



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Procedure and House Affairs

EVIDENCE

NUMBER 133

Tuesday, November 19, 2024

Chair: Mr. Ben Carr



Standing Committee on Procedure and House Affairs

Tuesday, November 19, 2024

• (1100)

[English]

The Chair (Mr. Ben Carr (Winnipeg South Centre, Lib.)): Good morning, colleagues.

[Translation]

I hope you all had a good constituency week.

[English]

We have some familiar faces here for the meeting 133 of the Standing Committee on Procedure and House Affairs, and a friendly reminder to our witnesses—although I doubt that you need it, as you help implement the rules that I'm about to go over. Please make sure that when your earpieces are not in use, you are placing them securely on the stickers in front of you to protect our colleagues in the booth who are working very hard on our behalf.

Colleagues, today we have two different hours to continue the two different studies we've been working on.

[Translation]

We will divide our time between two different studies during this meeting.

[English]

The first hour is going to be on the question of privilege related to cyber-attacks targeting members of Parliament. We've talked about this on a number of occasions, and this is a continuation of that discussion.

In the second hour we'll be resuming our discussion on Bill C-65, the bill that will make changes to the Elections Act.

With that, I would like to welcome back Mr. Eric Janse, Clerk of the House of Commons; Stéphan Aubé, chief executive administrator; Michel Bédard, law clerk and parliamentary counsel; Patrick McDonnell, Sergeant-at-Arms; Jeffrey LeBlanc, deputy clerk, procedure; and Benoit Dicaire, chief information officer.

Mr. Janse, I understand that you'll be speaking on behalf of your colleagues here. The floor will be yours for five minutes, at which point we will go into our lines of questioning.

The floor is yours, sir.

Mr. Eric Janse (Clerk of the House of Commons): Thank you very much, Mr. Chair for inviting me and my colleagues to appear before you again regarding the question of privilege related to cyber-attacks targeting members of Parliament.

Members will recall that we previously appeared on June 4 of this year. We trust that our testimony will assist the committee in its study.

[Translation]

After the Standing Committee on Procedure and House Affairs ordered the provision of documents from the House of Commons Administration and government institutions in May 2024, and following the appearance of administration representatives before this very committee on June 4, 2024, the House Administration gathered the documents in its possession to respond to the order to provide documents.

In reviewing these records, the House administration found that most of the documents relevant to this order were email exchanges from the Canadian Centre for Cyber Security, or CCCS, which is part of the Communications Security Establishment Canada, or CSE.

After some discussion, the House Administration has provided CSE with documents from the CCCS in both official languages. CSE has committed to providing them directly to the Standing Committee on Procedure and House Affairs, with the redactions requested by the committee. CSE was in a better position to redact its information in accordance with the committee's order for the production of documents.

[English]

To ensure that all documents were disclosed to PROC, the House administration reviewed the documents produced by CSE and identified three documents that CSE had yet to disclose to PROC. Those were sent directly to you last week by the House administration. I note that we worked with CSE to make the redactions requested by the committee.

The House administration also identified two internal documents responsive to the order, which we provided to PROC on August 9. Those consist of an internal report and an email exchange between the House administration's IT security branch and various senators and members of Parliament, in both official languages. Redactions to the documents were made as requested by the committee to protect personal information, to protect information on the vulnerability of the House of Commons computer communications systems and methods employed to protect those systems, and information that would be injurious to the detection, prevention or suppression of subversive or hostile activities.

[Translation]

That concludes our opening remarks.

We look forward to your questions.

[English]

The Chair: My goodness, the efficiency with which you operate would make you a great candidate to be the Clerk of the House of Commons, Mr. Janse.

Mr. Cooper, the floor is yours for six minutes.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Thank you very much.

Mr. Chair, since we are on the subject of a question of privilege and we have the law clerk, Mr. Bédard, before us, I want to ask Mr. Bédard some questions regarding the letter that he submitted to the Speaker yesterday relating to the question of privilege that has seized the House of Commons.

Yesterday, the Government House Leader, Karina Gould, stated on CBC that the government has complied with the House order to turn over documents related to the green slush fund.

Could you confirm that, pursuant to the House order, the government is required to turn over all documents related to the green slush fund on an unredacted basis?

• (1105)

Mr. Michel Bédard (Law Clerk and Parliamentary Counsel, House of Commons): Thank you for the question.

Ms. Lindsay Mathysen (London—Fanshawe, NDP): I have a point of order.

The Chair: Yes, Ms. Mathysen, on a point of order.

Ms. Lindsay Mathysen: I would just like to call the relevance of that question, sir.

The Chair: I was consulting with the clerk during that introduction by Mr. Cooper. I would agree: I'm not sure that it's relevant to the cyber-attack.

Mr. Cooper, I've stopped the clock. Before we turn the floor over to Mr. Bédard, I'm going to give you an opportunity to explain where you see the relevance between what we have asked the House administration to be here today for and this, which can help inform a decision. If you can just clarify that, it would help us dictate where we go from here.

Mr. Michael Cooper: Thank you, Mr. Chair.

It is relevant insofar as this is a matter dealing with a question of privilege. We have a question of privilege that the House is seized with. The law clerk is here before us. He sent a letter yesterday to the Speaker relating to that question of privilege. The government House leader has made certain representations, and I wish to pose questions related to whether the government has complied with its requirement to turn over documents to the law clerk, pursuant to the House order.

How it ties into this question of privilege is that we have documents that the government has withheld from this committee related to this question of privilege, so it's part of a pattern of obstruction and non-disclosure by this government.

The Chair: Okay.

Mr. Ryan Turnbull (Whitby, Lib.): I have a point of order.

The Chair: On the point of order, go ahead, Mr. Turnbull.

Mr. Ryan Turnbull: By that argument, anything referring to the question of privilege would be relevant to this committee proceeding today, and that's not the case. Obviously, this is about a particular issue. The witness had been called here to answer the committee members' questions, and I think we should stay focused on what is relevant to this committee, which is in the notice of meeting—if we need to maybe read that back to Mr. Cooper, though I'm sure he can read it himself.

The Chair: Okay.

I have Mr. Duncan and then Mr. Gerretsen on the same point of order.

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

What Mr. Cooper laid out is that this is about the government's record and the seriousness with which it takes questions of privilege and, in the case here, document production.

Yes, sadly, there are many questions of privilege being dealt with. Our committee deals with them and is primarily tasked with dealing with them, but in terms of their relevance, it's absolutely relevant when we look at other document production requests. The government, as Mr. Cooper laid out, incorrectly asserted yesterday that they are providing all the documentation on a question of privilege when they're not.

It is absolutely relevant to this, in showing and demonstrating that the government is not taking document production seriously, including in this question here before us and another one that's ongoing right now. I think it's absolutely relevant to get the scope and confirmation from the law clerk about whether the government, on other questions of privilege and other requests for document production, is meeting them.

The Chair: Thank you, Mr. Duncan.

Mr. Gerretsen, go ahead.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): Notwithstanding the fact that I would love to engage in this discussion with Mr. Cooper, I would love to read out how Larry Brock, a Conservative member, has made comments to the effect that if you want to get a document, you go to court and ask for warrants for production of documents. I'd love to get into that discussion, too, and notwithstanding that, perhaps Mr. Cooper and I will have another opportunity to debate that at another time.

I would completely concur with the comments by Mr. Turnbull and, to be fair, your initial assessment of this, Mr. Chair, in trying to find where the relevance is here.

The only thing both Mr. Cooper and Mr. Duncan have been able to offer is that these both have to do with questions of privilege. To Mr. Turnbull's point and to your initial assessment of this, they have not in any way whatsoever shown you what you asked for, which is to demonstrate where the relevance is.

The Chair: Okay. Thank you very much, folks, for your contributions.

Colleagues, this is what I'm going to do.

Mr. Bédard, I'm going to give you an opportunity to respond as you see fit to the discussion that we've been having briefly.

