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Chair: Mr. Joël Lightbound





## Standing Committee on Industry and Technology

Monday, January 30, 2023

• (1535)

[*Translation*]

**The Chair (Mr. Joël Lightbound (Louis-Hébert, Lib.)):** I call this meeting to order.

Good afternoon, everyone, and happy Monday.

Welcome to meeting No. 54 of the House of Commons Standing Committee on Industry and Technology.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Monday, December 12, 2022, the committee is meeting today to study a contract awarded to Sinclair Technologies.

Today's meeting is taking place in a hybrid format, pursuant to the House order of June 23, 2022.

During the first hour, we have the pleasure of welcoming the Honourable Marco Mendicino, Minister of Public Safety, whom I thank for joining us.

We are also welcoming two officials from the Royal Canadian Mounted Police: Bryan Larkin, Deputy Commissioner, Specialized Policing Services; and Samantha Hazen, Chief Financial Officer.

I thank all three of you for being with us.

Without further ado, Minister Mendicino, I give you the floor for five minutes.

**Hon. Marco Mendicino (Minister of Public Safety):** Thank you very much, Mr. Chair. I am very happy to see you.

I also hope that all the committee members spent some quality time with their families and loved ones over the winter holidays.

[*English*]

Colleagues, it is a pleasure and a privilege to come before you today to say a few words and answer your questions about the nature of this study regarding certain questions around equipment that was procured by the RCMP vis-à-vis Sinclair Technologies.

At the very outset, I would like to state a few things up front.

First, national security and protecting Canadians are my top priorities. Our eyes are wide open when it comes to foreign threats, which is why we have rigorous screening procedures in place when we procure equipment and services to support our public safety agencies.

Second, the RCMP has conducted a review of the procurement, installation and maintenance of equipment in this matter and con-

cluded that, at all times, they followed the applicable policies and protocols.

Third, the RCMP further assessed there were no breaches of security as a result of the equipment in question, and that the risks, at the time of procurement, were—and remain—low.

[*Translation*]

Fourth, the RCMP has suspended the use of the standing offer, and all other contracting and transactions with Sinclair Technologies and Norsat International until further notice.

[*English*]

Fifth, and finally, I have instructed all agencies within my portfolio to apply national security screening protocols to all procurement contracts with the strictest of diligence, so as to ensure the ongoing integrity and protection of all public safety-related critical infrastructure.

I will now highlight a few key facts to inform your study.

The current standing offer completed by Public Services and Procurement Canada—I will refer to them as PSPC—for radio-frequency filtering equipment was issued to Sinclair Technologies Incorporated on October 6, 2021, for a period of three years, until March 31, 2024. There are two one-year option periods to extend the use of the standing offer until March 31, 2026. The total value of the standing offer is \$549,637. To date, the RCMP has issued only three call-ups against the standing offer, totalling \$55,073.

Further, a separate standing offer for antennas was completed by PSPC and used by the RCMP between December 2013 and December 19, 2018. Under this standing offer, there were 11 call-ups, and these were issued payments totalling \$188,982 for antennas, radio shelters and radio-frequency filtration equipment to Sinclair Technologies.

In addition to the above standing offers, there were also 11 contracts for various antennas, radio shelters and radio-frequency filtration equipment totalling \$234,606. Thus, for the RCMP, the total call-ups and contracts with Norsat, operating as Sinclair Technologies, are 25. They are valued at \$478,661.

In addition to these contracts, there were 144 low dollar-value payments between the RCMP and Sinclair totalling \$461,184 for radio communications equipment, repair parts and other related products.

[*Translation*]

Radio frequency filters allow radio users, including RCMP officers, to communicate more clearly by preventing interference and background noise.

The equipment procured by the RCMP under this standing offer is basically unpowered assemblies of tin cans, metal rods and cables that filter out unwanted signals and interference to help optimize radio performance.

• (1540)

[*English*]

Given these characteristics, I want to be clear that the equipment in question does not have the technical capability to access RCMP radio communications. Moreover, RCMP radio communications are protected with end-to-end encryption, using the Canadian centre for cybersecurity's encryption standard.

While the radio frequency filtration equipment procured from Sinclair Technologies poses no security concerns given its specific function, the use of the current standing offer was suspended on December 9, 2022, and a stop-work order for undelivered goods was issued as well, on the same date. Further reviews are being conducted by the RCMP's independent audit unit.

Again, there is no reason to believe that Canada's national security was under threat at any time during this process. Regardless, there is no shortage of real threats.

