the while respecting Canadians' rights and freedoms.

Another key element of our made-in-Canada approach is the ability of the committee to initiate reviews of any national security operations, including ongoing operations. No other Westminster jurisdiction we examined provides this much scope for examination. This exceptional power requires a safeguard to ensure the committee's operational reviews would not disrupt or harm any active operation. The legislation would allow the responsible minister to stop a review if it would be injurious to national security.

[*Translation*]

To provide a secure venue for the consideration of proposed draft legislation, policy initiatives, or issues of high public interest that require the examination of classified information, the legislation would further allow the government to refer specific matters to the NSICOP for study.

[*English*]

The committee would have the legal right to access all government information it needs to conduct its reviews, including information subject to solicitor-client privilege, to ensure that it can effectively carry out this broad review mandate.

We have limited the exceptions to information access only to areas of absolute need, such as cabinet confidences, identities of informants, sources and persons protected under the witness protection program, and personal and commercially sensitive information relating to personal banking transactions and foreign investments. We also take seriously the need to guarantee the independence of police investigations and avoid harm to military operations.

*Government Orders*

Though the bill would provide an authority for ministers to withhold special operational information, I want to be clear. Ministers cannot withhold any information, but only special operational information, a specific legally defined category of the most covert national security information, and only if ministers believe it would be injurious to national security. In every instance, ministers must provide the committee with an explanation as to why special operational information must be withheld. In this way, ministers are held to account if they misuse or abuse this authority.

The committee's mandate and powers will be legislated and cannot be altered by the government. The committee will act with full independence from the government in deciding which matters to review, and in reporting its findings and recommendations. In any case where a minister has decided to stop a review or withhold information, and the committee is dissatisfied with the minister's decision, it would be able to report on these matters to Parliament. Ministers would be accountable to Parliament and Canadians for their actions.

I recognize that my colleagues opposite are not only interested in what this committee will do, but also how the membership of this committee will be determined.

• (1025)

The committee of parliamentarians would be a multi-party committee. Members would be appointed by the Governor in Council on the recommendation of the Prime Minister and would consist of nine members: two from the other place and seven from the House of Commons. Among those seven members from the House of Commons, a maximum of four members would be from the governing party. This allows sufficient flexibility to adapt to future changes in the composition of Parliament.

Of course, parliamentarians who would sit on this committee will have a great responsibility to ensure that they maintain the confidentiality of the information that they are provided. Each member of the committee will be a "person permanently bound to secrecy" under the Security of Information Act and may be prosecuted for disclosing special operating information. Members would be required to obtain a security clearance and swear an oath of secrecy before assuming his or her position.

The security requirements proposed in the bill are consistent with those imposed on public officials who have access to highly classified information. Nothing in the bill would limit members' ability to draw perceived deficiencies in government performance to the attention of Parliament and Canadians, so long as they do not disclose classified information.

The committee's annual reports would be tabled in Parliament, including its findings and recommendations. The committee would also have the power to issue special reports at any time if it considers it necessary to do so. The committee's reports would be provided to the Prime Minister prior to tabling for the sole purpose of ensuring that they do not contain classified information. It is important to underline that the Prime Minister would not have the ability to alter the committee's findings and recommendations.

The committee would be supported by a small secretariat that will be established as a separate departmental entity. The secretariat

would help ensure that the committee members receive the support they need to perform their mandates. This would include providing research, briefings, and legal and technical advice. It would include preparing work plans, meeting agendas, and draft reports. The secretariat would also liaise with national security agencies and review bodies to facilitate access to information and the appearance of officials.

In short, we intend to provide the committee with the necessary resources and support it needs.

Bill C-22 would fulfill the government's commitment to establish a committee of parliamentarians. The committee would provide parliamentarians with direct access to classified information so that they could directly assess government activities, thus strengthening the democratic accountability of those activities. Through its reports and recommendations, it would help to ensure that national security and intelligence activities are carried out effectively and in a manner that respects our democratic values. The committee would act with full independence from the government in deciding which matters to review and in reporting its findings and recommendations.

This would be a significant addition to the review mechanisms. Compared to our allies in the other Westminster democracies, it goes further to review policies and operations across the spectrum of departments and agencies involved in the national security system. In these ways, Canada would set a new benchmark for parliamentary review.

The bill is exactly what we committed to achieving and what Canadians have asked us to do. We have waited a long time for this kind of committee. It is an idea whose time has come. I hope my colleagues across the way will recognize the importance of the legislation and will support our proposal to include members of their caucus in the review of our national security agencies.

During the campaign, Canadians rejected the politics of fear promoted by the opposition. They decided that openness and transparency were better than preying on people's anxieties. That is the mandate on which we were elected and that is exactly what the bill would help us achieve.

In closing, I want to take a few seconds to acknowledge and thank two more of my colleagues. First, the hon. Minister of Fisheries, Oceans and the Canadian Coast Guard, who previously as government House leader, did tremendous work to bring the bill to the House; and second, the hon. Minister of Public Safety and Emergency Preparedness for his close collaboration and hard work on the bill before us. I know my colleague is looking forward to his own remarks on the bill, as am I.

*Government Orders*

•(1030)

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, I read in the newspapers that the member for Ottawa South has been named chairman of this committee, which is rather strange because the bill has not even received the approval of Parliament. Second, he is going to receive a stipend of, I believe, \$42,000 over and above his member of Parliament stipend. All of this is very strange. Members of standing committees get stipends, but I do not think chairmen of legislative committees do.

The words “open and transparent” are often used by the current government. By naming a chairman before the bill has received approval from Parliament and, not only that, by the Prime Minister naming a Liberal member as chairman of the committee, is the government being open and transparent?

**Hon. Bardish Chagger:** Mr. Speaker, as I mentioned in my remarks, all appointments to this committee will be Governor in Council appointments. They will be made with the advice of the Prime Minister. No decisions have been made. What is important is the work this committee of parliamentarians will be able to do.

We will be providing parliamentarians the opportunity to review security agencies in a way they have not been able to do before. This is what Canadians asked for and this is what we are delivering.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, the hon. government House leader talked about having a made-in-Canada solution and said that the committee would have all of the access it needs to all of the information it needs to do its important work. In 2004, there was an all-party committee that studied this issue and said that unless the oversight committee had full access to classified information, it would not be able to complete its task.

This bill imposes major restraints on access to information. For example, there are seven exceptions to the rule of access and then there is one that simply says that if the minister is of the opinion that it would be injurious to national security, the committee cannot have the information it needs.

Why would we create a bill that would give less open access to information than existing review bodies have, like the Security Intelligence Review Committee and the CSEC commissioner? Does the government not trust elected representatives on the committee, all of whom will be security cleared, and is it not worried that putting shackles on this watchdog would both limit its effectiveness and its credibility with the Canadian people?

•(1035)

**Hon. Bardish Chagger:** Mr. Speaker, if the member looks at the legislation and gives it a chance, he will see that is not the case. Ministers will have to justify why they are withholding information. Parliamentarians will be able to hold them to account in this place. Canadians will also know why they are withholding information.

It is really important that we be able to balance national security with Canadians' rights and freedoms. That is the mandate Canadians have given us, that is the work we are doing, and that is the work we need to do together. I assure the House that ministers will not have blanket discretion and will have to justify why they are withholding information that would be injurious to national security if released.

**Mr. Arnold Chan (Scarborough—Agincourt, Lib.):** Mr. Speaker, this is a very important piece of legislation that deals with concerns the Liberal Party had in the last Parliament with respect to the passage of then Bill C-51, now known as the Anti-terrorism Act, 2015.

One of the concerns we raised at the time was how important it was to introduce a committee of parliamentarians to oversee our security services, to make sure there is independent review by an independent body of elected officials. However, one of my particular concerns that I will address as my question to the government House leader is why the reports that would ultimately be prepared by this parliamentary committee would be subject to review by the Prime Minister and the Prime Minister's Office before they can be tabled in Parliament.

**Hon. Bardish Chagger:** Mr. Speaker, I thank the hon. member for his work on behalf of his constituents and Canadians.

This was not just a concern of the Liberal Party, but one that Canadians shared with us. It is a concern that we take very seriously.

To answer the hon. member's question, I will clarify that the Prime Minister is not authorized to alter the findings or recommendations of the reports tabled. The Prime Minister's role is solely to review the reports to ensure that they do not contain classified information. The Prime Minister will not have the ability to make changes or to alter recommendations. The Prime Minister has a responsibility to the people of Canada to ensure that we are protecting national security. That is the purpose of that review.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, I appreciated the opportunity to read the bill, as I am sure my friend, the member for Victoria, has.

I have to say that there are some things the House leader said in her speech that do not reflect the text of the bill. One example is that she talked about the Prime Minister not being able to exclude information on any basis, other than national security.

However, I would refer her to subclause 21(5) of the bill, which states very clearly that, “If...the Prime Minister is of the opinion that information in [this] report...disclosure of which would be injurious” and it lists a number of criteria, including “international relations”, he could ask the committee to submit a revised version. The Prime Minister would have the power to remove information even if there is not a negative impact upon national security if, in his judgment, it might have some effect upon Canadian international relations. Indeed, one might expect that anything the committee would cover would have an effect upon Canadian international relations in some way.

Therefore, I want to ask the government House leader what she thinks of that, the seeming incongruity between the legislative text and the way she described it, and why that subclause is in there.



*Government Orders*

**Hon. Bardish Chagger:** Mr. Speaker, the committee's reports would be provided to the Prime Minister for the sole purpose of ensuring that they do not contain classified information. The Prime Minister would have no authority to alter the committee's findings and recommendations. The committee would act with full independence from the government in deciding which matters to review and in reporting its findings and recommendations. The committee's annual report would be tabled in Parliament, including its findings and recommendations. It would also be able to issue special reports at any time it considers necessary. I just wanted to repeat some of the words in my original statement so that members could recognize that it is to ensure that these reports do not contain classified information.

I would also remind the member that we have the ability to review this legislation in committee. We can continue this conversation. This government is welcoming debate and different perspectives and is encouraging members to ask questions and to ensure that we have the best legislation possible.

I feel that the member recognizes the importance of such a committee, though, so I will take that as support.

•(1040)

[Translation]

**Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ):** Mr. Speaker, for the last year or so, the Bloc Québécois has been asking to be part of and included in parliamentary committees. Now another committee is being struck, and a rather important committee at that, since it deals with national security. The RCMP has been known to steal lists from the Parti Québécois. CSIS continues to carry out destabilization activities of all kinds against members of Quebec's independence movement, including harassment.

Why are independent members and Bloc Québécois members not allowed to sit on the committee? Is it in order to hide those activities? Are the Liberals afraid that the Bloc Québécois might start asking questions on the matter? What kind of activities to destabilize democracy is the government involved in and trying to hide?

**Hon. Bardish Chagger:** Mr. Speaker, I thank the member for his question.

[English]

As I said, the Prime Minister, through the Governor in Council, will be making the appointments to the committee.

This legislation has been needed for a long time. This is what Canadians have asked for. This is the work that we are doing. I am looking forward to the debate on this legislation. I am pleased to be here to be able to share what Canadians have asked us to do, which is to balance national security with their rights and freedoms.

**Hon. Erin O'Toole (Durham, CPC):** Mr. Speaker, as the public safety critic for the Conservative Party, the opposition here in the House of Commons, it is my distinct honour to stand and begin to state our position in this debate on Bill C-22.

I would like to thank the government House leader for her remarks and to start by saying that I agree with one part of what she said in response to several questions and comments, that this is something that probably should have been in place for some time. If my friend

looks back at it, she would know that in the past, in the last generation, this has been examined on several occasions by both Conservatives and Liberals.

The MP for Malpeque from her caucus, and the former MP from Pictou—Antigonish—Guysborough, Peter MacKay, from our caucus were supportive of this concept, as was the retired Senator Hugh Segal. Moreover, a number of eminent parliamentarians and scholars have talked about how Canada, as one of the Five Eyes allies, should have some degree of parliamentary oversight of its intelligence and security operations.

That is a ground of agreement. That is hard to carve when there is a minority Parliament and the government is trying to do something that needs to be above politics, because the operations and, indeed, the safety of our security and intelligence personnel depend upon this committee of parliamentarians not being politicized or not being used to advance political ends.

That is why am profoundly disappointed that the minister did not begin debate on this subject. Here I want to congratulate my friend, the MP for Victoria, the NDP critic on this subject, for his own extensive background working as a lawyer on national security matters, including as an adviser to the last Conservative government and with the Security Intelligence Review Committee, SIRC, some years ago.

That member from Victoria and I have collaborated on this subject from the beginning of this Parliament, because we want it to be above politics. Sadly, the government has not participated in that collaboration, despite several entreaties to take the politics out of this.

It is profoundly disappointing that the minister did not appear to introduce his own bill today on something that is supposed to be above politics. I am not overreacting. I have tried to speak to him on this. I wrote the minister on March 1, on behalf of our caucus, after consultations, and said that “the Conservative Party is willing to work with the Government to create this Committee”.

I laid out several recommendations that I thought should be part of a parliamentary oversight committee, a special committee of this unique nature. I got no response. In fact, I collaborated and shared my thoughts and ideas with the NDP critic, the member for Victoria. I wrote the minister again on April 15, outlining some additional considerations on how this committee of parliamentarians should work in conjunction with existing bodies like SIRC. I appreciate the amazing work that SIRC does, and the CSE commissioner, and the constellation of security oversight review that we already have. How can this committee fit within that constellation and not duplicate existing efforts and not to create a competitive oversight environment?

Finally, the minister gave me what I used to call a “thanks for coming out” response letter on April 20, after I had written him twice, and also the NDP member for Victoria, in trying to take the politics out of this. He said:

It remains the Government's intention to engage with parliamentary colleagues as the process of developing the committee of parliamentarians unfolds.

*Government Orders*

That never happened, despite the opposition's asking for this, to do this right, to do this the way the British, the Australians, and our Kiwi allies do. The minister has really failed in this department, because he has not sat down and taken advice. In fact, he has acted in a very cavalier manner.

As members will see, this bill violates the privileges of members of the House. That could easily have been remedied.

● (1045)

Proposed subparagraph 6(1) of the bill would designate the Prime Minister, not Parliament, as the controlling mind of the committee. I will remind members that the Prime Minister is just the MP for Papineau. He is a member of this chamber, like all of us. He does have a role within the government, but that is separate. Your office, Mr. Speaker, has considered this on several occasions. The Prime Minister should not have full control over this committee. What is ironic is that he also designates the members of the upper house, the Senate. Remember, he tossed the Liberal senators out. The Senate is now independent, according to the Prime Minister, except with respect to this committee. Those members are selected by him as well.

Why is this disappointing? Bill C-22 was dropped on Parliament about four days before we rose for the summer. Not only did the minister ignore opposition requests to discuss, it was tossed in before people left. However, months before that bill was tabled and before the structure of this committee was even understood, the Liberals appointed a chair to the committee.

I have a lot of respect for my friend from Ottawa South, but that has not left a good impression on how he will take the chairmanship role of this committee. If he wanted to be chair, he should have stood before this place or members of that committee and sought the position of chair. In fact, that was the position his party ran on in the election of last year. It was the Prime Minister's position with respect to committees of parliamentarians. I will quote from the Liberals' election platform. It states, "To increase accountability, we will strengthen the role of Parliamentary committee chairs, including elections by secret ballot."

The Prime Minister talks so much about sunny ways that the glare of the sun allows him to break a lot of promises and people do not see them, and they do not get reported. This is yet another broken promise. The committees are to be more accountable and responsible. If we ever want a committee to be beyond partisanship, it is this one. However, sadly, the Liberals picked the chair months before they even brought the originating legislation to the House of Commons. That is unparalleled in terms of contempt for the House. We did not even know the structure of the committee, yet the deemed chair was travelling around the world with the minister, talking about it.

What is interesting is that in the last Parliament, my friend whose riding was Saskatoon—Humboldt in the last Parliament, introduced Motion No. 431, a motion where the members of this chamber unanimously reaffirmed the desire to have elected chairs of committees. Something ironic about that motion from 2014 is that the Minister of Public Safety and Emergency Preparedness voted for it. So did the MP for Ottawa South. Where was that good intention from that vote? They stood in this place and said that they wanted

committee chairs elected. In fact, that motion from my friend and Conservative colleague was to elect the chairs from the entire chamber, not one person, the MP for Papineau.

This is pretty much everything the government does. It is set up with a facade of sunny ways, accountability, transparency, and it is a mug's game. It is actually not. Everything is done for the Liberals' own partisan advantage, but it is very much captured in a way that presents them in a positive fashion.

The Treasury Board president, the member for Kings—Hants, spoke in favour of the election of chairs. He said that having the election of chairs "has the capacity to render committees more independent, potentially more constructive and less partisan". Another member of the Liberals' caucus, the member for Coast of Bays—Central—Notre Dame in Newfoundland and Labrador, went further and said that chairs of committees should be elected. However, is it not refreshing that all 308 members of the House have the chance to put themselves in a place where they are the chair of a committee based on their skill of being a member of Parliament and a decent chair?

● (1050)

It is not based on what kind of favours are owed to them in a party structure or a reward given for good behaviour. Quite frankly, that is essentially how it works. This takes control away from the executive and brings it back to the House of Commons.

That member is still in this caucus. I hope he referenced that in the way Bill C-22 has been handled, where the chair was not elected by this place. The chair was appointed before the committee was even struck, in fact, before the committee even existed. It was just an idea before Bill C-22 was tabled. It is profoundly disappointing that my friend for Ottawa South has to start under this cloud. I am quite sure he would have made the case for being the chair.

I will now switch to what renders the proposed legislation essentially ineffective and why we are still trying to work with the government on it. We want to see some substantive amendments, and I have talked to my NDP colleague on it as well.

There are seven exemptions under section 14, including that the committee cannot look at ongoing investigations that may lead to criminal charges. That is pretty much every investigation or operation of law enforcement or security agencies in the country. Defence intelligence cannot be looked at. The Investment Canada Act cannot be looked at. Then section 16, on top of those seven exemptions, piles on two broad "let's catch everything" exceptions. Special operational info is excluded and anything "injurious to national security".

*Government Orders*

Once again, the Prime Minister appoints people and then he and his ministry decide. Those ministers are just members of the House like me. They decide what this committee sees. Therefore, the exceptions and outright control of all aspects of this committee by the Prime Minister's Office renders it ineffective and does not render it what my friend for Malpeque or other parliamentarians wanted to see years ago, which was Parliament being supreme and actually conducting oversight of security and intelligence. It is a real missed opportunity.

I now want to show how the bill, particularly the ham-fisted way the minister has not worked with the opposition parties on this thing that should be above partisanship, actually violates the privilege of the members of the House. Who will support me in my argument? The Minister of Public Safety and Emergency Preparedness, because I will be using some remarks from him.

The House leader tried to discount these exceptions by saying that ministers would have to justify why information could not go to the committee. With 20 different doors of exceptions to choose from, it will be simple to have this just as a token committee that will not be effective. I think all parliamentarians want it to be effective. It is supposed to be like it is in the U.K., a cabinet-like level of secrecy with a special room, and with special advisers. However, if they are not even seeing information relating to an ongoing investigation that may lead to charges, this is essentially window dressing.

Why I think this violates the privilege of members of the House of Commons is because your predecessor, Mr. Speaker, declared this, in Speaker Milliken's reading of April 27, 2010. In that widely-covered Speaker's ruling, the question of privilege was considered with respect to the production of documents regarding Afghan detainees.

Members will remember the positions were reversed at the time. The Conservative Party was in government and the Minister of Public Safety and Emergency Preparedness was then a very upset member of the opposition, as many people were.

However, the issues and the privilege attaching to the decision of Speaker Milliken is on the mark for this very issue, because it is the balance of what the House and members of the House should be able to see to perform their job, and how we balanced off sensitive information.

I will quote Speaker Milliken dealing specifically with this sensitive information argument, that the House leader said they would have to justify why information would not be received. The Speaker said:

However, I cannot agree with his conclusion that this obviates the government's requirement to provide the documents ordered by the House. To accept such a notion would completely undermine the importance of the role of parliamentarians in holding the government to account.

● (1055)

He went on to say:

Before us are issues that question the very foundations upon which our parliamentary system is built. In a system of responsible government, the fundamental right of the House of Commons to hold the government to account for its actions is an indisputable privilege and in fact an obligation.

Remember, as members of the House, we are the members holding the government to account. Speaker Milliken was quite clear that the fact there was sensitive information, or intelligence

documents, or information relating to an ongoing investigation did not remove the obligation of the government to share those documents with the House.

That is even more pronounced now that the government is setting up a specialized committee of parliamentarians with security oversights and an oath of secrecy. There are even more safeguards for the sensitive information with the committee that wants to be formed by Bill C-22 than that which existed over the Afghan detainee issue in 2010.

Speaker Milliken went on to say:

The right of Parliament to obtain every possible information on public questions is undoubted, and the circumstances must be exceptional, and the reasons very cogent, when it cannot be at once laid before the houses.

Speaker Milliken was talking before the House. There was not even consideration of this highly secret, highly confidential, and protected, designed committee of parliamentarians. However, Speaker Milliken said that members of the House, as it stands, were entitled to that information. Bill C-22 violates that privilege.

The minister could have raised this issue by working with the opposition. We expressed some concerns. He could have raised it with some of the leading experts. He refused to meet with them too. Once again, sunny ways is the slogan but not the conduct.

Finally, I will provide one last quote from Speaker Milliken's judgment, because it is germane to this discussion on why this violates privilege. He said:

The insinuation that members of Parliament cannot be trusted with the very information that they may well require to act on behalf of Canadians runs contrary to the inherent trust that Canadians have placed in their elected officials and which members require to act in their various parliamentary capacities.

Speaker Milliken was clear in saying there could be a balance struck on sensitive information and the absolute right of the House to review information and to hold the government to account. With the apparatus and security safeguards set up around a special committee of parliamentarians, it is even easier to ensure that balance is struck. Sadly, the minister has missed the mark.

Let us see what the minister himself said in 2010, some weeks after Speaker Milliken's ruling. The member from Wascana called the actions of the government of the day's holding back some documents unilateral, arbitrary, and contrary to parliamentary tradition. He then went on to say:

*Government Orders*

That series of questions of privilege resulted in your ruling on April 27, when, in very eloquent terms, you indicated that Parliament did have the right to information.

You indicated, at the same time, that there were sensitivities around issues related to national defence, national security, and international relations and that the House leaders and parliamentary critics should get together and arrive at a process to make information available to members of Parliament and Canadians for the purpose of holding the government to account and to do so in a way that would not imperil national security, national defence, or international relations.

He went on to say that Parliament was entitled to such information if safeguards could be in place. These are the minister's own words in 2010, saying that members of the House were entitled to that information.

I would ask the government, through its Minister of Public Safety, the member from Wascana, why the seven exceptions? Why the two blanket exceptions in section 16 that would not allow parliamentarians to fulfill their duties? Why the absolute control by the Prime Minister's Office?

● (1100)

**Mr. Marco Mendicino (Eglinton—Lawrence, Lib.):** Mr. Speaker, my hon. colleague began by recognizing the historical moment we are in today in the House, with the hon. leader for the first time introducing legislation that will create a national security committee of parliamentarians. He then went on to speak very passionately about how we need to raise the bar on openness, transparency, and accountability to Canadians. I wonder where that passion was over the course of the last 10 years when he, in the last administration, had the opportunity to act in the face of the Air India inquiry, the Arar inquiry, and many other commissioned inquiries, which pointed out the need for more transparency and more oversight. Where was that passion?

I have one last question I would like to put to my friend across the way. He cast a number of allegations against the hon. Minister of Public Safety and Emergency Preparedness. To put it concisely, he said that there was no dialogue between the time he sent the letter to the minister on this committee and today. I wonder if he might refresh his memory and look back to those occasions when, at the Standing Committee on Public Safety and National Security, he had an opportunity to question the minister about the structure, the membership, and the leadership of this committee and the minister welcomed those comments and the opportunity for feedback to improve this legislation. I wonder if he might recall those occasions when there was a dialogue.

**Hon. Erin O'Toole:** Mr. Speaker, my friend from Eglinton—Lawrence certainly knows the importance of such security information. I am sure he has been secretly lobbying to have the Prime Minister select him for this committee. He might bring some good insights to the committee from his work as a crown attorney.

I highlighted the election promise about the election of chairs, because the Prime Minister said that he would act in this way for transparency and accountability reasons. However, at the first opportunity to actually fulfill that promise, he broke it, on a committee that is of the utmost importance to national safety and security.

When the minister, who did not introduce this very important bill, appeared at committee on estimates, he had not tabled Bill C-22. He had appointed the chair. He had travelled the world to consult, and

we know that the current government enjoys consulting heavily. However, there was no bill before the committee that I could question the minister on.

The Liberals dropped three security or border bills in this Parliament mere days before we rose for the summer. They did that because they did not want to be held to account, which is what I am doing today.

I could not finish the quote, because I ran out of time, but I will remind the member that in 2010, the minister, following Milliken's decision, stated:

Instead of unilateral, absolute control over information, which was the government's original position, the state of play today is that Parliament has taken charge of the process.

Let Parliament take charge of the process now.

● (1105)

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, I would like to salute my colleague and friend, the official opposition critic on public safety and the MP for Durham, for his forceful and I thought very lucid presentation this morning. He said a great deal about his efforts to try to get the government to collaborate on what is obviously a very non-partisan and critical issue. I share his sense of deep disappointment in the government's unwillingness to work with the opposition on this. He said so much about the failure to provide access to information in this bill. He also spoke, I thought, very forcefully about the need for the chair of this committee to be elected as an alternative to being appointed by the Prime Minister.

I understand that the British system, which the government has talked about being one of the models for this, used to allow the Prime Minister to chair the oversight committee, but that was abandoned several years ago in favour of an election. Similarly, other Westminster systems, such as Australia's, allow that. Indeed, Germany alternates between a government-side person and an opposition-side person. A private member's bill from the Liberals, brought by the MP for Vancouver Quadra, suggested an elected chair.

Through you, Mr. Speaker, I would like to ask the hon. member whether he believes there is any chance that the government might get it right, allow that in our bill, and accept an amendment to that effect for all the good reasons he elucidated in his remarks.

**Hon. Erin O'Toole:** Mr. Speaker, I outlined in my remarks the member for Victoria's extensive background and national renown on security and legal security issues. He has tried to bring a thoughtful and learned approach to debate. He was privy to my March 1 letter, in which, collectively, we tried to engage with the minister in this process to make sure that the committee got off to a start that was not political. The minister was not interested.

*Government Orders*

Going back to the election of the chair, the credentials of my friend from Victoria are so extensive that he may have wanted to stand for chair of this committee. According to Motion No. 431, he could have justified that to the House, and Parliament could have decided for itself. My friend from Ottawa South could have done the exact same thing, or with a smaller body of MPs on the actual committee. What is ironic, and what I pointed out, is that the minister voted for Motion No. 431, the motion in the last Parliament on the election of chairs, and so did the member for Ottawa South.

Every time we stand in the House to vote on an issue, it is an important decision. If we believe in it at the time, then we should share with Canadians why we no longer believe in it several years later. Since it was also in the Liberal election platform to make committees and chairs of committees accountable and more effective, the Prime Minister and his ministers should justify why they are deviating from that promise and their track record of supporting it in the past.

I quoted the President of the Treasury Board, the member for Kings—Hants, who spoke in favour of Motion No. 431. I hope he is not silent at the cabinet table, much like he must have been when they were taking away an Atlantic Supreme Court justice.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, ever since I have known the Conservatives, they have fought tooth and nail against establishing a committee of this nature. One only need look at the debates we had on Bill C-51. I am glad that they have seen the light and have seen the value of doing this.

The Liberal Party introduced bills in the past. We can talk about 2004 and 2006. We can talk about audits and judicial inquiries. There have been numerous arguments for this committee. Today we are taking a significant step forward in terms of the rights and freedoms of Canadians in every region of our country. I am a bit disappointed that individuals do not recognize how valuable this committee is going to be with respect to protecting us. The Liberal Party is the party of the Charter of Rights and Freedoms. We believe in it.

Would the member acknowledge that this legislation was part of a commitment made by our Prime Minister? It is not only the right thing to be doing to ensure those rights and freedoms but is the right thing to do because our Prime Minister made a commitment to Canadians, which demonstrates that we are listening to what Canadians are saying, and we are acting on it. Would the member not agree?

I thank him again for his change in attitude toward this particular committee.

• (1110)

**Hon. Erin O'Toole:** Mr. Speaker, there are certainly no members in the House of Commons who use their privilege to speak on occasions more than my friend from Winnipeg North. I would note that my colleague and friend from Sherwood Park—Fort Saskatchewan is on his heels when it comes to speaking the most in the House, so he had better stand up more often to keep that title.

The member spoke about the charter, which we respect a great deal. He should also respect the privilege of parliamentarians. Since

he speaks in the House more than anyone else, he should want to make sure that parliamentarians have unfettered access to holding the government to account. Speaker Milliken, the member's former colleague, said that it was an undisputed right of parliamentarians. This bill would violate that undisputed right.

I could have stood on a point of privilege rather than on debate, but I want to work with the government. I have tried since March. I said that this issue is not just a Liberal or a Conservative issue. I mentioned my friend from Malpeque. Huge Segal, the Conservative senator, had a bill on this issue. Conservatives support the supremacy of Parliament perhaps far more than the Liberals do.

In my preparations for this debate, I talked to Ron Atkey and Chuck Strahl, both distinguished former Conservative parliamentarians who have eminent respect and knowledge about security. It is about time the government listened to them as well.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, I am very pleased to rise to address this very important bill.

I want to thank my colleagues for their insightful contributions to the debate already. We agree on a great deal, and it gives me confidence that we will be able to work together to ultimately improve this bill.

Let me be clear: New Democrats support parliamentary oversight to finally bring Canada up to the standard of accountability that our closest allies have enjoyed for decades.

This bill would fulfill recommendations made some 35 years ago and ignored by successive Liberal and Conservative governments ever since. Neglecting that warning and ignoring our allies' examples has not enhanced Canadians' security or protected their rights.

Let us be clear: We face real threats to both our security and our rights. Canadians are concerned about the threat of foreign and domestic terrorism, they are concerned about cybersecurity, and they are concerned about armed violence and unrest around the globe, but they are also deeply concerned about their freedoms and their privacy. They are concerned about government secrecy and surveillance, and above all, they are wondering why, after nearly a year in power, their new government has maintained Bill C-51 as the law of the land without changing a single comma.

I support the principle of this bill and will be voting in favour of referring it to the committee so that it can get on with the study to get it right. However, I have deep concerns about many aspects of it.

I am concerned that this bill would fail to account for the lessons of the last decade and the experiences of our allies. Unless it is fixed, it will create a committee that is neither strong enough to be effective nor independent enough to be trusted.

I have solutions to propose for each of these flaws, and I welcome the input of all members on them, because this is no place for partisanship or politics.

Before we dive into the details of the bill, let us be clear on three important points of context. First, this bill is not a new idea. Rather, it answers a warning made 35 years ago in the wake of a string of high-profile scandals surrounding the RCMP.

*Government Orders*

One major recommendation coming out of the 1981 McDonald Commission of inquiry was the creation of CSIS as a separate intelligence gathering service. Another major recommendation was the creation of an overarching parliamentary oversight committee. That one has gathered dust for three decades, so the idea behind Bill C-22 is not new. In fact, our allies, including the United States, Britain, France, Germany, and Australia, each created similar oversight committees decades ago.

The second point of context is that we should all be clear that the bill before us today is far from a fresh proposal. It is nearly identical to an earlier Liberal bill, introduced in November 2005, in the final days of the Paul Martin government, by the public safety committee as Bill C-81. While the powers of security agencies have grown considerably since that time, the few minor differences between the 2005 oversight bill and this one would reduce the committee's powers and independence. For instance, Bill C-22 introduces security vetting for members and a new power for ministers to halt investigations.

An old bill is not necessarily a bad bill, but the government must surely accept that a proposal drawn up before the Snowden revelations, before the October 14 attack on this Parliament, and before the shocking overreach of the Harper government's Bill C-51 must be open to updates from members.

The third and last point of context is that we should all have a clear picture of how this proposal compares to the practices of our allies so we can learn from them, and, as the government House leader said, create a made-in-Canada solution that works for us.

The body proposed by Bill C-22 is essentially a weaker version of its closest analogue, namely Britain's intelligence and security committee.

• (1115)

In 2013, after public criticism of its many shortcomings, the British government significantly overhauled its committee, strengthening its powers and its independence. The committee emerged with an independently elected chair, operational oversight powers, and a shift in appointment power from the prime minister to Parliament. We heard a great deal about that in the speech from the hon. member for Durham.

These reforms are simply not reflected in the bill before us today, and I do not understand why. The British committee was in fact in Ottawa last week, and its chair warned us to work hard to earn public trust. We do not want to repeat the errors of our allies; we need to learn from them.

Last week, when the previous chair resigned, the head of a prominent British legal advocacy group responded in this way:

From UK complicity in CIA torture to mass-surveillance, the [committee] has missed every [single] major security-related scandal of the past 15 years. It has fallen to the press, the courts and NGOs to expose these events, with the [committee's] members only discovering them by reading the newspapers.

We do not want the same to be said of our committee a decade from now; rather, we should be aiming to be the leading edge of international practice. That was the advice in 2004 of the interim committee of parliamentarians on national security when that committee recommended granting complete access to information

far beyond what is considered in the bill before us today. Here is what that committee said:

Though this arguably goes further than the legislation enacted by some of our allies, it is in line with developing practice....

We strongly believe that a structure which must rely on gradual evolution and expansion of access, power, and remit would be inappropriate for Canada.

Therefore, there are examples we can learn from around the globe. Could we give elected representatives a bigger role in operational oversight? Absolutely; in the United States, federal law requires intelligence agencies to keep congressional committees "fully and presently informed" of all covert actions and operations. In Germany, the group that authorizes each interception of private communications is controlled by a committee of parliamentarians.

Could we give the committee stronger investigative powers? Absolutely; Germany's oversight committee can conduct random site investigations, and subpoena witnesses and documents. Belgium's committee can even launch criminal investigations. The committee in our case would not even have subpoena powers.

I raise these comparisons not to disparage the bill before us, but to show that the door must be open to amendments. If the government shuts the door on amendments from other parties, we will be shackling ourselves to a blueprint that ignores the last decade of history and falls short of the current best practices of our allies. To me this is simply unacceptable when our safety and rights are at stake.

With that in mind, let me point to five weaknesses in the current draft and propose some solutions. I have amendments ready for each and would welcome the chance to work with members of all parties to craft a solution by consensus.

First, the government is proposing that the chair be selected by the Prime Minister rather than elected by the committee. As I say, that is what Britain originally did. It changed its way; why can we not? We have to earn the trust of Canadians. It seems like a pretty poor place to start when the government gets to control who runs the watchdog committee in the first place.