Mr. Cooper, the clock has been stopped. I'm going to ask that when the floor returns to you, we look at bringing our line of questioning back to what we've invited our witnesses here for today. Let's just provide the opportunity—

• (1110)

Mr. Mark Gerretsen: I have a point of order.

The Chair: Yes, Mr. Gerretsen, go ahead.

Mr. Mark Gerretsen: Are you extending this opportunity to everybody, then? When it's my turn, will I be able to ask a completely irrelevant question, but then—

The Chair: I may—

Mr. Mark Gerretsen: —the follow-up questions will have to be relevant? I just want to know so that I'm well prepared.

Mr. Eric Duncan: [*Inaudible—Editor*]

The Chair: —reject the premise of that, Mr. Gerretsen, but my rulings will be consistent.

I am going to afford Mr. Bédard an opportunity to respond. Let's see where we can get here.

Mr. Cooper, following that response, try to bring us back specifically to the question of cyber-attacks. I think that would be in all of our best interests.

Mr. Bédard, the floor is yours.

Mr. Michel Bédard: Thank you, Mr. Chair.

As regards the comparison between the current study and the question of privilege that is currently debated in the House, I will note a few things.

First of all, for the current study, this committee has received an order of reference from the House. The privilege motion has been passed. This committee has been entrusted with the study.

Secondly, the motion that the committee itself adopted in May 2024 contemplated that government entities could make redactions. The documents that were provided by the House, by other government entities, included redactions. At the House, we were very mindful, when we made the redactions, of the fact that these had been authorized and actually asked for by the committee.

Now, if we go to the question of privilege that is currently before the House and my letter yesterday to the Speaker, which was tabled in the House on the same day, it's in line with the other letter that I provided to the Speaker. Documents had been ordered by the House on June 10. The order from the House did not contemplate any redaction. Some documents were withheld or contained redactions.

In relation to previous letters, with that information before the House, a question of privilege was raised. The Speaker ruled that it constituted a *prima facie* question of privilege and allowed the appropriate motion to be moved that the matter be referred to this committee. I'll note that the Speaker also—

Mr. Michael Cooper: Mr. Bédard, just on the matter of the documents that have been recently presented or produced and filed with you from ISED, from the National Research Council, and from Statistics Canada, those documents contain redactions and some have been withheld from you relating to the green slush fund. Is that correct?

Mr. Michel Bédard: Correct.

Mr. Michael Cooper: What you're confirming is that neither the House of Commons nor the RCMP have all of the documents due to the government's blacking out of certain documents and withholding others. Is that correct?

Mr. Michel Bédard: Excuse me. Could you repeat this last question?

Mr. Michael Cooper: You're just confirming that you don't have all the documents. Is that correct?

Mr. Michel Bédard: Based on the information I received from the government entities themselves, they put in their letter that some documents were withheld. Also, just on the face of the documents, there are some redactions, so—

Mr. Michael Cooper: That's right. Thank you for that.

I would note that Karina Gould yesterday on CBC asserted that all documents have been produced related to the green slush fund, that the government has turned over all documents. Let the record show that Karina Gould lied about the production of documents—

Mr. Ryan Turnbull: I have a point of order.

The Chair: Mr. Turnbull, the floor is yours on a point of order.

Mr. Ryan Turnbull: I have to bring up relevance here. Mr. Cooper is referring to something else that is currently being debated in the House and that is, I would note, being filibustered by the Conservatives—it's been over 23 days now—because they don't want that to actually be referred to this committee.

More importantly, this meeting is about a question of privilege related to cyber-attacks targeting members of Parliament, which I thought was a serious issue that the Conservatives cared about. Obviously, Mr. Cooper has no questions with regard to this question of privilege, the one that this committee is supposed to be studying today. I wonder if we can move on from his political attacks that are clearly not in line with what we're supposed to be talking about today.

The Chair: Yes. I—

Mr. Mark Gerretsen: I have a point of order.

[*Translation*]

Ms. Marie-Hélène Gaudreau (Laurentides—Labelle, BQ): I have a point of order, Mr. Chair.

The Chair: I have two points of order. I'm going to go to Mr. Gerretsen first and then to Ms. Gaudreau. I will have something to say as well.

[*English*]

Mr. Gerretsen.

Mr. Mark Gerretsen: We've now had not just an initial response from Mr. Bédard. We've also had an exchange and more back-and-forth. The door has swung wide open right now in terms of not having to be relevant.

I would just like a ruling from you, Mr. Chair, on whether or not you'll be shutting that door and forcing everyone to be relevant from this point, or whether we'll be continuing down this same path of entertaining, or possibly entertaining...or to determine where to go.

I think it's fair to everybody who needs to ask questions after this point, because I will completely change my questions if you're going to permit that kind of behaviour for the rest of the meeting.

• (1115)

The Chair: I appreciate your feedback, Mr. Gerretsen.

Madame Gaudreau, I will go to you in a moment.

Colleagues, what I was seeking was a compromise to help us start the meeting off in a place that could create some efficiency. I share the view raised by Mr. Turnbull and Mr. Gerretsen, and previously by Ms. Mathysen, that at this point I'm seeing a divergence from relevance.

Mr. Cooper, you do have a little bit of time remaining. When the floor does get returned to you, my hope is that you will bring us back to APT31. Otherwise, I will interject at that point, because I do believe we're veering a little bit too far off course.

[*Translation*]

Ms. Gaudreau, over to you.

Ms. Marie-Hélène Gaudreau: Mr. Chair, I appreciate your ability to wield your powers as chair. That said, given the situation, we have to act responsibly. We have here with us the key witnesses for our study, which we should finish today. I invite all my colleagues to make their partisan comments elsewhere. They can do so at the House of Commons. Let's finish our work. We have 45 minutes left.

I know you may have set a precedent, Mr. Chair, but the door is wide open right now. Let's act like grownups and concentrate on the matter at hand.

The Chair: As I stated previously, Ms. Gaudreau, I completely agree.

I'm going to give the floor back to Mr. Cooper for about 90 seconds, and I'm going to make sure that we stay on topic.

[*English*]

Mr. Cooper, you have about 90 seconds.

Mr. Michael Cooper: Thank you, Mr. Chair.

Last week, the House of Commons provided the committee with three additional documents. One is an email dated June 30, 2022, from Cyber Incident at the CSE to House of Commons IT security containing a cyber-event report. The report references a cyber-attack that occurred between January 4 and 28, 2022, targeting individuals who were outspoken critics of the Beijing-based Communist regime.

Is this cyber-event report referencing a separate cyber-attack or a continuation of the January 2021 progressive reconnaissance attack, or is the January 2022 date a typo that should read "January 2021"?

Mr. Eric Janse: I'll ask my colleague Benoit to respond to this question.

Mr. Benoit Dicaire (Chief Information Officer, House of Commons): Good morning, Mr. Cooper. Yes, it is. I can confirm that this June 30 bulletin is a continuation of a series of bulletins that started in January.

Mr. Michael Cooper: It relates specifically to the progressive reconnaissance attack from January 2021.

Mr. Benoit Dicaire: It is a follow-up to a series of bulletins that were issued in January 2021.

Mr. Michael Cooper: It was represented in evidence that the attack was stopped in January 2021. Can you confirm that was the case, and there wasn't a subsequent attack by ATP31 in 2022 or at any other later point in time beyond January 2021?

Mr. Benoit Dicaire: I can confirm that the date ranges in the initial bulletin were wrong, and we confirmed that these were related to the 2021 attack. It was confirmed by our partners that the date ranges should have indicated in the bulletin that it was the 2021 attack.

The Chair: Thanks very much, Mr. Cooper.

[*Translation*]

Ms. Fortier, you have the floor for six minutes.

Hon. Mona Fortier (Ottawa—Vanier, Lib.): Thank you, Mr. Chair.

I find it very surprising that we're trying to change the topic today, when it was the opposition that requested an extra hour to discuss this very topic. If my colleagues ever want to put an end to the filibustering that's taking place in the House of Commons, all they have to do is refer the matter to our committee. That has been suggested for some time.