[*Translation*]

That is why we are continually striving to ensure the integrity of our democracy and the protection of national security.

We are making investments to provide all the tools that law enforcement and public safety officials need to protect Canadians and our institutions, including the critical infrastructure that supports the RCMP.

These efforts are ongoing and part of our broader goals to protect national security.

[*English*]

Combatting foreign interference is a complex challenge, particularly in today's geopolitical environment. That is why we are attacking it from all angles, continually re-evaluating our approach, making new investments in public safety tools and reinforcing our already rigorous protocols to safeguard our national security.

Thank you.

[*Translation*]

**The Chair:** Thank you very much, Minister.

[*English*]

We'll now start the conversation with MP Perkins for six minutes.

**Mr. Rick Perkins (South Shore—St. Margarets, CPC):** Thank you, Mr. Chair.

Thank you, Minister, for being here.

Minister, under the Investment Canada Act, you and the Minister of Innovation, Science and Industry are responsible, when an acquisition is proposed by a company, to examine whether or not it poses a national security risk and to, if you believe it does, order a full national security review. Is that correct?

**Hon. Marco Mendicino:** In fact, it is accurate. Both I and the Minister of Innovation, Science and Industry work together in tandem, under the authorities granted under the Investment Canada Act, to screen investments where foreign dollars and corporate entities are at play to ensure that there are no national security risks that may compromise our interests. We do work together. It is a two-turnkey system.

**Mr. Rick Perkins:** That's great. Thank you.

You are aware that China's National People's Congress passed a national intelligence law in 2017 to compel all Chinese nationals, at home and abroad, to collaborate with agents of the Chinese state, on request, to further Chinese state interests.

Specifically, article 7 says, "All organizations and citizens shall support, assist, and cooperate with national intelligence agencies in accordance with [the] law, and shall protect national intelligence". Article 10 goes on to say, "As necessary for their work, national intelligence work institutions are to use the necessary means, tactics, and channels to carry out intelligence...domestically and abroad."

You are aware of that.

**Hon. Marco Mendicino:** Mr. Perkins, I want to thank you for giving us an overview of some of the highlights around that law.

Yes, indeed, I am aware that such a law was passed by the People's Republic of China, and that is precisely why we have put in rigorous screening protocols to guard against those types of investments and procurement—

**Mr. Rick Perkins:** Do you believe that state-owned enterprises from authoritarian governments like China's can pose a national security threat to Canada?

**Hon. Marco Mendicino:** I think we need to be ever vigilant when it comes to the risks, the threat factors and the potential foreign interference that may be posed by the PRC or, indeed, by other hostile actors, which is why we continue to be "eyes wide open", which is why we make investments and which is why we introduced policies and protocols around the procurement of technologies, equipment and services that come from abroad. That is precisely what the RCMP did in this case.

**Mr. Rick Perkins:** Would that include Chinese scientists doing research at Canadian universities, as they have been for the last decade? Military scientists doing research at Canadian universities in sensitive areas such as AI, where they get access and help develop it and take it home to their state government in China—is that a threat to national security?

• (1545)

**Hon. Marco Mendicino:** You raise a very important point, Mr. Perkins. That is why, among other things, we introduced guidelines around research partnerships that involve foreign individuals and foreign entities in the research and academic sector. Those are guidelines that are rigorously applied.

We are deploying those strategies, along with other measures, not only to protect the academic and research sector in Canada, which is a driver of innovation, growth, prosperity and new ideas, but equally, with other tools as well, to guard against the risks that are posed by potential hostile actors so that we can be sure we are growing in a prosperous way but protecting all of our institutions at the same time.

**Mr. Rick Perkins:** I appreciate that, but it appears that you're allowing it to happen since there are hundreds and hundreds of research papers published in the last couple of years by the Communist Party's military commission—

**Mr. Han Dong (Don Valley North, Lib.):** I have a point of order, Chair.

I hate to do this to Mr. Perkins, but I just took a look at the motion itself. It reads, "That the Committee, pursuant to Standing Order 108(2), undertake a study concerning the contract awarded to Sinclair Technologies," and so on and so forth.

It seems to me that the focus of this study is on the contract, which was reported to be problematic in the media. I'm just wondering about the relevancy of those questions to the minister are to the study today.