The bill should be amended to allow the election of a member from outside the governing party to chair this committee. That was exactly what Mr. Justice McDonald recommended 35 years ago to another Liberal government. It is not unprecedented, as I said; examples are Germany, Australia, and elsewhere. I fear we are going to lose the confidence of the public if we do not get this right.

Second, the committee's access to information, as has been said, is really limited. Full information is a prerequisite to effective oversight and to earning the public trust, which the British chair told us we must earn.

*Government Orders*

•(1120)

If the government can keep its secrets from the oversight committee, how can Canadians trust its findings? To call the committee's access rights broad, as the minister does, ignores many exemptions that make Swiss cheese of its powers. No fewer than seven different categories of information would be absolutely denied to the committee. Two more, including a catch-all category, could be denied at the discretion of any cabinet minister. Some of these are innocuous, but some of them are not.

The committee would be absolutely denied access to special operational information as defined in the Security of Information Act. This would mean that the intelligence oversight committee could be denied all information on intelligence sources, methods and targets, encryption systems, and information received from foreign partners. If this information is not relevant, indeed central, to the committee's mandate, I do not know what is. Is this not, in fact, the very type of information that the committee was designed to safely handle? Is that not why its members are to have security clearance and be sworn to eternal secrecy?

The worst is what security expert Professor Craig Forcese has called the Mack truck exception: the power of any cabinet minister to withhold information from the committee on the grounds that providing it—*are members ready?*—would be injurious to national security. This phrase is not defined anywhere, nor is it explained how sharing information with a group of top-secret-cleared individuals inside a secure facility could compromise Canada's security. These holes have simply got to be closed.

The committee must have complete access to information, as was recommended in 2004 by another parliamentary committee. As a solution, we should grant the committee that kind of access with the reasonable exception, I concede, of cabinet confidences, and the power to compel documents and testimony, a glaring omission in the bill. I am preparing amendments to this effect, and again, I would welcome input from members on all sides of the aisle.

Third, clause 8(b) of the bill would allow any cabinet minister to bury an investigation into his or her own department by claiming that the committee's confidential inquiry would be damaging to Canada's national security. The potential for abuse to cover up sloppy management or a scandal within a department is simply overwhelming. This line simply has to be removed if any credibility is to be retained.

Fourth, clause 21 of the bill currently would give the Prime Minister's Office complete power to censor the committee's reports before they are released. Let us pause on that. So far we have learned that the government would appoint the chair, control what information the committee sees, and stop it investigating certain areas. The government proposes to control what it can report to Canadians. It is easy to see how, as the chair of the British committee warned us, the public trust could be so easily lost.

The government has a responsibility to ensure that sensitive information is handled appropriately. We all agree. However, this must be balanced against the need to earn and maintain public trust, and that requires meaningful commitment to transparency and accountability, not verbiage.

I propose a compromise. I would propose an amendment that would require any revised report to indicate the extent of and reasons for any censorship by the Prime Minister's Office. Ideally, this would include a description of the type of information removed so Canadians can distinguish the redaction of confidential sources from the redaction of committee findings, for example.

I would ask the members on all sides to consider the utility of what I call an override clause, such as the power of the German oversight committee to publish a general assessment of an ongoing intelligence operation if supported by a supermajority of the committee. That is an idea we can look at.

Last, I would propose an amendment to give the committee a legal duty to report all suspected non-compliance or illegal activity to the Prime Minister and the Attorney General of Canada. There is a precedent for this. Section 273.63 of the National Defence Act imposes the same whistle-blowing obligation on the commissioner responsible for CSEC, the Communications Security Establishment of Canada.

•(1125)

That kind of duty would not only bolster Canadians' confidence; it would resolve any confusion within the committee over the proper course of action when non-compliance is suspected. To reject that kind of duty, in my view, would send a very worrying signal to Canadians.

As I said, I am prepared to introduce amendments proposing solutions to each of these five weaknesses, as I perceive them, in the current version of the bill. I would, of course, welcome the input of any member from any party. This is not a place for partisanship or ego. All parties have to work together on this committee, and we may as well begin now.

Before I close, I would also like to take the chance to flag one last issue for the government, which I believe requires further consideration but for procedural reasons cannot be addressed through amendments to this bill.

I would urge the government, as part of its broader security review, to amend the CSIS Act and the National Defence Act to require the Communications Security Establishment of Canada, CSEC, to inform the committee every time a ministerial authorization is granted to intercept private communications, and to require CSIS to inform the committee when it conducts threat reduction activities, as that term is defined, or when CSIS seeks a warrant to do so under section 21.1 of the CSIS Act.

Canadians are rightly concerned about the use and abuse of these powers. There is no justification for withholding their use from the oversight committee.

*Government Orders*

In closing, let me say again that New Democrats welcome this bill and commit to working together with any member of any party to improve it. I have identified five flaws, in my judgment, and proposed five solutions, but I know there are many more of both, and I welcome input from all.

As I said at the outset, this bill is crucial to protecting all Canadians' safety and upholding their rights. Oversight makes security services more effective, and it bolsters public trust in them. This committee will be equally as useful in closing gaps as in reining in excesses, but we cannot take its utility for granted. The bill before us is imperfect. Without amendments, it will fail to give the committee either the strength to be effective or the independence to be trusted.

We cannot settle for good enough when it comes to Canadians' security and rights. I call on every member and all parties to work together to improve this critically important bill. Above all, I urge the government to demonstrate openness to that input and to these amendments. The security and rights of Canadians are not places for partisanship.

If the government demonstrates that openness, all parties may be able to work together to craft a committee that is independent, secure, and effective at strengthening our security, protecting our rights, and upholding Canadian values. However, if the government refuses to work in good faith with other parties to make changes to this bill, I fear the support of parliamentarians and the trust of Canadians will be lost.

Three decades ago, the McDonald commission warned us as follows:

....security must not be regarded as more important than democracy, for the fundamental purpose of security is the preservation of our democratic system.

Every parliamentarian will see that balance differently, but all of us must work together to get it right.

•(1130)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I appreciate the manner in which the presentation was made by my colleague from across the way. There were a number of points. He has made suggestions in terms of potential amendments. When we take a look at the legislation that the government House leader has introduced, we see it would have an impact on over a dozen, I believe it is about 17, departments and others that will ultimately have some sort of a reporting in to what I believe is a well-warranted committee, which we have been wanting to see established for many years.

Passing the bill through second reading and sending it to committee would afford members the opportunity to put forward amendments, and the member has made reference to a few amendments that he is thinking of. I think that the Prime Minister has been fairly clear that we, as a government, or as a caucus, or even, in this case, this entire chamber, want to see a good, sound piece of legislation. If there are amendments that would enhance the legislation, they will be given due consideration. We have already seen opposition members' amendments pass at the committee stage.

In light of the very nature in which the member has put forward his ideas at second reading, does he actually have the written amendments, which maybe he could share with the House in advance? I think there would be some advantages to that. If he has them, would he do so? I know the government House leader would welcome them.

Earlier, we were questioned as to why it was the government House leader who introduced the bill. Because there are so many departments, the most appropriate person to introduce it is, in fact, the government House leader.

In any event, I know we would welcome the amendments if the member has the amendments already drawn up.

**Mr. Murray Rankin:** Mr. Speaker, yes, indeed, those amendments will be forthcoming. I would be pleased to share them with everyone in the House in order to ensure that those are at least starting points for a dialogue about how the bill could be improved.

I think that if we create a committee that has, in an unprecedented way, security-cleared people, in that all nine members will have top secret clearance, they will meet in separate, especially assigned rooms, and they are people sworn to eternal secrecy, and we act in good faith in that way, I think they could be trusted with the kind of information that, sadly, the bill would withhold from them.

I guess the critical point I would make to my hon. friend is that if we do not earn the trust of Canadians with the bill, we have lost an enormous opportunity. It was rightly pointed out that the House has not dealt with this. It has been 35 years since the Macdonald Commission. All of our allies have something like this. We are finally getting it on the order paper. Let us take it to the last step and get it right.

If we do not, if people think this is not a credible oversight operation, then all of the things we are trying to do to improve Bill C-51, which I certainly hope the government is going to fix in due course, and all of the scepticism Canadians have about our national security apparatus is going to be exacerbated.

If we, however, create a committee that has access to information, that has an independent chair, that is not seen to be under the thumb of any government of the day, we can create the trust that Canadians need and it can help our security service do its critically important job with that trust in mind.

•(1135)

**Mr. Kennedy Stewart (Burnaby South, NDP):** Mr. Speaker, as always, I enjoy my hon. colleague's very wise words when it comes to redoing legislation and his open sense of really trying to make things better.



*Government Orders*

I am going to ask my colleague, the member for Victoria, to rank the legislation as it stands at the moment. For viewers and people who are looking at this, it is sometimes hard to understand all the details. On a scale of 1 to 10, where would my colleague currently put the bill? I know we are supporting this, or at least I am supporting sending it to committee, but what revisions would get it to a much higher ranking? What would demonstrably increase the quality of the bill?

**Mr. Murray Rankin:** Mr. Speaker, I am always hesitant with my colleague from Burnaby South, his being an old professor and trying to rank and grade things. I would have to say that the bill has the potential to be an A statute. At the moment, I would give it a B—because it has the basis of things that can be built upon if parliamentarians of goodwill and a government with an open mind are prepared to roll up their sleeves and get it right.

The good news is that we have all sorts of analogues, from Australia, Britain, the United States, and Germany, that we can choose from. We can get, as the government House leader said, a made-in-Canada solution that works. However, if we simply leave the bill as it is, this lost opportunity is crushing. It can be improved. It should be improved. With parliamentarians in a non-partisan spirit working together to improve it, we can get it right and it can become an A piece of legislation.

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, I too would like to thank my hon. colleague for a very thoughtful, calm, and non-partisan response to the bill tabled by the government. There was somewhat less vocal disappointment than the critic for the official opposition in what was promised by the government at any number of levels during the election campaign and compromised by the elimination of the elements that would have given Parliament the full, absolute control of this very important and claimed-to-be non-partisan tool of our Parliament.

However, I wonder if the member could comment on whether he shares the official opposition critic on public safety's disappointment, recognizing the government's excuse that the House leader presented the legislation because of the many departments involved. It is true there are many departments, but I wonder whether my colleague is disappointed that the Minister of Public Safety, who is after all responsible for the legislation, did not appear in the House to present and defend the legislation.

**Mr. Murray Rankin:** Mr. Speaker, I guess I share the opposition disappointment that in the last few months efforts that have been made by both recognized parties in the opposition to reach out to the government seem to be not accepted. I find that disappointing. I understand, however, the government House leader being here because this does cover a number of what are called appropriate ministers in the bill, the vast part of our government bureaucracy in all of the departments for which a government House leader would speak.

I am more concerned, however, not about the past. I am concerned about how we work together to get it right in the future. Notwithstanding the very powerful and forceful presentation by the official opposition public safety critic earlier this morning, I know him to have the same desire to work in a non-partisan way to fix the bill. Members have my assurance that the NDP, I and my colleagues, will work in that spirit. We extend a hand across the aisle

to the government members, hoping they will agree that this is central and critical if we are going to get this right for Canadians.

• (1140)

**Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.):** Mr. Speaker, I am delighted to speak to the proposed legislation before us as it would allow us to deliver on the commitment we made to Canadians to improve security and to include scrutiny and review when it comes to the national security and intelligence activities of the Government of Canada.

I was listening to the recent debate and the words of the critic for public safety from the NDP. It occurs to me that some of the concerns the member has assume that there is one right way and one right legislation. I would say that issues of privacy and security are so dynamic in our country and society that having, as he described it, parliamentarians of goodwill and open minds working together is the critical element. In terms of getting something on the table right now, the bill is critical. Therefore, I am very optimistic about the bill.

I want to remind the member for Victoria that the challenges around balancing security and privacy in an Internet age will not stop. There will never be a point where everything is exactly where we can freeze it in time and say, "That's it". We will have to keep being aware of the issues as they arise and improving our responses to them. The bill is an excellent step forward on that.

As members have heard, Bill C-22 would allow for the establishment of the national security and intelligence committee of parliamentarians. It is a multi-party committee that would examine and report on the government's national security and intelligence activities across an array of departments and ministries. This is an area that many Canadians feel is far too opaque, and I certainly am one of those parliamentarians.

Before I get into the details of the bill, I think it is worth reminding hon. members about the many calls in the House for this kind of committee to be created, and this has been happening for well over a decade. There have also been repeated attempts to introduce legislation in the House as well as in the Senate in order to address the concerns that the bill would address.

For example, two years ago, I was pleased to create and introduce Bill C-622, which would have created the intelligence and security committee of Parliament, very similar to the committee that we see in the bill today. However, my bill had an additional element of identifying measures that I felt were needed to increase the accountability and transparency of our Communications Security Establishment and link the operations of sharing information among agencies in a more structured and accountable way.

That bill was debated at second reading barely one week after the attack in this building and the tragic shooting of Corporal Nathan Cirillo down the street, and just 10 days after the tragedy of the killing of Warrant Officer Patrice Vincent. Therefore, the timing of Bill C-622 was unfortunate. In fact, I had someone on Twitter say that my Bill C-622 was the worst-timed private member's bill in the history of the Canadian Parliament. I had to say that I agreed.

*Government Orders*

However, it was fully supported by all of the opposition party members, including one member of the Conservative Party as well, because of the need to address improving security and the protection of privacy, and the way that was embedded in Bill C-622.

As I said in this place at that time:

In the wake of the recent deadly attacks on our soldiers and on Parliament itself, all party leaders confirmed their commitment to protect the rights, freedoms, and civil liberties of Canadians, even as security measures are analyzed and strengthened. Indeed, Canadians expect these fundamental aspects of the very democracy being guarded to be respected, and that is the underlying intention of the bill.

• (1145)

Unfortunately, the legislation, as I said, was defeated by the Conservative government of the day just a few short months before it introduced Bill C-51. At the time, the Conservatives argued that the existing review mechanisms were adequate and that the creation of a committee of parliamentarians to scrutinize national security operations would be, to quote the former Conservative parliamentary secretary, “not in the best interests of national security” and “not in the best interests of Canadians”. I could not disagree more. Time after time, over many years, we have heard from experts, including the Auditor General, judges, MPs, and senators, and from ordinary Canadians that in fact just such a committee is in the best interests of Canadians and vital to our national security and our values as an open, inclusive, and rights-based democracy.

In the course of exploring this issue over a number of months and meeting with key members of the security and privacy networks in Ottawa and across the country, virtually no one thought that this committee of parliamentarians would not be an important and essential next step for the Government of Canada. The arguments made by the Conservatives at that time, that there were already surveillance mechanisms over our security agencies, were weak arguments because while some of those mechanisms were effective in their mandates and had very competent heads who were delivering on their mandates, their mandates were narrow and did not include thinking about the laws and policies being applied to the security agencies.

It was not within their mandates to comment on that, so if there were flaws, holes, or outdated elements of the laws or policies that the commissioners, such as the commissioner for CSEC, were applying in their review, they had no tools or teeth for recommending changes to policy. That meant that the oversight mechanisms had to accept the policies and legislation of the day and the limitations thereof, even though this is such a dynamic situation in our Internet age with the moving targets of the various threats of security breaches in our country. That is part of why it is so important to have a committee that has a broader mandate and looks across all of the security and intelligence functions of the Government of Canada.

The second key missing from the individual oversight mechanisms the previous government argued were adequate was that there was no looking across the board at the various approaches, policies, and operations to see where the gaps and duplications were. If there are gaps in the personal privacy safety net and in the security safety net, it could mean that we do not have adequate security for Canadians. It could also mean not having a robust enough approach to protecting the individual rights and privacy of citizens. If there is duplication, that means that resources are going unnecessarily to do

work being done somewhere else and that those resources will not then be available for investing in the full application of the policies of the agencies to protect Canadians while respecting individual privacy and rights.

Indeed, the bill before us today is a key component of our government's ambitious national security agenda focused on achieving a dual objective, keeping Canadians safe and safeguarding the rights and freedoms that we all enjoy as Canadians, and which, indeed, are the hallmark of being Canadian and are looked at by countries around the globe as a model for what they aspire to in safeguarding rights and freedoms. That is why it was the central focus of the Liberal platform and has been put before the House.

• (1150)

I will now speak to the details of this legislation.

In terms of structure, the proposed committee would be a statutory entity whose members would be drawn from the ranks of current parliamentarians across party lines. That structure would create a non-partisan responsibility to other members of Parliament to report on our behalf on these matters in a way that crosses party lines and is in the best interest of Parliament's responsibility to the Canadian public to find the right way forward in balancing security and privacy rights.

The committee would be composed of nine members. That would include seven members of Parliament, with a maximum of four being from the government party, and two senators. Given the nature of its mandate, the committee would be granted unprecedented access to classified material. A dedicated professional and independent secretariat would support the work of the committee to ensure it had the tools and resources it would need to carry out its work.

That last sentence is critical. In some of the previous private members' bills that were proposed in the House, that function was not included. Therefore, the resources to get assistance to be able to dig into things and have research done and perhaps travel and all of the support the committee would need to be able to do its work without major constraints were elements that I added to my private member's bill, Bill C-622. It built on the previous work done by the able Liberal members of Parliament who had put forward a bill to create a committee of parliamentarians. Having this dedicated professional and independent secretariat to support the work of the committee, as I said, is critical to its effectiveness.

Another way the committee would be proven effective is by having a broad mandate. This committee would be able to review the full range of national security activities and all departments and agencies across the Government of Canada. That is a key tenet of the bill and crucial to what we are trying to achieve. I mentioned earlier how important it is to be able to find those duplications and to be able to make our security safety net much stronger thereby.

*Government Orders*

The committee would be able to look at all of this work crossing some 20 different departments and agencies who all are involved to varying degrees in national security and intelligence activities. It would gain a full picture of what the government agencies and departments were doing in national security and intelligence matters. In terms of this mandate, the model we have envisioned goes even further than what exists in most countries with a similar type of committee.

I am proud that our Prime Minister supported a delegation going to London, Great Britain to look at the British committee of parliamentarians that provides oversight, so that we could learn from and build on that model and improve it based on what the delegation heard. We owe a great deal of thanks to the co-operation of the members of parliament of Great Britain who, over the years, have been willing to share their successes, challenges, and ideas on how to make better legislation. It is worth mentioning, incidentally, that this kind of parliamentary body exists in most western democracies, including all of our Five Eyes allies. That is one of the reasons I was so surprised at the previous Conservative government's intransigence in refusing to support this concept. However, that is water under the bridge, and I hope we will see support from Conservative members today under a different, albeit interim, leadership.

The committee would have the authority to self-initiate reviews of the legislative, regulatory, policy, financial, and administrative framework for national security in Canada. In other words, it would be able to analyze whatever it believed needed analyzing to ensure the effectiveness of the framework, as well as its respect for Canadian values.

• (1155)

That is so important, as I mentioned, and represents an evolution from what a previous Liberal government had contemplated for this committee. It is an evolution to a more effective and more multi-layered approach for the committee's responsibilities, which I felt was exceedingly important when I was doing my work on this issue.

Beyond the power to look at the national security framework, it will be empowered to review specific national security and intelligence operations, including, notably, those that are still ongoing. Due to the inherently sensitive nature of the material examined by the committee, there will be reasonable limits on what the committee can share with the public. Committee members will still be able to bring pressure to bear on the government of the day by telling Canadians if they have uncovered something problematic and by letting Canadians know, thereafter, if the problem had been adequately addressed.

Those are incredibly important accountability mechanisms built into this bill. It is not enough to have parliamentary committee members review and find things that are problematic, and then have those buried under a blanket of security without the public ever knowing there was an issue that needs to be attended to.

As I noted at the outset, several parliamentarians, past and present, have tried to address these matters with other legislative proposals. We certainly look forward to hearing their input, just as I look forward to providing my own input as one of those members. Indeed, all members, through this legislative process, are welcome to give their input.

I have already addressed the point by some that review and accountability mechanisms are already in place when it comes to national security. We have the Civilian Review and Complaints Commission for the RCMP, the Security Intelligence Review Committee for CSIS, and the CSE Commissioner. However, as I have mentioned, it is incumbent on parliamentarians to be able to meaningfully review Canada's overarching national security framework, to make sure they can identify key gaps and duplications and also ministries that are doing important work on this but in isolation because their key mandate happens to be something completely other than security and privacy.

We will be encouraging the new committee to co-operate and collaborate with the existing review bodies to avoid overlap and to build on the great work already being done. In fact, in the research I did for Bill C-622, I spoke with former heads of the Communications Security Establishment, who supported the idea of a review committee of parliamentarians. I spoke with former and present commissioners for oversight of CSE, who are also doing very important work. I have to say that our current commissioner has really extended, over the last few years, the kinds of information he is providing in his reports, far beyond what was happening in the commissioner's office before.

These are important mechanisms and oversight initiatives. I am delighted that we will be building on the work they do. They will remain autonomous institutions with distinct mandates, and such collaboration that they will provide with this committee is desirable and will be voluntary.

This committee is going to go far in helping us re-establish the balance between democratic accountability and national security that is so hugely desired by the Canadian public. It is of crucial importance to our government. We heard about it throughout the recent election campaign in 2015. It is of crucial importance to Canadians. We look forward to engaging in constructive and thoughtful debate with members on all sides of the House on this and other issues related to improving our national security while defending and supporting the civil liberties and privacy rights of Canadians.

• (1200)

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, I enjoyed working with the member on the Standing Committee on National Defence in the previous Parliament. She was always a valued contributor to our considerations and discussions.

I thank the member for recalling the private member's bill that she presented, Bill C-622. I apologize for not remembering all of the details of that bill. However, in the last few minutes of her remarks, I did reflect on the details digitally, and there was one point that the member made very emphatically in that bill, which was that the chair of the committee must be elected by the members of the committee.

Could my hon. friend speak to the difference in this legislation, which provides for prime ministerial appointment of the chair of this supposedly non-partisan committee? This is supposed to be a committee unto itself and responsible to Parliament, not the Prime Minister's Office.

*Government Orders*

**Ms. Joyce Murray:** Mr. Speaker, my hon. colleague ably chaired the defence committee for a good part of the time I was the Liberal defence critic and participated on the committee. I want to thank him for his kind words. I would have loved to have kind words of support at the time I was proposing Bill C-622. I reached out to many of his colleagues personally to seek that support, and one member provided it.

One thing our Prime Minister has done is revolutionize the appointment processes in this nation. The kinds of partisan appointments that we were seeing, with justice ministers appointing their former colleagues to judgeships or members of their campaign teams and senators being appointed by a prime minister for their loyalty to a single party, or their ability to fundraise or their potential ability to get crowds in support of the Conservative Party, are over. I am very proud of the leadership of our Prime Minister in his one after another creation of non-partisan appointment processes.

I have every confidence in this committee's ability, with its appointed chair, to work in the best interests of Canadians, and Parliament's responsibility to safeguard and oversee these very important elements of the lives of Canadians.

**Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP):** Mr. Speaker, I was glad to hear my hon. colleague speak about learning and building on legislation of this nature from the Five Eyes allies. The glaring difference is that in Canada we contend with Bill C-51. Therefore, the opportunity we have with the legislation needs to be responsive and allow this proposed committee to be as strong as it needs to be because of Bill C-51.

Is there a concern in order for us to raise the level of openness, accountability, transparency, and responsibility, in light of the global situation and our place in the world? How can we make this bill stronger? As it stands right now, the committee's oversight would not be great, not as great as compared to the review for counterparts, which exist now with the SIRC or with the CSE commissioner. My hon. colleague has discussed some of the amendments that could be brought forward in order to fortify this bill and really make it important for this opportunity that we have.

I would like to hear a bit more about her thoughts on the limiting of the effectiveness for the Liberals to really seize the opportunity to have amendments to the bill so it is accountable and regain that trust after Bill C-51.

• (1205)

**Ms. Joyce Murray:** Mr. Speaker, there were certainly deep concerns on this side of the House over some elements of Bill C-51, and an absolute commitment to address those concerns. This committee of parliamentarians is just one of the things to which our government is committed.

I have to congratulate the minister who is putting the bill forward, and that this is being done well within the first year of a brand new government. This is complex legislation. It is a critical improvement, so we are acting very quickly as a government.

However, we are doing other things, and one is an overall review of the whole framework of national security. I was very much in favour of our government doing that. I personally put that forward as a recommendation. Even fixing C-51 and even with adding the

committee of parliamentarians, there are still big flaws in our overall framework, what I have been calling our security safety net and our respect for privacy safety net, and those will be identified during an overall review.

However, the member compared this parliamentary committee to these very effective independent oversight bodies and institutions like the commissioner and so on. This strengthens those by adding another element. This committee will work with the existing commissioners and the effective work of their offices. This is not instead of. It adds to the whole effectiveness of oversight, accountability and transparency that the member seeks. I share her aspiration for a better framework, and this would deliver that.

**Ms. Jenny Kwan (Vancouver East, NDP):** Mr. Speaker, my colleague, the member for Victoria, presented a very thoughtful presentation in the House. He outlined a number of different suggestions as to how we might improve the bill as proposed.

I know the member has good intentions with respect to working across government to make the bill the best possible bill that we can have in the House. I wonder if the member could comment on which of the recommendations suggested by my colleague from Victoria she might be willing to support and work collaboratively on.

• (1210)

**Ms. Joyce Murray:** Mr. Speaker, I thank the member for Vancouver East for her dedication to the protection of the essential civil rights and privacy concerns of her constituents and other Canadians as well as a strong security safety net.

The bill, like other bills, will go forward to a committee where there will be ample opportunity to make the case for why there might need to be changes, and there may be amendments proposed. There may be amendments accepted.

This government has already shown its willingness, for example, on Bill C-7, the RCMP collective bargaining, to accept amendments from the House committees. That is new. It is one way we are doing better than the previous government. As opposition members prior to the last election, we felt it was a waste of the abilities, intelligence and commitment of MPs to have us be in committees when there was no chance of amendments going through.

That era is behind us and there is an invitation to committee members to put forward their best arguments, discuss those and bring forward amendment, and who knows? It is possible that amendments will be accepted or not, but that opportunity is there and it has been shown to be there.

[Translation]

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, today we are discussing Bill C-22, an act to establish the National Security and Intelligence Committee of Parliamentarians.

We do not support this bill because it is ineffective in its current form. The Prime Minister has all the authority. He chooses the members and the information the committee can have and present to the House of Commons. Having parliamentarians review the actions of the government when it comes to security and intelligence is very important, but this bill does not give us a realistic chance to do that.

*Government Orders*

[English]

This legislation demonstrates another Liberal smoke and mirrors show, another deviation from an election commitment.

I want to go through and in fairly precise detail talk about the mechanisms that this law would create.

I was in the House to listen to the government House leader's presentation. With great respect to the work she is doing, the reality is that many of the things she said, and I pointed one of them out in questions and comments, simply did not accord with the text of the legislation.

It is not sufficient for the minister to reassure us of the government's good intentions, or to somehow interpret what the government is trying to do, or wants to do or wants the legislation to mean. What is important is the substantive text of Bill C-22. If we think through the actual process in place, the mechanisms that the bill would provide, there is not any kind of seriousness in terms of parliamentary review or oversight being proposed.

I want to remind members of a commitment the government made during the election, and I found this on the Liberal Party website. It said that it would create an all-party committee to monitor and oversee the operations of every government department and agency with national security responsibility. Clearly, all-party was mentioned as well as providing meaningful review of past and oversight of present operations. This clearly was the commitment that was in place.

The House passed private members' bills that were proposed by members within the government. The parliamentary secretary who just spoke proposed Bill C-622 and the member for Malpeque previously proposed Bill C-551. It is interesting to look at what was being said by that party when in opposition in terms of structure and mechanism and what this would do, what those private members' bills proposed to do, and the sleight of hand variations that were not even being acknowledged in the speeches but are present in Bill C-22. These are the major concerns we have.

Let us just go through it. I am going to talk about the limitations with respect to the appointment process as well as the provision of information, and then finally about the limitations in terms of the reporting process.

In terms of the existing appointment process, unlike Bill C-622 that was proposed previously by the now parliamentary secretary, this bill would provide for not only the appointment of the chair by the Prime Minister, but also the appointment of every member of the committee. It does say that not all of the members can come from the government, but the three members of the House of Commons who are not members of the governing party could be anyone who the Prime Minister chooses.

These could theoretically be independents recently departed from the government caucus. I do not know if that is likely but that is possible. There is nothing in this legislation to suggest that the official opposition would necessarily be represented. There is nothing to suggest that the committee structure should be reflective in some sense of the composition of the House or similar to some degree with what exists in parliamentary committees. This would be

a committee where the Prime Minister could, at will, choose seven members of Parliament who he thought should be on that committee and then also two members of the other place.

• (1215)

There is a requirement for consultation with the leaders of parties from which members are appointed if that party has recognized status in the House of Commons. There is no requirement for consultation with the leadership of Senate caucuses or with the leadership of a party in the context of appointments in the Senate. There is no requirement for consultation in the case of members being appointed who are not from recognized parties. Perhaps more importantly, there is no requirement that the consultation actually be meaningful.

The legislation does not say that the leader of another party has to agree. What would be much more sensible, I would argue, if this process were more serious, would be to have the leaders of the different parties put forward names of those within their parties, as is normal practice, and the committee would then select its own chair. However, there is not a meaningful requirement for the engagement of other parties. It is totally and completely up to the Prime Minister as to who gets appointed.

I want to draw the attention of members to subclause 4(3) of the legislation, subtitled "Not a committee of Parliament". The committee would not be a committee of either House of Parliament or of both Houses. That is a distinction we need to appreciate. The legislation says very specifically that this would not be a parliamentary committee. It would be a committee that happens to include parliamentarians but parliamentarians who are appointed by the Prime Minister and who effectively report directly to him, which I will talk about.

It is interesting, as well, that the way the committee would operate is different from what those of us who participate in parliamentary committees are used to. I will just read a couple of other sections of the bill. These are important to read into the record, as people earlier in the debate were saying things about the bill that just do not reflect the substance of what we are seeing in the bill. Clause 18 states:

Meetings of the Committee are to be held in private if any information that a department is taking measures to protect is likely to be disclosed during the course of the meeting or if the Chair considers it to be otherwise necessary.

Therefore, it would not be up to the will of the committee to determine whether they move in camera, as is the normal practice. It would be solely at the discretion of the chair.

The voting rules would be different as well. The bill states:

The Chair may vote at meetings of the Committee and, in the case of an equality of votes, also has a deciding vote.

This is again different from the normal procedure. Effectively, the chair would always vote, as I understand this section, and in the case of a tie, the chair would vote again. This is a situation where although the government would have only four members from the House, and potentially two appointed members from its own side from the Senate, the chair would effectively have two votes. He or she—but we know who it is going to be; it is going to be a he—would have the ability to vote twice. That is unusual. That is a pretty substantial deviation from the way the process normally operates.

*Government Orders*

These are limitations in terms of appointments. It is very clear that the government has designed an appointment procedure that gives all the control over who sits on the committee, and by extension, over aspects of its deliberations, directly to the person who happens to be the Prime Minister. Clearly, it would not be a parliamentary committee. It would be a committee made up of some parliamentarians but would not at all be a parliamentary committee.

We go on to the issue of the provision of information in the bill. What information is to be provided, and how would that information then be considered and synthesized by the committee? Again, there are substantial limitations in terms of the work of the committee.

I attended the technical briefing last night, and we were told by the Minister of Public Safety that the goal is to include, as much as possible, both retrospective review and oversight of current operations.

• (1220)

Yet if we look at clause 14 of the legislation, which deals with exceptions, the exceptions would effectively include any possible scrutiny of ongoing operations. I draw the attention of members to clause 14:

(b) information respecting ongoing defence intelligence activities supporting military operations, including the nature and content of plans in support of those military operations;...

(e) information relating directly to an ongoing investigation carried out by a law enforcement agency that may lead to a prosecution;

Effectively then, it would be anything related to investigations that may hypothetically lead to prosecutions or anything related to military operations. I do not dispute the value of some exclusions, although these are people who are going to go through the process of getting security clearances. They are going to be approved for the purpose of doing these kinds of reviews. It is interesting that right at the outset, these exclusions would effectively seem to exclude most of the kinds of information that might be related to ongoing operations. Those exclusions would happen right at the outset.

That is not all. It is not just those automatic exclusions. In clause 16 we have sort of a discretionary exclusion for the minister involved that is extremely broad. It says:

(1) The appropriate Minister for a department may refuse to provide information to which the Committee would, but for this section, otherwise be entitled to have access and that is under the control of that department, but only if he or she is of the opinion that (a) the information constitutes special operational information, as defined in subsection 8(1) of the Security of Information Act; and (b) provision of the information would be injurious to national security.

Again, in the official opposition, we understand the importance of the sensitivity of this information, but this would be a matter of the opinion of the minister; this would not be a matter of saying that in the opinion of experts there is a risk to national security. This would purely be a subjective determination by the minister saying that we do not want to give this information to this committee, because in the view of the minister, it is injurious to national security, but we do not actually have to justify that belief in any objective sense.

The legislation is clear that the committee would not have a mechanism, for instance, to challenge the exclusion in court.

The committee, already appointed by the Prime Minister, dominated by members of the government, where the chair,

appointed by the Prime Minister, would effectively have two votes, could still be refused information solely on the basis of the opinion of the minister without any kind of review of that determination by the minister.

We talked about the limitations and exclusions in terms of appointments. It is clear that there are substantive limitations and exclusions in terms of the information an already secretive committee would receive itself privately.

Let us go on to the limitations in terms of reporting. Who would the committee report to? The Prime Minister would be appointing it, and the Prime Minister could determine that it would not receive information. Who should the committee report to? Well, let us keep it in the family. The committee would report to the Prime Minister. That is right. This committee of parliamentarians would not report to the House; it would report directly to the Prime Minister. Of course, the Prime Minister would then provide that information back to the House within a certain number of days. I believe it is within 90 days, but the Prime Minister would have total unfettered discretion in limiting what he tabled. I am going to read again from the legislation itself, subclause 21(5):

If, after consulting the Chair of the Committee, the Prime Minister is of the opinion that information in an annual or special report is information the disclosure of which would be injurious to national security, national defence or international relations or is information that is protected by litigation privilege or solicitor-client privilege or, in civil law, by immunity from disclosure or the professional secrecy of advocates and notaries, the Prime Minister may direct the Committee to submit to the Prime Minister a revised version of the annual or special report that does not contain that information.

• (1225)

I am sorry, it was not 90 days. The timeline between the Prime Minister receiving this and when he would be obliged to table it would be 45 days.

In terms of this section, it is very clear that, first of all, the Prime Minister would have full and complete discretion in terms of what is and is not tabled. He could go back to the committee and require it to make these kinds of changes before it was tabled. However, it is also clear from this section that he would not even need to invoke national security or national defence, because the section includes, as well, a reference to international relations.

In other words, if the Prime Minister believed that something in this report, which would then be tabled in the House, might have a negative impact on the reputation of the government and therefore would have some implications for our international relations, then on that basis, not even on the asserted basis of security, the Prime Minister could then go back to the committee and say that it needed to exclude that information.