I would now like to go back to our current study and get your comments on the following question: What is the House of Commons doing to encourage and protect members of Parliament in this era of new technology, as well as to protect information that is transmitted electronically? What is its role in those efforts?

Mr. Eric Janse: I'll let my colleague Mr. Aubé answer that question.

Mr. Stéphan Aubé (Chief Executive Administrator, House of Commons): When it comes to information services, our role is always to protect MPs, first of all, and to ensure that their information is secure and is not accessible to people who shouldn't have access to it.

Second, our role is to ensure that the infrastructure on Parliament Hill is always available to support parliamentary activities.

Essentially, we play a role in protecting members of Parliament as well as parliamentary operations.

● (1120)

Hon. Mona Fortier: It was determined that it was not necessary to inform members of Parliament of all the cyber-attacks that were taking place, but where do you draw the line? What determines whether a cyber-attack is serious enough for you to inform members of Parliament?

Mr. Stéphan Aubé: I believe the committee is already aware, but committee members should know that our infrastructure is targeted by over 500 million cyber-attacks a year. As a result, we can't disclose information on all the attacks we face on a daily basis.

However, when a particular MP is targeted, when it has been confirmed that the attack could not have been prevented and that it poses a risk to their information and to the activities of Parliament, we contact them immediately so that they fully understand the attack. That's our first line of communication. We also assess the situation to ensure that there are no other risks and that the risk is mitigated. We then check to see if other people were affected by those attacks.

That's our approach, basically.

Hon. Mona Fortier: In the future, how could we inform MPs, so that we don't see a repeat of unfortunate situations like the ones that have occurred?

Mr. Benoit Dicaire: Thank you for the question, Ms. Fortier.

I think it starts with access to information, as was mentioned earlier. One of the first things we did after the incident was to review the memoranda of understanding with our security partners, so as to improve communication between security agencies and us regarding incidents related to Parliament and, in particular, to members of Parliament. One of the first things we need is access to relevant information.

We also need to have clear recommendations based on a risk mitigation strategy or on specific risks associated with a certain infrastructure or user account.

So the first step is really to have the right information to be able to communicate earlier when it's necessary to do so. As Mr. Aubé just said, we are the target of an enormous number of attacks. Consequently, we have to be able to distinguish between an attack that was successful and an attack that wasn't.

Response protocols need to be much more targeted to situations where there is a risk associated with a particular individual or infrastructure.

Hon. Mona Fortier: I have one last question.

Do you have the necessary resources? Are there things that you are missing or that could be added so that you can continue to do your work in the current situation? Do you have any needs that you would like to share with the committee?

Mr. Benoit Dicaire: As you saw recently, the Board of Internal Economy was seized with a case concerning someone's physical safety, and resources were added. My colleague could talk more about the physical safety aspect.

When it comes to cybersecurity, there are always new threats. Every day, we continue to face new attack vectors, especially with

artificial intelligence and the current global situation. We always try to anticipate attacks and strengthen our analytical methods to do the necessary surveillance and to be able to act more effectively.

Currently, we have the resources we need to operate. Partnership with security agencies is important in order to get the necessary information quickly. As far as cybersecurity is concerned, things are looking good right now. We continue to invest in cybersecurity, and we will continue to do so to protect Parliament.

● (1125)

The Chair: Thank you, Ms. Fortier.

Ms. Gaudreau, you have the floor for six minutes.

Ms. Marie-Hélène Gaudreau: Thank you very much, Mr. Chair.

This is a very topical subject. Gentlemen, first of all, thank you for appearing before the committee once again. We've received so many documents that I must admit I haven't read them all. However, it made me realize the huge progress we have made in the past five months.

In that regard, I'm pleased that my colleague Ms. Fortier asked the questions I wanted to ask, since that will allow me to press on.

I took part in a mission last week, and this topic was broached during our discussions. We realized that because of built-in timelines and the legislative process in our democratic systems, we are unfortunately unable to react fast enough to properly respond to the events we're experiencing. That's my concern.

However, I was reassured earlier when I heard you gentlemen talk about how far we've come in terms of physical resources, as well as the monitoring you're able to do now. Indeed, a number of elections have been held in various jurisdictions over the past year, and we can draw inspiration from those experiences.

That said, in 2024, can't we find a better way to deal with this kind of situation? We understand that partisanship as well as prescribed timelines and processes make it impossible for us to do that. It's still difficult from a privacy perspective, and it's not a question of resources. We also have to think about the process that must be followed to introduce a bill. France, for example, was able to pass a bill in June targeting foreign interference.

Haven't we reached the point, in 2024, when we should be determining which issues are extremely urgent and reviewing our priorities? That work can be done here, in committee, to help you put in place what you need to counter cyber-attacks and other nefarious activities.

What do you think? You are the people directly affected.

Mr. Eric Janse: I'll answer your question first, and my colleagues can provide more comments.

This may be more of a political question than a procedural question.

As Mr. Dicaire just mentioned, for the time being, we have enough resources. Protocols have been put in place with our security partners. I think that, for the time being, things are as they should be.

As to whether other things could be done through legislation, I think that is, once again, a political question.

Mr. Bédard, do you want to add anything?

Mr. Michel Bédard: I will echo the words of the clerk in saying that this is often a political issue. When the political will is there, the legislative process can be used very quickly. We saw an example of that with Bill C-70.

When it comes to House of Commons resources and the programs and services put in place, the relevant authority is often the Board of Internal Economy. I can assure you that, even though there may be prescribed timelines, it's relatively faster to go through the Board of Internal Economy than to go through the entire legislative process.

I would say that every situation is different and that measures have to be taken on a case-by-case basis.

Ms. Marie-Hélène Gaudreau: I was expecting that kind of answer.

That said, I'm thinking of many other issues, technological challenges or global changes that a number of countries have decided to include in their priorities. You're going to tell me that it's a matter of political will and that in certain cases, consensus can allow us to fast-track measures. However, I want to know what you think.

Are there certain issues like this one that we, as legislators, should prioritize? What could help us and you?

Mr. Benoit Dicaire: I will answer that question, Ms. Gaudreau.

I think the biggest emerging issue at the moment, and we're seeing it as a global phenomenon, is artificial intelligence.

Several years ago, the burning issue was privacy. Several privacy laws have been passed, both in the United States and in Europe. The legislative framework in this area has evolved in recent years and is now more advanced.

Today, we see artificial intelligence as the next big issue. We will need benchmarks to measure ethical compliance in using this type of technology. We're also going to have to put in place a schedule that would make it possible to have certain controls in place.

• (1130)

Ms. Marie-Hélène Gaudreau: Thank you very much for your candour. That point was made as well in our discussions with our Five Eyes colleagues, for example. This is worrisome from an ethical standpoint.

I will close by talking about the reports. I'm sure you've read them. In your opinion, what are the most important points that I will learn on the measures we've requested over the past five months once I have read all the documents?

I have only 45 seconds left in my speaking time, so I would ask you for a brief answer.

Mr. Eric Janse: I can tell you very quickly that, if what happened in 2021 happened today, our reaction and that of our partners would be very different. Everyone learned from that. We have better measures and better resources in place, so it would be a very different approach.

Ms. Marie-Hélène Gaudreau: Thank you.

Thank you very much, Mr. Chair.

The Chair: Thank you, Ms. Gaudreau. I'm glad you knew you had 45 seconds left. That's very telling.

[*English*]

Ms. Mathysen, the floor is yours for six minutes.

Ms. Lindsay Mathysen: Thank you, Mr. Chair. Thank you to the witnesses for appearing again today.

I'm glad to know that the thresholds have been established, the procedure has been changed, things are working appropriately as they should. We could see from the information that we did receive in the last bit of documentation that there was frustration between CSE, CSIS, and the House administration in terms of the formers' lack of understanding of how we're different, that the House of Commons is a different entity from another department. In the context of understanding that relationship, if a public servant within a department is hacked or there's some information divulged, that department can take back that device, look through it, see what's needed. However, that's not the case with members of Parliament.