What options would the committee have? Of course, in a normal situation, where we were not dealing with secrets, there would be an opportunity to publicly raise some objection. However, the committee could not do that. There would be no ability for the committee to then draw the attention of the public to this information in some other way, and quite appropriately, in this context.

*Government Orders*

However, we have to ask what is actually going on here. What is the effective check on the power of the government? Surely that is what is behind the very notion of parliamentary oversight, that there would be some opportunity for parliamentarians to meaningfully check the activities of the intelligence agencies that are accountable to the government.

However, there is no such check. The Prime Minister would fully dominate the appointment process. The Prime Minister and the cabinet would fully dominate the question of what information would flow to the committee, and the Prime Minister would be directly and fully in control of what information was or was not tabled in the House. This clearly is not in any sense a meaningful mechanism of scrutiny, at least as the bill presently stands. It is not a meaningful mechanism for checking the exercise of power by the government.

It is also worth looking at some of the differences between the legislation before us and the other private member's bills we have heard. Again, a few of them I have mentioned. Some of these other proposals refer to an all-party committee and not just to other members being chosen by the government. They also refer to the election of a chair by members.

Also, the legislation before us provides for significant remuneration not just for the chair of this committee but for all the members of the committee. That is a difference from what was promised in the past. The stipend available for the chair, and again the chair position has already been promised to someone, is substantially higher than the normal stipend for committee chairs.

We see these deviations, but we do not see a meaningful check in place.

I would very quickly mention that there are alternative models. The government has referred to our Five Eyes allies. It is worth underlining, for example, the British model, which does involve a parliamentary committee. It is not just a committee that happens to be made up of parliamentarians but is an actual parliamentary committee that reports to Parliament and is, of course, bound by all the same laws this committee would be bound by in terms of respect for secret information. However, it is ultimately accountable to the law and to Parliament, not to providing a report exclusively to a prime minister.

We also have a Canadian law that, frankly, has worked very well. The government has to explain how this addition would interact with our existing, highly effective Canadian model. It is not a parliamentary oversight model. It is a model of genuinely expert, independent oversight.

● (1230)

We have an intelligence review committee that is actually chaired by a former parliamentarian and has the expertise and the ability to provide an effective check, which this legislation just would not. Unfortunately, this is smoke and mirrors, not a substantive check on the power of the government.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, as I posed a question earlier today with respect to the Conservative Party's approach to the bill, maybe I could be a bit

more concise and specific in asking the member whether or not he actually supports, or the Conservative Party supports the legislation.

It is important to note that the Conservative Party, for well over a decade, has opposed a parliamentary oversight committee. Now, we, the government, have actually put forward parliamentary oversight, something that was a part of an election platform. The member made reference to that platform issue. We were listening to what Canadians wanted. It was highlighted, especially during the great debate regarding Bill C-51. Conservative after Conservative, both in cabinet and outside of cabinet, stood and said, "We don't need a parliamentary oversight committee".

Now, we have a Prime Minister and a government, concerned about rights and freedoms and security, that has brought forward a piece of legislation that is good for all Canadians.

My question for the member, very specifically, is this. Does the Conservative Party, today, support a parliamentary oversight committee?

**Mr. Garnett Genuis:** Mr. Speaker, let us be very clear. The legislation would not provide parliamentary oversight. It would introduce a group of parliamentarians who are commissioned to provide advice to the Prime Minister on the basis of information that the government chooses to provide them. That is not at all a serious mechanism of parliamentary oversight.

I think it is important for us to look at individual proposals that come forward, when it comes to oversight. There are different mechanisms that work. There is nothing wrong with having an ongoing conversation about changes that could be made to improve how we do things. I do think it is worth acknowledging that Canada's experience in this respect has been very good. We have had an effective body that has done this for a while. However, what the government is proposing just is not parliamentary oversight in any sense worthy of the term.

**Mr. Peter Julian (New Westminster—Burnaby, NDP):** Mr. Speaker, I appreciated the speech made by my colleague, the member for Sherwood Park—Fort Saskatchewan. We differed with him on Bill C-51, as we differed with the Liberals. Last year, the NDP was the party that stood up against Bill C-51 because we thought that the cost, in terms of civil liberties and rights and freedoms, was too high and we raised a whole range of measures that the government could take to increase security without diminishing our civil liberties.

Now, on this particular issue, the government has been bringing forward oversight but refuses to put in place an independent chair. As the member knows, most of the countries that have this type of oversight actually allow for an independent chair of that committee.

I want to hear the member's views on why he thinks the government has taken this approach when most of our allies, and other countries that have put this type of structure in place, have an independent chair who is elected by the members of the committee.

*Government Orders*

● (1235)

**Mr. Garnett Genuis:** Mr. Speaker, I do credit the NDP for standing up for what it believed in on Bill C-51. Of course, he points out that we had a different point of view on that issue. I will note that some of the powers in Bill C-51 are being used by the RCMP, and our agencies have talked about how they have used the powers and the value that those things provide.

However, I will say, with respect to the issue of parliamentary oversight, it appears that actually doing it is not really a priority for the government. It wants to say that it has checked the box, but substantively, it is not introducing a system where members of Parliament have a meaningful ability to study, to exercise oversight, and to report that back to Parliament.

The member refers to other international examples. I talked briefly about, and I will just underline again, the British experience in this respect. The British committee was actually changed in 2013 and expanded, in terms of its powers. Members of that committee are appointed by Parliament. They come from both Houses. They report directly to Parliament and they are required to do so on the basis of security legislation. They are responsible for doing that and the model is working well.

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, I would like to thank my hon. colleague for again a very thoughtful and thorough examination of the shortcomings of the legislation before us. In fact, he has made clear, as all of the opposition speakers have today, that in fact this proposed parliamentary oversight committee is nothing like the British parliamentary oversight in at least half a dozen key areas.

I would like to ask the member about an observation in his remarks that caught me a bit off guard. He said he attended a briefing last night on the detail of the legislation. He informed the House that in fact the Minister of Public Safety conducted this briefing, where, as a number of us have lamented in debate today, the minister did not present and defend his legislation but left it to the House leader to do so.

**Mr. Garnett Genuis:** Mr. Speaker, just to clarify, both ministers were present at the technical briefing, the government House leader and the Minister of Public Safety. Most of the detailed information on the legislation was provided by the Minister of Public Safety.

The point the member makes is important, about the active participation of ministers in this debate. Of course it is not parliamentary to draw attention to the presence or absence of ministers or members in the House, and I would not dream of doing it.

However, I would say it is important that ministers are here to discuss the legislation, especially when we have an opening speech from the government that misunderstands fundamental aspects of the legislation. It talked about reporting to Parliament, for example, instead of reporting to the Prime Minister. I cannot speak for what exactly the process is on the other side of the House, but I think it is important when they have a detailed piece of legislation to engage in the detail and to accurately describe that detail in our debates.

**Mr. Kevin Lamoureux:** Mr. Speaker, maybe I can help the member. The government House leader is the minister who is responsible for the legislation's introduction because the legislation

would have an impact on, I believe, 17 departments plus many other aspects in terms of the issue of accountability, dealing with freedoms and securities, individual rights, and so forth. The Minister of Public Safety will in fact be making a presentation today, as other members will make presentations.

It is a bit disingenuous of Conservative members to take away the importance of the legislation not just to one department but to a number of departments. This is something that the Prime Minister and the government have been very clear on. It is not just one department that the legislation would affect. The most appropriate minister would in fact be the government House leader in terms of its introduction.

Will the member not at the very least acknowledge that the bill applies to more than one department and that in fact it makes sense to have the government House leader introduce the bill? Would the member want all 17 ministers and be critical of those ministers for not making presentations?

● (1240)

**Mr. Garnett Genuis:** Mr. Speaker, I want to be very clear about this. I at no point criticized the fact that the government House leader proposed the legislation. Whichever minister the Liberals wish to have propose it is of course the business of the government. I have risen to discuss the substance of the legislation, which, as always in discussion with my friend from Winnipeg North, I try to bring us back to because it is important for us to be evaluating the substance of what we are talking about.

My point about the government House leader was not about the fact that she was the one who moved the legislation. It was simply about the fact that some of the things she said about the legislation do not reflect what is in the legislation. That is the issue. The issue is that members need to know that we are talking about a committee that would be appointed by the Prime Minister, whose access to information would be fundamentally controlled by the Prime Minister and cabinet, and that would report back to the Prime Minister, and that the Prime Minister could choose not to have information tabled in the House even if he does not see it as a threat to national security. He could even use potential harm to international relations as the basis for excluding information.

It is just important that members know the facts on the legislation and are analyzing it carefully. Unfortunately, the point about the government House leader's speech was simply that there were things that were said that did not reflect the substance of the legislation.

**Mr. Marco Mendicino (Eglinton—Lawrence, Lib.):** Mr. Speaker, before I begin my remarks, I would like to indicate that I will be splitting my time with my friend and colleague, the member for Surrey Centre.



*Government Orders*

I am honoured to speak today to Bill C-22, which would create, for the first time, a national security and intelligence committee of parliamentarians. There can be no more important obligation of government than the responsibility to protect the safety and security of its citizens, both at home and abroad. However, there is another equally important obligation for government in a country like Canada that values our hard-earned freedoms, democracy, and the rule of law, an obligation to uphold the Constitution of Canada and ensure that all laws respect the rights and freedoms we enjoy as people who live in a free and democratic society.

The need to balance these two obligations simultaneously lies at the heart of the bill before us today. The legislation responds to the threats and attacks that have afflicted countries around the world, including Canada and some of our closest allies, in the face of which we must remain clear-eyed and ever vigilant.

Bill C-22 also responds to the many calls over many years for enhanced accountability of departments and agencies with national security responsibilities. Hon. members will remember that these calls intensified last year when the previous government introduced the Anti-terrorism Act, 2015, also known as Bill C-51 at the time.

Then, the Liberal party made the argument that Canada's approach to national security legislation should avoid both naïveté, on the one hand, and fearmongering, on the other. The threats are real, and so is the need to protect civil liberties. That is why we included improvements to our national security framework, including the creation of a national security and intelligence committee of parliamentarians as a major part of our campaign platform in the last election.

The bill before us would establish a committee with nine members. Seven of the committee members would be drawn from the House of Commons, of which only four can be government members. Two members would be drawn from the other place. This committee will be different from other committees and offices established to review security and intelligence matters.

In the accountability system now in place, some review bodies can access classified documents, but only for a specified department or agency. The members of these committees are not sitting parliamentarians. Where parliamentarians do have a role, they do not have access to classified documents.

None of the existing independent review bodies, including the Security Intelligence Review Committee that reviews CSIS, the Office of the Communications Security Establishment Commissioner, and the Civilian Review and Complaints Commission for the RCMP, includes sitting parliamentarians. On the other hand, parliamentary committees examine security and intelligence matters, but carry out their mandates primarily through listening to testimony at public meetings.

In the other place, the Standing Senate Committee on National Security and Defence has a broad mandate to examine any legislation or issues related to national defence or security. In the House, the Standing Committee on Public Safety and National Security studies legislation or issues related to Public Safety Canada and the other agencies in the public safety portfolio. They do exceedingly valuable and good work, but as a rule, neither of these

committees has access to classified information. They have neither the mandate nor the resources to dig deep into the details of national security matters in order to hold the government and national security agencies truly accountable.

Under the bill before us today, members of the national security and intelligence committee of parliamentarians would obtain the appropriate level of security clearance and would, therefore, have access to highly classified security and intelligence information regarding national security and intelligence activities across the Government of Canada.

I would also point out that our Five Eyes partners have review bodies that function in similar ways. In those countries, select parliamentarians have access to highly sensitive intelligence so that they can help to protect the public interest with regard to civil rights while also helping to protect public safety by ensuring that national security organizations are functioning effectively.

● (1245)

Until now, Canada has been alone among the Five Eyes partners in not having a committee where parliamentary representatives can access classified information. This bill would close that gap. In fact, in some regards, our proposal goes further than our allies in the Westminster democracies. This committee would review any and all government departments and agencies that are involved in security and intelligence. It would also have the authority to investigate ongoing operations.

When it comes to establishing a national security accountability mechanism, the bill before us sets a new standard that some of our allies might well follow. The powers given to this committee, its members, and its secretariat are robust. The committee would be able to access any information it needs to conduct its reviews, subject to some specific and reasonable limitations. As is the case with similar committees in other countries, while committee members would not be able to publicly divulge the classified information to which they would have access, they would be empowered to bring tremendous pressure to bear on a particular agency or on the government of the day by letting Canadians know if something is not right.

Clearly, this new committee represents a major step forward in strengthening the accountability of our national security and intelligence system. It would give the people's representatives a true opportunity to evaluate our national security policies and operations, and ensure that both Canadians' safety and their civil liberties are protected.

For those reasons, I urge hon. members to join me in supporting this very important and historic bill.

*Government Orders*

• (1250)

[*Translation*]

**Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP):** Mr. Speaker, I thank my colleague for his input into the discussion on the security committee of parliamentarians, a committee that the NDP has been calling for. In fact, this recommendation has been on the books for 35 years and has never really been applied.

The committee would ensure that Canadians would have renewed trust in our national security system. With Bill C-51 being passed and supported by the Liberals, we really need Canadians to believe that their information, rights, and security are protected.

Even though this is a step in the right direction, many experts have expressed concern over flaws in the process of forming the committee, including the Prime Minister's power to censor the committee's reports, which in fact we want to limit.

For example, under the current wording, the Prime Minister has a great deal of latitude for requiring the committee to revise its reports in order to exclude information, but nothing requires the final report to spell out the fact that some passages were redacted and what types of information were excluded. Transparency would be lacking. There needs to be a great deal of transparency for Canadians to be able to trust the committee.

What does my colleague opposite think about that? Would his party agree to an amendment?

[*English*]

**Mr. Marco Mendicino:** Mr. Speaker, I would like to share the sentiment that there has been, for quite some time, a public conversation about the need to elevate the standards of accountability through the creation of a parliamentary oversight committee.

We heard earlier today in the House that the origins of that conversation go as far back as the late 1970s and early 1980s, when the McDonald commission recommended as much.

I would also like to take this opportunity to point out all of the hard work of my colleagues the member for Charlottetown and the parliamentary secretary to the President of the Treasury Board, for their work in past sessions, where they advanced the important work of elevating the standard of transparency and accountability through the creation of a parliamentary oversight committee.

For all of those reasons, I am very proud today to stand here in support of Bill C-22.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, it is striking to hear the way the government members are characterizing this legislation. In my speech, I read directly from it some of the ways in which it is very clear that the process is dominated from the beginning to the end by the Prime Minister's Office.

I would ask to specifically hear the member's reflections on clause 21(5), which I asked the government House leader about. It says that the Prime Minister can exclude from the final report information that he believes, subjectively, would be injurious to international relations. If the government is going to have such a general criterion that does not even reference security, should there not be at least some external expert review of the Prime Minister's use of this

power, because otherwise this exercise is totally meaningless? If the Prime Minister for such justification can limit the tabling of information in the House, then surely that is not in any way a substantive check on the power of the government.

**Mr. Marco Mendicino:** Mr. Speaker, I have taken my colleague up on his offer to take a look at proposed clause 21(5). The first thing that I would point out to my colleague is that there is a reference to the word security. He just indicated that there was none. I just want to clarify that there are certain important thresholds that do form the Prime Minister's discretion when it comes to having an ongoing dialogue with the committee about the nature of the report, which will be filed in the House as is required by the legislation. The other important thing that I would like to point out to my colleague is that the clause does require the Prime Minister to consult with the chair of the parliamentary oversight committee.

When it comes to consultation and to having a two-way dialogue, I am proud of the way our government has raised the standards on both of these important principles, something that the hon. member and his party would do well to learn.

• (1255)

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Mr. Speaker, I am delighted to speak to the proposed legislation before us today to deliver on the commitment we made to Canadians to improve the scrutiny and review of the national security and intelligence activities of the Government of Canada. It is in answer to what Canadians wanted and what was reflected when I knocked on doors in my riding of Surrey Centre.

As members have heard, Bill C-22 would allow for the establishment of a national security and intelligence committee of parliamentarians, a multi-partisan committee that would examine and report on the government's national security and intelligence activities, an area that many Canadians feel is far too opaque.

This important bill is a key component of our ambitious national security agenda, one that is focused on achieving the dual objectives of keeping Canadians safe and safeguarding the rights and freedoms we all enjoy as Canadians. As I will explain today, the work of the committee will be vital in helping us achieve both of those objectives.

In terms of structure, the proposed committee would be a statutory entity whose members would be drawn from the ranks of current parliamentarians across party lines. It would be composed of nine members, which includes seven members of Parliament, with a maximum of four being from the governing party, and two from the Senate.

Given the nature of its mandate, the committee would be granted unprecedented access to classified material. A dedicated, professional, and independent secretariat would support the work of the committee to ensure it has the tools and resources it needs to carry out its work.

*Government Orders*

The next element I want to touch upon is the proposed mandate of the committee. Indeed, one of the ways in which we would ensure that the committee is effective is by giving it a broad mandate. It would have the ability to review the full range of national security activities in all departments and agencies across the Government of Canada. That is a key tenet of the bill and is crucial to what we are trying to achieve.

Some 20 different agencies and departments are involved, albeit to varying degrees, in national security and intelligence activities. The committee would be able to look at all of this work to gain a full picture of what government agencies and departments are doing in national security and intelligence matters.

In terms of this mandate, the model and vision go even further than that which exists in most countries in the world where a similar type of committee currently exists. The committee would have the authority to self-initiate reviews of the legislative, regulatory, policy, financial, and administrative frameworks for national security in Canada; in other words, it would be able to look at the matters it wants to look at. Its goal would be to ensure the effectiveness of the framework, as well as its respect for Canadian values.

Beyond this power to look at the national security framework, it would also be empowered to review specific national security and intelligence operations, notably including those that are still ongoing. Understandably, this power would not be entirely unfettered. The appropriate minister for a department or agency may refuse to provide information if the information constitutes special operational information and the provision of information would be injurious to national security. This is a necessary provision to ensure the integrity of our national security operations, which can be highly sensitive. However, committee members would be able to bring pressure to bear on the government of the day by telling Canadians if they have uncovered something problematic, without discussing the specifics.

We also know that the Prime Minister or minister would not want to be the one defending his or her position to block an inquiry unless it is absolutely necessary. Therefore, I feel that this on its own would be an adequate deterrent to prevent the unnecessary blocks to inquiries.

Our government is incredibly proud of this bill because it would fill a gap in the national security accountability framework in our country, an assessment with which I know many members of this House would agree.

I would note that it is a shortcoming that several past and present parliamentarians have tried to address with other legislative proposals in the past. We certainly look forward to hearing any input from them, and indeed all members, throughout this legislative process.

• (1300)

At the same time, there may be some who would say that the review and accountability already exist when it comes to national security. It is true, of course, that a number of review bodies already provide a review function for their own specific organization, as the Civilian Review and Complaints Commission does for the RCMP and the Security and Intelligence Review Committee does for CSIS.

However, at a time when departments and agencies have been granted new mandates and new powers to disclose national security related information to each other, it is incumbent on parliamentarians to be able to meaningfully review Canada's overarching national security framework, as well as the operations of our national security agencies, so that we can make informed decisions about our laws and the effective use of our resources in protecting our national security.

Thankfully, Canada's security agencies have not been abused by the ministers or governments that run them, but in countries where there is an absence of parliamentary oversight, the security and intelligence review agencies have become political tools for the powers that govern them. Therefore, the prudent thing to do is to create a parliamentary oversight committee prior to such events occurring here in Canada.

That is also why we will be encouraging the new committee to co-operate and collaborate with existing review bodies, to avoid overlap and build on the great work that has already been done. For example, receiving copies of the reports that the review bodies draft would be beneficial for the committee for a number of reasons, including avoiding inadvertent duplication of effort, keeping abreast of potential areas of concern, and being able to follow up with its own reviews when deemed necessary. It is important to note, however, that the existing review bodies would remain autonomous institutions with distinct mandates, and such collaboration, while desirable, would be voluntary.

In terms of reporting, the committee would be required to prepare a minimum of one annual report. After the appropriate vetting to safeguard classified information, that report would be tabled in Parliament. It would also have latitude to issue other reports on any topics it deemed urgent and in the public interest.

On that note, I suggest that when the committee is struck, it be a committee that ensures that Canadians from all walks of life, races, creeds, cultures, and minority groups be protected and included.

Canadians must have faith in our security operations that are designed to protect us from the very real threats that we face in 2016. That said, it is important to maintain the dignity and the trust in the government departments and agencies whose mandates include security, and the bill before this House does exactly that.

At the helms of our law enforcement and intelligence agencies are Canada's best and brightest. Canadians are proud of the hard work and sacrifice they make to protect our country. However, it is common when organizations work in silos that the big picture may be omitted.

Retired Justice John Major once said that it was a cascading series of errors in response to the early interactions between the RCMP and the newly created security agency, CSIS, that resulted in a security breach. We have come a long way since and have made significant improvements in that relationship, and the bill represents the next step in that progress.

I ask the House to monitor and scrutinize this legislation as necessary in the years ahead. As parliamentarians, it is our job to ensure that the legislation is up to date and that it is always in the best interests of Canadians.

*Government Orders*

We look forward to engaging in constructive and thoughtful debate with members on all sides of the House on this and other issues related to improving our national security.

• (1305)

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Mr. Speaker, there are some things that are concerning to me.

In the past, the Liberal Party became very concerned and expressed angst about there being too much power in the previous PMO. The member said that the current review systems could become political tools of the government of the day. When he says things like that, I wonder why he can justify Bill C-22, which basically gives an amazing amount of control and power to the PM, or possibly to his office. Why is he comfortable with the bill giving so much power to the Prime Minister?

**Mr. Randeep Sarai:** Mr. Speaker, what I have found troubling is the security agencies in countries like India and Pakistan and others, which have western democratic systems, that are working in the silos of the ministry on their own. These countries have used these agencies as political tools to advance their own political agenda, and the agencies have been unfettered. No one there has had any oversight. In fact, a critique of one of their own retired senior intelligence officers was that one of the problems with those agencies was that they have no parliamentary oversight.

I am not troubled when I know that ministers, in particular the Prime Minister, may at certain times have to block these reports, because even if he or she blocks them, a committee of parliamentarians will know that the reports have been blocked. They will be able to go public and say they were blocked without jeopardizing any investigation. Therefore, this power will not be used very lightly and I am comfortable for our national security interests and our ongoing operations that the power may reside in the Government of Canada.

**Mr. Peter Julian (New Westminster—Burnaby, NDP):** Mr. Speaker, I thank the member for Surrey Centre for his well-spoken remarks. He sits in the seat I first sat in when I arrived in the House back in 2004. I think some of his comments bear follow-up, particularly on the difference between what the government purported it would do with oversight and what it is actually doing in the bill.

There are a number of concerns. First, our allies have independent elected chairs of their oversight committees. That will not happen in the bill, tragically. Second, the ability of the Prime Minister's Office to censor the oversight committee's reports is a real concern. Third, and this is something that flies right back to 2004 when I was first elected and this issue was studied by an all-party committee, an oversight committee must have full access to classified information. That will not happen in the bill either.

These are major shortcomings, major problems. The principle of the bill is one thing, but the shortcomings are quite another. I would like the member to comment on these shortcomings.

**Mr. Randeep Sarai:** Mr. Speaker, I am glad I am filling the member's shoes in this seat. He is a member of Parliament for my former area of residence, and I am glad I am following in good footsteps.

When it comes to the censorship issue, I believe the only thing that would be censored would be classified information, particularly with respect to intelligence agents and informants. As we have been advised, even the Minister of Public Safety does not want to know the names of informants. I think that is integral to maintaining the sanctity of the relationship with informants. It is critical in our system, and if I were on that committee, I would not want to know those names for their sake and their operational safety.

When it comes to some of the responsibilities to appoint the chair and the ability of the Prime Minister to stop an investigation from happening, we must take this legislation as something that is going to grow and be revised from time to time, if we see it as ineffective and not achieving its mandate. However, in its current form, it will be very adequate. It will govern itself and the fact that there are parliamentarians who will know they were blocked on this will in itself be a great deterrent. However, if it—

• (1310)

**The Deputy Speaker:** Order, please. Unfortunately, the time for questions and comments has expired.

Resuming debate, the hon. member for Bruce—Grey—Owen Sound.

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, I am pleased to rise in the House today to speak to Bill C-22, the national security and intelligence committee of parliamentarians act. Today, I would like to focus my remarks on four main areas of concern I have with the legislation as currently drafted.

However, before I begin, I would like to take a few moments to recognize the important work done by the men and women who serve our country's national security agencies. The work done by these agencies is paramount to the public safety of all Canadians, and I commend those who work tirelessly to keep us all safe. Like you, Mr. Speaker, and anyone else who was in the House two years ago on October 22, I have a lot of respect and admiration for those who kept us all safe that day. It could have been a different outcome. To all of those who were here that day and kept us all safe and able to go home to our families, I thank them very much.

We are not immune to the threats our allies are facing around the world from terrorism and homegrown radicalization. In fact, we all witnessed the tremendous work of our national security agencies this summer when they were able to stop a potential terror attack in Strathroy, Ontario, a community just a few hours south of my riding of Bruce—Grey—Owen Sound. My colleague here beside me represents that area and knows how the situation could have turned out much worse. Our security agencies were able to identify and intercept a threat from a radicalized individual before he was able to place homemade explosive devices in public locations. Without our security agencies, this could have ended in disaster. Again, I thank those who work around the clock to keep us all safe from threats like these and all others.

*Government Orders*

I would like to highlight four main areas of concern that I have with the legislation. They include the timing of the legislation and appointment of the chair; the membership of the national security and intelligence committee of parliamentarians, which I will refer to as the committee; the level of access that the committee will have to important information; and the channels through which the committee will release its reports.

First and foremost, I feel that the timing of the legislation is strange. The government introduced the legislation in the final days before the House rose for the summer last session. This is fine and dandy, but we found out during the summer that the Minister of Public Safety would be launching a cross-country consultation on Canada's national security framework. The Department of Public Safety listed the topics for discussion at this consultation as accountability, prevention, threat reduction, domestic national security information sharing, the passenger protect program, the Criminal Code's terrorism measures, the terrorist entry listing procedures, and others as part of the scope of the consultation. It seems to me there are a number of aspects of the legislation that could be significantly impacted by what is heard from Canadians as the government carries out these consultations.

Furthermore, the minister has written to the Standing Committee on Public Safety and National Security, which I am a member of, to ask that the committee also engage in cross-country consultations with Canadians on Canada's national security framework. As vice-chair of this committee, I am looking forward to travelling across Canada to hear from interested Canadians on what they think about these very important topics. However, what I am concerned about is that the government once again has put the cart before the horse. I do not understand why or how it makes sense to anyone to table this legislation and several other pieces of legislation before the House when we have not yet consulted Canadians, unless of course the government is just carrying out these consultations to pretend it is actually consulting. I sincerely hope that that is not the case, but it certainly appears that it is exactly what it is doing.

Furthermore, I find it deeply concerning that the government named the chair of the committee before it even put the legislation before the House. The member for Ottawa South was named as the chair of the committee more than five months before the legislation was brought before the House.

• (1315)

I respect the member for Ottawa South as I do all colleagues in the House. I sat for a few years on the transportation committee with him. It is not about him so much as the process, and some other points that I will mention.

I have served on many different committees since I became a member of Parliament back in 2004, and never, not once, have I joined a newly-formed committee that already has had a chair for months. The chair is always selected by the committee members through an election at the first meeting of the committee.

We all know, and I am not naive, that when the Liberals are in power, or whichever party is in power, that it will be one of them that gets elected. However, we still have the election, and that is not happening in this case.

I actually find it very ironic that the government has already named the chair of this important committee, given that it was the Liberal Party during the election campaign that called and screamed for more accountability for parliamentary committees. Where is it?

The Liberal Party platform states on the increase on accountability that "...we will strengthen the role of Parliamentary committee chairs, including elections by secret ballot". Does that sound like what we are doing? Not at all.

Why should the process be any different for this new committee? The chair should have never been appointed before the membership was even consulted.

This leads to my second concern with the legislation as it is currently drafted. I have several concerns with how the membership of this new committee will be formed.

The legislation states that the committee will be composed of the chair, up to seven members of Parliament, and up to two senators, and will become members of the committee through a Governor in Council appointment on the recommendation of the Prime Minister.

My concern is that membership on the committee is at the discretion of the Prime Minister rather than Parliament. Indeed, it has been expressed by many Canadians that they want parliamentary oversight of their national security agencies. What they do not want is for the Prime Minister to basically bypass Parliament and have full control of the committee, because that is the way it is designed.

If this committee is going to provide parliamentary oversight, then the membership of the committee should be approved by Parliament and not the Prime Minister. This committee should not be seen as an extension of the PMO.

Furthermore, in reading the legislation further, I note that the bill does outline security and confidentiality guidelines for the members of the committee, with each member having to obtain and maintain a security clearance, which is all good. They also have to take an oath or solemn affirmation, and comply with procedures and practices. Additionally, members are prohibited from knowingly disclosing information that was obtained in the course of exercising their under the act, and no member of the committee may claim immunity based on parliamentary privilege. I totally agree with that.

These provisions are very important, and I am delighted to see them in the bill. However, it is very unfortunate that there is not one measure or clause that would require members who are appointed to the committee to have at least some type of former experience related to the national security environment. The current chair does not have any previous such experience. I find it very difficult to believe that this committee will be able to effectively carry out important work related to our national security agencies if this is the very first time it has ever worked in such a field. It simply does not add up.

The reason for oversight is actual and legitimate oversight. We are not going to get that. I do not know how someone who is still getting his or her feet wet on the file is able to provide proper and actual oversight. This is a significant flaw in the legislation which I hope will be addressed as we move forward on the bill.

*Government Orders*

•(1320)

My third area of concern with the legislation relates to the level of access that the committee would have to important documents regarding the operation of Canada's national security and intelligence agencies.

As the legislation is currently drafted, it is extremely limiting with respect to the information that the committee will have access to and it entrusts a lot of power to the Prime Minister and several ministers to limit access to information for the committee when they see fit. It is totally inappropriate and absolutely unacceptable.

If we want this committee to provide true, independent oversight of our national security agencies, then the bill will need some amending. I hope the government is open to constructive criticism.

As it stands, the bill would give the government far too much power to block the committee at every turn and to limit what it would be able to investigate. This would significantly limit the ability of the committee to fulfill its mandate. Again, this is supposed to be a committee of parliamentarians, not an arm of the Liberal Party of Canada.

My final area of concern deals with the way in which the committee would report its findings to the House and by extension, the public.

The legislation is clear in stating that the committee will be required to submit annual reports on a yearly basis and special reports as required. This is great. The only problem is that these reports are given directly to the Prime Minister, rather than to all of us in Parliament. Again, that is totally unacceptable.

These reports are to contain the committee's findings and recommendations, and the Prime Minister then has the ability to remove any information that he may deem harmful to national security or defence before the report is tabled in the House of Commons. Essentially, the legislation would give the Prime Minister a final say on what is reported to the House.

I know members have sat on various committees. That is not how it works and that is not how it is supposed to work. However, under the current government, it seems to be the way it wants to do some things.

While it is very important that there are checks and balances, and I do not have an issue with that, to ensure that nothing in the committee reports harms our national security, I am definitely sure that giving the Prime Minister's Office a veto power over the contents of this report is not the best way to go about this. That is the committee's responsibility.

As I have stated a number of times throughout my remarks today, this is supposed to be a committee that provides parliamentary oversight. In this regard, the committee should be reporting directly to Parliament and should not have to get a stamp of approval from the PMO.

This truly removes the ability of the committee to act independently and gives the PMO a significant amount of influence over the committee, which I find ironic since the Prime Minister

promised during the campaign to decrease the role of the PMO. I guess that was 2015 then. It is 2016 now.

Having highlighted my main areas of concern with the legislation, I want to take just a few moments to highlight how the United Kingdom has formed its own committee for parliamentary oversight of its national security agencies.

I know the minister and the chair of the committee have done some travel to do some fact-finding, but I am not sure the best practices from other countries have made their way into this legislation. We should learn from other countries when possible. We do not need to reinvent the wheel.

It is important to only make comparisons between Canada and other Westminster parliaments because, as I have repeatedly stated today, this is to be a committee of parliamentarians that reports to and for Parliament. This leads into the comparison that I want to make.

The Parliament of the United Kingdom established its intelligence and security committee of Parliament in 1994 to examine policy, administration, and expenditures of the security service, secret intelligence service, and the government communications headquarters.

•(1325)

In 2013, three years ago, and some nineteen years after the original legislation, it made very significant reforms to make this a committee of Parliament, with a number of greater powers. The members of this committee are appointed by Parliament, and it reports directly to Parliament. Issues of national security are reported directly to the Prime Minister. Furthermore, the members are given access to highly classified material.

To me, this seems like a committee that has much more independence from the prime minister's office and has the appropriate level of access to classified material to truly provide proper oversight.

The most important fundamental difference between the committee proposed in Bill C-22 and the committee that operates in the United Kingdom is that members are appointed by, and report to, Parliament and Parliament alone.

Again, as I have stated, if this is to be a committee of parliamentarians that provides parliamentary oversight, then the committee should be beholden to Parliament and not to the Prime Minister or the Prime Minister's office.

I would be very curious to know this. When the minister travelled to the United Kingdom, was he advised against making this committee an extension of the PMO? Was he encouraged to adopt the committee structure that came out of the reforms in the United Kingdom in 2013?

*Government Orders*

The reason this is a key point is that we have been a little away from some of the hot spots in the Middle East, where terrorism seemed to blossom. However, England and Britain saw this a lot quicker than we did, so their legislation has been there for some time. The longer a piece of legislation is in place, no matter what it has to deal with, we learn things from it. I do not care how smart any of us in the House are, or any government, it would be wrong to say that every bill we draft is perfect. That is not the case. As things evolve and change, we adapt and make changes, which is what the Brits did in 2013.

The other bill seemed to be very similar to what the government is putting in place today. The United Kingdom realized that after 19 years, or 17 years, whatever it turned out to be, that it was not doing the job, that it was not right. Therefore, it has been changed to make it right. We should have followed those changes, and it is obvious we did not.

The Parliaments of Australia and New Zealand also have parliamentary committees that provide oversight over their national security agencies, though they are much different than what is proposed by Bill C-22. The United Kingdom offers the closest comparison to Bill C-22.

Therefore, we should learn from the experience of the United Kingdom. It has had some form of parliamentary oversight since 1994. Clearly the reforms that were made back in 2013 were brought about for a reason. We should, to the greatest extent possible, offer a similar model that reflects the lessons learned in the UK from having such a body in place for more than 20 years now.

Finally, I hope the minister and his department consulted all of the current oversight agencies when drafting this legislation to ensure that there would not be a duplication of work on this committee. The committee should respect the agencies already in place and work alongside them in providing parliamentary oversight.

I look forward to hearing from oversight agencies, such as the Office of the Communications Security Establishment Commissioner, Civilian Review and Complaints Commission for the RCMP, and the Security Intelligence Review Committee on this legislation.

In closing, I look forward to the rest of the debate that is going to take place today and in the coming weeks and months. I look forward to taking some questions from my hon. colleagues.

• (1330)

**Mr. Arnold Chan (Scarborough—Agincourt, Lib.):** Mr. Speaker, I want to thank my hon. colleague from Bruce—Grey—Owen Sound for what I thought was a very thoughtful and engaging presentation to the House of his thoughts on Bill C-22. I have listened carefully to the comments from the official opposition over the course of the debate so far, and I do want to say that I am heartened here on the government side that there seems to have been a change of heart now that the official opposition sits on the opposition benches. Not too long ago it was the government and was at that time not as receptive to the basic content of what now is being proposed with Bill C-22.

My friend laid out, I think, four broad criticisms, and to me they seem primarily related to issues of process. I am only going to dig into one of them.

That, namely, is with respect to membership in the committee. The member indicated that it was his view that the members of this particular parliamentary review committee should have a background in security. However, I would argue, perhaps, that what is most important is that the members be independent and have an open mind with respect to challenging the positions that are advanced by the government, and not necessarily be captured by particular perspectives; for example, if they had previously served in a security agency or with the police, they would have particular perspectives.

Does my friend have a particular thought, or would he be willing to consider who ought to sit on that particular committee?

**Mr. Larry Miller:** Mr. Speaker, I want to thank my colleague on the other side for his question, and welcome him to this very prestigious place.

There are just two points I want to make. Not once did I or anyone from this side, to my recollection, say that we should not have this kind of oversight or committee with our security intelligence agencies. However, it was the process. Way back when, the minister announced there was going to be a committee, and before that committee was even formed he told us who the chair was. It is not about not supporting this kind of a committee. It never was about that, and it never will be. Again, it is that process.

To the member's question, if I were a police officer or somebody out there who has some background in intelligence and security, I think I would have taken his comment as basically implying that it would be better not to have members with experience from the security or policing side. I do not think they would agree with that.

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I would like to thank my colleague for his speech. He pointed out most of the shortcomings of Bill C-22.

For example, he noted that the chair would be appointed rather than elected by his peers on the parliamentary committee. Given that he would be appointed by the Prime Minister himself, the chair would be beholden to him.

In addition, unlike our security agencies, the committee's access to certain information will be limited. Furthermore, the Prime Minister can accept or reject certain parts or all of the report to be tabled in Parliament. In other words, it is as though the Prime Minister was telling a parliamentary committee that he had the final say on the parliamentary committee's report.

My colleague has a lot of experience sitting on parliamentary committees, and he knows how they work. It would be inconceivable for the Prime Minister to have the power to completely suppress the entire report that a committee wants to table in the House.

What message does that send about the Prime Minister's confidence in the institution of the House and its members?

• (1335)

[*English*]

**Mr. Larry Miller:** Mr. Speaker, I thank the member for a great question and a dead-on observation.

*Government Orders*

Of course giving lip service is all that this is doing. The committee is just a figurehead, so to speak. The Prime Minister, in his instructions to the minister, obviously has told the minister to draft this legislation so that basically the Prime Minister has final say. I can dwell on and talk about that for another hour, but I know I do not have that time.

The bottom line is that the member who just asked the question is absolutely right. The committee just turns out to be a figurehead, its members will go through the due process, but at the end of the day it will not matter one iota.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, that last statement by the member was absolutely ridiculous. This committee would not be an extension of the Prime Minister's Office. The fact of the matter is that somebody has to name this committee. The committee would be made up of the chair plus eight members, four from the government side. Is the member telling us in the House that the five members on that committee, which includes two senators, do not have the ability to challenge the Prime Minister?

There are security matters, in relation to our colleagues around the world, for which a government has to take responsibility. Therefore, the Prime Minister has to be a check and balance. However, if the committee does not agree that the Prime Minister should restrict an item, then it would naturally report it to the House and the Prime Minister would face some heat for that. The Prime Minister would be very reluctant to veto what is in the report.

There have to be checks and balances. We need this oversight committee, and I have faith in the parliamentarians who would be appointed to that committee that they would do their job in terms of the balance of safety and security.

**Mr. Larry Miller:** Mr. Speaker, I have seen the red face and the thrust from the member from Malpeque for years. With all due respect to the member, it is not that I doubt that the parliamentarians on that committee would do their job, but at the end of the day, if the Prime Minister did not agree with them, he would veto it.

The member and I both sat on the agriculture committee for years, and the member quite often displayed how, at the end of the day, when he dealt with agriculture all the time and was in government, most the time it did not matter because he was overruled anyway. It should come as no surprise to him. I doubt the current government is any different from the last one in which he served. At the end of the day, the PMO is going to decide what direction that committee takes, not parliamentarians.

**Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC):** Mr. Speaker, I would like to congratulate my friend from Bruce—Grey—Owen Sound for his good work on this file.

I would like my friend to talk about the level of hypocrisy we are seeing on the other side of the House now. When Liberal members were in opposition, they yelled, screamed, jumped up and down as if, my goodness, the world was ending because the PMO had too much power. What are they doing right now? They are giving veto power to the PMO and have appointed a chair to a committee that has not been started yet.

Maybe my friend could make some sense of out this, because I cannot.

**Mr. Larry Miller:** Mr. Speaker, the member for Haliburton—Kawartha Lakes—Brock is a relatively new colleague in the House and one for whom I have gained a lot of respect. He asked a great question.

I am not going to pretend I have figured out how a Liberal mind works, but at the same time, I am not going to be naive enough to tell him that it will get better. It will not get better. The Prime Minister, the PMO, is going to have final say on whatever comes out of this committee's work. It should be a good committee, and it has the ability to be, but because of the restrictions, at the end of the day, I think Canadians and parliamentarians are going to be very disappointed.

If the Liberals would take the time, swallow the pill, and make the same kinds of changes that the Brits just did in 2013, they could make this the bill that it should be.

● (1340)

**Mrs. Salma Zahid (Scarborough Centre, Lib.):** Mr. Speaker, I will be sharing my time with the hon. member for Louis-Hébert.

I am pleased to rise in the House today to speak to Bill C-22, a piece of legislation that would bring overdue changes to our country's approach to national security and put the lie to, once and for all, the idea that we need to make a choice between the desire to keep Canadians safe and the desire to safeguard the rights and freedoms that all Canadians cherish.

Since the tragic events of September 11, 2001, as western governments and western societies have struggled to respond to this new terrorist threat, this false argument has been presented. We must ensure that law enforcement and intelligence agencies have the tools and resources they need to counter these new and often rapidly emerging threats. However, no, public safety need not come as a detriment to our fundamental freedoms and rights. I reject this false argument and so does our government. To quote Benjamin Franklin, "Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety."

It has often been said of the terrorists that they hate us for our freedom. While I find that a trite and simplistic statement, the fact is that if we do trade our freedom for greater security then, in essence, those who use terror as a weapon have achieved their goals, for their mission is not merely death or destruction; it is terror. It is to fundamentally change our society for the worse and we must not allow that to happen.

We cannot close our society to the world, but rather, we must remain an example to the world, a model of openness, of tolerance, of diversity. Let our diversity truly be our strength and let Canada show that people of different religions, different languages, and different cultures can live together in happiness and in security. The world needs more Canada, and at a time when countries are looking increasingly inward, at a time when countries are closing their doors to trade, to refugees, and to the rest of the world, it needs the Canadian example more than ever.



*Government Orders*

Let me turn to the specific measures in Bill C-22. The centrepiece of this legislation is the establishment of a national security and intelligence committee of parliamentarians that would play a crucial role of oversight and accountability over our national security system. The members of this committee would have access to classified information and a robust mandate to review all the national security framework and ensure it is working to keep Canadians safe while safeguarding our fundamental rights and freedoms.

Sunshine is always the best disinfectant, and while it is only understandable that classified information cannot be shared with all Canadians, it is important that the people's representatives, elected by and accountable to the people, have this access to ensure the people's interests are safeguarded. This is a fundamental responsibility of a member of Parliament, and this is an oversight model that has proven successful for Canada's closest allies. I fully support this initiative.

As we design and debate a new national security framework for Canada, something that has been missing during previous debates is consultation. I am a Canadian Muslim of Pakistani descent. There are more than one million Muslims in Canada. I am a member of a community that has often felt unfairly targeted by security agencies and stigmatized as part of these security debates. From the attacks of September 11th forward, we have felt marginalized, profiled, and seen as part of the problem rather than as part of the solution.

I can assure the House that there are few Canadians more patriotic than my fellow Muslim Canadians, and I am honoured to be one of eleven Muslims whom the people of Canada have elected to represent all citizens in this hallowed chamber.

Those of us who have chosen to come to Canada and make this our home did so for both the security that all Canadians value and the rights and freedoms that all Canadians cherish. Many of us have fled countries where personal liberties are severely limited or even non-existent, and come seeking safety from countries where violence and conflict are a daily fact of life. Yet too often, as I said, we have been treated with suspicion and mistrust. It is as if the security agencies took a racial profiling approach to national security rather than trying to work with the community, and that needs to change.

• (1345)

We need to bring a community policing approach to national security. We know this approach works in our cities. When my colleague, the hon. member for Scarborough Southwest, took over the Toronto Police Service division in Regent Park, relations between the community and the officers sworn to protect it were at a record low. By taking a community policing approach, and treating the community as partners, the member for Scarborough Southwest was able to establish trust with the community, a trust based on mutual understanding and respect, and crime began to drop. People in the community knew they could turn to the police in times of trouble or when someone was going down the wrong path.

In the same way, national security agencies and the government must see communities like mine not as a problem but as part of the solution. Security agencies must proactively engage with all of the community and make us partners in building a safer and freer society. We are ready to be partners. Many of us have come to Canada to flee extremism and violence. We want nothing more than

to root it out in our new home. That is why I was happy to see that budget 2016 included an investment of \$35 million over the next five years to establish an office of the community outreach and counter-radicalization coordinator. This commitment is reaffirmed in Bill C-22.

There is already a lot of great work taking place in communities across the country on counter-radicalization initiatives. However, these initiatives are lacking coordination and resources, and best practices are not being shared. This new office would provide national leadership by coordinating federal, provincial, territorial, and international initiatives, share those important best practices that have proven successful on the ground, and support community outreach and research. Canada can, and must, become a world leader in counter-radicalization, and show that it is possible to build an open, pluralistic, and democratic society. That means engaging all Canadians in keeping our nation both safe and free.

Let us commit here and now to building a Canada where our youth never have to feel that they are different, that they do not belong, or that they are worthy of suspicion simply because of their religion, their ethnicity, or the colour of their skin. That is my dream for the next generation and for my two sons.

I am pleased to note that Bill C-22 also includes a number of other initiatives that seek to safeguard personal rights and freedoms that were missing from the previous government's Bill C-51. For example, there are amendments to better protect the right to advocate and protest, and a better definition of the rules regarding terrorist propaganda.

The government is also introducing a statutory review of national security legislation to ensure that the people's elected representatives have not only the opportunity but the responsibility to regularly review national security legislation to ensure that it is still necessary, still effective, and is not unduly restricting the rights and freedoms of Canadian citizens.

These are all amendments that our party tried to make to Bill C-51 in the last Parliament to bring more balance to the legislation. Unfortunately, these amendments were rejected by the previous government.

I will be supporting the bill. I hope my colleagues on the other side of the aisle will join with us in supporting this important legislation. I believe that Bill C-22 will strengthen our national security apparatus to help keep Canadians more safe and more free.

I am a Canadian by choice. I am a Canadian of the Charter of Rights and Freedoms. While growing up in Pakistan, the one thing we all knew about Canada was Pierre Trudeau and the Charter of Rights. It is a document that states that every Canadian and everyone within our borders have certain fundamental freedoms: freedom of conscience and religion; freedom of thought, belief, opinion, and expression; freedom of peaceful assembly; and freedom of association.

*Government Orders*

I would not be here in this chamber, and in this country, were it not for this charter and these freedoms. I am committed to protecting and defending them, and Bill C-22 does just that.

\* \* \*

• (1350)

**OFFICIAL REPORT**

**Hon. John McCallum (Minister of Immigration, Refugees and Citizenship, Lib.):** Mr. Speaker, I would like to correct the record in response to Order Paper Question No. 258, where I stated that, "Insofar as Immigration, Refugees and Citizenship Canada (IRCC) is concerned: IRCC did not pay any costs for relocation services and hotel stays related to exempt staff moving to Ottawa since October 19, 2015."

Today I have received new information that indicates that relocation costs were incurred during the period and the total is \$9,692.50. I am correcting the record at the earliest opportunity and I also intend to file a supplementary response in the House at the earliest possible opportunity.

**The Deputy Speaker:** The House appreciates this clarification on the part of the minister and that he did so at the earliest opportunity.

\* \* \*

[Translation]

**NATIONAL SECURITY AND INTELLIGENCE COMMITTEE OF PARLIAMENTARIANS ACT**

The House resumed consideration of the motion that Bill C-22, An Act to establish the National Security and Intelligence Committee of Parliamentarians and to make consequential amendments to certain Acts, be read the second time and referred to a committee.

**The Deputy Speaker:** We will now proceed to questions and comments. The hon. member for Sherbrooke.

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I would like to thank my colleague for her speech today on Bill C-22.

I would like to ask her a fairly specific and direct question about one of the aspects of the bill, namely, the fact that the chair is appointed by the Prime Minister and not elected, which is the practice of most of our allies.

Our allies agree that the members of the committee can choose and elect one of the members as the chair.

In the case of Bill C-22, I am wondering why the government has chosen to appoint the committee chair rather than opting for the election of one of the committee members.

[English]

**Mrs. Salma Zahid:** Mr. Speaker, we can debate the mechanics of how this oversight mechanism should be established and I welcome that debate, but I would note that Bill C-22 represents a commitment to an unprecedented level of transparency and oversight that this country has not seen before. It is a level of oversight that was rejected outright by the previous Conservative government. We are correcting the mistakes of the past government and delivering the transparency that Canadians want.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I appreciate the fine words from my colleague across the way and I want to pick up on the point that when we reflect on Bill C-22 and talk about the issues from the last election, we have seen a government that has responded to what Canadians have been asking for. They appreciate freedoms and their rights. There is a sense of a need for security and it is a balancing. Bill C-22 brings forward an independent parliamentary group that will ensure that Canadians' privacy concerns are addressed in good part and many other things.

When the member reflects on the past election and the commitment from the government, would she not agree that Bill C-22 deals with many of the concerns raised by Canadians during the election, and therefore, it is a good bill that all members should get behind? At least let us send it to committee.

**Mrs. Salma Zahid:** Mr. Speaker, last year during the election while knocking on doors we heard from almost every door that Canada has to be a model of openness, of tolerance, and of diversity, where people of different religions, different cultures, can come here and live together.

Bill C-22 is an essential part of our efforts on national security, which includes specific measures as outlined in our platform as well as consultations so that Canadians can have their say about other measures that are needed.

• (1355)

[Translation]

**Mr. Pierre-Luc Dusseault:** Mr. Speaker, I am very surprised and disappointed by my colleagues' answer to the question that I asked her earlier about why the government chose to have the Prime Minister appoint the chair rather than allowing the committee to elect one.

She told me that it was simply a matter of mechanics and that it was not necessarily important to debate that issue today. However, the point of the debate is to ask questions, examine the content of the bill, and figure out how things will work once the committee has been set up.

I am wondering why she is refusing to answer that very simple question about why the government made that choice. Since she is a member of the government caucus, she must know why the government chose to have a chair appointed by the Prime Minister rather than a chair elected by his or her peers.

[English]

**Mrs. Salma Zahid:** Mr. Speaker, a Governor-in-Council designated chair reflects the status of the committee as a non-parliamentary body. The member for Ottawa South is an experienced and eminent parliamentarian. He is an excellent choice to chair that committee.

*Statements by Members*

[Translation]

**The Deputy Speaker:** Before I recognize the hon. member for Louis-Hébert, I will let him know that he has about four minutes remaining for his speech before we move on to statements by members.

Resuming debate. The hon. member for Louis-Hébert.

**Mr. Joël Lightbound (Louis-Hébert, Lib.):** Mr. Speaker, I am pleased to rise today to speak to Bill C-22, which in my opinion is at least 10 years late, if not more.

When we think about increased spending on security in response to a threat that is growing ever more diffuse and the increased authority granted to our intelligence agencies, the need to implement an effective system of checks and balances and appropriate oversight mechanisms seems obvious.

That is what Bill C-22 does. It seeks to correct that deficiency by providing seven MPs and two senators the opportunity to conduct a rather holistic review of all of Canada's surveillance mechanisms to determine whether they are effective and appropriate.

Right now, there is no such process in place. Every agency has its own mandate for reviewing its internal procedures. This independent committee of parliamentarians from the House of Commons and the Senate will bring us into the modern world when it comes to the oversight of our intelligence agencies.

Four of the Five Eyes allies, the United States, Great Britain, Australia, and New Zealand, set up independent committees of parliamentarians ages ago, so it is surprising that Canada waited this long to do the same. One wonders if the former government did anything at all about this issue.

This was one of our campaign promises. I am very proud that we are moving forward with it today, and I think Canadians will be better off as a result. Nevertheless, this is just the first step, and we still have a lot more to do.

I am also very pleased that the government has begun consultations on public safety and national security. That is a step in the right direction. We need to hear what Canadians have to say. We have to figure out how to protect Canadians' rights and keep them safe. Those two things go hand in hand, and we must not neglect one in favour of the other.

Bill C-22 and the creation of this committee represent the first step in ensuring respect for Canadians' rights while keeping them safe. This bill has been very well received by people for whom I have tremendous respect, such as the University of Ottawa's Craig Forcese.

He gave Bill C-22 and the committee it creates a high pass. Forcese is a leading academic in his field, and his endorsement is worth something.

I can see that I am almost out of time and question period is about to start. I will pause for now, but I will get into other aspects of this bill when I conclude my remarks.

• (1400)

**The Speaker:** The hon. member will have seven minutes to finish his speech after oral questions.

**STATEMENTS BY MEMBERS**

[English]

**INTERGENERATIONAL WALKING PATH**

**Mr. Jati Sidhu (Mission—Matsqui—Fraser Canyon, Lib.):** Mr. Speaker, it is an honour to be back in the House to represent my constituents after a busy summer in the riding.

I would like to recognize the Lifetime Learning Centre Society's intergenerational walking path project, funded through the new horizons for seniors program.

The project is a multipurpose path that enables youth and seniors to team up to create a safe and accessible walking path that provides measurable distances and goal setting for all users.

The project will make it possible for local youth and seniors to come together to create a multipurpose walking path, to be enjoyed and shared by generations to come.

\* \* \*

**BOYS & GIRLS CLUB OF NIAGARA**

**Hon. Rob Nicholson (Niagara Falls, CPC):** Mr. Speaker, I am pleased to have the opportunity to stand in the House today to offer my congratulations to the Boys & Girls Club of Niagara for its excellent service to the youth in my riding.

The Boys & Girls Club of Niagara provides programs for over 16,500 children and youth in the Niagara area. Its sole mandate is to provide opportunities for all young people. No child is ever denied access.

Its mission statement is to provide a safe, supportive place where children and youth can appreciate new opportunities, overcome barriers, build positive relationships, and develop confidence and skills for life.

In addition to its many aquatic sport and recreation programs, the Boys & Girls Club of Niagara also provides over 47,000 meals and snacks, 1,500 weekly rides, and almost 5,000 beds annually for at-risk youth.

As the Boys & Girls Club of Niagara approaches its fifth anniversary in its new facility, I encourage everyone to continue supporting this worthwhile organization. It is truly a good place to be.

\* \* \*

[Translation]

**MONTEUIL ATHLETIC ASSOCIATION**

**Mr. Angelo Iacono (Alfred-Pellan, Lib.):** Mr. Speaker, I would like to begin with a special thought for my mother, because today would have been her 89th birthday.

[Member spoke in Italian as follows:]

*Buon compleanno mamma!*

[English]

*Statements by Members*

On another happy note, this year, one of Laval's largest athletic organizations is celebrating 50 years of service. With a focus on excellence and personal achievement, the Association sportive Monteuil has trained many young people in Laval while upholding the highest standards of discipline and commitment. Athletics help build kids' confidence and nurture a sense of belonging and team spirit.

[English]

I want to congratulate the association for its sustained efforts over the past 50 years to keep the children of Laval usefully entertained, healthy, and active, while shaping the skills that will lead them into the successful leaders of tomorrow.

[Translation]

Congratulations and long live the Association sportive Monteuil in Laval.

\* \* \*

[English]

**TRANSCONA LEGION**

**Mr. Daniel Blaikie (Elmwood—Transcona, NDP):** Mr. Speaker, I rise today to commemorate the 90th anniversary of the Royal Canadian Legion Branch #7 or, as it is most commonly known, the Transcona Legion.

The Transcona Legion was officially formed on December 6, 1926. Since its founding, it has become an integral part of the wider Transcona community. It has been a sponsor of the first Transcona scouting group and a naval cadet group.

It has played host to the Confidence Rebekah Lodge No. 40 and the Transcona Masonic Lodge. It is a partner of the Transcona Historical Museum and a supporter of the Transcona BIZ. It has also been a great long-time friend of the Transcona and District Pipe Band.

By participating in the construction of Transcona Place, it helped to build much-needed housing for seniors in our community.

Throughout, the Transcona Legion has been supported by a first-class ladies' auxiliary, which has contributed to the success of countless events.

It is impossible to imagine Transcona without the presence of its legion. I am excited to join with fellow members, on Sunday, to celebrate 90 years of contribution to our community and to look forward to another 90 years of service.

\* \* \*

**TOURISM**

**Mr. Colin Fraser (West Nova, Lib.):** Mr. Speaker, I rise today to highlight Nova Scotia's exceptional tourism season this past summer.

While the final numbers are still being tallied, Nova Scotia is on track to having the best tourism season ever, with over a million visitors enjoying what our beautiful province has to offer.

The Yarmouth and Acadian Shores region in West Nova saw a 17% increase in tourist traffic this year, in large part, due to the new

*The CAT* ferry between Yarmouth and Portland, Maine, and the *Fundy Rose* between Digby and Saint John.

Many small business owners and tourism operators in my riding have had a banner year.

Supporting these ferries is vital to the growth and prosperity of Atlantic Canada. They get our products to market and bring visitors to our shores.

I look forward to continuing to work with colleagues from all levels of government, to ensure the viability and sustainability of these important ferry links.

\* \* \*

•(1405)

**FAMILY**

**Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC):** Mr. Speaker, each of us have at least one of those special people in our ridings who encouraged us, fostered our ambitions in public service and invested in us to help us become not just members of Parliament, but the people we are today.

This person for me is the person from whom I inherited my political interests, a person who has struggled in overcoming incredible adversity in her life. This person was a single mother of three living in government housing when she was struck by a car crossing Eccles on Wellington Street in Barrie and has lived since beating the effects of that head injury.

She took me to my first political rally in 1999 and has always challenged me to fight for my beliefs, my family, my country no matter what the odds are, no matter what pressures are mounting.

I would not break the rules of this great place and recognize anyone who has joined us in the gallery today, but to my mother, Judith Mary Elizabeth Nuttall, I say thanks.

**The Speaker:** That was very deftly handled.

The hon. member for Hamilton East—Stoney Creek.

\* \* \*

**CROATIAN PERSON OF THE YEAR**

**Mr. Bob Bratina (Hamilton East—Stoney Creek, Lib.):** Mr. Speaker, Hamilton's Croatian community is one of Canada's oldest and most active.

On Sunday I attended, as the only MP of Croatian heritage, the annual Croatian Person of the Year banquet.

Michael Loncarich exemplifies the best of Canadian and Croatian values, an outstanding musician on our traditional instrument, the tambura, a teacher to both young and old, a successful businessman and a proud husband and father.

Croatians are an important part of Canada's great diversity, and I am proud to honour Michael Loncarich as Hamilton's Croatian man of the year.

*Statements by Members*

[Translation]

**ROSELINE FILION AND MEAGHAN BENFEITO**

**Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.):** Mr. Speaker, I rise today to recognize the achievements of two of our Olympic athletes. Hearty congratulations to Roseline Filion and Meaghan Benfeito, who distinguished themselves in synchronized diving.

This duo from my riding, Marc-Aurèle-Fortin, and that of my colleague, the hon. member for Alfred-Pellan, worked hard and brought the bronze medal home to Laval.

[English]

With their determination, they have inspired us all, especially young Canadians living with disabilities.

[Translation]

In 2012, they won at the London Games despite injuries and obstacles. Through perseverance, they managed to triumph over the world's best athletes.

I am proud of them and all the athletes who represented us in Rio. Again, congratulations.

\* \* \*

[English]

**FORT MCMURRAY**

**Mr. David Yurdiga (Fort McMurray—Cold Lake, CPC):** Mr. Speaker, over the last three years I have seen my riding suffer like no other area in Canada.

First it was the price of oil. When it dropped, thousands lost their jobs and many lost their homes. Then the wildfires tore through my community, leading to the largest evacuation Alberta has ever seen. Then there was flooding.

Now, as the people of Fort McMurray begin to rebuild their lives and their homes, the government is once again making things worse. This time the Liberal government is imposing a tariff on drywall that will raise the price by as much as 276%.

This tariff will add thousands of dollars to the cost of rebuilding a home. All of this money will go directly to the government in what can only be described as another tax grab.

Residents of Fort McMurray need a repeal of this tariff. This is another example of the Liberals turning their backs on the west and profiting from the hardships of the fire ravaged community of Fort McMurray.

\* \* \*

**RESEARCH AND DEVELOPMENT**

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Mr. Speaker, it gives me pride to rise and highlight post-secondary education, specifically two schools that are located in London, the city I have the honour of representing in the House.

Western University is a world class research-intensive institution. It was an honour to recently announce the \$66-million grant, the largest in the university's history. These funds are for the BrainsCAN

initiative that concentrates on research in cognitive neuroscience imaging.

Fanshawe College is one of Ontario's largest colleges with a promise to educate, engage, empower and excite. I had the privilege to speak at the grand opening of their Canadian Centre for Product Validation, a facility offering prototyping and testing in one location, a project made possible through FedDev.

On behalf of researchers, staff and students at Western and Fanshawe, I thank the Minister of Science and the Minister of Innovation, Science and Economic Development for their commitment to advancing a research and innovation agenda in Canada.

\* \* \*

●(1410)

**RELIGIOUS FREEDOM**

**Ms. Jennifer O'Connell (Pickering—Uxbridge, Lib.):** Mr. Speaker, I rise today to speak on e-petition 411, sponsored by the hon. member for Pierrefonds—Dollard. It calls on the House to condemn all forms of Islamophobia. I want to thank my colleague for his leadership.

In 2008, Masjid Usman opened in Pickering and it has welcomed Muslims from across the GTA for prayers and spiritual reflection since. This petition is so important to me because over the past several years a few individuals have vandalized the mosque, where many of my constituents worship. I am always amazed at the response from community leaders and neighbours who condemn these hateful acts and come together to express their support.

In difficult times, our country's values are on full display. I urge all my colleagues to spread awareness of e-petition 411 and join Canadians from all walks of life in condemning Islamophobia.

\* \* \*

**PIPELINES**

**Mr. John Barlow (Foothills, CPC):** Mr. Speaker, I rise in the House today to pay tribute to a great Canadian nation-builder, one that contributes immensely to Canada's economic growth. It is a pipeline.

More than 700,000 Canadian jobs rely on the energy sector, but the Liberals are turning their backs on these hard-working Canadians. Liberal inaction is putting this industry in jeopardy. Trans Mountain, northern gateway, and hearings on energy east have all been delayed. Billions of dollars in investments are gone.

While the Liberals delay and dither, more than 100,000 energy workers have lost their jobs. Royal Bank CEO David McKay has come out and said that he must speak out because Canada will not succeed if Alberta does not succeed. Alberta will not succeed if its energy sector does not succeed.

*Statements by Members*

Our energy industry is world class. We must focus on how cleanly we can produce it, how safely we can transport it, how wisely we can consume it, and how many jobs it creates.

The Conservatives understand pipelines are critical to Canada's economy. As Conservatives, we understand pipelines are an essential nation-builder.

\* \* \*

**COMMUNITY ADVOCACY**

**Mr. Darshan Singh Kang (Calgary Skyview, Lib.):** Mr. Speaker, today I rise in the House to recognize an exceptional member of our community of Calgary Skyview, Mr. Syed Soharwardy.

Mr. Soharwardy immigrated to Canada from Pakistan in 1995 with his wife, son, and daughter. In 1998, he founded the Muslims Against Terrorism in Canada, which has become a global organization for peace. He founded the Islamic Supreme Council of Canada, which has chapters in six different provinces. In 2008, he led the multi-faith walk from Halifax to Victoria against domestic violence, animal abuse, elder abuse, and terrorism.

He has participated in over 180 interfaith dialogues and co-founded the Calgary Jewish-Muslim Council. He united Canadian imams to speak out against the Taliban, al Qaeda, Daesh, and against terrorism, to Canada and the United States. He also works on the de-radicalization of youth with the RCMP.

Imam Soharwardy is an example of the exceptional individual who makes our nation stronger because of our diversity and not in spite of it.

\* \* \*

**THE ENVIRONMENT**

**Mr. Kennedy Stewart (Burnaby South, NDP):** Mr. Speaker, Texas-based oil giant Kinder Morgan wants to build a pipeline from Edmonton to Burnaby in order to export raw, undiluted bitumen to foreign countries. This is a bad idea. British Columbians take all the risk and get none of the reward.

Kinder Morgan will pocket at least \$5 million dollars a day if this pipeline is built, but all British Columbians are left with is a giant environmental time bomb.

This ripoff project is opposed by Premier Christy Clark, John Horgan, Grand Chief Stewart Phillip, and thousands of British Columbians.

During the election the Liberals promised to redo Harper's flawed pipeline review process. They broke their promise, but can redeem themselves if they reject Harper's pet pipeline project in December.

Since 2011, I have stood with British Columbians against this project, and will stand with again if the Liberals approve the project in December. I urge the Liberals to reject Kinder Morgan and embrace a green energy future.

**SUPREME COURT OF CANADA**

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Mr. Speaker, for 141 years, Atlantic Canada has maintained representation on the Supreme Court. Every government has respected Atlantic Canadian representation, until the Liberal government with its appointment process that does not guarantee Atlantic representation on the court.

Just about everyone has criticized this flawed appointment process, except the 32 Liberal MPs from Atlantic Canada who have been absolutely silent when it comes to defending 141 years of Atlantic Canadian representation on the court.

For the 32 Liberal MPs from Atlantic Canada, when given the choice between standing behind the Prime Minister or standing up for Atlantic Canada, they chose to stand behind the Prime Minister at the expense of Atlantic Canada. They should be ashamed.

\* \* \*

•(1415)

**HOPE IN HIGH HEELS**

**Ms. Karina Gould (Burlington, Lib.):** Mr. Speaker, this past Saturday, Halton Women's Place held its seventh annual Hope in High Heels event in my riding of Burlington. Boys and men of all ages from 8 to 82, including our mayor, fire chief, Halton police, labour, business, and sports leaders, and my husband and my brother all slipped into a pair of hot-pink heels and strutted in solidarity with Halton Women's Place to fight to end violence against women.

The message is simple: we will not end violence against women and children if boys and men are not included in the conversation and part of the solution. I thank all the boys and men for their leadership and their positive role modelling to help raise awareness and funds for a heroic organization in my community that provides vital support for our most vulnerable in their time of need.

I was thinking that the event was such a success this weekend in Burlington that maybe we should organize a Hope in High Heels on the Hill. Are you up for it, Mr. Speaker?

**The Speaker:** Question period starts in a moment and, of course, the Speaker just moderates; he does not answer questions.

Oral questions. The hon. Leader of the Opposition.

*Oral Questions***ORAL QUESTIONS***[English]***NATURAL RESOURCES**

**Hon. Rona Ambrose (Leader of the Opposition, CPC):** Mr. Speaker, the Prime Minister is failing when it comes to backing our resource workers and their families. He has been faltering on making decisions on major energy projects, and this has to stop. The Pacific NorthWest LNG would provide thousands of jobs and billions of dollars in investment at no cost to taxpayers. These workers and families need the Prime Minister to make a decision. They cannot afford to wait any longer.

Will the Prime Minister finally make a decision that is in the interests of energy workers?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, Canadians elected this government to make decisions in the interests of all Canadians, and that is why we are focused on making sure that there is no longer a false choice put forward between being good for the environment and building strong jobs. We are actually going to do them both together on a broad range of projects. That is what Canadians expect, that we defend our environment and create economic growth, and do that while respecting communities and partnering with indigenous peoples.

That is what Canadians expect of their government and that is exactly what this government is going to do.

**Hon. Rona Ambrose (Leader of the Opposition, CPC):** Mr. Speaker, we warned the Prime Minister that his reckless spending and higher taxes would not create jobs, and now this is Canada's new reality. It means less jobs and less economic growth. However, there are solutions. We have workers in this country with the skills, the ambition, and the ability to get to work today, but too many projects are stuck waiting for the Prime Minister to make a decision.

Will the Prime Minister do the right thing and approve job-creating pipeline projects so we can get our hardest-hit families back to work?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, for 10 years the previous government was unable to approve large projects simply because it did not have the public's confidence. It did not demonstrate that it understood that building a strong economy requires one to protect the environment at the same time. That is what we are focused on.

The Conservatives also do not understand that the only taxes we have raised are on the wealthiest 1% so we could lower them for the middle class, and they voted against it.

\* \* \*

**FOREIGN AFFAIRS**

**Hon. Rona Ambrose (Leader of the Opposition, CPC):** Mr. Speaker, we are starting to learn details about the Prime Minister's secret negotiations on a cybersecurity agreement with China. Let us be clear. The Chinese have hacked into our National Research Council; they have hacked the government's networks thousands of times; Canadian companies are under a constant threat of Chinese hacking to steal their ideas and intellectual property, and this illegal activity has gone on for decades.

How dangerously naive can the Prime Minister be to enter into a cybersecurity agreement with the country that poses the largest cybersecurity threat?

• (1420)

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, for years Canadians governments have been bringing up security and rule of law concerns with the Chinese government, but the fact is that it has always been done on an ad hoc basis. What we have actually established is an ongoing rigorous security and rule of law dialogue that will allow us to advance the issues of consular affairs and cybersecurity, issues that matter to Canadians in a robust way that is going to get results.

For too long the previous government's back and forth and dilly-dallying on engagement with China did not produce the results that Canadians need.

**Hon. Rona Ambrose (Leader of the Opposition, CPC):** Mr. Speaker, last month, the immigration minister said that an extradition treaty with China was off the table because of its human rights record. Then last week, the Prime Minister and the Chinese premier indicated that they were negotiating an extradition treaty. Then this past weekend, the foreign affairs minister publicly contradicted the Prime Minister and said they would never negotiate an extradition treaty with China.