Can we be assured that that relationship is fully understood now by those security institutions?

Mr. Benoit Dicaire: I think we've spent quite a bit of time with our security partners in hardening and deepening our collaboration when it comes to either intelligence sharing or the incident management process, and we've introduced an escalation process that we didn't have in the past. I'm happy to report that the relationship is continuing, but it's continuing in the right direction in enhancing the communication protocols.

Ms. Lindsay Mathysen: Regarding the uniqueness of this question of privilege and the fact that the attack was targeted against Mr. Genuis' personal account—not his parliamentary account—from looking at the documents and figuring out those protocols and what have you, it seems that this is a major differentiation. Our parliamentary accounts are confirmed to be within this protocol, within this set of procedures. However, I am concerned and want to ask about the historic importance of why we are not allowing this to be extended to personal devices or personal communication tools.

Mr. Benoit Dicaire: As you know, and we have stated clearly, the mandate is very clear on our side about protecting parliamentary information, parliamentary devices, and members of Parliament within their legislative function. When it comes to personal devices or personal emails, there are definitely factors that come into play that need to be considered. I think Michel could probably answer some of those questions. However, with regard to privacy, in terms of access, allowing us to monitor these types of devices, the identity, really scales way beyond our capabilities today. Second, our mandate would have to be redefined.

Ms. Lindsay Mathysen: Should parliamentarians have an expectation? Is that monitoring of personal information dangerous? What would be the problems that lie in there?

Mr. Michel Bédard: Currently the mandate of the House administration is limited to the House infrastructure, which is consistent with all the policies that are in place. For example, there is an acceptable use policy. There is some monitoring in place so that if there are suspicious activities, the House administration will be notified.

In extending services to personal devices, questions will need to be asked and answered, and then there might be implications. Does the acceptable use policy apply? To what extent? What do we do, because if the House of Commons is to take responsibility, then there's also responsibility with regard to content, and it's not only limited to parliamentary functions. Members of Parliament are individuals, human beings, they have hobbies on the weekend; they browse the web. It's not clear that they will want this mandate to be given to the House administration at this stage.

Also, if there are suspicious activities on the web, a data breach, then the mandate you give to the administration also gives us responsibility, and essentially you will forfeit some kind of freedom or liberty with these devices. If there were to be a recommendation, a willingness that the House administration explore this, of course, it could be explored. The members and each member individual will need to be aware of all the implications.

● (1135)

Ms. Lindsay Mathysen: In the time that I have left, can you explain the potential dangers that would lie in exploring that further with personal emails or access to them by the parliamentary precinct? Also, going forward, within these protocols, is it being made clear to members of Parliament their individual responsibility not to engage on personal devices or within Gmail, Yahoo or whatever to perform parliamentary roles within those tools, I guess you could say?

The Chair: Be very quick, please, Mr. Dicaire.

Mr. Benoit Dicaire: The acceptable use policy is very clear on when to use devices and when not to use devices and behaviours. You've seen a trend and we understand that professional and personal lives do tend to merge. We're adapting our awareness campaigns when it comes to cybersecurity to give guidance. Most recently, there was a communiqué from my office on best practices for constituents, which we wouldn't have normally sent because it's beyond our mandate, but now we understand that there are pressures and new realities that you have to face. We're adapting our awareness campaigns around that.

The Chair: Thanks very much, Ms. Mathysen.

Mr. Cooper, you have five minutes, and the floor is yours, please.

Mr. Michael Cooper: Thank you, Mr. Chair.

Pursuant to an order passed by this committee, the government was required to turn over all documents in its control by August 9 related to this Beijing-directed cyber-attack.

At the end of last week, we received a document dump from CSE. That's more than three months after CSE was ordered by this committee to turn over documents.

I'd like to ask the clerk, through you, Mr. Chair, whether, through her communications with CSIS or CSE, there are other documents that are pending.

The Chair: There's no relevance issue here. I'm not asking the clerk about that, but I'm just going to turn the floor over to her to respond directly to Mr. Cooper's question.

The Clerk of the Committee (Ms. Christine Holke): Mr. Cooper and members of the committee, I reached out to CSE yesterday, and they informed me that they still had a substantial number of documents that they still needed to send to the committee, and they agreed to give me a timeline to receive those by the end of this week.

Thank you.

Mr. Michael Cooper: Thank you very much, Madam Clerk, for that answer.

Let me just say that it is completely unacceptable that the government is withholding documents, a substantial number of documents apparently, from this committee three months after they were ordered to produce them. They had a deadline of August 9.

Therefore, I'm going to move the following motion:

That, in relation to its Order of Reference of Thursday, May 9, 2024, regarding the prima facie contempt concerning the People's Republic of China's cyber-attack against members of Parliament, the Committee:

a) make the following interim report to the House:

"Your committee wishes to express its displeasure with the refusals to give evidence by the Minister of National Defence and his predecessors, the President of the King's Privy Council for Canada and Minister of Emergency Preparedness, and the President of the Treasury Board and Minister of Transport, who each held responsibility for the Communications Security Establishment at times material to the question of privilege which the House referred to your committee on Thursday, May 9, 2024, concerning the People's Republic of China's cyber-attack against members of Parliament."

● (1140)

[Translation]

Ms. Marie-Hélène Gaudreau: Mr. Chair, I have a point of order.

We are following the rules in terms of procedure, but since the interpreters don't have the motion, I'm unfortunately not getting the interpretation.

The Chair: That's true. Ideally, we should receive a written version of the motion in advance.

[English]

Colleagues, what I'm going to do here is allow Mr. Cooper the opportunity to finish reading in the motion. Then I'm going to suspend to allow time for that motion to be distributed in both official languages.

I will remind colleagues, for the sake of each other and our interpreters, that it is appreciated if you try to distribute such information in advance, or at least have it ready to go, if possible.

Mr. Cooper, perhaps your team can work on that while I turn the floor back over to you to finish.

[Translation]

Ms. Gaudreau, I completely agree with you.

Ms. Marie-Hélène Gaudreau: I would ask him to repeat the last two sentences of the motion.

The Chair: I'll ask Mr. Cooper to repeat them. When he's done, we'll suspend briefly.

[English]

Mr. Cooper, Madame Gaudreau is asking if you can go back about two sentences and begin from there, slowly. When you're done, I know that Mr. Duncan and Mr. Berthold have told me that they'd like to speak to the motion. However, that won't happen until we come back from suspension, which is simply to allow time for distribution.

Mr. Cooper, can you finish the introduction, please?

Mr. Michael Cooper: I'll just start from the beginning.

For the committee's benefit, I do have a copy of the motion that will be distributed in both official languages.

The Chair: I don't think the beginning is necessary. If you can just pick up two sentences before, then we can suspend and get it to everybody.

Mr. Michael Cooper: Let me just start from the beginning.

That, in relation to its Order of Reference of Thursday, May 9, 2024, regarding the prima facie contempt concerning the People's Republic of China's cyber attack against members of Parliament, the Committee:

a) make the following interim report to the House:

"Your committee wishes to express its displeasure with the refusals to give evidence by the Minister of National Defence and his predecessors, the President of the King's Privy Council for Canada and Minister of Emergency Preparedness, and the President of the Treasury Board and Minister of Transport, who each held responsibility for the Communications Security Establishment at times material to the question of privilege which the House referred to your committee on Thursday, May 9, 2024, concerning the People's Republic of China's cyber attack against members of Parliament.";

b) re-invite the Honourable Bill Blair, Minister of National Defence, to appear before the Committee for two hours and insist that he appear within two weeks of the adoption of this motion;

c) issue a summons to Dan Rogers, Director of the Canadian Security Intelligence Service, to appear before the Committee for one hour, at a date and time to be determined by the Chair, within two weeks of the adoption of this motion, provided that he be permitted to be accompanied by officials within his organization who are relevant to the Committee's study;

d) issue a summons to Caroline Xavier, Chief of the Communications Security Establishment, to appear before the committee for one hour, at a date and time to be determined by the Chair, within two weeks of the adoption of this motion,

provided that she be permitted to be accompanied by officials within her organization who are relevant to the Committee's study;

e) instruct the analysts to include, in the draft report, content which is drawn from the evidence which was heard in camera, including the documents produced in response to the order adopted by the Committee on Tuesday, May 21, 2024, provided that this content be appropriately marked in the draft so that the Committee may determine which, if any, of the information to include in its report to the House, and, therefore, which information will be added to the Committee's public evidence, and,

f) authorize the Clerk to share electronically with any witness who appeared in camera a copy of the transcript of their in camera evidence, notwithstanding the Committee's routine motion related to in camera proceedings, for the purpose of witnesses providing the Committee, within two weeks of the adoption of this motion, their recommendations, with explanations, for redactions to protect security-related information, to assist the committee in determining which, if any, of the in camera information to include in its report to the House; and

g) prioritize completing this study, notwithstanding any previous decision of the Committee, and not proceed to any further business until the Committee's report is tabled in the House.