Will the Prime Minister let us know once and for all, is he or anyone in his government negotiating an extradition treaty with China?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** As I have said a number of times, Mr. Speaker, the previous government had many conversations around issues of extradition, of rule of law, of consular affairs with China, but always on an ad hoc basis. What we have established is a rigorous security and rule of law dialogue that will allow us to bring up difficult issues and emphasize that Canada has very high expectations around rule of law and process around any such things as extradition. That is something that Canadians expect us to hold to.

*[Translation]*

**Hon. Rona Ambrose (Leader of the Opposition, CPC):** Mr. Speaker, last week, the Prime Minister and the Chinese Premier confirmed that they were negotiating an extradition treaty between the two countries.

Then, the Minister of Foreign Affairs, Canada's top diplomat who is aware, one would hope, that the treaty is being negotiated with China, contradicted the Prime Minister saying that we would never negotiate an extradition treaty.

### Oral Questions

Who are Canadians to believe, the Minister of Foreign Affairs or the Prime Minister?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, last week, we confirmed that we established a dialogue on security and rule of law to show that our government is prepared to work with the Chinese government on issues that matter to Canadians. We now have a robust way to have regular discussions on important matters, such as consular affairs and human rights. We will continue to uphold the principles of Canadians and to meet their expectations when it comes to extradition treaties. We have extremely high expectations in such matters.

\* \* \*

[English]

### NATURAL RESOURCES

**Hon. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, when the royals arrived in Canada over the weekend, the Prime Minister said:

The Great Bear rainforest is no place for a crude oil pipeline.

British Columbians give that a big high five.

What he seems unwilling to do is to say whether he thinks the Great Bear rainforest is a place for a natural gas pipeline. Can the Prime Minister reassure British Columbians on that, or is he just going to leave them hanging?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, in the previous election, we made a very clear statement that we would both protect the environment and create the jobs and prosperity that Canadians expect.

It is no longer a question of making a choice on one side or the other. That is why we are moving forward in a responsible way to analyze various projects. We are going to make the decisions in the best interests of all Canadians, whether it is communities, whether it is indigenous partners, whether it is people concerned about the environment or, indeed, people concerned about growth.

That is our responsibility, and that is what we are going to live up to.

\* \* \*

### HEALTH

**Hon. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, let me read what the current Minister of Public Services said in the House before the election:

It is not right that throughout our country we are seeing reduced health care funding to the provinces by nearly \$36 billion....

Now in government, the Liberals have adopted the health care plan of Stephen Harper. Do members hear that applause?

Was this always the Liberal plan? Attack Stephen Harper's policies to get elected and then, once in government, adopt those exact same policies?

• (1425)

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, under the Liberal government, we have demonstrated an

unprecedented level of co-operation and collaboration with the provinces.

Indeed, the previous government refused to talk about health care, refused to work on this important issue to Canadians with its partners in the provinces. That is exactly what we are doing. The Minister of Health is engaged with her counterparts across the country. We are working to respond to Canadians' desire to have a health system that works and that keeps us all healthy.

[Translation]

**Hon. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, last week, the Liberal government adopted Stephen Harper's deplorable greenhouse gas reduction targets. This week, the government is adopting Stephen Harper's draconian health care cuts even though, before the election, the Minister of Foreign Affairs criticized the Conservative government because it "unilaterally refused to extend the funding agreement".

Is that what the Prime Minister meant when he talked about real change?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, the real change is that, for the first time in 10 years, the federal government is working with the provinces. We are going to discuss how to create a health system that meets Canadians' expectations. We are listening to Canadians, who want a better health system. We will respectfully work with the provinces to provide health care to Canadians.

\* \* \*

[English]

### LABOUR

**Hon. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, so often the Prime Minister's words simply do not match reality.

He said that last October 19 marked the start of a new era in labour relations with the federal government, but Canadian workers need more than words. They need a government that provides real support for labour rights.

If the Prime Minister truly believes in the right of collective bargaining, can he tell us if he will support our legislation banning the use of scabs, once and for all?

[Translation]

Here is a straightforward question for the Prime Minister. Will the Liberals vote for or against our anti-scab bill?

[English]

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, we were elected on a platform of creating growth and strength for the middle class in this country. We know that labour is an essential partner in creating that economic growth. We are focused on growing the economy in ways that support middle-class families and those working hard to join the middle class. That is why in our close working relationship with organized labour, like our close working relationship with business leaders, like our good working relationship with the provinces, we believe in collaboration and respect to make sure that growth for the economy helps the middle class.



*Oral Questions*

[Translation]

**SOFTWOOD LUMBER**

**Hon. Denis Lebel (Lac-Saint-Jean, CPC):** Mr. Speaker, obviously, the number one concern for Canadians is jobs. We can create jobs by approving projects and we can protect jobs by making decisions and negotiating things like a new softwood lumber deal with the Americans, for instance.

The former Liberal government abandoned the forestry industry, which suffered the consequences for years. October 12 is just around the corner. I hope we can reach a deal with the United States so that we can continue logging. I hope this issue does not have to go to court.

Is the Prime Minister willing to make a commitment to the forestry industry?

**Hon. Chrystia Freeland (Minister of International Trade, Lib.):** Mr. Speaker, the last agreement expired under the previous government's watch, as the opposition is well aware. We, on the other hand, have been actively involved in negotiations.

I was pleased to hear the member for Cariboo—Prince George express appreciation for our work in committee. On August 18, he said, “I can appreciate that there's been a considerable amount of work to this point done by both Global Affairs and the minister.”

We want the best deal for Canadian workers, not just any deal.

**Hon. Denis Lebel (Lac-Saint-Jean, CPC):** Mr. Speaker, it is important that we see results. It is all well and good for the government to discuss the matter, hold 70 consultation panels, and travel all over the country engaging in political posturing, but it has not achieved any results. Actions speak louder than words.

For now, there are no results. What the minister said is all well and good, but the agreement expired last year. There has been a year's grace. We hope that the government will quickly sign an agreement. We need more than just idle talk. We need action.

When will we have an agreement?

**Hon. Chrystia Freeland (Minister of International Trade, Lib.):** Mr. Speaker, I repeat that the last agreement expired on the previous government's watch.

The Conseil du patronat du Québec “commended the government for all that it has done in defence of the Quebec forestry industry”. The Quebec Forest Industry Council is “pleased with the government's position on Quebec's forestry regime”.

Only the opposition refuses to acknowledge the work we are doing to protect Quebec and Canadian workers.

\* \* \*

• (1430)

[English]

**GOVERNMENT EXPENDITURES**

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, I have always taken pride in my math. It has always been pretty good, but I will tell members that I have been racking my brain trying to think of how it is possible for someone to rack up more than \$120,000 in moving expenses to move down the 401 from

Toronto to Ottawa. Even if the Prime Minister's Office moved its staff by dog sled and pack mule, and if I use Liberal mathematics, I still cannot come up with \$126,000 in costs.

Will the Prime Minister please stand up and explain to the House why it cost so much to move one of his staff 450 kilometres down the 401?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, as I have said in this House time and time again, this relocation policy has been in place since the 1970s. This policy was last updated under the previous government.

We have also heard how Stephen Harper's office, when he was prime minister, approved over \$300,000 in relocation expenses, including one for \$93,000.

Our government recognizes that more can be done, and that is why our Prime Minister has asked the Treasury Board to revisit the relocation policy.

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, if I had any hair, with an answer like that, I would pull the rest of it out.

If I had known that a U-Haul was this expensive, I would have offered to take a load of stuff for Gerry in my Ford F-150.

The fact is that this is classical Liberal entitlement. The government keeps repeating that these were policies that have been in place for years. However, I can tell members that it is true that no government before the current government has ever abused this policy.

Will the Prime Minister come clean and admit that the million-dollar move was way out of line?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, all members in this House have heard what I have to say. Yes, I repeated it several times so we can remember that the former prime minister Stephen Harper's office also approved \$300,000 in relocation expenses, including one of \$93,000 for a single individual.

More importantly, why do we not share what Guy Giorno, former chief of staff to Conservative prime minister Stephen Harper, had to say?

He said:

The federal relocation program—which applies to hundreds of moves annually, including moves by employees of government, military and RCMP—exists for a very good reason.

Our government is committed to reviewing the policy.

**Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC):** Mr. Speaker, for days the Liberals have defended personalized cash payouts for the Prime Minister's best friends. On Friday, after being caught, they said the expenses were unreasonable because they had no justification or receipts. The Prime Minister's poor judgment allowed him to sign off on something his friends now call unreasonable.

Once again, what exactly are personalized cash payouts?

*Oral Questions*

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, the policy that the member is referring to has existed since the 1970s. The previous government had no problem approving it. As recently as 2011, the previous government had no problem approving \$300,000 in relocation expenses, including one for \$93,000.

Let us go back to Guy Giorno, former chief of staff to Conservative prime minister Stephen Harper. He asked, “Do we want a fair and independent determination based on consistent rules, or do we want [the member for Saskatoon—University] to impose his arbitrary and personal opinion on people—

**The Speaker:** The hon. member for Elgin—Middlesex—London.

**Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC):** Mr. Speaker, it is clear that the Liberal House leader only knows her approved talking points. Ironically, they were probably written by the staff to whom she forked over all of the money.

Approved personalized cash payouts for moving expenses must be accounted for. We have no answers.

Why do the Liberals only believe these expenses were unreasonable once caught?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, the question definitely means a lot coming from the member reading her question.

I will remind members in the House that this policy has existed since the 1970s. I will remind members in the House that this government recognizes that this policy needs to be reviewed. That is why our Prime Minister has asked Treasury Board to review the relocation policy.

\* \* \*

•(1435)

[Translation]

**INDIGENOUS AFFAIRS**

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, the Prime Minister made a solemn promise to achieve reconciliation with indigenous people. However, the Minister of Justice continues to undermine that commitment. The proceedings against residential school survivors are piling up at her department and she is challenging a court decision that found that survivors suffered a perverse miscarriage of justice.

Can the minister tell us why she is breaking her government's promise to achieve reconciliation? Why is she continuing to fight in court against residential school survivors?

**Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, the government promised to ensure that justice will be served to the victims of this dark chapter in Canadian history and that they will receive the compensation to which they are entitled.

We are very concerned about the possibility that some victims have been refused the compensation they are entitled to. I asked my

department to look into how this situation can be rectified. Justice must be served.

[English]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the Ontario Superior Court has ordered immediate compensation for a residential school survivor who suffered a “perverse” miscarriage of justice under the IAP. It was a brutal case. For what possible reason would the justice minister send her lawyers to try to have that case overturned? The Prime Minister promised survivors that he would end these tactics.

Whether it is supporting Site C or fighting residential school survivors, will the Prime Minister tell the House why his justice minister is still using the discredited Stephen Harper playbook to impede indigenous rights in court?

**Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, it is extraordinarily important to us as a government that all of the people who may not have been able to win their case in court be able to have that reviewed. We have to look at it. I have instructed my department to look at it. We will make sure justice is done.

\* \* \*

**GOVERNMENT EXPENDITURES**

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Mr. Speaker, today another member of the Prime Minister's cabinet had to stand in the House of Commons and admit that he personally signed off and submitted false information to parliamentarians. Once again this confession only came after the Liberals were caught. When it comes to transparency, the buck stops with the Prime Minister.

Parliamentarians on behalf of the Canadians they represent should not have to rely on access to information requests to uncover the truth.

Will the Prime Minister stand and apologize to Canadians for letting his cabinet hide information from them?

**Hon. John McCallum (Minister of Immigration, Refugees and Citizenship, Lib.):** Mr. Speaker, we made a commitment to Canadians to be open and transparent.

These expenses were entered under proactive disclosure nine months ago, but it turns out they were entered under the wrong column. I realized this earlier today and just over an hour ago I recorded this point in the House of Commons. I will be resubmitting the answer to the Order Paper question as soon as possible.

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Mr. Speaker, the Minister of Health signed off on an official response to Parliament stating that she had not expensed any charges for limos, but we found out she actually charged thousands of dollars for that very thing.

The Minister of Natural Resources did the exact same thing. Now we have the immigration minister hiding moving expenses in an official response to Parliament.

Can the Prime Minister stand up and explain to Canadians, if his ministry is hiding all of these things, why Canadians should believe anything his government says?

*Oral Questions*

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, what Canadians know is that the previous government did not do the work it was elected to do. This government recognizes that these policies can be improved.

Members on this side of the House have recognized where improvements can be made, and the Minister of Immigration, Refugees and Citizenship stood in the House and corrected the record. It is something that the previous government would not know much of, but when it comes to correcting Order Paper questions, the previous government did it more than 10 times.

**Mr. Blaine Calkins (Red Deer—Lacombe, CPC):** Mr. Speaker, 19 ministers and the Prime Minister—that is more than half of them—signed off on outrageous relocation costs for a handful of their friends. It was not until they were caught with their hands in the cookie jar that they claimed these so-called relocation costs were unreasonable and agreed to pay some of the money back. If these expenses are unreasonable and wrong today, then why did they accept the personalized cash payments in the first place?

• (1440)

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, this policy has been in place since the 1970s. This policy was last updated under the Harper Conservatives in 2008. It was revisited in 2011. They chose to do nothing.

What this government recognizes is that more can be done. This government recognizes that we need to review the policy, and that is why our Prime Minister has asked the secretary of the Treasury Board to review the policy.

**Mr. Blaine Calkins (Red Deer—Lacombe, CPC):** Mr. Speaker, it is not good enough that the government House leader keeps hiding behind the rules, saying that the rules were followed. She is misleading Canadians. The rules clearly state that these expenses are at the discretion of the minister and the Prime Minister. The rules did not make them do it.

Why is the Prime Minister hiding behind the rules instead of admitting he used poor judgment when he signed off on these unreasonable personal cash payments?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, I think it is best to go once again to Guy Giorno, former chief of staff to Conservative prime minister Stephen Harper. What did he say in regard to this policy? He said:

The federal relocation program—which applies to hundreds of moves annually, including moves by employees of government, military and RCMP—exists for a very good reason.

\* \* \*

**PUBLIC SAFETY**

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Mr. Speaker, Canadians still overwhelmingly oppose Bill C-51, and the Liberals promised a major rollback, even though they voted for this Conservative legislation. Yesterday, I introduced a bill that would repeal each and every section of Bill C-51. If the Liberals want to keep any part of that bill, I invite them to make their case

here in the House. However, today the Privacy Commissioner criticized the government for not doing enough to review the impacts of Bill C-51 on democratic and privacy rights.

Will the Liberal government implement all of the Privacy Commissioner's recommendations, or will it support my bill to repeal Bill C-51?

**Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, on Bill C-51, I assure the hon. gentleman that the government will in fact implement exactly what was in our policy platform at the time of the last election. With respect to the Privacy Commissioner, I consider him to be an exceedingly important parliamentary watchdog. His views matter. I welcome his scrutiny on specific issues, and I am very pleased to have him vigorously engaged in consultations about the very best possible national security framework for Canada. His advice will be invaluable.

[Translation]

**Mr. Matthew Dubé (Beloeil—Chambly, NDP):** Mr. Speaker, let us talk about those consultations.

Today, the Privacy Commissioner criticized the government because the Bill C-51 consultations are not examining the impact of this bill on democratic rights and privacy. He said, “The scope of these consultations is too narrow. They don’t appear to be looking at key privacy concerns...”.

Will the minister acknowledge that his government has done nothing and has no proposal, and will he recognize people's real concerns about privacy and repeal Bill C-51?

[English]

**Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, on national security, we will provide new scrutiny by a committee of parliamentarians, plus a new office for community outreach and counter-radicalization, plus faithful compliance with the charter, plus more specific definitions of propaganda, plus repairs to the new no-fly list, plus protection for the right to protest, plus a statutory review after three years; and for the first time, Canadians are being thoroughly consulted about what other steps are necessary to keep Canadians safe and to safeguard their rights and freedoms.

\* \* \*

[Translation]

**HOUSING**

**Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.):** Mr. Speaker, this government has taken meaningful steps to help communities combat homelessness. Budget 2016 increased funding for the homelessness partnering strategy for the first time since 1999.

*Oral Questions*

Can the Minister of Families, Children and Social Development tell the House about new measures being taken to fight homelessness?

**Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.):** Mr. Speaker, I thank my colleague from Châteauguay—Lacolle for supporting the fight against homelessness.

Our government is committed to supporting communities in their efforts to prevent and reduce homelessness through innovative approaches. Yesterday, I had the honour of announcing \$12.5 million in new money for more innovative solutions to reducing homelessness, particularly among indigenous Canadians, youth, women fleeing violence, and veterans.

Once again, I would like to thank the member for Châteauguay—Lacolle for her interest in and support for this important issue.

\* \* \*

• (1445)

[English]

### THE ENVIRONMENT

**Hon. Ed Fast (Abbotsford, CPC):** Mr. Speaker, during the last election, the Prime Minister promised that he would usher in a new era of collaboration with the provinces and territories. Yet the Minister of Environment and Climate Change recently confirmed that she plans to impose a massive carbon tax grab on the provinces whether they like it or not.

So much for co-operative federalism and so much for those sunny ways. Can the minister tell us exactly which provinces and territories have agreed to her plan to increase the tax burden on Canadians?

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Mr. Speaker, we are working very actively with the provincial and territorial governments to implement the commitments that were made in the Vancouver Declaration agreed to by all premiers, which include the price on carbon. We understand very much that unique circumstances exist in some of the provinces and territories, and we are working to find solutions to meet their individual needs. We know that a broad-based price on carbon is very important to reducing emissions, but it is also important that each province and territory have flexibility.

**Hon. Ed Fast (Abbotsford, CPC):** Mr. Speaker, the Vancouver accord did nothing of the sort because we now note that the three premiers of our northern territories, Premier of Saskatchewan Brad Wall, and even Premier McNeil of Nova Scotia have all said that they oppose the imposition of a federal carbon tax on their provinces. Yet the environment minister continues her threat to force a harmful carbon tax grab on all of the provinces and territories, betraying the Prime Minister's promise to work collaboratively with the provinces.

Again, to the minister, why has she broken that promise, and what happened to the new era of co-operative federalism?

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Mr. Speaker, we know that in order to build a strong economy we have to be serious about protecting the environment, and a price on carbon

is part of that. It will help us to reduce our emissions, foster innovation, and give businesses the certainty that they need to plan.

We are working actively with all of the provinces as we approach the development of the pan-Canadian framework. However, I would in this regard note the statement made by the Premier of British Columbia yesterday. She said:

...I want to be clear that British Columbia remains committed to a pan-Canadian carbon pricing framework.... British Columbia has established a \$30 per tonne broad-based carbon tax and consistently challenged others to join us.... We are encouraged to have a federal partner in advancing carbon pricing across Canada....

\* \* \*

### NATURAL RESOURCES

**Hon. Kevin Sorenson (Battle River—Crowfoot, CPC):** Mr. Speaker, we have a job crisis here in Canada. In western Canada, over 125,000 energy workers have lost their jobs, thanks in great part to the current Liberal government's anti-energy policies. Canada is unable to get top dollar for its energy products because our oil is landlocked. Tens of thousands of jobs have been lost.

When will the Liberals start growing Canada's economy by creating jobs, employing the middle class, and helping Canada's energy sector to get our products to new international markets?

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Mr. Speaker, one of the core responsibilities of any government is to help get our natural resources to market, but in a sustainable fashion. The only way we can do that is to restore public trust in the way we evaluate major projects.

This government introduced the interim principles as a first step to addressing some of the concerns that exist. We have now launched an environmental assessment review, which will go through the process of revitalizing our environmental assessments, and we are about to embark upon a modernization of the National Energy Board. We are going to continue to ensure that these processes carry the confidence of Canadians going forward so we can get our resources to market in a sustainable way.

**Hon. Kevin Sorenson (Battle River—Crowfoot, CPC):** Mr. Speaker, workers are losing their jobs. Governments are losing revenue. The middle class is hurt by the downstream economic effects from the loss of energy markets, and he is going to undertake another study.

No matter what part of Canada we live in, we have a stake in ensuring Canada has the energy infrastructure in place to access new international markets. When will the Liberals approve pipelines and get Canada's energy to new emerging international markets?

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Mr. Speaker, for 10 years, under the previous administration, not one kilometre of pipeline was built to tidewater. The reason was that it had undermined the integrity of the environmental assessment process and the National Energy Board process. We intend to re-establish the confidence of Canadians in these processes to ensure that we can get our resources to market in a sustainable way.

\* \* \*

#### VETERANS AFFAIRS

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, today the military ombudsman released a report warning that the application process for injured veterans is broken, complex, and difficult to navigate. Injured Canadian Armed Forces members will not automatically get the new benefits but will have to apply through what the ombudsman described as a “dizzying” process. Veterans have already waited far too long for their benefits.

Will the minister proactively reach out to injured service men and women to ensure they get the higher benefits promised by the Liberals?

• (1450)

**Hon. Kent Hehr (Minister of Veterans Affairs and Associate Minister of National Defence, Lib.):** Mr. Speaker, I want to thank each and every member of the Canadian Armed Forces and veterans in this country, who have supported this nation for a long time. I know we are working actively toward getting veterans the benefits they need for financial security, for employment, and for other retraining initiatives. At the core of my mission is assisting that transition. We are working hard to do so with the Minister of National Defence, as well as ensuring that as many veterans as possible receive the benefits that are due and owing to them for their service.

[Translation]

**Ms. Karine Trudel (Jonquière, NDP):** Mr. Speaker, the Liberals promised to improve the government's relationship with our veterans, and yet, in his report released today, the military ombudsman indicated that the current benefits system is simply not working. He said it is too complex and difficult for veterans to navigate. It is simply unacceptable.

Veterans are already waiting too long for the benefits that they are entitled to, but this government continues to make life difficult for them.

Will the minister correct this injustice so that our veterans can transition more easily to civilian life?

[English]

**Hon. Kent Hehr (Minister of Veterans Affairs and Associate Minister of National Defence, Lib.):** Mr. Speaker, we were elected on a commitment to do things better for our veterans and their families. I was given an aggressive mandate from our Prime Minister to do just that. Included in that is working on our transition for all members leaving the Canadian Armed Forces. Our department's job is to assist them in getting to a better place. I know I am working very hard with the Minister of National Defence to reduce complexity, overhaul the system of service delivery, and strengthen

#### Oral Questions

partnerships between Veterans Affairs Canada and the Department of National Defence. We are making progress on that front and we will continue to do so.

\* \* \*

#### JUSTICE

**Hon. Rob Nicholson (Niagara Falls, CPC):** Mr. Speaker, the Liberals have told us how wonderful it is for Atlantic Canadians to have a representative from Mississauga in charge of ACOA, and how grateful they should be that some applicants from Atlantic Canada are being considered for the Supreme Court. I am sure for the Liberals that is a beautiful thing. However, this is what they do not get. It is not just their right to apply, these seats belong to Atlantic Canada. Why would the Prime Minister even consider taking away Atlantic Canada's only seat on the Supreme Court? That is what I want to know.

**Mr. Sean Casey (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the process used by the previous government to appoint Supreme Court justices was opaque, outdated, and in need of an overhaul. We have announced a new appointment process that is open, transparent, and will set a much higher standard for accountability. As mandated by our Prime Minister, the list of qualified and functionally bilingual candidates, developed by the advisory board, includes candidates from Atlantic Canada.

I am very pleased with the new-found interest in Atlantic Canada expressed by the member for Niagara Falls.

**Hon. Rob Nicholson (Niagara Falls, CPC):** Mr. Speaker, there has been a representative from Atlantic Canada on the Supreme Court for over 140 years. I cannot believe that all 32 Atlantic Canadian Liberal MPs are smiling at how wonderful this is that this seat could be taken away from Atlantic Canada. I want to ask the Minister of Justice how many of these 32 MPs have approached her to tell her what an outstanding idea they think this is.

**Hon. Scott Brison (President of the Treasury Board, Lib.):** Mr. Speaker, we will not take any advice from the Conservatives on appointment processes. It was under the Conservatives that their minister of justice, for six of the nine appointments for justices in Nova Scotia, appointed his friends. In fact, he appointed the best man from his wedding to the bench. He appointed his best man's wife to the bench. If the Conservatives had not been turfed out in the last election, they might have appointed his entire wedding party to the bench.

The fact is that Atlantic Canadians deserve better than that, and we are giving—

**The Speaker:** The hon. member for St. Albert—Edmonton.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Mr. Speaker, the Minister of Justice has said that the government will support our Conservative opposition motion calling on the government to respect Atlantic Canadian representation on the Supreme Court, but the minister has refused to actually confirm that the government will appoint an Atlantic Canadian.

### Oral Questions

Will the minister confirm that the government will appoint an Atlantic Canadian to fill the vacancy of Justice Cromwell, or is this just another example of the Liberals saying one thing and doing another?

•(1455)

**Mr. Sean Casey (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the decisions taken by the Supreme Court affect us all.

The process that was employed by the previous government was opaque, outdated, and in need of an overhaul. That is why our government has announced a new Supreme Court of Canada appointment process that is open and transparent. Under this process, the advisory board will identify suitable candidates who will be jurists of the highest calibre. They will be functionally bilingual, and they will be representative of the diversity of our great country.

I am pleased to report that the list contains candidates from Atlantic Canada, and we can certainly compete—

**The Speaker:** The hon. member for Glengarry—Prescott—Russell.

\* \* \*

[Translation]

### THE BUDGET

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** Mr. Speaker, yesterday morning I had the pleasure of attending an announcement made by the Minister of Finance at La Cité collégiale in Ottawa. The minister announced the launch of the prebudget consultations for his second budget, budget 2017.

I wonder if the minister could share his objectives with the House.

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, I want to thank my hon. colleague from Glengarry—Prescott—Russell for his excellent question.

Yesterday we announced the launch of our consultations for budget 2017. Last year we engaged with over 250,000 Canadians to solicit their ideas for the budget. Those consultations were extremely successful, and we hope to gather even more suggestions this year.

Anyone who would like to participate can do so by completing the questionnaire on the Finance Canada website.

\* \* \*

### REGIONAL ECONOMIC DEVELOPMENT

**Mr. Joël Godin (Portneuf—Jacques-Cartier, CPC):** Mr. Speaker, I too have an excellent question.

The National Optics Institute, a global leader located in Quebec City, has helped hundreds of entrepreneurs to prosper. This institute has a plan to expand into Ontario and Alberta to create jobs. The chairman of the board called for assistance this morning and got radio silence. The government is not responding to this Canadian gem.

The Prime Minister instructed the Minister of Families, Children and Social Development not to address issues from the Quebec City area.

Will the Prime Minister allow the minister to help out the National Optics Institute, which is in his own riding?

[English]

**Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.):** Mr. Speaker, as the member opposite knows, we are very much engaged with the institute. We have heard their funding request. As we do with all requests, we base it on merit. We look at the best possible outcomes to commercialize these ideas, to help make sure we help small businesses and grow the economy.

This is a great initiative and we look forward to supporting it.

\* \* \*

### IMMIGRATION, REFUGEES AND CITIZENSHIP

**Ms. Jenny Kwan (Vancouver East, NDP):** Mr. Speaker, to strip someone of their Canadian citizenship is a very serious matter.

Stephen Harper's Bill C-24 took away due process for Canadians, even in the case of an honest mistake. The Liberals promised a full repeal of Bill C-24, but so far they have failed to deliver. In fact, the government is aggressively pursuing citizenship revocation for up to 60 Canadians every month.

When will the minister fix Bill C-24? Will he halt citizenship revocation until fairness has been restored?

**Hon. John McCallum (Minister of Immigration, Refugees and Citizenship, Lib.):** Mr. Speaker, Bill C-6 adheres to our fundamental election commitment that a Canadian is a Canadian is a Canadian, and it revokes citizenship revocation for criminal acts applied to dual citizens alone. That was the central focus of the bill. It has now passed through the House of Commons and will be considered in the Senate.

Citizenship revocation for misrepresentation is under consideration and we are considering further lines of appeal.

\* \* \*

### INTERNATIONAL DEVELOPMENT

**Mr. Ahmed Hussen (York South—Weston, Lib.):** Mr. Speaker, the fifth replenishment conference of the Global Fund was recently held in Montreal. Canada generously pledged \$800 million from 2017 to 2019 to fight AIDS, tuberculosis, and malaria.

Will the Minister of International Development update the House on the leadership role played by Canada and on the progress made at this conference to eradicate these three terrible diseases that have claimed so many lives?

**Hon. Marie-Claude Bibeau (Minister of International Development and La Francophonie, Lib.):** Mr. Speaker, our government has once again shown leadership. The Replenishment Conference, hosted in Montreal, raised close to \$13 billion in pledges to eradicate HIV, malaria, and tuberculosis.

We are proud of our pledge of over \$800 million. It will help save an additional eight million lives.

\* \* \*

● (1500)

#### GOVERNMENT EXPENDITURES

**Mr. Chris Warkentin (Grande Prairie—Mackenzie, CPC):** Mr. Speaker, earlier this week, when caught misusing taxpayers dollars, the Prime Minister's friends, Gerry and Katie, said that when they reviewed their expenses, they found that there were some that were unreasonable.

The government continued to say that it was following the rules and was forced to make these payouts because of the rules, but in fact, the senior vice-president at Brookfield Global Relocation Services said just minutes ago that they were not forced to do this. As a matter of fact, they would have been briefed on the exact expenses they themselves were claiming.

The question is, did Gerry and Katie believe that these expenses were unreasonable when they claimed them or only when they got caught?

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, I appreciate the opportunity to answer the member's question, and I will quote once again from Guy Giorno, former chief of staff to Conservative Prime Minister Stephen Harper.

He said, "The relocation process is run by an independent third party. The third party determines the actual cost according to the program criteria.... There's a reason the system has an independent third party decide on actual costs and apply the rules fairly and consistently to everyone. Do we want a fair and independent determination based on consistent rules, or do we want [the hon. member for Saskatoon—University] to impose his arbitrary and personal opinion on"—

\* \* \*

[Translation]

#### HEALTH

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Mr. Speaker, in a letter addressed to Premier Philippe Couillard on August 21, 2015, our Prime Minister wrote, "Unlike Mr. Harper, I do not intend to deal with this issue unilaterally." He added, "My party is aware of the challenges that increasing health care costs...represent."

The Liberals have managed to do worse than the Harper government. It is Harper with conditions.

How can the Prime Minister justify breaking the promise he made to the Premier of Quebec and make unilateral cuts that affect the sick in Quebec?

**Hon. Jane Philpott (Minister of Health, Lib.):** Mr. Speaker, Canadians are proud of their public health care system. They expect their government to ensure that this system will always be there for them.

#### Business of Supply

The Canada health transfer was more than \$36 billion this year, and next year it will increase by more than \$1 billion to more than \$37 billion.

I am meeting with my provincial and territorial counterparts in the coming weeks. I am very much looking forward to that meeting.

**Mr. Luc Thériault (Montcalm, BQ):** Mr. Speaker, the axe has fallen. The Minister of Health has decided, in the Liberal tradition, to unilaterally decrease health transfers. What a great way to work collaboratively with her Quebec counterpart. This is a direct attack on the Quebec health system. There is less money for access to doctors, less money for nurses, and less money for care and surgical procedures.

Why are the 40 Liberal members from Quebec saying nothing and letting this government attack Quebec's health care system?

[English]

**Hon. Jane Philpott (Minister of Health, Lib.):** Mr. Speaker, let us be sure that this House has the facts correct. We are not cutting health transfers. We had the biggest transfer ever this year, more than \$36 billion, but next year it is going to be even bigger than that, more than \$37 billion.

We are interested in collaborating and working with our colleagues in the provinces and territories who are doing such a good job delivering care.

We want to invest in areas where we have agreed upon priorities, including increased investments in home care.

**The Speaker:** It being 3:05 p.m., pursuant to an order made on Thursday, September 22, 2016, the House will now proceed—

Point of order, the hon. government House leader.

\* \* \*

#### POINTS OF ORDER

##### ORAL QUESTIONS

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, during question period, I quoted a document from Guy Giorno, former chief of staff to prime minister Stephen Harper, where he offered a spirited defence of the government relocation policy. I would like to table this important document, in both official languages, for the benefit of all members.

**The Speaker:** The minister may table the document.

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#### GOVERNMENT ORDERS

● (1505)

[Translation]

#### BUSINESS OF SUPPLY

##### OPPOSITION MOTION—APPOINTMENTS TO THE SUPREME COURT

The House resumed from September 22 consideration of the motion.

*Business of Supply*

**The Speaker:** It being 3:05 p.m., pursuant to an order made on Thursday, September 22, 2016, the House will now proceed to the taking of the deferred recorded division on the motion of the member for Niagara Falls concerning the business of supply.

Call in the members.

[English]

[*And the bells having rung:*]

The question is as follows. Shall I dispense?