• (1145)

The Chair: Mr. Cooper, aside from the fact that you probably need to catch your breath, we also need to pause briefly to allow for the distribution of the motion in both official languages.

Colleagues, I'm suspending briefly. At the point at which the clerk informs me that you've all received this in accordance with our policies, I'll gavel us back in, and we will begin our debate on the motion.

We're suspended.

• (1145)

(Pause)

• (1150)

The Chair: Okay, we're back, colleagues.

Mr. Ryan Turnbull: I have a point of order, Chair.

The Chair: Yes, go ahead, Mr. Turnbull.

Mr. Ryan Turnbull: I note that right before we took the recess I had indicated that I had my hand up first to speak to this motion. I had put my hand up and waved to you, but I don't think you saw me. I was definitely first on the list to speak to this.

The Chair: My recollection, Mr. Turnbull, is that I had turned to Mr. Duncan to speak to this.

Mr. Ryan Turnbull: Respectfully, I disagree, and I know that I had my hand up first. I signalled to you, and perhaps you weren't paying attention at that particular moment. No offence to you, Chair, as you do a great job, but I would respectfully challenge that ruling.

The Chair: On the same point of order, we have Mr. Duncan.

Mr. Eric Duncan: I saw Mr. Cooper was reading the motion. I made eye contact with you.

The Chair: Mr. Duncan, I'm sorry, but just one second.

Go ahead, Mr. Duncan.

Mr. Eric Duncan: When Mr. Cooper was reading the motion, I was looking in the room and made eye contact with you and waved you down, and said that I'd like to go afterwards, and you sort of looked.... I said that after he's done speaking, we'd be debating a motion and I'd like to get on the list. You nodded and you wrote my name down. I turned to Mr. Berthold, and he said, yes, he'd like to be on it, and Mr. Calkins did the same thing. I looked over, and then Mr. Turnbull did do that.

So, I waved you down, and then afterwards, when you had already written my name down, I did see Mr. Turnbull put his hand up. That is what happened.

• (1155)

The Chair: Thank you, Mr. Duncan.

Nonetheless, I have a challenge to the chair here. I just need to verify with the clerk, but I believe that we now actually have to have a vote on this.

The Clerk: Yes.

The Chair: Madam Clerk, I ask that you go ahead and call the vote.

What we're voting on is that Mr. Turnbull is challenging the speaking order in indicating that he ought to have been recognized first. I've called the vote.

Mr. Eric Duncan: What are we voting on here? You're saying that—

The Chair: I've just explained it, and I've called the vote.

Mr. Eric Duncan: Is it that he goes first above everybody else, including Mr. Cooper?

Mr. Michael Cooper: I made submissions to my—

Mr. Eric Duncan: From a procedural point of view, how can the person have the floor?

Mr. Michael Cooper: I had the floor when you suspended, so I continue to have the floor.

The Chair: Colleagues, just one second. I've called the vote, but what you're challenging is that Mr. Turnbull does not have the right on a point of order to challenge my ruling. I believe you're wrong on that, but I'm going to verify with the clerk.

Mr. Eric Duncan: If anything, he only has the right to—

The Chair: Colleagues, I'm going to explain this again, but the vote's been called.

Yes, Mr. Cooper had the floor, but as we know, on a point of order, a challenge to the chair can be raised. That's what occurred. I have no wiggle room on this. He's challenged the speaking order. What's now going to happen is we are having a vote, which is to determine whether or not the speaking order be altered due to an issue with my assigning of that order. Mr. Turnbull has done that, or has adequately followed procedure. I've called the vote.

Mr. Michael Cooper: No, I think there needs to be some further clarification, because when Mr. Turnbull challenged you, it was in relation to who was recognized after me. I was not finished speaking.

The Chair: My understanding is that Mr. Turnbull is challenging the speaking order that I had identified as being Mr. Duncan, Mr. Berthold, Mr. Calkins, and then Mr. Turnbull.

Mr. Michael Cooper: Except that in order to get to the next person on the list, I would have to finish speaking, and I hadn't.

The Chair: Mr. Cooper, just a moment. I'm going to check once more with the clerk, and then I'm going to come back with my ruling here.

Okay, colleagues. Here's the explanation. I'll do my best to make it clear.

I'm going to run through a hypothetical here. Mr. Turnbull has challenged the chair about the speaking order. We are going to vote on that because it is within the scope of the Standing Orders.

• (1200)

Mr. Luc Berthold (Mégantic—L'Érable, CPC): I have a point of order on that.

The Chair: Wait one moment, Monsieur Berthold.

Should I be overruled, Mr. Cooper would maintain the floor, at which point it would then go to Mr. Turnbull. That's if my decision is overturned. This is the ruling.

Mr. Luc Berthold: Mr. Speaker.

The Chair: This is the ruling.

Again, what Mr. Turnbull has done is completely kosher in accordance with the Standing Orders. Should I be overturned about the speaking order, it would go to Mr. Cooper and then to Mr. Turnbull. If I am not overturned, then the speaking order would remain as I had it originally in my judgment, which would be Mr. Cooper, Mr. Duncan, Monsieur Berthold, Mr. Calkins and Mr. Turnbull.

We are going to vote. The direction of where this goes will be based on that.

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

The Chair: Monsieur Berthold, I'm going to very quickly entertain this.

Wait one second.

Colleagues, it's very unusual for the chair not to go right to a vote once it's been called. This is not something that I'm going to entertain, generally speaking, moving forward.

I'll turn the floor briefly to you, Monsieur Berthold. You will be the last speaker and then we're going to the vote.

[*Translation*]

Mr. Luc Berthold: Mr. Chair, you can't challenge the chair if it's not officially a ruling of the chair. You didn't make any decisions; you just said there was a list. Until you recognize Mr. Duncan, no decision will have been made by the chair.

We can't challenge the chair, otherwise we're going to challenge each of the notes you take, Mr. Chair. That's not how it works. A decision will have been made when you recognize Mr. Duncan. At that point, Mr. Turnbull can say that he was next on the list. At this point, all you have done is indicate the names that were on the list, but you have not made any decisions. These are notes that you made, not a ruling. You named the people who were on your list. Are they going to start challenging every single note you make?

You have not yet made a decision to recognize Mr. Duncan or Mr. Turnbull.

[*English*]

The Chair: Mr. Berthold, here's what's going to happen. I'm going to take what you're suggesting at face value, but here is what I imagine is going to happen: Either way Mr. Cooper is about to get the floor again. I presume Mr. Turnbull is then going to raise his hand, and now that I've indicated what the speaking list is he's going to challenge it. Here's what's going to happen.

Mr. Cooper is going to get the floor and then we'll see where things go from there, or we will not come back to this particular point. However, seeing that the time is now after 12—although I am sure that this is exhilarating for our witnesses who are here and have done a fantastic job of not contributing to the discussion despite probably having some very interesting views—I'm going to thank our witnesses. I'm going to relieve them of their duties here because we do have a second panel if and when we get to that.