**Some hon. members:** Agreed.

**Some hon. members:** No.

[*Chair read text of motion to House*]

● (1510)

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 109)*

## YEAS

## Members

Abouttaif  
Albrecht  
Alleslev  
Ambrose  
Anandasangaree  
Angus  
Arya  
Aubin  
Bains  
Baylis  
Bennett  
Bergen  
Bibeau  
Blaikie  
Blaney (Bellechasse—Les Etchemins—Lévis)  
Boissonnault  
Boucher  
Bratina  
Brison  
Brown  
Calkins  
Caron  
Casey (Cumberland—Colchester)  
Chagger  
Chan  
Chong  
Christopherson  
Clement  
Cormier  
Dabrusin  
Davies  
Di Iorio  
Dreeshen  
Dubé  
Duclos  
Duncan (Edmonton Strathcona)  
Duvall  
Easter  
Ehsassi  
Ellis  
Eyolfson  
Fast  
Fillmore  
Fonseca  
Fortin  
Fraser (West Nova)  
Fretland  
Généreux  
Gerretsen  
Godin

Albas  
Alghabra  
Allison  
Amos  
Anderson  
Arseneault  
Ashton  
Badawey  
Barlow  
Beech  
Benson  
Bezan  
Bittle  
Blair  
Block  
Bossio  
Boutin-Sweet  
Breton  
Brosseau  
Caesar-Chavannes  
Cannings  
Carrie  
Casey (Charlottetown)  
Champagne  
Chen  
Choquette  
Clarke  
Cooper  
Cuzner  
Damoff  
Dhillon  
Diotte  
Drouin  
Dubourg  
Duguid  
Dusseault  
Dzerowicz  
Eglinski  
El-Khoury  
Erskine-Smith  
Falk  
Fergus  
Fisher  
Foote  
Fragiskatos  
Fraser (Central Nova)  
Garrison  
Genuis  
Gladu  
Goldsmith-Jones

Goodale  
Gourde  
Grewal  
Hardcastle  
Hardie  
Hehr  
Holland  
Hughes  
Hutchings  
Jeneroux  
Jones  
Jowhari  
Kang  
Khalid  
Kitchen  
Kwan  
Lametti  
Lauzon (Stormont—Dundas—South Glengarry)  
Laverdière  
Lebouthillier  
Leslie  
Liepert  
Lobb  
Long  
MacAulay (Cardigan)  
MacKenzie  
Maguire  
Maloney  
Masse (Windsor West)  
Mathysen  
McCallum  
McCrimmon  
McKay  
McLeod (Kamloops—Thompson—Cariboo)  
Mendès  
Mihychuk  
Miller (Ville-Marie—Le Sud-Ouest—Île-des-Sœurs)  
Monsef  
Morneau  
Mulcair  
Nantel  
Nater  
Nicholson  
O'Connell  
Oliver  
O'Toole  
Paradis  
Pauzé  
Petitpas Taylor  
Picard  
Poilievre  
Quach  
Raitt  
Rayes  
Richards  
Robillard  
Ruimy  
Saganash  
Sajjan  
Sangha  
Sarai  
Scheer  
Schmale  
Serré  
Sheehan  
Shipley  
Sidhu (Brampton South)  
Sohi  
Sorbara  
Spengemann  
Stetski  
Stubbs  
Tabbara  
Tassi  
Tootoo  
Trudeau  
Van Loan  
Vandenbeld  
Vecchio  
Virani  
Warkentin  
Waugh  
Wilkinson  
Wong

Gould  
Graham  
Hajdu  
Harder  
Harvey  
Hoback  
Housefather  
Hussen  
Iacono  
Jolibois  
Jordan  
Julian  
Kent  
Khera  
Kmiec  
Lake  
Lamoureux  
Lauzon (Argenteuil—La Petite-Nation)  
Lebel  
Lemieux  
Levitt  
Lightbound  
Lockhart  
Longfield  
MacGregor  
MacKinnon (Gatineau)  
Malcolmson  
Marcil  
Massé (Avignon—La Mitis—Matane—Matapédia)  
May (Cambridge)  
McColeman  
McGuinty  
McKinnon (Coquitlam—Port Coquitlam)  
McLeod (Northwest Territories)  
Mendicino  
Miller (Bruce—Grey—Owen Sound)  
Morrissey  
Murray  
Nassif  
Nault  
Nuttall  
Oliphant  
O'Regan  
Ouellette  
Paul-Hus  
Peterson  
Philpott  
Plamondon  
Poissant  
Qualtrough  
Rankin  
Rempel  
Rioux  
Rodriguez  
Rusnak  
Saini  
Samson  
Sansoucy  
Saroya  
Schieffe  
Schulte  
Shanahan  
Shields  
Sidhu (Mission—Matsqui—Fraser Canyon)  
Sikand  
Sopuck  
Sorenson  
Stanton  
Stewart  
Sweet  
Tan  
Tilson  
Trost  
Trudel  
Vandal  
Vaughan  
Viercen  
Wagantall  
Watts  
Webber  
Wilson-Raybould  
Wrzesnewskij



*Speaker's Ruling*Young  
ZahidYurdiga  
Zimmer — 270

● (1520)

NAYS

[English]

Nil

PAIRED

Nil

**The Speaker:** I declare the motion carried.

[Translation]

**Hon. Stéphane Dion:** Mr. Speaker, I would just like to say that I remained seated not because I was abstaining, but because I arrived too late and you had already started reading the motion. If I had been able to vote, I would have supported the government, and that would have made a big difference in this vote.

\* \* \*

● (1515)

**PRIVILEGE**

## GOVERNMENT ACCOUNTABILITY

**The Speaker:** I am now prepared to rule on the question of privilege raised on September 19, 2016, by the member for Central Okanagan—Similkameen—Nicola regarding the government's responses to written question Q-152, which was tabled in the House on June 14, 2016.

I thank the hon. member for raising this matter, as well as the Parliamentary Secretary to the Leader of the Government in the House of Commons and the member for Beloeil—Chambly for their comments.

[English]

In raising this matter, the member for Central Okanagan—Similkameen—Nicola alleged that the Minister of Health and the Minister of Natural Resources have misled the House since the responses they provided to his written question, Question No. 152, regarding the use of rented limousines for official business during the period of November 3, 2015, to April 22, 2016, were at odds with information that surfaced afterwards in the media. Specifically, he explained that the Minister of Health offered to the media that her answer to his written question could have been more clear. He characterized this as an omission of important details and a contempt of Parliament. The member for Central Okanagan—Similkameen—Nicola found the same to be true by the Minister of Natural Resources not denying media reports on the matter.

[Translation]

The Parliamentary Secretary to the Government House Leader countered that, with respect to the Minister of Health, there are two separate issues at play: one is the answer she provided to Q-152, which he said reflected the question and contained the information requested; the other was her comments made outside the House regarding travel expenses, including her commitment to provide additional information in the future for greater clarity, as necessary.

With respect to the Minister of Natural Resources, he stated that the minister directly and accurately answered Q-152. As such, he viewed the matter as nothing more than a dispute as to facts.

Through this allegation of the House having been misled, the Chair is being asked to assess, by extension, the validity and truthfulness of the answers provided to Question No. 152, particularly as measured against the information reported by the media on this matter. The Chair sees several difficulties in this. It has been long established and accepted that the role of the Speaker in such circumstances is tightly prescribed and limited. *House of Commons Procedure and Practice*, Second Edition, states clearly at page 522 that, “There are no provisions in the rules for the Speaker to review government responses to questions”.

[Translation]

On February 8, 2005, Speaker Milliken, at page 3234 of *Debates*, confirmed this, stating:

Any dispute regarding the accuracy or appropriateness of this response is a matter of debate. It is not something upon which the Speaker is permitted to pass judgment.

[English]

This limitation on adjudicating on the accuracy of responses to questions, whether written or oral, is further compounded in this instance by the fact that the Speaker cannot pass judgment on matters that are not properly before the House. The authority of the Speaker is limited to studying evidence before the House, such as statements made in the House or matters detailed in reports from committees, and not evidence gleaned from other sources.

The member for Central Okanagan—Similkameen—Nicola was correct in stating that on March 9, 2011, Speaker Milliken concluded that information provided to the House by a minister “at the very least...caused confusion”, thus ruling it to be a prima facie question of privilege. However, of note is the fact that the Speaker was able to do so only once the House was formally in possession of the relevant committee report. Before that, in his initial ruling on the matter, he stated at page 8030 of *Debates* on February 10, 2011, the following:

[Translation]

...the Chair is bound by very narrow parameters in situations such as this one. It may sound overly technical but the reality is that when adjudicating cases of this kind, the Chair is obliged to reference material fully and properly before the House.

[English]

The charge of the House having been deliberately misled is one that requires serious consideration, even given constraints on the role of the Chair. As members may recall from my ruling of May 5, 2016, I stated at page 2956 of *Debates* that when it is alleged that a member has misled the House, three conditions must be met in order for the Speaker to arrive at a finding of a prima facie question of privilege:

...first, the statement needs to be misleading. Second, the member making the statement has to know that the statement was incorrect when it was made. Finally, it needs to be proven that the member intended to mislead the House by making the statement.

*Speaker's Ruling*

[Translation]

Not surprisingly, most such questions of privilege are found by the Chair to be a disagreement about the facts. *House of Commons Procedure and Practice*, second edition, on page 145, states:

In deliberating upon a question of privilege, the Chair will take into account the extent to which the matter complained of infringed upon any member's ability to perform his or her parliamentary functions or appears to be a contempt against the dignity of Parliament. If the question of privilege involves a disagreement between two (or more) members as to facts, the speaker typically rules that such a dispute does not prevent members from fulfilling their parliamentary functions nor does such a disagreement breach the collective privileges of the House.

● (1525)

[English]

In this particular instance, based on the evidence before me, I cannot conclude that the member has been impeded in the performance of his parliamentary duties and, thus, I cannot find that a prima facie breach of privilege has occurred.

Nevertheless, the concerns expressed by the member for Central Okanagan—Similkameen—Nicola are troubling to the Chair, particularly those in relation to the value and possible erosion of questions on the Order Paper as a tool to hold the government to account. As has been rightly stated, as Speaker and a servant of the House, I am entrusted with protecting the integrity of our procedures, including those related to written questions. The current case serves as a stark reminder of the need for and importance of such a tool that enables members to properly fulfill their obligations as legislators and representatives.

[Translation]

Access to information, accurate information, is one of the cornerstones of our parliamentary system. Members must be able to rely on it at all times. The integrity of many of our procedures, especially those relating to written questions, rests on the rightful expectation that ministers and the public servants who support them understand the value and utility of providing, not simply technically accurate, but also complete and transparent, answers in the written responses that they provide to members of the House.

[English]

In other words, it is incumbent upon those responding to questions to rise, in the words of the member for Central Okanagan—Similkameen—Nicola, to “the standards expected of them”.

This expectation is shared by the public as well. Citizens have placed a trust in their elected representatives that needs to be respected and upheld. After all, it must be remembered that citizens are the ultimate arbiters of the public debate generated from time to time by answers to written questions. It is in part for this reason that on January 29, 2013, at page 13395 of *Debates*, my predecessor stated:

I think all members would agree that members of the House have the right to expect that reasonable answers be given to reasonable questions, particularly given the critical role of written questions in our parliamentary system.

I thank hon. members for their attention.

**Hon. John McCallum:** Mr. Speaker, I would like to table, in both official languages, a supplementary answer to Order Paper Question No. 258.

**The Speaker:** Due to the deferred recorded division, the time for government orders will be extended by nine minutes.

\* \* \*

[Translation]

**NATIONAL SECURITY AND INTELLIGENCE COMMITTEE OF PARLIAMENTARIANS ACT**

The House resumed consideration of the motion that Bill C-22, An Act to establish the National Security and Intelligence Committee of Parliamentarians and to make consequential amendments to certain Acts, be read the second time and referred to a committee.

**The Speaker:** The hon. member for Louis-Hébert still has seven minutes remaining for his speech.

**Mr. Joël Lightbound (Louis-Hébert, Lib.):** Mr. Speaker, as I was saying earlier before being interrupted for oral question period, I think that Bill C-22, to establish an independent committee of parliamentarians to oversee the actions of our intelligence agencies, is a step that should have been taken long ago.

For example, the United Kingdom has had such a committee since 1994. Australia formed one in 1988 and New Zealand in 1996. Canada is at least a decade behind. The step we are taking today is way overdue, as they say.

When Parliament was passing Bill C-51, four former prime ministers, namely Jean Chrétien, Paul Martin, John Turner, and even Joe Clark, a Progressive Conservative prime minister not a neo-conservative, recommended that this oversight committee be formed. They recommended oversight of Canada's overseers and said that it would take an independent committee that would be called to review the actions of our intelligence agencies. These four former prime ministers were accompanied by a host of former Supreme Court justices and former justice ministers including Irwin Cotler, for example.

According to them:

Accountability engenders public confidence and trust in activities undertaken by the government, particularly where those activities might be cloaked in secrecy. Independent checks and balances ensure that national security activities are protecting the public, and not just the government in power.

Consider the extent of the resources used in the name of security in Canada. Communications Security Establishment Canada, which I am more familiar with than the other intelligence agencies such as CSIS or the RCMP, has annual expenses of about \$500 million and its headquarters cost us \$1.2 billion. CSE's headquarters is the most expensive building in the history of Canada.

In 2010, we learned that CSE was analyzing 400,000 emails a day to mitigate risk to information technology. These were emails sent to the government.

In 2014, we learned that CSE had studied email and cellphone metadata from Canadians travelling through a Canadian airport without actually getting their consent.

*Speaker's Ruling*

Before the Spencer decision, we learned that a number of Canadian telecommunication companies were voluntarily handing over information at the request of intelligence agencies without judicial authorization.

Under the circumstances, I do not think it is an extravagance to have an independent parliamentary committee overseeing the activities of our intelligence agencies, thereby ensuring that they do not act with impunity and are accountable not only to themselves but to elected parliamentarians.

Bill C-22 also addresses people's expectations for such a committee. Professor Craig Forcese, for whom I have tremendous respect, articulated certain expectations. He talked about four essential factors.

First, efficacy must be part of the committee's mandate. The committee must be able to evaluate whether our intelligence agencies are using their vast sums of money effectively. That is part of the committee's rather broad mandate. He also talked about propriety. The committee has to review whether government intelligence agencies are acting within their legal mandates.

Mr. Forcese also mentioned that the committee has to look at the whole picture. It cannot look at just the RCMP, CSIS, or Communications Security Establishment Canada. It must take a good look at the national security activities of all our intelligence agencies. His fourth and final proposal is to have enough money and human resources for the committee to do a good job. All these proposals are within the committee's mandate.

The committee created by Bill C-22 meets all the criteria. In my opinion, we will have an effective committee and one that will be useful for Canadians. It is a first step in the right direction, the first in a thousand-mile journey towards having checks and balances on the power given to intelligence agencies.

We need to have better and more robust checks and balances, especially when it comes to the fundamental rights of Canadians. I am hopeful about the thousand-mile journey we have to travel, especially with Bill C-22 as our first step. First and foremost, we need to return to specific judicial authorization regarding legal access. Judicial authorization, that is, a judicially authorized warrant for a specific person, for specific purposes, must be the norm in Canada. It must be the basic rule, and there must be no getting around it. In fact, I think we must be very strict about that.

• (1530)

In that regard, I congratulate the Liberal Party for having introduced Bill C-622 back in the day, a bill that required CSE to obtain judicial authorization before intercepting any Canadians' communications. That is not necessarily required at the moment. The ministerial authorization is broader. I hope we return to specific judicial authorization for access to Canadians' private communications.

The second thing is that there is no definition for metadata in any Canadian legislation. In the 21st century, we need to define metadata, particularly in terms of private communications. That would be an additional protection, especially when we know just how useful and precise metadata are.

For instance, Dr. Ann Cavoukian, Ontario's former information and privacy commissioner, said that metadata were more intrusive than the contents of a communication, because they make it possible to track people's habits and create very specific portraits.

The third thing has to do with Bill C-51. I know we are reviewing the bill and that we still have some consultations to do, but the information sharing the bill allows is fairly draconian. There is a way to limit information sharing among government agencies. The Maher Arar case showed us just what kind of impact that can have.

If we want to protect both Canadians and rights, an independent committee overseeing the activities of our government agencies is not too much to ask for. It is our job as legislators to strike a balance between protecting basic rights and protecting the physical integrity of Canadians. Bill C-22 is an excellent first step in that direction, and we have been waiting for it for at least 10 years.

• (1535)

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I thank my colleague for his speech.

[*English*]

The member mentioned several times that we needed to have an independent committee. I am curious. I hear that David McGuinty has already been appointed as the chair and he is a clear Liberal supporter—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I want to remind the member that she is not to refer to another sitting member by name.

**Ms. Marilyn Gladu:** Madam Speaker, the member for Ottawa South has already been appointed as chair and is a Liberal supporter. How can Canadians have any confidence that there is going to be independence on this committee?

[*Translation*]

**Mr. Joël Lightbound:** Madam Speaker, what is important to realize about this committee is that not only is it independent of the executive, but it is also independent of the intelligence agencies. It is a committee of parliamentarians.

That is how all our allies do it. When we think of the Five Eyes, whether the United States, Great Britain, New Zealand, or Australia, they all use the same principle. It is about empowering parliamentarians to once again be able to scrutinize what is being done in secrecy for the sake of national security, in order to ensure that the legal framework is being respected. In that regard, I see it as an independent committee.

[*English*]

**Mr. Lloyd Longfield (Guelph, Lib.):** Madam Speaker, last Saturday, I had a round table in Guelph with the Sikh community, the Muslim Society, the Islamic Society, and civic groups, and we discussed this very topic. There was expressed concern over the oversight of information that was being shared and used by our authorities like CSIS, the RCMP, and local enforcement agencies.

*Speaker's Ruling*

Steps that the Harper government took to eliminate oversight is something this legislation is trying to address. Maybe the member could expand on that a bit more.

[*Translation*]

**Mr. Joël Lightbound:** Madam Speaker, I thank my colleague from Guelph for his question.

Indeed, we are addressing a gap that exists in Canada. It was practically inconceivable that we did not have such a committee. This should alleviate certain concerns that Canadians may have regarding these activities, and goodness knows that they are growing concerns.

The threat against us is becoming increasingly diffuse. We therefore need to give our police forces and intelligence agencies the tools they need, but we also must have checks and balances to ensure this power is being used properly and within the confines of the law.

[*English*]

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Madam Speaker, the New Democrats support the direction of this bill because it fulfills a campaign promise that we made. We do though look forward to the conversation at committee to talk about some of the weaknesses we have identified.

We have one question around the appointment of the chair. The United Kingdom used to allow its prime minister to appoint the chair of the oversight committee, but that was abandoned in 2012 in favour of an elected chair. Other Westminster systems like Australia also elect a chair of its oversight committee to ensure that it is properly independent and is also perceived to be properly independent. Germany even rotates the chair, so the opposition chairs it sometimes and the government chairs it sometimes. A private member's bill of one of the Liberal members has also proposed an elected chair.

We are curious as to why the government now insists that the Prime Minister must control the appointment of the chair who would look over this important independent body.

• (1540)

[*Translation*]

**Mr. Joël Lightbound:** Madam Speaker, I thank the member for her question.

I think we need to look at the whole picture when comparing the proposed committee to other committees, particularly with regard to the selection process. The committee in question has more powers than the one in place in Great Britain. We are giving the committee teeth, or in other words, we are giving it the means of assessing the various intelligence agencies, not just separately but as a whole.

We need to focus on that. Even renowned academics, such as Craig Forcese, have said that this committee meets Canadians' expectations.

[*English*]

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Madam Speaker, it is a pleasure to speak to Bill C-22, legislation about which we, as the official opposition, have a lot of apprehension.

I would like to refer to the earlier speeches of my colleague from Durham and my colleague from Bruce—Grey—Owen Sound, clearly articulating some of the shortfalls in Bill C-22.

As someone who has been here for over 12 years, as a parliamentarian who has nothing but the greatest respect for this chamber and this institution, I believe Parliament has a key role to play in providing oversight to all sorts of government agencies, which include our security and intelligence agencies. Unfortunately, the bill of goods that is being presented in Bill C-22 falls far short of giving proper parliamentary oversight.

As has already been alluded to, there is a concern already, before the committee has been struck and before the legislation has passed and properly studied at committee, that a chair of the committee has already been named, the member for Ottawa South.

I suppose we should not be too surprised about that, knowing that the Prime Minister's BFF, Gerald Butts, and his chief of staff, Katie Telford, used to work for former premier Dalton McGuinty, the brother of the member for Ottawa South. That is a connection that a lot of people have made, one that we know is of concern about whether this committee will have true independence and be able to function the way we expect parliamentary committees to function.

We have looked at this, debated it, and have had conversations already about what our other Five Eyes partners are doing in the United States, the United Kingdom, Australia, and New Zealand. This function has been missing in Canada over the years.

One of those reasons is that we have, within the Canadian system, ombudsmen and commissioners who oversee most of the intelligence agencies, like Communications Security Establishment Canada, CSEC, that operates under National Defence. As a former parliamentary secretary to the minister of national defence, I am well aware of the activities of the organization. As the defence critic, I still appreciate the role the commissioner plays in being independent and reviewing all the activities that are undertaken to ensure CSEC stays on point, the same thing that happens with CSIS. When there are issues, they report it immediately to Parliament. We get the information we need to make a decision as parliamentarians.

What we see in Bill C-22 is not a committee of Parliament. It does not mirror what is happening in the United Kingdom or in Australia, where the committee is appointed by Parliament and the committee functions as a parliamentary committee. What we are seeing here is something that is actually working out of the Prime Minister's office. That is what is being proposed.

If we look at the United Kingdom, and we always want to go back the mother of Westminster Parliament in London, it established its committee back in 1994, and it has worked incredibly well. Politics was left at the door. It works in collaboration. It looks over the operational and security measures that agencies are taking within the government. In 2013, parliament even expanded that committee's role. It is important that this is done because the committee reports back to parliament. It is not beholden to the prime minister, it is not beholden to any minister of the crown.

*Speaker's Ruling*

Australia also has a parliamentary joint committee. Again, it was set up by parliament, and it oversees six different security agencies. Again, we see this as being the proper way to do it, in that parliament has control of the committee.

I know there is some concern when we look at the history of this place. Probably its recent history is when we established the special committee on Afghan detainees, the transfer of those detainees, how those individuals were treated by the Canadian Armed Forces, and what happened to them after they left.

● (1545)

First, we were looking at having an all-party committee, but the NDP of the day decided not to participate on a committee, because it would have to be done in secret, and information gleaned through that process could not be used in the public domain. Therefore, they took a pass on sitting on the committee, and so just the Liberals and Conservatives sat on that committee and went through thousands and thousands of unredacted documents to try to determine whether or not there was any abuse, until they determined there was not.

I can see why the Liberals are up here speaking in favour of Bill C-22, but I think they are somewhat confused. If we look at their promises in the last election campaign, we see on page 31, on national security oversight, it says that:

We will deliver stronger national security oversight.

At present, Parliament does not have oversight of our national security agencies, making Canada the sole nation among our Five Eyes allies whose elected officials cannot scrutinize security operations. This leaves the public uninformed and unrepresented on critical issues.

The key word here is “Parliament”; it does not have oversight. What the bill before us would do is create an all-party committee, but it is not a parliamentary committee.

The Red Book from the last federal campaign for the Liberals, on parliamentary committees, says that they will “...strengthen Parliamentary committees so that they can better scrutinize legislation”. It also brought forward great ideas, such as making sure that they have non-partisan research, and that they would have committee chairs elected by secret ballot. They talked about having ministers and parliamentary secretaries removed from committee and not able to vote on committee.

Therefore, everybody assumed that we would review parliamentary committees, make them more independent, and allow members of Parliament to work and elect chairs, and that it would happen with the national security oversight. I can see how members from the Liberal caucus would be confused, because the two of them went one right after the other and they just assumed that they were going to have a true parliamentary committee.

We can look to the comments and rhetoric that have come from the government in the past. I listened earlier to the member for Malpeque. He has been in this place for a long time and has made some comments about wanting to have parliamentary oversight. He said, when he was speaking in the House in the last Parliament, “The key point here is that I really cannot understand the government's unwillingness to look at proper parliamentary oversight...”. Their key word is parliamentary.

He said later that “I'm strongly advocating oversight, parliamentary oversight”. This was in the debate on Bill C-51 and one of the demands.

Also, the member for Vancouver Quadra brought forward Bill C-622, which was about trying to establish legislation to provide more security agency oversight through Parliament.

Therefore, I can see why there is confusion among Canadians. I can see why there is confusion among Liberals when they have actually always talked about parliamentary oversight, but what we are seeing today is that this process in Bill C-22 is all about having more control by the Prime Minister's Office.

I have the bill in front of me here, and I have read it carefully just so I can raise my concerns and the reason I have these concerns about the way this committee is being established. If we look at subclause 4(3) of Bill C-22, we see it says clearly that:

The Committee is not a committee of either House of Parliament or of both Houses.

Therefore, we are not talking about a committee of Parliament. It has no responsibility to Parliament. As a matter of fact, the extra remuneration that has been awarded to the chair and committee members will come from general coffers and not through parliamentary budgets.

The bill goes on to say in subclause 5(1) that:

The members of the Committee are to be appointed by the Governor in Council, on the recommendation of the Prime Minister, to hold office during pleasure until the dissolution of Parliament following their appointment.

Well, parliamentary committees are established through whips assigning people onto committees, and chairs are elected by the committee, but not in this case. In this case, the Prime Minister will appoint every single member of the committee.

● (1550)

On the Senate side, it says that the Prime Minister will consult with a member of the Senate and then appoint those members. We have senators who are independent, and those members who are independent, of course, are appointed to the Senate on the recommendation of the Prime Minister, so they are beholden to the Prime Minister, and now the Prime Minister will appoint those independently Prime Minister-appointed senators to the committee. So definitely those senators, up to two members on the committee from the Senate, will act in the interests of the Prime Minister. Then members of other parties will be appointed by the Prime Minister after he has talked to the leader of that party.

That in itself clearly documents the shortcomings in Bill C-22. I encourage caucus members in the Liberal Party to read through it, to clearly understand that the bill of goods they sold Canadians in the last election was false. To make the point, in subclause 12(1), it says:

Despite any other law, no member or former member of the Committee may claim immunity based on parliamentary privilege in a proceeding against them in relation to a contravention of subsection 11(1) or of a provision of the Security of Information Act....

Here in Parliament we have immunity and true freedom of speech. That is removed from the committee, making the point that this may be a committee that has parliamentarians on it, but the committee is not part of this institution; it is part of the Prime Minister's Office.

*Speaker's Ruling*

Then we go to the information that the committee can use, and we continue to see that there are restrictions placed on the committee, on the information it gleans. There are actually seven exemptions keeping the committee from really doing its work of ensuring that intelligence agencies are taking our national security seriously and of protecting the rights and freedoms of individual Canadians.

We have to wonder whether or not the people of Canada, when they elected the government, fully understood that they were not going to get what they really deserve, which is true parliamentary oversight. There are exceptions. Members are appointed by the Prime Minister. Ministers have the right to refuse to give information of any department, so if there is any department that the committee wants to investigate, the minister can refuse that information. Even before it is out of the gate, it is already handcuffed. It is bound, gagged, and completely beholden to the PMO.

The other thing I have trouble with is that the committee chair has a vote on all proceedings. We see that only occasionally in our parliamentary process, on special joint legislative committees where a chair has a vote on policies, debates, and motions at committee and also can cast a vote to break a tie as well. It has been suggested here that the chair of the committee gets to vote, plus gets to cast a ballot to break a tie on all votes. Essentially even though Liberals are saying there are going to be four Liberals as it sits today on the committee, there are actually five because the chair has two votes.

In clause 21, it says the report is not presented to Parliament. The committee writes a report that is presented to the Prime Minister and to the minister or ministers whom it impacts. They get to vet all the reports. How is that freedom of speech? How is that our ability as parliamentarians to do our job if, when the committee reaches a decision, it still gets vetted by the PMO and vetted by the affected minister. That is beyond the pale of proper parliamentary procedure and democracy.

Not only do they vet it, but it actually says right in the legislation in subclause 21(5) that the chair of the committee will get direction from the Prime Minister or from the minister on how to properly write the report if they are not happy with what is in it.

• (1555)

It states that “the Prime Minister may direct the Committee to submit to the Prime Minister a revised version of the annual or special report that does not contain that information” about which they are concerned.

There are some major political gains and games that will be played in this process, and it is something that needs to be seriously looked at for amendment if Canadians are going to have faith in this process.

It continues on with a minister having the ability to refuse to provide any information. The committee can write a report about its dissatisfaction with that minister, but at the same time, has no control over whether a report would even get tabled.

There are not the checks and balances that we need to see in Bill C-22. That is why, as the official opposition, we are opposing the bill, unless some substantive changes are made.

I know that the member for Durham has tried on a number of occasions to reach out to the Minister of Public Safety and Emergency Preparedness and our Liberal counterparts, along with the member for Victoria in the NDP caucus, to ensure that we develop a piece of legislation that everyone here would be comfortable supporting. Unfortunately, that fell on deaf ears.

This bill was tabled in the dying days of the summer session, just before the summer recess in June, so we did not have a chance to have a proper discussion on this bill, and we have only got an opportunity now to express our concerns over what is a poorly drafted piece of legislation. Canadians expect more. If parliamentary oversight is going to be provided, it had better be true parliamentary oversight and not just an extension of the Prime Minister's Office wielding its authority over parliamentarians.

Actually, I am baffled why anyone in the Liberal caucus, especially on the backbench, would want to be so tied up by the authority of the PMO. If Liberals wanted to exercise their rights and obligations as members of Parliament in the House and represent their constituents, they would be demanding that this committee become a true extension of Parliament, that it be set up the same way standing committees are set up, become part of the Standing Orders, elect its own chair, and table the reports here in the House.

We agree that the members from all parties who sit on this committee should be properly vetted. We agree that they should all take an oath to commit themselves to protecting the information they are going to see, as this is not information that should be used for partisan political purposes. This is about the security of our nation and the protection of Canadians, as well as protection of their rights and freedoms.

We also believe that the people who sit on this committee should have experience on issues of national security, national defence, and policing, so that the information they are going to look at in no way startles them or causes them to make ill-informed decisions.

We really urge the government to fix this legislation so that there can be all-party support. However, until it does, the official opposition, the Conservative Party of Canada, will oppose it since it does not reflect the promises made by the Prime Minister in the last federal election, it does not respect this institution, nor would Bill C-22, in its current form, achieve what we hoped it would achieve, proper parliamentary oversight.

• (1600)

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Madam Speaker, my colleague from Selkirk—Interlake—Eastman pointed out that there was confusion, and I am confused, because I listened to his comments about checks and balances and the need for them. However, when I look back to the past decade, I see a history of private members' bills being brought by members of the Liberal Party to try to get this kind of parliamentary oversight, yet nothing was ever done. Today, I am sitting here and hearing that because we are taking action, this is somehow upsetting.

Perhaps the member can explain to me the history of why, over the past decade, no national oversight committee was put into place by the former government. Perhaps he can explain to me why he is upset now. Is it the fact that action is finally being taken to create this committee?

*Speaker's Ruling*

**Mr. James Bezan:** Madam Speaker, I can see why the member opposite is confused. That is because she thinks the Liberals will be bringing in parliamentary oversight, and they are not. That is what we are opposed to in this bill. This bill must empower us as parliamentarians. It does not do that; it empowers the PMO.

If we look at the previous 10 years, Peter MacKay supported more parliamentary oversight of national security agencies. There are a number of us here who believe that we need to have more parliamentary oversight. Unfortunately, we did not see co-operation from all the other parties on how to do that in a responsible manner. Therefore, it was laid to rest. However, we now have an opportunity to do it right, but Bill C-22 is getting it wrong. All we are doing is putting more power in the hands of the Prime Minister, Gerald Butts, and Katie Telford.

[Translation]

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Madam Speaker, I cannot help but react strongly when I hear the member for Selkirk—Interlake—Eastman talk about how this bill gives the PMO all the power. In fact, it is rather funny for those on our side of the House when we think about just how much control was exerted by the PMO in the last Parliament.

However, I do agree with him that it is disappointing that this is not in line with what we were promised during the last election campaign. One has to wonder about what role the Liberal government expects the various members who represent every region of Canada to play.

I would like to ask my colleague if he believes that the fact that the Prime Minister will be appointing a chair shows a lack of confidence in members.

[English]

**Mr. James Bezan:** Madam Speaker, in the last election I always enjoyed how everyone referred to the big, bad PMO under Stephen Harper and said that Conservative members were all told what to do. In the last Parliament, I was the most independent voting member of Parliament. I did not see the Liberals or the NDP vote as often against their own party line as I or some of my other colleagues did, who were second and third. Therefore, that was not a fair analysis.

However, there is a lack of trust from our side with respect to Bill C-22, because it does not address the promise made by the Liberals, or what those of us who respect Parliament would like to see it do, which is to create a parliamentary committee by statute and the Standing Orders of Parliament that would provide the same type of oversight discussed in the legislation but not under the control of the Prime Minister. Unfortunately, with this bill, first and foremost, all of the control, vetting, and reports have to go through the Prime Minister's Office. That is not democracy.

•(1605)

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Madam Speaker, I want to thank the member for his contribution to the debate. I know he is a very plain-spoken gentleman and believes in telling it like it is. Therefore, I would like to ask him this question. The current name of the committee is the national security and intelligence committee of parliamentarians. Would he be more comfortable with labelling it the Prime Minister's parliamentary committee, or perhaps the chosen people by the Prime

Minister to talk about the items he has ordained? Perhaps that might be more accurate and represent what this bill is doing.

**Mr. James Bezan:** Madam Speaker, I would just say this is not a parliamentary committee, and maybe they should call it an all-party committee for the Prime Minister on national security intelligence issues. That would probably be the best way. They will definitely go through the process of making it look like it is a parliamentary committee, but we know for a fact that Parliament would not approve this committee, that Parliament would have no say in what the committee does, and that Parliament would not see the reports coming from the committee until after they have been vetted and rewritten by the Prime Minister's Office.

Until that point in time when the government realizes the folly of Bill C-22, we unfortunately will not have a committee that provides the oversight that Canadians want and were led to believe in the last federal election they would have.

**Mr. James Maloney (Etobicoke—Lakeshore, Lib.):** Madam Speaker, this strikes me, frankly, as an opportunity to vent against the Prime Minister's Office, something that my friend and his colleagues have not been able to do for 10 years. I hope you are enjoying your newly found freedom.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I remind the members to put their questions to the Chair.

**Mr. James Maloney:** Madam Speaker, my question is quite simple. I am not sure if the member is opposed to parliamentary oversight. If he is not, why did my friend's government not pass legislation it preferred, rather than waiting until now to criticize us when the opportunity has been put before the House?

**Mr. James Bezan:** Madam Speaker, the member for Etobicoke—Lakeshore knows full well that the committee proposed in Bill C-22 would not provide parliamentary oversight. All it would be is an all-party caucus. It would not have the tools to provide true oversight and report back to us here in Parliament. We want to have parliamentary oversight and want it to work in a responsible manner. Those are some of the apprehensions that we had as a government. I can see, based on this bill, that those apprehensions continue with the PMO today, because it would control the committee.

If those apprehensions exist, the Liberals should not have promised in the last election campaign that they would provide parliamentary oversight, because they are not doing that. What they would do is provide more vetting and control by the PMO over anything this committee would do and over a number of parliamentarians who, in this process, would give up the immunity and privilege guaranteed to them by the House if it were done as a parliamentary committee.

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I would like to thank my colleague for his excellent speech.

*Speaker's Ruling*

One of the concerns I have is the loopholes in this bill preventing the committee from having the oversight powers it needs. For example, I am thinking about paragraph 8(b), wherein if a minister's department were under investigation, the minister could claim that it was an issue of national security and the committee would then not be able to look into it. Certainly with parliamentarians, we have a degree of integrity and confidentiality. That is one of the exemptions that I see. Could the member talk about some of the other exemptions?

• (1610)

**Mr. James Bezan:** Madam Speaker, my colleague from Sarnia—Lambton makes a great point. Why would we call it the “national security and intelligence committee” when any minister could determine that a review would be injurious to national security and that we could not therefore look at it? The hypocrisy in this legislation is beyond the pale.

The seven exemptions that would go beyond that include the committee's not being entitled to information that has confidence of the Queen's Privy Council, because no one on the committee would be sworn in as a member of the Privy Council. The committee members are just going to take an oath under the Security of Information Act. They would not be able to get information respecting ongoing defence intelligence gathering for national security. The list goes on. There are seven exemptions in total, and the Prime Minister or ministers could always hide under the veil of national security, and the members would not be entitled to see those matters even though they were the national security and intelligence committee.

[*Translation*]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order. It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Nanaimo—Ladysmith, Status of Women; the hon. member for Laurier—Sainte-Marie, Child Care; the hon. member for Vancouver East, Immigration, Refugees and Citizenship.

**Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.):** Madam Speaker, although Bill C-22 falls under the purview of the Leader of the Government in the House of Commons, who is responsible for the machinery of government, I am pleased to have the opportunity to take part in this debate.

[*English*]

Might I just, for the information of the hon. gentleman from Selkirk who has just spoken, inform him that the description of the appropriate committee he put on the record in the last half hour or so bears very little resemblance to the advice given by his own critic in a letter sent to me on March 1, 2016. The member for Durham recommended a committee under a majority controlled by the government, nominated by the Prime Minister and appointed by Governor in Council. That was the advice the critic offered, so the description the hon. gentleman just put on the record in the House seems to be at odds with that of his own critic.

In the last election we laid out a clear agenda with respect to Canada's national security framework. It included these specific

elements: first, stronger scrutiny of security and intelligence activity through a new committee consisting of parliamentarians; second, a new initiative on community outreach and counter-radicalization; third, faithful compliance with the Canadian Charter of Rights and Freedoms; fourth, full protection for the right to protest; fifth, clarity with respect to warrants; sixth, conscientious treatment of appeals about no-fly lists; seventh, a more precise definition of the term “propaganda”; eighth, a full review of all terrorism-related legislation after three years; and finally, genuine consultation with Canadians to help identify any other steps that should be taken to achieve two simultaneous objectives, ensuring that all security agencies and police forces are being effective at keeping Canadians safe and, at the same time, safeguarding our rights and freedoms and the open, inclusive, democratic character of our country—in other words, the qualities that make Canada Canada.

Bill C-22 is the cornerstone of that agenda. It fulfills our single most important commitment to Canadians. The legislation will establish a national security and intelligence committee of parliamentarians, and it will give those parliamentarians from all official parties extraordinary access to classified information so they can scrutinize all the security and intelligence operations of the Government of Canada.

As distinguished Professor Wesley Wark has said, the creation of this committee and the passage of this legislation is long overdue. Virtually every other country in the western world, including all of our Five Eyes allies—the U.S., the U.K., Australia, and New Zealand—have had a body of this kind for a good many years. Canada, therefore, has been the anomaly.

Over a decade ago, in 2003, the Auditor General identified significant shortcomings in Parliament's ability to scrutinize the activities of Canada's security and intelligence agencies. The following year, a joint House-Senate committee recommended the creation of a parliamentary body to fill that gap.

In 2005, the then Minister of Public Safety, the Hon. Anne McLellan, sought to address the problem by introducing a bill that is very similar to the one we are debating today. Unfortunately, when a different government was elected in 2006, the proposal was dropped.

Since that time, private members' bills to institute parliamentary scrutiny of national security and intelligence agencies have been repeatedly introduced, including by the former member for Scarborough—Rouge River, Derek Lee, and the current members for Malpeque and Vancouver Quadra. Former Senators Hugh Segal and Roméo Dallaire also brought forward legislation to this effect in the other place.

That is all in addition to a report by the House public safety committee in 2009, calling again for the adoption of Anne McLellan's bill or something very similar to it, as well as inquiries by Justices Frank Iacobucci and Dennis O'Connor, both of which highlighted the need for greater accountability of our national security and intelligence agencies.



*Speaker's Ruling*

•(1615)

In the wake of the terrorism tragedies in October 2014 at Saint-Jean-sur-Richelieu and here in Ottawa, there came another opportunity to correct this major deficiency in Canada's national security framework. The whole country shared the grief of those sorry days. We were leaning on each other, on all sides, in this House. There was a clear sense that our security, intelligence, and anti-terrorism laws needed to be revisited and strengthened, and there was a palpable will, on all sides, to work together to get it right, because these are difficult questions. Getting it right would include strengthening scrutiny, review, and oversight of the process.

In the words of a large group of eminent Canadians, including four former prime ministers, who wrote in an open letter at that time, "Canada needs independent oversight and effective review...more than ever". However, the government of that day resisted that argument, and the opportunity for collaboration and co-operation across the floor quickly evaporated.

That is why a central commitment in our platform last year was to deliver stronger national security oversight, which included the creation of an all-party committee to monitor and oversee the operations of every government department and agency with national security responsibilities.

With Bill C-22, we are keeping that promise.

The national security and intelligence committee of parliamentarians would be made up of nine members, including the chair. Two of the members would be senators. The other seven would be members of Parliament. No more than four would be from the government caucus. Ministers and parliamentary secretaries would not be eligible to sit on the committee. The law would require consultation with the Senate before senators were named, and consultation with the leaders of opposition parties before the appointment of opposition MPs.

The committee would have a broad mandate to examine the legislative, regulatory, administrative, and financial framework for national security and intelligence as well as any activity related to national security and intelligence carried out anywhere within the federal government.

There are nearly 20 departments and agencies within the Government of Canada that have some kind of security function, from the RCMP and CSIS to the Canada Border Services Agency, National Defence, Transport, Foreign Affairs, and many others. This committee would be able to look at all of them.

On its own initiative, the committee would be empowered to follow its investigations wherever they led, which means that it would get a full picture of what the government was doing in national security and intelligence matters. This would be in contrast to several of the Canadian committee's counterparts elsewhere in the world, where mandates are strictly limited to reviewing the activities of a particular agency or agencies or to examining general structures but not particular operations.

In fact, because of the wide-ranging scope of the committee's mandate, one of Canada's foremost experts in national security law, Professor Craig Forcese, has declared that this committee of

parliamentarians in Canada would be a stronger body than its equivalents in either the U.K. or Australia.

Indeed, Bill C-22 would transform Canada from being a laggard to being a leader when it comes to parliamentary scrutiny of national security and intelligence activities.

To make certain that the nine parliamentarians on the committee could be as effective as possible, the legislation would also establish a secretariat to help them fulfill their mandate. The secretariat, made up of capable and knowledgeable individuals, would handle the research and administrative tasks necessary to ensure that the committee's work and the work products of the committee were of the highest possible quality and that the committee had the resources and the expertise it needed to get the job done.

The committee might also draw upon the help and expertise of existing review bodies, such as the Civilian Review and Complaints Commission for the RCMP, the Security Intelligence Review Committee for CSIS, and others, and seek information from them, as appropriate.

•(1620)

The bill directs the committee and existing review bodies to work in close collaboration. I expect that by design and through experience, they would relate to each other in a way that would complement each other's efforts and ultimately produce for Canadians significant value-added and greater confidence in the activities of the respective agencies.

The committee would be required to prepare at least one annual report. There could be others. It could also prepare special reports as it saw fit. In other words, it would be able to report on whatever it wanted and whenever it wanted. Obviously, because of the nature of information related to national security and intelligence, not everything the committee looked into could be made public.

However, on this point, I would like to take a moment to discuss the recourse available to committee members should they uncover something they find truly problematic but that their oath of confidentiality prohibits them from disclosing.

Classified information must remain classified. However, without getting into specifics, committee members would command a great deal of attention and put a great deal of pressure on the government of the day if they were to tell Parliament and the public that there was something going on within the realm of security and intelligence activities that they believed was improper. The committee would be able to outline the problem in detail in its report to the prime minister, and the prime minister would be accountable to Canadians. Subsequently, the committee would be able to tell Canadians whether the problem had been adequately addressed, and the pressure would not go away until the committee gave the all-clear. That public pressure would be a powerful tool, and only a committee of parliamentarians could bring it to bear.

Finally, all of these aspects of the committee's operations would be reassessed five years after Bill C-22 came into force. The bill would require Parliament to conduct a review at that time to ensure that the committee was functioning effectively and to make recommendations about how to further advance its work.

*Speaker's Ruling*

We have included this statutory review in the legislation, because there will undoubtedly be lessons learned in the first years of the committee's existence, and we want to guarantee that there will be an opportunity for those lessons to be seriously considered and for any appropriate changes to be made as a result.

The goal is for Canada to have a national security framework that makes us a world leader in both effectiveness and accountability. The legislation before us today is an important step in that direction.

In our consultations with other countries that have had practical experience over the last many years with this concept, like the United Kingdom, for example, we heard repeatedly that it would be wise and prudent to move at this new initiative in a deliberate and measured manner, learning as we go, and to be prepared to accommodate further changes over time.

It is critical to earn trust on all sides: from the public, and after all, the public interest is what this committee would be designed to protect; and from the security and intelligence agencies that would be scrutinized.

Let me emphasize once again our two core objectives for national security for this new committee and indeed for all of our other initiatives in this domain. Number one, we need to ensure that all of our agencies are being effective in keeping Canadians safe. Number two, in lockstep with that, we need to equally ensure that Canadian rights and freedoms are safeguarded along with equality and the character of our democratic way of life.

Building that trust with the agencies and the public, all around, is crucial. That is why we are proposing a mandate for the committee that is not siloed to a few named agencies, as other countries do, but rather is a mandate that reaches across the full scope of government. Unlike other review bodies and other countries, this Canadian committee of parliamentarians would be able to follow the evidence wherever it leads.

• (1625)

In addition to looking at events and activities retroactively, this committee would also be able to examine ongoing activities, a unique power, subject only to basic, reasonable safeguards for classified information.

Again, please recall the full context of our national security agenda. The anchor piece would be the committee of parliamentarians that would be providing a brand new type and level of scrutiny and review, plus a new initiative, funded in the last budget, for community outreach and counter-radicalization, plus full compliance with the Charter of Rights, plus full protection of the basic right to civil protest, plus clarity about warrants, plus action to remedy issues with no-fly lists, plus a more precise definition of "propaganda", plus a full review of terrorism legislation after three years, plus the first ever inclusive consultations with Canadians, parliamentarians, subject-matter experts, and the general public about other measures they deem appropriate, beyond the ones I have mentioned, and necessary to keep Canadians safe and to safeguard our rights and freedoms.

Already in the consultations we have undertaken we have received more than 7,000 submissions online, which indicates a considerable appetite to be involved and engaged.

In light of a report issued just today by the Privacy Commissioner, let me make one point about our national security consultations very clear: This is not a narrow exercise. All Canadians, including the Privacy Commissioner, can raise and pursue any issue they want to pursue under the rubric of national security and intelligence operations. The discussion paper we published a few weeks ago is not a statement of government policy. It is intended to provoke discussion and debate to get Canadians involved and engaged, and it is doing exactly that.

After we hear from Canadians, we will be able to put forward the appropriate changes in law or procedure that reflect the recommendations we have received.

I will look forward to hearing the full scope of what the Privacy Commissioner has to say about any and all dimensions of our national security architecture. Indeed, I understand that he may be appearing before the House security committee on this topic just next week to present his views on the national security framework. His ongoing input, advice, and oversight are important to me and to the government, just as we want to hear from all Canadians, an opportunity they have never had before.

Parliament has rightly been called the grand inquest of the nation. For too long, however, Canada's Parliament has been prevented from fulfilling that particular role in matters of national security and intelligence. Yet these are matters that concern the fundamental freedoms of Canadians, and they are quite literally matters of life and death. Parliamentarians, the people's chosen representatives, must be at the heart of our system of national security accountability, and at long last, Bill C-22 will make it so.

Before I close, allow me to pause for just a moment to recognize the tremendous work done by the brave women and men of our law enforcement and national security agencies, which they demonstrate on a regular basis. That was the case, in particular, in Strathroy, Ontario, this summer. They were exemplary professionals. The security agency plus at least four different police forces worked seamlessly and effectively, and they prevented a much larger tragedy. I know that we are all exceedingly proud of them and are grateful for their service.

I trust that hon. members in all parties understand the gravity of the issues we are dealing with and will approach not only the committee itself but the upcoming legislative process to establish it with the seriousness this topic warrants. I will be looking forward to good, useful, practical advice.

• (1630)

**Hon. Erin O'Toole (Durham, CPC):** Madam Speaker, we all have pride in our security agencies but I am a little disappointed in the minister responsible for them today, first for not introducing debate on the bill, and second, for having the gall to reference my letter to him in debate, my letter which was the first of two written in collaboration with the NDP to talk about this. The minister refused all meetings. He also refused meetings with some of the leading experts he quoted in his speech to get this right. My letter said a Privy Council appointment and the oaths ascribed to that should be part of this committee if the committee was going to see real information.

*Speaker's Ruling*

The government has so many exceptions to Bill C-22 that this committee would just be window dressing. We want to see amendments, as does the NDP, so that we can make this work from a political basis and for our practical security needs.

I would remind the minister that when he was involved as House leader in the Milliken decision with respect to Afghan detainee documents, he demanded such disclosure of information to members of Parliament. Now he is denying that same disclosure. Which member is it? Is it the member for Regina—Wascana now or the member for Wascana in 2010 whose words in this place should ring true? I would like the member to square that circle.

I would also like the minister to say why he voted Motion No. 431 for the election of chairs and now refuses to allow a chair to be elected? Why does he now not seem to respect the privilege outlined in the Speaker Milliken decision? He is talking about earning trust, yet he denied the ability to work with the opposition to get this right.

We hope this debate is an opportunity for the minister to listen and make the amendments needed.

**Hon. Ralph Goodale:** Madam Speaker, on the member's first point about the sponsorship of the legislation, I am sure he will recognize that the legislation, because it would create a committee that will fit within the machinery of government, is the prerogative of the government House leader. On the very front page of the bill, it indicates that the government House leader is the sponsor of the bill. Under the rules of the House, it is only that minister who can give the introductory speech and if that minister does not give the introductory speech, he or she is not in a position to cede their position to anybody else. It is appropriate parliamentary procedure for the sponsor of a bill responsible for the machinery of government to give the opening speech, not that it matters a heck of a lot because I have the opportunity to participate in this debate, as all members of Parliament do.

I was glad to receive the honourable gentleman's letter in March. He now seems to be aggrieved that I have accepted a number of his recommendations. He cannot have it both ways. He offered a number of suggestions and many of them are reflected in Bill C-22.

I look forward to the committee work on the legislation, which will drill down into the details of various sections. If members of the opposition parties wish to provide further advice, we will be anxious to hear it. We will also be anxious to hear from subject matter experts and from Canadians who also need to have their input paid attention to.

•(1635)

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, I was quite surprised to hear the minister describe the centrepiece of Liberal national security policy as this piece of legislation. Canadians are under the impression that the centrepiece of the Liberal national security policy would be fixing Bill C-51, which they promised to do in the campaign. It is important to have oversight and review but what the Liberals made front and centre during the campaign was to fix the problematic elements of Bill C-51.

My specific question deals with the Privacy Commissioner's report. With all due respect, the minister has mis-characterized his

concerns about the consultation process. The Privacy Commissioner did not say it is impossible to raise concerns about privacy. He said he was disappointed that the government did not make privacy issues a part of the consultation process.

I would like to know what the minister intends to do now to correct that oversight in the consultation process, because Bill C-51 raises serious concerns about our privacy rights in Canada. How was that not included in the consultation he is doing?

**Hon. Ralph Goodale:** Madam Speaker, it is included. The entire national security architecture and framework for the Government of Canada is the subject matter of this consultation. All Canadians are invited to make whatever representations they may wish to make about any dimension or aspect of the national security framework. Nothing is excluded.

The Privacy Commissioner has mentioned the subject matter that he wishes to drill down into in great detail and we will be anxious to hear what he has to say. Other Canadians have said they want to talk in detail about the whole process of peace bonds because that obviously is an issue that gained some prominence during the course of the summer, particularly in the wake of the tragic events in Strathroy. That is a subject that other Canadians will want to debate as well.

Other Canadians have said the committee of parliamentarians is a good idea, but we also need to fill some other gaps in the architecture such as, for example, the ability to have some supervision and oversight specifically with respect to CBSA. That is another topic that Canadians are raising.

The discussion paper opens the general subject matter and begins the debate, but other Canadians will have a great many other things they want to raise and that is perfectly and completely and legitimately a part of the process. We are very anxious to hear what Canadians are going to say. Over 7,000 have already participated.

**Hon. John McKay (Parliamentary Secretary to the Minister of National Defence, Lib.):** Madam Speaker, the subject matters that the committee will be studying are by definition notoriously secret. Indeed some witnesses may come before the committee who feel compelled either by convention or the oaths that they have sworn that they cannot disclose to the committee material that the committee deems to be appropriate.

What will be the powers of the committee to compel a witness to speak before the committee? Further, when the committee feels that it has not received a full version of the truth, what will be the powers of the committee to sanction that particular witness?

**Hon. Ralph Goodale:** Madam Speaker, the mandate of the committee laid out particularly in section 8, makes it very clear that the committee members can pursue any activity carried out by a department and look at any matter relating to national security. It is a very broad power. If they are not getting the co-operation from officials or representatives that they think they need to have, then the committee will make that determination and the chair of the committee should approach either the responsible minister or the Prime Minister to demand the satisfaction that the chair and members of the committee would deem to be appropriate.

*Speaker's Ruling*

This is a process that is going to depend on very vigorous participation by the committee members. The task that they are taking on is extraordinary and certainly unique in Canadian experience. They will have powers that no other group of parliamentarians has ever had before. The responsibility is onerous. I fully expect they will pursue their duties in a very vigorous, aggressive way, and if they are not receiving the co-operation that they think they deserve, then they should tell the Prime Minister and he will be accountable for making sure they get the co-operation.

• (1640)

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, I will be splitting my time with the member for Cowichan—Malahat—Langford.

I rise today in support of Bill C-22 at second reading. This should not be a surprise to anyone in the House, because New Democrats from the beginning of these debates about national security have always argued that effective oversight of our national security agencies is necessary in a free and democratic society.

We also know that independent and effective oversight is essential to ensuring that the government fulfills both its responsibilities: a responsibility to protect our civil liberties, and the responsibility to keep us safe. Just as all of us also cherish our civil liberties, none of us in the House doubts that the threat posed by terrorism is very real.

Therefore, I will begin my discussion of Bill C-22 today with what I am sure many members will find is a long preamble, both about my concerns about Bill C-22 being part of a larger government strategy to avoid action on fixing Bill C-51, now the Anti-terrorism Act, and about why the passage of Bill C-51 makes effective oversight even more crucial. I will then conclude with some remarks on why I fear that Bill C-22 will not provide the effective and independent oversight we need without significant amendments.

Bluntly stated, I fear the Liberals will use the passage of Bill C-22 as an excuse to avoid action on Bill C-51. The Liberals promised during the election that they would introduce a bill that would address their concerns regarding Bill C-51. They said they were voting for the bill at the time, but that it had problematic elements. Once again today, the minister listed about 10 things that he finds problematic in Bill C-51.

I appreciate the relisting of those concerns, but here we are one year later and the Liberals have failed to put any specific proposals before the House other than Bill C-22, which is only one aspect of the national security concerns, although the minister says that it is the centrepiece. Again, I would submit that the centrepiece really ought to be fulfilling the election promises to fix Bill C-51.

When the minister talks about his consultation, he skips over what I think is an important fact. What the Liberals said they would do was introduce a bill to amend Bill C-51 and then conduct consultations. In fact, what they have done is turned their promised changes into a list of things to discuss as part of a broad general consultation on national security.

Therefore, we have proposed the repeal of Bill C-51, as this is the quickest and simplest way to restore our rights. We know that Bill C-51 tramples our civil liberties without doing anything to make us safer.

We know that both the Liberals and the Conservatives have bought into the idea that national security requires a balance between our freedoms and safety, and that somehow we can purchase security by giving up some of our rights. New Democrats believe that the responsibility of the government is to protect both our rights and our security, at one and the same time. It is a difficult task, but one that we must undertake in a democratic society.

If the Liberals really believe parts of Bill C-51 should be kept as they are, then it is up to them to tell us in the House which parts and why. New Democrats would be happy to work with the Liberals to help defend the rights of Canadians by repealing, or at minimum, amending Bill C-51.

In the meantime, as these debates have gone on, the federal government, whether Liberal or Conservative, has failed to provide any additional resources for those things we know to be the most effective in fighting terrorism: effective investigation and enforcement, and de-radicalization programs.

During the hearings on Bill C-51 in the public safety committee, we heard from the RCMP commissioner and the director of CSIS about having insufficient resources to meet national security challenges, yet there have been no real increases in spending for CSIS, the RCMP, or the CBSA by either the Conservatives or the Liberals since 2012. De-radicalization programs still are not functioning at the community level, despite all the promises and despite some good preparatory work. They are still not out there running on the ground. If we are going to fight the threat of terrorism, we need to focus our resources on de-radicalization and on the traditional intelligence and enforcement work that have served us relatively well so far.

With all of this in mind, New Democrats have called for the repeal of Bill C-51. New Democrats have always believed that the Anti-terrorism Act is in fundamental conflict with our civil liberties, and that these infringements on our civil liberties do nothing to make us safer. This is why we voted against the bill at the beginning. In fact, the overall impact of Bill C-51 is to cast a net so wide that it may actually prevent enforcement authorities from focusing on what are in fact the very real threats to our safety.

• (1645)

This point was reaffirmed by several witnesses in the public safety committee when we had the discussion of Bill C-51, including the former head of national security for the Toronto Police Service. He said that when we were looking for a needle in the haystack, the last thing we needed was more hay.

A bill that requires collecting vast amounts of information on people who pose no threat at all, which is ordinary Canadians, and collecting information on those who are engaged in legitimate dissent may in fact make us less safe by providing too much hay to the enforcement authorities.

*Speaker's Ruling*

Indeed, the Anti-terrorism Act is being challenged in the courts in a case filed by the Canadian Civil Liberties Association jointly with Canadian Journalists for Free Expression. This case was filed just a month after the bill's passage. However, the backlog in our courts means that a decision from the Supreme Court on the constitutionality of Bill C-51 will not come for at least another three years. That is cold comfort to those whose rights may be breached in the interim. That is why independent and effective oversight becomes so crucial while Bill C-51 remains in force.

Bill C-51 has now been in place for more than a year without any additional oversight and without the Liberals' promised report to the House of Commons by the CSIS director on the use of its new powers. At this point, we are left with no evidence whatsoever to support the contention that Bill C-51 has done anything to make us safer. If that evidence exists, it should be presented in the House.

The reason Bill C-22 and having effective oversight of our national security agencies is so important is precisely because of the threats to civil liberties posed by Bill C-51. Let me talk about those briefly.

First, the definition of national security in Bill C-51 is so broad that it potentially captures many forms of legitimate dissent. First nations leaders and environmental activists in particular are concerned that they can be subject to surveillance and even disruption of their activities as a result of the broadening of the definition of national security in Bill C-51 to include the economic security of Canada and to include critical infrastructure, read pipelines. Only "lawful" dissent would be explicitly protected. Good luck to those who inadvertently violate a court injunction or trespass as part of a demonstration or other action in defence of aboriginal and treaty rights or in the fight against climate change.

Second, Bill C-51 conflicts with the fundamental principles of Canadian privacy law by allowing the widespread sharing of personal information with other departments and even foreign states. We have always lived in Canada with the assurance that information collected by the government in Canada will only be used for the purposes for which it has been collected, and that it will stay in Canada. Bill C-51 has changed all that, and those are the concerns the Privacy Commissioner was raising in his report today. Those are the concerns that he asserts, quite correctly I believe, are not raised in the government's discussion paper.

The third challenge to our civil liberties are the new powers that were given to CSIS to act illegally and in secret without any additional oversight. CSIS is prohibited only from using murder, sexual assault, and interference with the justice system as tactics. This hardly fits with the idea of a democratic society and rule of law that most Canadians hold dear. If, and only if, CSIS sees it as necessary, then it can seek a warrant from the courts to violate charter rights. I am sure this provision will be found unconstitutional.

This provision gives CSIS and the courts a role in deciding when it is okay to limit charter rights, and that is a power that constitutionally belongs to this Parliament and only this Parliament. It is not the purview of CSIS to decide what are reasonable limits on free expression, and it is not even the purview of the courts to decide

that. The courts have left that to legislation passed in Parliament, and rightly so.

The fourth threat to our civil liberties is the creation of this new broad criminal offence of supporting terrorism "in general". This lacks the element of intent that is normally required for a criminal offence. We do not impose criminal penalties in Canada unless harm was intended. This therefore infringes on rights to free speech in terms of things like fair comment by journalists who might wish to cite writings by someone advocating terrorism as part of their investigation. It interferes with the rights of authors of fiction, of satirists, and with all kinds of people who have legitimate reasons to make statements about terrorism in general with absolutely no intention of inspiring terrorist acts, but they will fall under the purview of this new definition.

● (1650)

The fifth threat is that Bill C-51 lowers the standard applied to police action in national security cases in several different parts of the bill, from reasonable grounds based on evidence to mere suspicion. I find this disturbing in light of Canada's record of the detention of literally thousands of Canadians in times of crisis who were later found to have committed no offence whatsoever. This includes Japanese Canadians, Ukrainian Canadians, German Canadians, and Italian Canadians in World War II, and even Quebeckers in the 1970s.

Although there are more, I will deal with the no-fly list. Bill C-51 expanded the no-fly list to include all persons posing threats to this broader definition of national security. It did so without fixing the underlying problems in the list. This list still results in many Canadians being denied the right to travel in error because their name is similar to someone else's. It even has resulted in multiple instances of children being denied the right to fly. The list needs to remain focused on those who threaten aviation. What Bill C-51 has done again is to expand that list to include everyone who might be a threat to national security.

This is another example of the needle in the haystack and providing way to much hay to be dealt with at the airport. Therefore, we need to keep the focus on those who actually threaten our flights. All of the outstanding problems with the no-fly list could have been fixed by regulation. However, that task has been made much more difficult by expanding the list and using the new broader definition of national security.

*Speaker's Ruling*

Turning to the bill before us very quickly, I think there are some gaps here. We find a bill that is clearly necessary but I would argue is fundamentally flawed. We need a truly independent committee that would report to the House of Commons and not the Prime Minister. This would affect the confidence the public can place in the committee's reports. At minimum, there needs to be limits placed on the power of the Prime Minister to censor and redact committee reports.

A truly independent oversight committee should also elect its own chair. Instead, the bill proposes that the Prime Minister choose the chair, and indeed the Prime Minister has already designated a chair for the committee before it has even been constituted. This means that the chair owes his job to the Prime Minister and not his fellow members of the committee. Electing a chair is a practice of our allies in all the other jurisdictions.

If I can just take—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order, please. I am sorry, but the time is up. Perhaps the member would be able to incorporate what is left of his speech into the question and answer period.

Questions and comments, the hon. member for Spadina—Fort York.

**Mr. Adam Vaughan (Parliamentary Secretary to the Prime Minister (Intergovernmental Affairs), Lib.):** Madam Speaker, the member's participation in this debate, in the previous session and now, is one of engaged and intelligent comment, and I listened very seriously to it.

My concern is twofold. The first is that you do recognize that the previous budget that we just passed—

• (1655)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order, please. I would remind the member to address the questions to the Chair.

**Mr. Adam Vaughan:** Madam Speaker, it is my first time in the new Parliament. I apologize.

Budget 2015 actually built a budget and engaged in the de-radicalization process, even before reforms were being presented. That work is ongoing. You have acknowledged that. I would also like your comments on the fact that we are consulting with Canadians to make sure that we do not—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Please address the comments to the Chair and not to the member.

**Mr. Adam Vaughan:** Madam Speaker, we are consulting with Canadians to make sure that we do not just focus solely on Bill C-51 but in fact address all of the security issues to ensure that when we come forward with legislation it embraces the full scope of what needs to be fixed to get the proper laws in place around public safety and protecting charter rights. The member is aware that consultation is under way, I hope the House understands that, and I would like to see a comment reflecting the importance of that consultation.

**Mr. Randall Garrison:** Madam Speaker, certainly I acknowledge that the consultation is going on. My concern is that it is an excuse for inaction. Certainly, Bill C-22 is a crucial bill but is no substitute

for action to fix or repeal Bill C-51. Oversight is not a burden. Good oversight will help build public trust and ensure that our security services are more effective in a dangerous and changing world.

Canadians expect a watchdog that is both independent and has teeth. Bill C-22 needs to be amended to ensure that this committee has full access to classified information, adequate resources, and the power to share its findings with Canadians in an informative and transparent manner, subject to justifiable limits.

The government will have to work hard to earn the trust of Canadians after failing to deal with the question of changing Bill C-51, and to rebuild that trust we need a strong, independent, and effective oversight committee.

**Hon. Peter Kent (Thornhill, CPC):** Madam Speaker, we in the official opposition still disagree with respect to Bill C-51. We are reassured that the government, since the election and some of the promises it made in that campaign, has come to see the virtues in Bill C-51.

However, that aside for the moment, to your very logical points with regard to the legislation before us, we agree it is legislation which is fundamentally flawed. I noticed you were just getting to pointing out—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I would remind the member to address the question to the Chair. Members have been here long enough to know that.

**Hon. Peter Kent:** Madam Speaker, it seemed that my colleague was just getting to some rather important flaws that he saw in the legislation and I wonder if he could expand upon those.

**Mr. Randall Garrison:** Madam Speaker, this committee has to be independent, and that means it has to have broad access to sensitive information. We cannot have a prime minister who is able to restrict what the committee is working on. Some parts of the bill are almost Orwellian. It says that the Prime Minister can stop an investigation by this committee into national security matters on the grounds of national security. That makes no sense to me whatsoever.

In addition, the committee has to be able to publicize that work without the government editing it in advance. By reporting to the Prime Minister and allowing the Prime Minister's Office to redact the reports, we will lose public confidence in the work of this committee.

**Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP):** Madam Speaker, I would also like to congratulate my friend, colleague, and neighbour from Esquimalt—Saanich—Sooke for a fantastic presentation and all of his work in the previous Parliament as the NDP's public safety critic.

*Speaker's Ruling*

There are three main points I want to outline as part of my speech on Bill C-22. First, I want to outline the fact that I think the overall intention of this bill is crucial to protect the safety and rights of all Canadians. Good oversight not only builds public trust, but it makes our security services much more effective.

I would also like to note that Canadians expect a watchdog with teeth. This committee must have full access to classified information. It must have adequate resources and the independence to go along with it.

My third point is that the government is going to have to work hard to earn Canadians' trust after its support for Bill C-51 in the previous Parliament. This trust starts with a strong committee, but it must be earned by fulfilling the promise to repeal the problematic elements of Bill C-51.

The idea of creating more parliamentary oversight has been around for some time. I want to outline and underline that this is not a uniquely Liberal idea. In fact, it has been around as a recommendation for the past 35 years. Despite that, I am glad to see that the Liberals have come forward with Bill C-22. There have been previous Liberal governments that have altogether ignored this recommendation.

There are certainly some things in this bill that I do want to take a look at. It is important that we use public money responsibly, that we protect sensitive information, but that we also stop abuses of power in their tracks. If we can come together as parliamentarians to build a robust oversight committee, we can bring in the real accountability that Canadians expect.

We can protect Canadians while ensuring that they trust that their rights are not jeopardized by a rampant security state. Indeed, the national security green paper, 2016, by the Government of Canada noted on page 9 that:

...effective accountability mechanisms are key to maintaining the public's trust in these agencies. Accountability mechanisms provide assurance that agencies act responsibly, strictly within the law and with respect for Canadians' rights and freedoms.

We can look at the historical significance of this issue, and compare Bill C-22 with what is going on in other jurisdictions. We know that our allies in France, Britain, Germany, the United States, Australia, and New Zealand all have similar bodies in place. It is about time that Canada stepped up to the plate, because for far too long we have been lacking in this very necessary oversight measure.

The change is very long overdue. We have seen abuses in previous years with the RCMP, going back to the 1970s. Of course, we here in the NDP know all about the RCMP spying that went on with the great Tommy Douglas, because of his link to left-wing causes and groups. This should serve as a reminder to all parliamentarians that the abuses of state can occur and have occurred. That is why oversight is needed. We need to make sure these kinds of things do not happen again in a free, open, and democratic society.

The McDonald commission was a royal commission used to investigate these unlawful activities of the RCMP. Of course it was also implicated in the illegal opening of mail and surveilling of members of other political parties as well, not just Tommy Douglas.

A part of that commission's report recommended the creation of CSIS, a civilian agency without law enforcement powers, but of course that was altered when we saw Bill C-51 come in.

The main recommendation that I wanted to point to today was that oversight committee of parliamentarians. I really think that Canada should be at the cutting edge of dealing with oversight in security apparatus. I am going to support this bill, but I hope that when it reaches committee it will be rigorously compared to models in other jurisdictions. I think there are some much-needed amendments.

For example, in Belgium, they allow their oversight body to seize documents and launch criminal investigations into wrongdoing by security officials. That body has real teeth. Even the United States, our closest ally and neighbour, allows its oversight committees almost real-time access to covert operations. If those parliamentarians in the United States Congress can have the oversight, why can we not as well?

• (1700)

My friend from Esquimalt—Saanich—Sooke went over in detail of the most egregious examples of what was wrong with Bill C-51, but one of the recommendations in the McDonald Commission was to have a civilian intelligence force without law enforcement capabilities. Those waters were muddied by the Liberals and Conservatives when they allowed CSIS the disruption element. The real confusing part is that the definition of unlawful activities is open to interpretation.

We know our intelligence agencies have been complicit in spying on home based environmental groups, and we have also very concerned with Bill C-51's information sharing regime, which dramatically loosens the strictures on how a government internally shares data. It introduces, as mentioned, the dangerously broad category of activities that undermine the security of Canada, which can include much illegal protest. This will be of very special concern to anyone who has studied the infamous Maher Arar case.

I want to underline this fact. Bill C-22 cannot be treated as window dressing. This will not absolve the Liberals for being in support of Bill C-51, and we can be sure that the NDP will be holding them to account in that regard, very publicly, I might add.

I would like to congratulate my friend from Esquimalt—Saanich—Sooke. Yesterday he introduced Bill C-303, which would repeal Bill C-51. That is a great step. I am glad to see us living up to our election promises for once.

The Liberals can earn the trust of Canadians by voting for that legislation or otherwise living up to their electoral promises.

Going on to the problematic elements of Bill C-22, I would like to quote the national security green paper again when it mentioned that Parliament had several roles in national security matters. It holds ministers to account for the actions of the institutions for which they are responsible.

*Speaker's Ruling*

However, the structure of the bill seems to allow ministers to hold complete sway over the committee. In other words, the committee suddenly becomes accountable to the executive branch, and that is not the function of Parliament.

Allow me this opportunity to walk members through the text of Bill C-22. Under subsection 8(b), it states that if a minister determines that a review is injurious to national security, the minister can withhold information.

Under subsections 14(a) to (g), there are seven points that further limit what information the committee can have access to.

Section 16 states that the minister may refuse to provide information that is special operational information, or again, injurious to national security. Yes, that minister has to provide reasons for the decision, but, again, if we go further down the bill to section 31, it states that the minister's decision in subsection 8(b) and subsection 16.1 is final.

If the committee is somehow dissatisfied with that decision, it can write out a report, which is outlined in section 21. Again, that describes the structure of the report, but section 21 basically gives the Prime Minister, who basically probably gave the minister the authorization to withhold the information in the first place, complete authority to revise that report and redact whatever problematic elements there are, again, on the grounds of national security.

Sections 10 and 11 of the bill outline the security requirements and oaths to secrecy that the members of that committee have to take. They will be completely free and they will suffer the consequences if any information is leaked. I do not see why concerns of national security have to be withheld from a committee whose main purpose is to oversee national security. We are just going around in circles with the bill.