I want to thank Messieurs Dicaire, Bédard, Janse, McDonell, LeBlanc, and Aubé.

Gentlemen, I'm sorry that we were not able to get into a more substantive discussion with you around the table, but if anybody understands that things can happen in the context of a parliamentary sitting, it would be you folks. Thank you very much for your time.

Mr. Cooper, the floor is yours.

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

Here we have a situation where 19 parliamentarians, including members of Parliament and senators, were the target of a cyber-attack by the Beijing-directed, Beijing-controlled APT31. Those members of Parliament were kept in the dark for three years by this government.

This government knew about the APT31 attack when it happened in January 2021. Notwithstanding that, there were no efforts made to inform members of Parliament that they were the target of the Beijing regime, and there were no efforts to inform them so that they could take appropriate steps to protect themselves. Indeed, these members of Parliament and senators would have had no idea they were the target of the Beijing regime but for an indictment out of the Department of Justice in the U.S. It was only then that they became aware of the fact that they were the target, and that led to the finding of the Speaker of a prima facie question of privilege, which has now been referred to this committee.

I would note that while members of Parliament were kept in the dark, CSIS; the CSE; the Prime Minister's Office and the Privy Council Office, the Prime Minister's own department; and multiple

departments within this government had received briefings about the APT31 attack. Very simply put, there was a complete breakdown in notifying MPs.

This is part of a pattern, because this has happened before. We know that this government was aware that sitting members of Parliament, including MP Michael Chong, were the target of the Beijing regime, yet he was kept in the dark, resulting in a finding of the Speaker of a prima facie question of privilege, which came before this committee and which we studied.

What we have is a government that has been less than transparent, has failed to provide transparency and sunlight and, frankly, has at times outright covered up and turned a blind eye to Beijing's interference.

Following what happened in the case of MP Chong, the Minister of Public Safety in May 2023 issued a directive requiring CSIS to brief MPs if they are the target of foreign interference. It is interesting that following the issuance of that order, there was a briefing of multiple government departments, including the Prime Minister's department, the PCO, about this APT31 attack.

• (1205)

Notwithstanding the order of the House, those departments were briefed, but the sitting members of Parliament continued to be left in the dark. That raises questions about the effectiveness of this order and whether this directive is in fact being followed. It doesn't appear to be something that is being followed by this government. It seems to be—

• (1210)

Mr. Ryan Turnbull: I have a point of order, Chair.

The Chair: Mr. Turnbull, on a point of order.

Mr. Ryan Turnbull: Mr. Cooper talks about dwelling in the dark. That's what his Conservative leader is doing by not getting a security clearance. Can he maybe answer why his leader...?

We know that the Conservative leadership race included—

The Chair: Mr. Turnbull.

Mr. Ryan Turnbull: —interference from the People's Republic of China. Why won't he get his security clearance?

The Chair: Thank you, Mr. Turnbull.

We're getting into debate there. I think you're a seasoned parliamentarian. Make sure that points of order are focused on legitimate points of order.

Mr. Cooper, the floor is yours.

Mr. Michael Cooper: Thank you very much.

I'd be happy to address the point raised by Mr. Turnbull. To that end, the Leader of the Opposition has been very clear. He'll take the same brief that the Washington Post received, he'll take the same briefing that the Prime Minister has received, but what he will not do is get this clearance and then allow the Prime Minister to pick and choose which information is put before him, which may, in fact, be incomplete, which may not present the full picture, and then allow the Prime Minister to be an arbiter of whether he violated his oath of secrecy.

The Leader of the Opposition isn't going to play the Prime Minister's game. If the Prime Minister were serious, he would release the names of all of the MPs who have wittingly collaborated with the Beijing regime, but he won't do that because we know that they sit in his caucus.

We know that the Prime Minister covered up the fact that one of his candidates, the now member for Don Valley North, received the assistance of the Beijing regime to help him secure the Liberal Party nomination. CSIS was aware of Beijing's interference at the time of the nomination. CSIS briefed key officials, top Liberals, including Jeremy Broadhurst and the president of the Liberal Party of Canada. There were four top Liberals, all of whom had the appropriate security clearance to receive that briefing to inform them that, yes, the member for Don Valley North, the then Liberal candidate, had been assisted by the Beijing regime.

Jeremy Broadhurst thought it was serious enough that he briefed the Prime Minister the following day about that briefing. The Prime Minister, having been made aware that one of his candidates was being assisted by the Beijing regime, did nothing. He turned a blind eye to it. He covered it up and allowed that individual to stand for office and get elected and hoped that no one would find out.

Madam Justice Hogue, in her report, concluded that the Prime Minister's inaction with respect to the now member for Don Valley North, whom he had been briefed on, was due to his political concerns primarily. That is paraphrasing what Madam Justice concluded, that it was out of political motivation that the Prime Minister didn't act.

There you have it. Madam Justice Hogue, the commissioner of the public inquiry, found that the Prime Minister put his political interests and the interests of the Liberal Party ahead of national security and ahead of countering Beijing's interference in our democratic processes. That's the record of this Prime Minister.

It's also, by the way—with respect to the member for Don Valley North and security briefings—very interesting that the member was then tipped off that he was a target of CSIS.

That raises questions about who tipped him off. We know that four top Liberals received the briefing from CSIS and we know that the Prime Minister was informed by Mr. Broadhurst about the contents of that briefing.

The circle is actually quite small as to who may have tipped the member for Don Valley North off that he was a target of CSIS—

• (1215)

[*Translation*]

Hon. Mona Fortier: Mr. Chair, I have a point of order.

The Chair: Ms. Fortier, you have the floor.

Hon. Mona Fortier: Mr. Chair, I understand that my colleague feels the need to talk at length about his motion. However, I would simply like to remind you that as per the agenda, we are here to discuss electoral issues with witnesses, some of whom are disabled. Needless to say, they are ready to give their testimony. Perhaps our colleague will agree to pause his remarks so that our committee can do the work as planned and devote the next 45 minutes to the wit-

nesses. Afterwards, our colleague can continue to talk about his motion, if he wishes.

We should at least keep in mind that we have an agenda. It would be really nice if we could possibly avoid long interventions to get to the point of the motion.

The Chair: Thank you, Ms. Fortier. What you are raising is purely a matter of debate.

[*English*]

You are certainly within your right, Madame Fortier, to share your viewpoint. However, Mr. Cooper has the floor and it's up to him to determine what he would like to do with the floor.

Mr. Cooper, the floor is yours.

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

The member for Don Valley North had been tipped off and there were—

Mr. Ryan Turnbull: I have a point of order, Chair.

The Chair: Mr. Turnbull.

Mr. Ryan Turnbull: Mr. Cooper's intervention isn't even relevant to the motion that he's put on notice. It has nothing to do with the cyber-attack that's in question in his motion.

I'm not sure what he's speaking to, but it's not relevant to the actual question of privilege that we've been debating.

The Chair: Colleagues, here's what I'm going to do because it's worked in the past. Let's see if it works again.

I'm going to suspend here briefly with the hope that the parties can come together and decide how they want to use the next 45 minutes or so. We do still have our witnesses present, who have taken time out of their busy schedules to speak to us on a very important matter. The window that we have to hear from them is closing rapidly.

I'm going to suspend to ask the parties to negotiate some type of solution to the stalemate that we appear to be at right now and then I will come back once I have an understanding of where that may go.

Ms. Mathysen.

Ms. Lindsay Mathysen: If I may just ask a question, is there a possibility of extending or having more resources for an extension of time, so that we do hear from the witnesses if that's the choice that's made?

The Chair: Unfortunately, Ms. Mathysen, we don't have the resources. That's why it's particularly important that the committee members determine how they want the next 40 minutes or so to go.

Based on what I just said, I'm going to suspend.

• (1215)

(Pause)

• (1230)

The Chair: Colleagues, we're going to resume our proceedings here.

Mr. Cooper, you had the floor, and I'll turn the floor back to you.

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

As I was stating before we suspended that five Liberals, including the Prime Minister, received directly or indirectly a briefing that the member for Don Valley North was assisted by the Beijing regime to help him secure his nomination. That member was tipped off by a top Liberal. Who was it? Was it Jeremy Broadhurst? Was it the Prime Minister himself? Was it Ishmael, the president of the Liberal Party? Did he tip off the member for Don Valley North? It is a question that needs to be answered.

Mr. Ryan Turnbull: I have a point of order, Chair.

The Chair: Go ahead, Mr. Turnbull, on a point of order.

Mr. Ryan Turnbull: Can we at least apologize to the witnesses for the Conservatives' attempt to filibuster their own motion here and say we're really sorry for their spending time coming here to testify and then be totally disrespected in terms of their time?

The Chair: Colleagues, I'll say a couple of things.

The first is that I will take the opportunity, Mr. Turnbull, given the point that you raised, to let the witnesses know, as I believe the clerk has informed them already, that, unfortunately, we will not have the opportunity today to hear from them.

I'm not going to offer my opinion subjectively as to why that is. I'm simply sorry that we haven't had the opportunity to get to you.

I do ask colleagues and anyone in the room to take conversations outside, as we are in the middle of a proceeding. I would appreciate that.

Again, we are moving forward with the proceeding as is, and we'll return the floor to Mr. Cooper.

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

I think what's disrespectful is a government that continues to defy an order of this committee to turn over documents three months after the deadline has passed. I think that is disrespectful. I think what's disrespectful is a government that has failed to produce documents ordered by the House related to the green slush fund and not only to fail to turn over those documents involving a massive scandal of the misuse of \$400 million taxpayer, but also for the government House leader to go on CBC and lie to Canadians, as she did yesterday, that the government was in compliance, when we heard today from the law clerk that no, in fact, the government is not in compliance with the order of the House.

I'll tell you what is not only disrespectful but also quite a bit worse. The Prime Minister, who was briefed that one of his candidates had been assisted by the Beijing regime, turned a blind eye to it, allowed that candidate to stand and kept the voters and Canadians in the dark. It speaks to a Prime Minister who then turns around and lectures the Leader of the Opposition about foreign interference, when he's the one who's compromised and turned a blind eye to foreign interference. It never ceases to amaze me.

Mr. Ryan Turnbull: Chair, can I make a point of order, please?

The Chair: Mr. Cooper, I do have a point of order.

Of course, Mr. Turnbull, at any point, a member does have the right; however, the chair needs to determine whether or not that

point of order is relevant. I can't determine that, of course, until I hear what the point of order is.

• (1235)

Mr. Ryan Turnbull: I know Mr. Cooper has his little misinformation propellers going pretty quickly, but maybe he could explain, while he's pontificating, why PRC officials allegedly interfered in the leadership races of the Conservative Party of Canada.

The Chair: Mr. Turnbull, that is not, unfortunately, a relevant point of order. You are veering into debate.

With that, Mr. Cooper, I return the floor to you.

Mr. Michael Cooper: With the Prime Minister, it's projection all the time. Everything that—

Mr. Ryan Turnbull: I have a point of order again, Chair.

I'm sorry to interrupt, Mr. Cooper.

The Chair: Go ahead, Mr. Turnbull.

Mr. Ryan Turnbull: My point of order is on relevance, Chair, and relevance is definitely a point of order in the green procedural manual.

The Chair: Please explain.

Mr. Ryan Turnbull: Mr. Cooper is speaking to a number of other instances that he's speculating about that have nothing to do with his notice of motion. The motion that he's moved says, "That, in relation to its Order of Reference of Thursday, May 9, 2024, regarding the prima facie contempt concerning the People's Republic of China's cyber attack against members of Parliament".... It refers specifically to a cyber-attack. Mr. Cooper now is not speaking about a cyber-attack. He's speaking of other instances of potential foreign interference that he is citing. It has nothing to do with the cyber-attack. How is this relevant at all?

It seems clear that Mr. Cooper's intention here is to waste the committee's valuable time when witnesses were asked to come to this committee to answer questions on another matter. He is now just wasting the committee's time with irrelevant arguments.

The Chair: Sure.

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

The Chair: Thank you for your insight, Mr. Turnbull. I will keep my ear open to whether or not I believe the speaker is remaining relevant to the motion at hand, which is what we are debating.

Mr. Cooper, the floor is yours.

Mr. Michael Cooper: [*Inaudible—Editor*]

[*Translation*]

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

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

Mr. Luc Berthold: I just wanted to mention to my colleague Mr. Turnbull that he read only a small part of the motion that was moved. He could read it in full so that we may better understand its relevance.

The Chair: Thank you, Mr. Berthold. I know you may want to allow your colleague to have a little break, but if we determined that it wasn't really a point of order in the previous instance, we have to do the same here.

Thank you.

[*English*]

Mr. Cooper, the floor is yours.

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

I have to say that when it comes to trusting this Prime Minister to be straight with Canadians about foreign interference and what he knows and so on, I would submit that he has a track record of not being trusted when he covers things up, when he doesn't come forward to be truthful, when he denies things until he's caught and when he appoints his former ski buddy David Johnston as his fake rapporteur then selectively gives that fake rapporteur only certain documents to look at about Beijing's interference so that he could get a predetermined outcome to his report, a report that was ultimately torn to shreds.

It's no wonder that the Leader of the Opposition isn't going to say to this Prime Minister, who is a proven liar, "I'm going to trust you to present—

Mr. Ryan Turnbull: I have a point of order.

The Chair: Yes, Mr. Turnbull, go ahead.

Mr. Ryan Turnbull: That directly violated the Standing Orders' rules on decorum. Calling another member of Parliament a liar is in direct contravention of our code of conduct here and our rules on decorum. Chair, I would ask that Mr. Cooper withdraw that. If you could ask him, I would appreciate it.

The Chair: Mr. Cooper, I do believe Mr. Turnbull is correct in his interpretation of the use of parliamentary language. If we could just ask you—

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): You're one for five.

Some hon. members: Oh, oh!

The Chair: Colleagues, I know moments of levity are important. At the same time, I think for those who have stomachached our discussion today, they probably do want us to get on with the business.

To Mr. Turnbull's point, Mr. Cooper, if I could ask you, A, to please withdraw the previous comment, which, as a seasoned parliamentarian, you know very well is unparliamentary language, and B, please try to refrain from doing that in the future, I would gladly return the floor to you and hope that we can continue with the discussion you would like to have.

Mr. Michael Cooper: I withdraw my words, Mr. Chair, and I will rephrase them to say that the Prime Minister has a proven record of misrepresenting the facts.

No wonder the Leader of the Opposition isn't going to trust this Prime Minister to say, I'm going to give you what I want you to look at and maybe hide other things from you and give you an incomplete picture of things. That's what the Prime Minister is proposing, and the Leader of the Opposition isn't going to take the Prime Minister's bait. He's not going to play the Prime Minister's game. The Leader of the Opposition has instead called on the Prime Minister to simply release the names of all compromised MPs, and the Prime Minister continues to refuse to do so, just as he covered up for the member for Don Valley North.

No, the Leader of the Opposition will not take lessons, and Conservatives will not take lessons, from this Prime Minister and this government when it comes to foreign interference because the record of this government is a shocking in this regard. It's actually drawn concern amongst our allies and international condemnation of the Prime Minister. It's been said we have the Five Eyes, but after nine years of this Prime Minister it's become increasingly the four eyes where Canada has been left out, including AUKUS as an example, where our allies shut Canada out.

There are other instances, but that's what happens when you have a Prime Minister who has gone along with Beijing far too often and allowed Beijing to interfere in two elections, who turned a blind eye to the fact that one of his own members was compromised and that he knew about it. And there's the fact that Beijing has set up illegal police stations targeting Chinese Canadians. That's what has happened after nine years of this Prime Minister.