I would like to remind Liberal members of Parliament that there are members in the Conservative caucus who used to serve as cabinet ministers and who had access to some of the most sensitive secrets of Canada. They are still sitting in the House, but they are still bound by their oaths of secrecy. They are able to hold a secret. There is no reason why this committee membership cannot do the same.

As the legislation stands, the government can still hide things from this committee, and that is the problem. There will be absolutely no relevant oversight if the government denies access to files and witnesses. Not only will withholding information make it near impossible for the committee to do an objective job, but it will further deteriorate the trust of Canadians in our police and intelligence services.

• (1705)

The Prime Minister has already appointed a chair of this committee, the member for Ottawa South. Choosing the committee chair back in January despite the bill only being introduced in June is putting the cart before the horse. By appointing the member for Ottawa South as committee chair with a salary almost equal to the lower levels of the Liberal cabinet, the Prime Minister has, in a sense, made him a mini cabinet minister on the committee, accountable only to the government.

I will just end with—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order, please. I am sure that if the member has other things to add, he will be able to do it through questions and comments.

Questions and comments, the hon. Parliamentary Secretary to the Leader of the Government in the House of Commons.

• (1710)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I appreciate the comments by the member. There has been a lot of discussion about Bill C-51 throughout the day.

Here is legislation that we should all be proud of. This is the first time in Canadian history that we are evolving to the point of having a committee of parliamentarians that would provide assurances to Canadians of a balance between security and the private rights and freedoms that we have all come to know. It is important that we respect the Charter of Rights and Freedoms.

This is a positive piece of legislation, and we look forward to its ultimately going to committee. Does the member have some specific amendments he might want to share with us?

**Mr. Alistair MacGregor:** Madam Speaker, yes, I would go back to the parts of my speech where I talked about the committee basically going around in circles because the information it would be seeking might be “injurious to national security”. That just takes away from the purpose of the committee. How can it provide effective oversight if the minister could at any time claim that something is injurious to national security? If the committee then complains about it, the Prime Minister could withhold that information in the final report. We will just be going around in circles. That is not parliamentary oversight.

I will start with that as a very real amendment that needs to be made to the bill.

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Madam Speaker, I wonder if my colleague could talk a little more about accountability. From my perspective, bringing in this new committee is really smoke and mirrors. It seems we are going to have this committee and the ministers will be less accountable because they will be able to point to the committee and say, “I am doing a great job because, see, the committee is not doing anything”.

However, the minister and the Prime Minister would both have control over what a report from the committee says. The committee could study something, write a report, and the minister could take all of the damning evidence out of the report and then put the report forward.

Could my colleague comment on that?

**Mr. Alistair MacGregor:** Madam Speaker, absolutely, “smoke and mirrors” is very apt terminology for this practice.

It is incumbent on us, here in the opposition, to play our job properly during the proceedings on the bill, not only by pointing out the deficiencies of the bill, but also by not letting the Liberal government off the hook. I know that the Liberal government will say to the Canadian public that it has provided oversight in Bill C-22 and that its job is done.



*Speaker's Ruling*

We will not allow that to stand. There is still a lot more to be done.

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Madam Speaker, since Bill C-51 remains in place, I would like to hear more from my colleague about what protections are in place to ensure that the right of legitimate dissent by first nations and environmental activists remains in place. Does the bill remedy those deficiencies in Bill C-51? If there is any infringement on such legitimate public discourse, which I view as in the public interest, allowing free speech? How can that public interest be protected?

**Mr. Alistair MacGregor:** Madam Speaker, we have seen in previous examples, most notably with northern gateway, that CSIS was complicit in providing information to oil companies about suspected activists and environmental protesters, so there is a very real threat.

The bill could address that particular problem only if the oversight committee is allowed to have real teeth and real investigative powers. That means not allowing a minister to just shut something down because he or she thinks it is “injurious to national security”.

That is such broad-ranging terminology. Could someone on the Liberal side please define that for me?

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, what a privilege it is to be able to stand in this place to talk about what I believe is a really important piece of legislation, and it is so in many different ways. I hope to be able to provide some comments with respect to the process, some of the content, and some of the amazing work that, in particular, the Minister of Public Safety has done for all Canadians by putting in the effort that he has in working with his other cabinet colleagues, and indeed, coming right from the Prime Minister's Office, too.

I would recognize, first and foremost, that we have once again before the House, a piece of legislation that was promised in the last federal election. There was a great deal of discussion and debate at the doors and through many other venues about the issue of freedoms and rights and the issue of security and ensuring that we get the right balance. I am absolutely convinced that the government has provided a piece of legislation that will be overwhelmingly supported by Canadians.

It is not to say that there is no room for improvement. If I can quote the Prime Minister, there is always the opportunity to make things better. We opened the door for the opposition, and as the Minister of Public Safety indicated in his opening comments, we have already received ideas and thoughts, such as the appointment of the chair for this particular committee to be made by the Prime Minister, which was a recommendation or a thought that came from the official opposition.

However, it is important to recognize that this is indeed the first time ever where we have seen a parliamentary committee established to deal with the issues of security and privacy and freedoms for Canadians. That is a very big thing. We should be happy to see it here today because it has been a long time in coming.

Another big issue, which I really have appreciated, is that there has been a great deal of thoughtful debate that has taken place, as

members from all sides of the House have been engaged on what we all know is a very important issue to Canadians.

I believe, at some point, it will pass and go to committee and we will find that the debate will carry over in the form of listening to what some of the different stakeholder groups have to say, with the idea that if there are indeed ways in which we can reflect on the current legislation, the government is, at the very least, open to that.

The other thing that I think is really worth noting is that the Minister of Public Safety also made reference to the Five Eyes. Canada is a member of the Five Eyes nations, which include the U.S., the U.K., Australia, and New Zealand. I have had the opportunity to talk about this particular issue during the debates on Bill C-51. All those other countries have some form of a parliamentary committee to oversee these types of security and rights issues. Only Canada did not have something.

Today, what we are witnessing is not only Canada joining and being a part of the Five Eyes, in regard to a parliamentary committee, but it is a committee that has a far greater and broader mandate. Many would argue that it has the potential to be the most effective in the Five Eyes group. Again, I think that we owe a great deal of gratitude to all those individuals who have been involved.

I am sure that the different ministries would be first to indicate that it is not just coming from within the departments, but rather, it is from many of the presentations that were made during the debates on Bill C-51, many of the debates that took place inside this chamber, and the messages that we received, whether through emails, telephone calls, letters, or just the door-knocking that took place. The bill encompasses a great deal of dialogue that has taken place both here in the chamber and in every region of our country.

● (1715)

I think this is one of the reasons why we should all take a great deal of pride in what is being proposed by the government.

It has been noted that it was the government House leader who introduced the bill, and a number of members were somewhat surprised that it would be the government House leader. Let me assure members that when we talked about that, we made reference to the idea of this broader mandate. We need to recognize that a multitude of departments provide some form of security-related issues to Canadians. I believe it is 17. Therefore a number of departments are directly affected by this legislation, and so the committee would have a significant role that goes beyond one department. It is most appropriate that it be the government House leader who introduces the legislation. I am quite pleased that the Minister of Public Safety has had the opportunity to address the legislation also.

*Speaker's Ruling*

A national security green paper was recently released by the minister, and it was co-signed with a message from the ministers. I would like to refer to it. It was approved in terms of being received by the Minister of Public Safety and the Minister of Justice, Canada's Attorney General. There is a great deal of content in it, and as we continue to have dialogue both in Ottawa and the different regions of Canada, I would encourage people, the listening audience and the different stakeholders, to get a copy of this green paper because it is loaded with wonderful content. By reading through it, we get a fairly good sense of why it is such an important piece of legislation and why Canadians have taken such an interest in it.

I would like to provide some selected quotes from the green paper, because it better reflects what the government is hoping to ultimately accomplish. It is not to say that every aspect of the green paper is going to be implemented by the government, but it shows that the government is listening and, where it can, it is taking the necessary action to make a difference in the lives of all Canadians.

I first refer to the message from the two ministers where they clearly indicate that:

A fundamental obligation of the Government of Canada is the responsibility to protect our safety and security at home and abroad. Equally fundamental is the responsibility to uphold the Constitution of Canada, and to ensure all laws respect the rights and freedoms we enjoy as people living in a free and democratic country.

On many occasions I have indicated my support for Canada's Charter of Rights and Freedoms. I have argued that the Liberal Party is a party of the Charter of Rights and Freedoms. We recognize how important those individual freedoms are, but we also recognize—and we saw that in the debate—that they are one of the things that distinguished the Liberals from the New Democrats while we were in opposition. We also recognized the importance of security, and that is why it is a balancing that needs to take place.

I go back to the document, which says:

Reflecting the seriousness with which the Government regards the concerns about the ATA, 2015, our mandate letters direct us to work together to repeal its problematic elements and introduce new legislation that strengthens accountability and national security. In this respect, we have made commitments to:

This is something that, I would hope, provides comfort not only to members of this chamber, but to all Canadians.

• (1720)

The government has made commitments on the following: it has guaranteed that all warrants of the Canadian Security Intelligence Service will comply with the Canadian Charter of Rights and Freedoms to ensure that Canadians are not limited in legitimate protest and advocacy; it will enhance the redress process related to the passenger protect program and address the issue of false positive matches to the list; it will narrow overly broad definitions, such as terrorist “propaganda”; and it will require a statutory review of the Anti-terrorism Act after three years.

It is great that within this legislation there is a requirement for a mandated review five years after the bill has been proclaimed. We know that as time goes by, there will be a need to review and reflect upon what we could be doing differently to improve the legislation.

As the minister has pointed out, we are establishing a statutory national security and intelligence committee of parliamentarians, with broad access to classified information, to examine how national

security institutions are working. That is, in fact, within the green paper and what we are actually going through today.

The legislation fulfills a key commitment we made during the election campaign by establishing a national security and intelligence committee of parliamentarians.

It is great that the committee would have nine members, seven members of Parliament and two senators. Up to four MPs would be from the governing party. The Prime Minister would be required to consult with the opposition party leaders before naming opposition members and with the Senate before naming senators.

I hear a great deal of concern from both opposition parties about the PMO and the Prime Minister. I think there is one point that has been lost in this. It is important to emphasize that the Prime Minister would not be authorized to alter the findings or recommendations of the report that would be tabled. The Prime Minister's role would be solely to review the report to ensure that it did not contain classified information.

I believe that the Conservatives are underestimating the abilities of members of Parliament when they question whether it would be an open process. Yes, ministers would have the discretion to withhold information on a case-by-case basis should they believe that disclosure would be injurious to national security, but one would expect that they would have that authority. However, a minister who wished to withhold information would have to provide a rationale for the decision to the committee. The committee could choose to report on the matter to Parliament should it deem the rationale unsatisfactory. We need checks in place, and that is within this legislation.

We are underestimating and undervaluing the potential role members of the House can play on such a committee, which I believe would be second to no other, potentially, in the world.

The Minister of Public Safety and Emergency Preparedness talked about the way it would broaden responsibilities and about all the departments that would be taken into consideration.

As much as I would love to be a member of that committee, I am quite content not being a member, so I say this knowing full well that I will not be a member of the committee. Those who are selected to be members of the committee, I believe, will have the ability to ensure that rights and freedoms, versus the security of our national interest, will be protected first and foremost.

• (1725)

There are checks in place within the legislation that would allow this committee to get the job done. I believe that if the Conservatives, in particular, were to better appreciate that fact, then they would be supportive of the legislation.

I listened to members of the New Democrats respond, and I appreciate the response that I have heard today from the New Democrats. They are supportive, but they want to see some amendments. However, this is not quite as clear with regard to the Conservatives. I understand that the Conservatives are in a very awkward position because of Bill C-51. I sat in opposition and, yes, there were many members who stood up to say that we did not need a committee of parliamentarians. However, today when I listen to the debate the Conservatives are providing, they are a little unclear.

I understand that now the Conservatives are going to be voting against the legislation, but it would appear as if they are voting against the legislation because they want to see this parliamentary committee have more teeth. This seems to be the reason they are voting against it, depending on the member one is talking to. I did pose the question to my colleague across the way of whether he would be supporting the legislation. In fairness, they have been very delicate in terms of their responses today, but they had one member who has indicated a vote against the bill.

I would advise all members of the House, given the importance of the legislation, to take it for what it is and allow the legislation to be sent to committee where there can be a proper vetting from all parliamentarians. It is there that they can actually advance potential amendments if they have concerns and they can make their case.

We often hear of disputes over the facts inside the House. We listen to what the minister says here and believe that this is a committee that is going to be quite powerful and have many responsibilities. However, we then hear members opposite having reservations about just how powerful it will be and are wondering if the Prime Minister's Office would be too powerful. Therefore, there seems to be a bit of a disconnect.

However, where there is no disconnect is that there seems to be a political will that we are going to have this committee, and we will have this committee. The Prime Minister made a commitment to establish it, so we will have it. When that committee gets established, I do believe that there are members of the House who have the integrity, goodwill, and the ability to get the job done. I believe this is what we should be looking at going forward.

• (1730)

If in fact there are ideas that are genuine, where there has been background work and it can be clearly demonstrated, then I am sure, whether it is a government amendment coming from one of my colleagues, or from Conservatives, New Democrats, or independents, these ideas are something we will want to foster if in fact they are ways we can improve upon the legislation.

There are so many things that the government is doing that goes beyond Bill C-22 in addressing the concerns that Canadians have with respect to the issue of security, such as amending provisions enacted by Bill C-51 so as to better protect the right to advocate and protest; amending provisions enacted by Bill C-51 so as to better define rules regarding terrorist propaganda; mandating a statutory writ review of national security legislation; ensuring faithful compliance with the Charter of Rights and Freedoms; creating an office of community outreach and counter-radicalization from budget 2016, including \$35 million over five years and \$10 million

### *Speaker's Ruling*

annually, which would be ongoing; consulting Canadians about what further measures they would like—

• (1735)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I am sorry to interrupt the member. I am sure he has much more to say, and I am sure the members are looking forward to it.

Questions and comments. The hon. member for Central Okanagan—Similkameen—Nicola.

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Madam Speaker, the member opposite has raised a number of points today. He said this legislation should go to committee, and obviously there is a process for that, but first it is important that all members in this place get a chance to share their initial thoughts on it, not just the parliamentary committee. The initial thoughts I have heard time and time again today from the Conservatives are that the Prime Minister will appoint the chair—and we know that has already happened—that there is going to be a majority of Liberal members on this committee, that they will examine what the Prime Minister wants, and that the committee itself will report to the Prime Minister and not to Parliament.

My question is simple. Does the member opposite believe that this is parliamentary oversight, or is it oversight by the Prime Minister?

**Mr. Kevin Lamoureux:** Madam Speaker, it shows, just based strictly on the question that has been posed, that our government is listening to what the Conservative opposition has been saying. It was the Conservative critic who wrote to the minister saying that those members would like the Prime Minister to appoint the chair. Is that not right?

The committee will consist of nine members with seven members of Parliament and two senators. Up to four of those members will be from the governing party. That is not a majority. If it is a nine-member committee and four members are from the government—

**An hon. member:** That is the majority. The chair gets to vote twice.

**Mr. Kyle Peterson:** It's simple math. Look at the math.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Members have a chance to get up and ask questions, so I would ask them to please not interrupt the member.

**Mr. Kevin Lamoureux:** Madam Speaker, if we could put aside some of the partisan stuff that has been said today—and I have been accused of saying partisan things at times too—and look at what is being proposed, we would find it is good, sound legislation. If we get the co-operation of the opposition, or if we work together on it, I would argue we could have some of the best legislation in the world dealing with parliamentary oversight. We could—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Questions and comments. The hon. member for Windsor West.

*Adjournment Proceedings*

**Mr. Brian Masse (Windsor West, NDP):** Madam Speaker, it is important to hear why this legislation should go to committee. Last week the member voted against sending a bill to committee for study that would have diverted \$10 billion from organized crime. I find that quite ironic. Perhaps he could enlighten me on that. Among the witnesses who wanted to appear were provincial representatives, representatives from the Canadian Labour Congress, representatives from Canadian chambers of commerce and lottery gaming associations. Since we are talking about security issues, maybe the member could talk about why organized crime continues to get these resources.

Perhaps he could also explain to Liberal candidates who were out there saying the Liberal Party supported this legislation.

**Mr. Kevin Lamoureux:** Madam Speaker, the Liberal Party does support Bill C-22. We introduced the bill.

The member asked why I did not support a particular issue going to committee. Our standing committees have the potential to do phenomenal work. I have argued in the past and will argue into the future that committees are the backbone of Parliament. That is consistent with what our Prime Minister and many colleagues have said. The fine work that committees do is the backbone of Parliament going forward into the future.

We can refer virtually endless issues to committees, but today we are debating Bill C-22, a balance of rights and freedoms with the issue of security for all Canadians. If we continue to work in a co-operative way and have the bill go to committee, we could ultimately have one of the greatest parliamentary oversight committees possible.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The member will have five and a half minutes of questions and comments the next time this subject comes before the House.

It being 5:39 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

• (1740)

[*Translation*]

### PAYMENT CARD NETWORKS ACT

(Bill C-236. On the Order: Private Members' Business)

February 25, 2016—Second reading of Bill C-236, An Act to amend the Payment Card Networks Act (credit card acceptance fees)—The hon. member for Rivière-des-Mille-Îles.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. member for Rivière-des-Mille-Îles is not present in the House to move the order as announced in today's Notice Paper. Accordingly, the bill will be dropped to bottom of the order of precedence on the Order Paper.

## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

### STATUS OF WOMEN

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Madam Speaker, the last time we had this discussion, we were talking about greater support for survivors of domestic violence and sexual assault.

The need is great. One in four women in Canada will experience intimate partner violence or sexual violence in her lifetime. That is according to the World Health Organization. I cannot overstate how badly my region of Nanaimo—Ladysmith needs action to prevent violence against women, and how much has fallen to our front-line organizations who pick up the pieces every day.

One such group, Nanaimo's Haven Society, receives eight crisis calls every day. Every year, it serves close to 4,000 people suffering physical, sexual, and emotional abuse and violence. However, because of inadequate financing, every year Haven turns away over 75 women who are ready to leave abusive situations, but who the Haven Society simply does not have enough room to house.

Across our country, there is a powerful network of domestic violence shelters picking up the pieces in just this way. One night alone last year, 8,000 women and children were in domestic violence shelters. Every day, 305 women and children are turned away from shelters, mostly because of overcrowding. This means that three out of four people seeking help to flee a violent situation cannot be accommodated.

I acknowledge the dedication of the Minister of Status of Women, and I deeply hope that her Liberal cabinet and the Minister of Finance agree with her that funding solutions is vital. The cost of not dealing with it is extreme.

Justice Canada estimates that the economic cost of violence against women is \$12.2 billion to Canada every year. That is \$415 per capita annually in costs from domestic violence.

The Liberal government's announcements do not seem to be enough to meet this enormous pent-up need over the last decade. The Canadian Network of Women's Shelters & Transition Houses has said that if half the money went to new spaces, because it could partly also go to renovate or repair existing shelters, it would mean just two new shelters for every province.

For first nations, the budget announcement will only support the creation of five new shelters on reserve and it will take three years to build them. In short, there will be only five new shelters on reserve across Canada over the next three years.

While the one-time capital funding is being welcomed, does the minister's representative believe it will be sufficient and what can she do to address the lingering need for operational cash? More than half the shelters are feeding their clients using food banks. The cost of electricity and every other kind of operating cost has gone up and up while the funding has gone down.

We do not have enough staff hours to deal with the increases in the number of clients served. We have waiting lists for counselling that the clients really need, and more operational funding would help that.

My two questions for the parliamentary secretary are as follows. Is the funding announced adequate for capital funding? What can be done about operational funding to support this very important community work?

**Ms. Anju Dhillon (Parliamentary Secretary for Status of Women, Lib.):** Madam Speaker, I welcome the opportunity to discuss one of the critical social issues to our country.

Gender-based violence represents a significant barrier to women and girls, and other vulnerable groups from reaching full equality in this country. Gender-based violence costs all of us. It takes a severe toll on victims and their families, and imposes tremendous social and economic costs on communities and our country.

Our government believes that eliminating gender-based violence in all its forms is critical if we are to make gender equality a fact of life in our society. We have made this a priority, and we are taking a number of important actions to address it.

• (1745)

[Translation]

In order to prevent and eliminate gender-based violence, it is important to ensure that women who fall prey to that type of violence can find shelter when they need it.

Our government believes that shelters are an important part of the solution. For that reason, almost \$90 million over two years has been allocated in the 2016 budget to improve and expand the Canadian shelter and transition housing system. This investment will support the construction and renovation of more than 3,000 housing spaces over the next two years.

Budget 2016 also provides \$10.4 million over three years, starting in 2016-17, to improve the safety of victims of family violence in first nations communities by building and renovating shelters.

[English]

We are committed to addressing the ongoing national tragedy that is the high number of missing and murdered indigenous women and girls in Canada. In August, we announced the five commissioners who would lead the inquiry, as well as the terms of reference for this work.

However, we recognize that we cannot wait until the conclusion of the inquiry to take action on this critical issue. We will continue to invest in existing and new initiatives that meet the specific needs of indigenous communities on and off reserve, solutions that prevent future violence, support survivors, and keep indigenous women and girls safe.

[Translation]

Status of Women Canada is also carrying out important work. The organization uses various methods to help reduce and prevent gender-based violence in our society.

### *Adjournment Proceedings*

For example, as a centre of excellence in gender equality, it is working with partners to enhance knowledge about and best practices for a range of issues pertaining to violence, such as human trafficking, cyberviolence, and engaging youth in the prevention of violence.

By funding projects in areas such as engaging men and boys, cyberviolence, and violence on campuses, Status of Women Canada is helping organizations take action to eliminate gender-based violence in their fields.

It uses a range of tools, including social media, to engage Canadians against violence, especially through the annual commemoration of significant dates such as December 6.

[English]

**Ms. Sheila Malcolmson:** Madam Speaker, I thank the member especially for her ministry's commitment around concurrent implementation of the 1,200 outstanding recommendations around murdered and missing indigenous women and girls. We do not have to wait for the end of the inquiry in order to act, so I am grateful for your commitment.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I would remind the member to address the Speaker.

**Ms. Sheila Malcolmson:** Madam Speaker, I really do need to know the answer to my question. Do you think that the two new—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** This is just a reminder again to address not “you” but the Speaker.

**Ms. Sheila Malcolmson:** Madam Speaker, I want to know whether the ministry for the Status of Women believes that two new shelters for every province for domestic violence is adequate. Does it think that five new shelters on reserve across Canada over the next three years is adequate to meet demand, Is the ministry committed to providing the operational funding that these organizations need to service victims of domestic violence and prevent violence against women?

• (1750)

**Ms. Anju Dhillon:** Madam Speaker, the Minister of Status of Women has begun working on the development of a comprehensive federal strategy against gender-based violence, and we have been travelling across the country to meet with front-line workers, survivors, academics, those people who have committed themselves to this cause.

[Translation]

It is essential that we consult with Canadians so that the strategy takes into account the experiences, needs, and problems of those who are most directly affected by gender-based violence. There is a wide range of federal initiatives to help victims of gender-based violence.

Our strategy will strengthen those initiatives and introduce new support measures. It will also change the approach for coordinating and tracking federal funding in this area.

*Adjournment Proceedings*

## CHILD CARE

**Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP):** Madam Speaker, supposedly we have a feminist Prime Minister and a government that thinks work-life balance is a priority. However, people in Laurier—Sainte-Marie and all across Canada do not see it that way. What they see is a government that does not even follow its own policies.

A large number of federal public servants work in the Guy-Favreau complex in Montreal. A child care centre was set up there 30 years ago. Even back then, it was clear that it is essential to offer that sort of service in the workplace.

As one would expect, this child care centre has been receiving a rent subsidy for years. That is not only as expected, it is in keeping with the policy on day care centres in Government of Canada workplaces. That is the official policy.

It comes as no surprise that the Conservatives gutted that policy by refusing to subsidize day cares and early childhood centres, and some day cares have had to close as a result.

Now that the Liberals are in power, they are staying the Conservative course. The day care centre at the Guy-Favreau complex is in jeopardy because the government wants to take away its subsidy, which would increase its costs dramatically. There are 70 children in the day care, 95% of whom are children of federal employees, as well as about 20 employees.

According to day care director Simon Pottie:

...the centre will no longer be able to afford rent downtown without the subsidy. Proximity to the workplace is vital to ensuring work-life balance for hundreds of federal employees in the coming years...

I asked questions about this in the House, and I wrote to the minister, but nothing is happening. I will soon be presenting a petition signed by more than 700 people. This is unbelievable. The government has no problem carrying on with Conservative policies.

I completely agree with Marie-Elizabeth Desourdy, chair of the board of directors and the parent of a child who attends the day care, who said:

...I cannot fathom why parents have to fight to get a government that calls itself egalitarian to honour one of its own work-life balance policies and keep their early childhood centre open...

The government's inaction on this matter is rather discouraging. Not only has it failed to create any child care or day care spaces, but spaces are actually being cut. Is that what progress means? Is that what 2016 means? No, it is appalling.

[*English*]

**Ms. Leona Alleslev (Parliamentary Secretary to the Minister of Public Services and Procurement, Lib.):** Madam Speaker, I welcome the opportunity to take part in this evening's debate.

Our government was elected on the promise of helping to boost the middle class and those working hard to join it, and on the issue of day care centres in federal government workplaces, we have done just that.

Our government recognizes that Canadian families need support and that all Canadian children are entitled to an equal opportunity to succeed. Within the federal public service, the Treasury Board policy

on workplace day care centres aims to assist employees who are parents and who need day care in order to pursue careers in the public service.

The policy states that the decision to subsidize day care centres resides with government departments who have employees within the same building. When departments no longer wish to subsidize a day care centre, day care operators are informed of the change and are required to pay market value if they wish to keep operating in the same location.

• (1755)

[*Translation*]

Public Services and Procurement Canada's role is to support the department in acquiring and setting up facilities intended to be used for child care, as well as reaching licensing agreements with the day care operators.

If called to intervene, Public Services and Procurement Canada works with the day care operators to come up with ways to facilitate the transition towards paying rent at market prices. This could include extending rent subsidies while the day care centre works with parents and develops a new business model that takes the cost of rent into account.

[*English*]

In the case of Garderie Tunney's Daycare, its rent subsidy ended in 2014. The day care then entered into a five-year commercial lease agreement with Public Services and Procurement Canada. For the first 18 months of the lease, Public Services and Procurement Canada significantly reduced the rent compared to fair market rates. This transition period was meant to allow the day care to develop a viable business model, taking into account rental costs.

When the day care advised Public Services and Procurement Canada that it would have difficulty meeting its rent obligations, even after the 18 month transition period that ended on April 1, PSPC worked with the day care and the departments located at Tunney's Pasture to find a solution. Public Services and Procurement Canada helped facilitate a solution to allow Garderie Tunney's Daycare to continue to operate out of Tunney's Pasture for years to come.

[*Translation*]

**Ms. Hélène Laverdière:** Madam Speaker, my colleague opposite says that the Liberals know that families need support and that is what the Liberals are giving them.

I would like her to come take a tour of Montreal and meet the officials who work at the Guy-Favreau complex because the truth of the matter, as illustrated by the response that I got, is that the government is washing its hands of this.

People are being told to pay market prices for child care and day care centres. Does the hon. member have any idea what market prices are like in downtown Montreal? The Liberals are washing their hands of this and telling people to figure it out on their own.

Speaking of market prices, some day cares have already shut their doors, rental spaces sitting empty. What did the government gain from this? Everyone is losing out. This is not progress. We are not progressing, we are regressing.

[English]

**Ms. Leona Alleslev:** Madam Speaker, in the case of the day care at the Guy-Favreau Complex, Public Services and Procurement Canada continues to work with the departments located at Guy-Favreau to find a suitable solution for all parties, as we did with Garderie Tunney's Daycare.

#### IMMIGRATION, REFUGEES AND CITIZENSHIP

**Ms. Jenny Kwan (Vancouver East, NDP):** Madam Speaker, I rise today to further debate the issues related to our immigration policies. At different junctures, different administrations have adopted different approaches and values to Canada's immigration policies. Irrespective of the actions of different administrations, Canada is a democratic country based on some very fundamental principles. Canadians value our constitutional rights.

Under the Harper Conservatives, in June 2015, Bill C-24, Strengthening Canadian Citizenship Act passed and became law. The law created two classes of citizens, those who could have their citizenship revoked and those who could not. Under Bill C-24, some Canadians are more Canadian than others, because some Canadians are afforded more rights than others simply because of where they were born.

On June 9, 2014, the Minister of Immigration while in opposition stated:

We object in principle to the arbitrary removal of citizenship from individuals for reasons that are highly questionable and to the very limited opportunity for the individual to appeal to the courts against that removal of citizenship.

When the Liberal government was elected the Prime Minister stated very clearly that there would be real change. Real change should have meant that the government kept its promise to repeal Bill C-24. That did not happen. Real change should have meant that at minimum Bill C-6, an act to amend the Citizenship Act, introduced by the minister on February 25, 2016, fixed the major problems under Bill C-24, especially the sections that violated our constitutional rights. That did not happen either.

There is a gaping hole in Bill C-6. It failed to fix the lack of procedural fairness and safeguards for individuals facing citizenship revocation due to misrepresentation or fraud, whether or not the misrepresentation was the result of an honest mistake. Even if a child's parent presented misinformation on the application for whatever reason, the child's citizenship could still be revoked and the case could not be argued based on humanitarian and compassionate grounds. Simply put, they have no right to a hearing. This is because the Harper government, under Bill C-24, eliminated the right for an independent and impartial hearing. It also eliminated consideration of equitable factors, or compassionate and humanitarian factors, that could prevent a legal but unjust outcome.

At committee, I tabled substantive amendments to ensure that individuals who face citizenship revocation have the right to a fair and independent hearing and an appeal process. These had broad support, included from the Canadian Bar Association, the Canadian Association of Refugee Lawyers, the B.C. Civil Liberties Associa-

#### Adjournment Proceedings

tion, the Canadian Council for Refugees, Legal Aid Ontario, and many others. As long as the rules established under Bill C-24 remain, the Prime Minister's declaration that a Canadian is a Canadian remains elusive. The unfortunate reality is that individuals currently in the citizenship system facing revocation due to misrepresentation still lack the fundamental right to judicial process. It is not a joke that people fighting a jaywalking ticket have more rights than those at risk of losing their citizenship.

Even though the Minister of Immigration acknowledges this is wrong, the Liberal government is aggressively pursuing citizenship revocation of up to 60 Canadians each month under the unfair and unconstitutional process established by Bill C-24. This needs to change.

• (1800)

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.):** Madam Speaker, the question on the Order Paper of the member for Vancouver East actually dealt with a substantially different issue, so I will address both in my comments.

The question on the Order Paper related to a matter that relates to funding for language instruction classes for newcomers and settlement services. She received a response from the minister at the time, which I can reiterate and add to. The government takes very seriously the issue of the settlement of all newcomers, particularly in the case of Syrian refugees. On top of the \$600 million in funding that was provided in 2016-17 to settlement agencies, an additional pocket of \$37 million has been dedicated just for Syrian refugees and their resettlement. We take very seriously the issue of people not only being housed but also being linguistically trained so that they can access the workforce.

In respect of the comments of the member for Vancouver East regarding Bill C-24, I obviously have a very different description of what has transpired with respect to our tabling of legislation, Bill C-6, the significance of that tabling, what it has done, and what it will continue to do for Canadians.

The member made extensive submissions at committee with respect to one particular issue, and I will get to that issue in a moment, but by tabling Bill C-6, we have shortened the time frame for which people are eligible for citizenship. It has been reduced from four years to three years. We have rendered citizenship more accessible by restricting the citizenship testing requirements only to persons aged 18 to 55. It used to be required for anyone as young as 14 and anyone as old as 65. We have also given credit to individuals, such that time spent here prior to becoming a permanent resident can be attributed to one's citizenship eligibility on a factor of 50%, such as temporary foreign workers and international students.

*Adjournment Proceedings*

Most importantly, we have also emphasized something that affects me and many members of the House, which I spoke about already in respect of Bill C-6, and that is that we have eliminated the part of the legislation brought in by the previous government which implemented a system whereby one's citizenship could be revoked based on grounds of national security, only for those people who were not born in this country. That is the point about making sure a Canadian is a Canadian is a Canadian. I am very proud of that legislation, and the minister and the department stand behind it.

With respect to issues about revocation of citizenship based on fraud or misrepresentation, it is an important point highlighted by the member for Vancouver East. The issue of revoking citizenship for fraud has existed since 1947, since the Citizenship Act was created. Revoking for fraud maintains an important aspect of what we must do as a government. We revoke for fraud in certain instances, for example, if somebody hides the fact that they participated as a war criminal in some foreign conflict. If that is not presented to officials and is later discovered, we will intervene and revoke that citizenship. It is something Canadians expect us to do and something that this government will continue to do.

The important point raised by the member for Vancouver East, however, is the procedural protections and due process that are or are not available in such revocation contexts. I was at those committee meetings with the member opposite and we heard the submissions. They were important submissions and those changes are not taking place in this form of the bill at this juncture because of the structural and regulatory changes that would be required in terms of the overall apparatus and machinery of government.

Does that mean that they are off the table? It certainly does not. The minister answered a question on this just today in question period in respect of the possibility of looking at such changes going forward.

• (1805)

**Ms. Jenny Kwan:** Madam Speaker, the issue is about revocation of citizenship without providing due process.

The B.C. Civil Liberties Association and the Canadian Association of Refugee Lawyers have been fighting the blatant violation of

the constitutional rights of Canadians since the Harper Conservatives brought in Bill C-24. It has been almost a year since the Liberals were elected and they have failed to deliver in making the changes. There is no question that immediate action is needed, and what is more, it is possible. It is not too late to act.

As reported on CBC:

If [the Minister of Democratic Reform]'s birthplace was misrepresented on her citizenship application as well, that would be grounds for revocation of citizenship, regardless of whether it was an innocent mistake or the fault of her mother, said immigration lawyer Lorne Waldman.

And if the misrepresentation was on her permanent residence and refugee applications, she could even be deported....

This has to change for everyone and I would urge the government to take action now.

**Mr. Arif Virani:** Madam Speaker, I thank the member for Vancouver East for raising the point about the litigation. However, I believe she would be aware and members of the House should be informed that the litigation was actually placed on hold pending our government's commitment to reform Bill C-24 by Bill C-6, and we have done exactly that. In its most glaring constitutional violation, Bill C-24 jeopardized people's citizenship based on their places of origin in terms of the ability to revoke, based on national security grounds, the citizenship only of people who were not born here. That change has been made and the litigation has been put into abeyance.

The submissions made by the B.C. Civil Liberties Association and other members who attended at committee have been heard. We have received those documents, we are reviewing them, and we look forward to enabling better and more constructive due process provisions going forward in respect of citizenship revocation when it arises in the case of misrepresentation.

[Translation]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 6:09 p.m.)







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