With respect to the motion before us and the cyber-attack on 19 members of Parliament, this is something that should concern all members of Parliament because it was members of all political parties who were targeted and who were kept in the dark, who wouldn't have known but for an unsealed indictment from the U.S. Department of Justice that led to the ruling of the Speaker of a prima facie question of privilege and this committee's undertaking the study of the question of privilege. We have had hearings, and we were at a point where we were about to look to conclude this study until we discovered that there were a number of reasons why this study ought not to be concluded at this present time. One is that this committee had ordered that this government produce documents and produce them by August 9. We received—

• (1240)

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

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

Mr. Eric Duncan: Thank you, Mr. Chair, for recognizing me. I'll make sure mine's certainly relevant.

I just want put it on the record for you, Mr. Chair, that I'm not sure when you may try to move adjournment, but we do not consent to adjournment. I just want to put that on the record now knowing that it's a quarter to one.

Mr. Ryan Turnbull: That is not a point of order.

Mr. Eric Duncan: It's just a note for that purpose.

The Chair: It is not a point of order.

Perhaps, Mr. Duncan, if you do want to raise it, or draw my attention and the committee's attention to that, there will be an appropriate time to do so.

Mr. Cooper.

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

This committee ordered the government to turn over all documents in its control in relation to the cyber-attack against these 19 parliamentarians. The deadline was August 9.

Prior to August 9, we received a batch of documents, primarily from the CSE and a few from CSIS, I believe. They were heavily redacted. Nonetheless, there was information that was not redacted that raised further questions, including documents referring to or suggesting a cyber-attack in October 2022 that had not been made known to this committee. It's unclear what that cyber-attack is in relation to, but I have it here under the CSIS issues management brief from 2022.

It was sent to the deputy minister of public safety, the Minister of Public Safety, as well as the NSIA, and the Minister of Public Safety's chief of staff. It said that CSIS intended to meet with select MPs and/or their staff regarding cyber-targeting of parliamentarians by People's Republic of China cyber actors. It continued in the background section to say that in October 2022, CSIS became aware of an email campaign targeting the personal email addresses of parliamentarians and staff, along with other Government of Canada targets with malicious phishing emails. This campaign was likely conducted by PRC state-affiliated cyber actors.

There we have, in the production from CSIS, reference to a cyber-attack targeting or seemingly targeting MPs because CSIS was indicating that it intended to brief those MPs. There were questions about whether the APT31 cyber-attack was the only cyber-attack that CSIS was aware of that was specifically targeting MPs by the PRC or by other hostile foreign states. We need to get clarification about that.

If, in fact, the APT31 attack is not the only cyber-attack that CSIS and the CSE are aware of, then it raises questions about how many other attacks there have been, the nature of them, when they occurred, who directed them and whether parliamentarians that were the target or were the victims have been briefed. We know that in the case of the APT31 attack, members were kept in the dark and would have continued to be kept in the dark, but for the unsealed indictment by the U.S. Department of Justice that was released in March of this year.

It was on that basis that this committee, at the insistence of Conservatives—but I believe it was ultimately a unanimous vote of this committee—called on the CSE and CSIS to come back to committee. The response from CSIS and the CSE was to thumb their nose at this committee. They said, “No, thank you.” They said that they were not interested in coming back before this committee. They thumbed their nose at this committee, at Parliament, at parliamentary scrutiny. The justification that was offered was that they had come in June.

• (1245)

Yes, they did come in June, and they provided some.... It was useful to have them here before this committee, but there are documents that were provided to this committee in the summer that raised questions that need to be put to them and that we need to get answers to in order to complete this study in a fulsome fashion.

I cited some of the questions that need to be asked in relation to the documents that CSE and CSIS did produce. I would have thought, based on the relatively limited number of documents that had been provided over the summer, that could have been done in one sitting where we had CSIS and the CSE appear before this committee.

There seemed to be some level of recognition from all members of the committee about the need to hear from CSIS and CSE, and a view that they could come here and we could ask them questions and then see, at that point, whether we would be in a position to essentially wrap up the study. However, we found out on Friday that there has been a massive document dump from CSIS and the CSE.

I haven't had a chance to go through those documents. Remember that CSIS and the CSE, this government, were required to turn over the documents by August 9. Somehow, more than three months later, we have a document dump.

When I asked Madam Clerk whether there were any further documents to be turned over from CSIS and the CSE, she said—and I'm paraphrasing, not quoting her directly—that there was a large volume of documents that still haven't been produced for this committee. Not only have they not been produced, but also we don't even have a timeline as to when the CSE and CSIS will be producing them and making them available to this committee, even though the only deadline that matters is August 9—a deadline this government has defied and has seemingly no interest in abiding by.

A document dump on Friday, a voluminous number of other outstanding documents that they say they'll turn over whenever they feel like it, because they can't even provide a timeline.... And the Liberal members across the way are confused as to why this motion has been brought forward.

I think it's quite astounding that certain members of this committee would be prepared to wrap up the study without having the opportunity to question CSIS and the CSE about the documents they have produced, which raise new questions, and about their failure to produce other documents, and to have the ability to question them about whatever is contained in the document dump that came more than three months after they were ordered to produce the documents.

• (1250)

I think it's pretty reasonable. In fact, the only responsible thing to do is to say, “Hold on, let's look at the documents. Let's get all of the documents. Let's bring in CSIS and the CSE so that we, as a committee, are in a position to ask questions with all of the documents, not some of the documents”. When we questioned them, we had almost no documents, so it is necessary that we hear from CSIS and the CSE and that we get the documents.

There's an interesting and frankly troubling parallel between what is happening here and what is happening with respect to the green slush fund documents, because the government has said, "Well, we've turned over documents. Some are redacted, and others are withheld, but just stop the debate in the House. Shut it down, turn it over to PROC, and PROC can figure it out".

Well, if there's anything that one could have learned from this, it is that, with this government, the approach they take is to say to PROC, "We're going to thumb our nose at your committee. We'll turn over the documents that we wish to provide. We'll hold back other documents. We'll dump other documents months after we were ordered to turn them over, and we'll hold back documents, even though you're about to shut down your study thinking that you had all of the documents in front of you."

It's one big game. It's one big charade with this government. They have demonstrated that they can't be trusted and that they have no interest in working to be transparent. It is why, based on what we have seen with this study, Conservatives are not going to relent in the House until this government stops thumbing its nose at Parliament and turns over all of the documents related to the green slush fund on an unredacted basis to the law clerk so that the law clerk can then turn those documents over to the RCMP so that the RCMP can take whatever steps they may wish to take in relation to a scandal involving \$400 million in taxpayer dollars, including \$330 million taxpayer dollars that involved conflicts of interest amongst board members. There were 186 conflicts of interest identified by the Auditor General.

• (1255)

What we've seen with the government's obstruction is part of a pattern of how they have shown time and again disrespect to Parliament.

I mean, we can think back to the Winnipeg lab scandal, which involved a significant national security breach. The government was ordered by Parliament to turn over the documents pertaining to the Winnipeg lab, and the government refused to do so. That resulted in another prima facie question of privilege as determined by the Speaker of the House. Isn't it part of a pattern, all of these questions of privilege relating to refusal of this government to turn over documents?

What did the Liberals do? What did the Prime Minister do? Well, he took the Speaker of the House, the member for Nipissing—Timiskaming—

• (1300)

The Chair: Okay, colleagues.

Mr. Michael Cooper: We do not consent to adjourn.

The Chair: Well, colleagues, I'm going to read from House of Commons Procedure and Practice, which states:

The committee Chair cannot adjourn the meeting without the consent of a majority of the members, unless the Chair decides that a case of disorder or misconduct is so serious as to prevent the committee from continuing its work.

I don't know if I have the majority of committee members consenting to adjourn, so I'm looking around the table to see if I have the....

Guys, I've read the standing order verbatim, so do I have...? I'm looking to this side. I'm looking to the NDP, Madame Gaudreau.

Okay, I don't have unanimous consent from the Conservatives, but I have consent of the majority of the committee.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>