**Mr. Rick Perkins:** I'll tell you the relevance—

**The Chair:** Thank you, Mr. Dong.

**Mr. Rick Perkins:** It's a pattern that I'm trying to establish here.

**The Chair:** I hear the point of order.

I'll ask Mr. Perkins to be reminded of the text of the motion and pursue his six minutes, which is the time he has left.

**Mr. Rick Perkins:** I'll come back to that.

Perhaps you might want to answer the question anyway about the threat of hundreds of projects now going on with the Government of China military researchers at our universities.

When Norsat was acquired by Hytera in 2017, the then Minister of Industry, on behalf of the Government of Canada, obviously, and the cabinet, as the act requires, sent a letter to Norsat and Hytera saying that they didn't believe buying this telecommunications company posed a national security threat. They didn't do a study of this company, which the RCMP and the Canada Border Services hired to supply them with equipment.

I know that you were not the minister then, but you were part of the cabinet that chose not to do a security review of a state-owned

Chinese enterprise buying a critical telecommunications business. Could you explain to this committee why?

**Hon. Marco Mendicino:** I'm sorry. What year did you say that was?

**Mr. Rick Perkins:** It was in 2017.

**Hon. Marco Mendicino:** I was not yet in cabinet, but that is quite irrelevant to the point.

It is more important for you to understand, and for the members of this committee to understand, that in every procurement, for every piece of equipment, service and technology, there are rigorous screening protocols put in place to guard against potential foreign interference.

I want to assure you that, in this case, the RCMP followed the due process that was required in the acquisition or—I beg your pardon—in the eventual contracting of certain equipment that involves radio technology, antenna technology and filters, prior to carrying out those call-ups I described in my opening remarks—

**Mr. Rick Perkins:** I appreciate that, Minister, but do you not find it troubling that two of our most important security agencies for protecting Canadians in this country, the RCMP and the Canada Border Services Agency—both of which you are responsible for—have chosen to buy technology and hardware from a company that is ultimately owned by the Chinese government?

You've now said you're going to put out a directive, but does that mean that, in the future, you won't be dealing with Sinclair, Hytera or Norsat? Will you be dealing with them in the future?

**Hon. Marco Mendicino:** I have two answers in response to your question.

In the first case, the RCMP assiduously applied the applicable policies and protocols in the case of the procurement involving radio technology, filtration and the like from Sinclair. That is an assurance that I provide to you and to all members of this committee.

Second, going forward, I have instructed my portfolio to apply, with the strictest of standards, all protocols as they relate to national security so that we can be sure, as we purchase equipment, technology and services, it is done in a way that preserves and protects the integrity of our public-safety-related critical infrastructure.

• (1550)

**Mr. Rick Perkins:** Hytera and its subsidiaries will be banned in the future. Is that what you're saying?

**Hon. Marco Mendicino:** We will continue to apply those protocols with the strictest standards of rigour.

**The Chair:** Thank you, Minister and Mr. Perkins.

We'll now turn to MP Dong for six minutes.

**Mr. Han Dong:** Thank you, Chair. Through you, first of all, I want to thank the minister and welcome him to this committee. Also, I'd like to welcome Deputy Commissioner Larkin and CFO Hazen from the RCMP.

Thank you for joining us today.

Since this is the Standing Committee on Industry and Technology, I want to ask my first question to you, Minister. Can you describe to the committee what type of product, technology or service is involved in this contract that we're discussing. I know you briefly touched on it in the French part of your opening remarks, but can you give a bit more detail on what kind of product was purchased for the RCMP?

**Hon. Marco Mendicino:** Thank you very much for the question.

I'm happy to highlight, in English for you, that the type of technology and equipment that was acquired and procured under the standing offer over the last number of years was in relation to our radio systems. The purpose of the technology is to help to reduce interference. The equipment itself is made up of tin and metal rods and cable. I will defer to my colleagues from the RCMP to explain how it is that those materials are able to reduce interference.

I also want to take a moment to underscore for you and for all members of this committee—because I know the question has been posed—that there was no way for this particular equipment to in any way interfere or make its way into the radio communications between RCMP members and various dispatch units. That is also protected by the standard, the two-way encryption standard, which is set by the Communications Security Establishment. That is one of the reasons the RCMP has assessed—and we are confident—that there was no breach of security in this process.

**Mr. Han Dong:** I'll go over to the deputy commissioner to ask for a bit more detail.

Does it have a computer chip, a wire? Is it electronically connected in some way or somehow? Please explain it to us.

**Deputy Commissioner Bryan Larkin (Deputy Commissioner, Specialized Policing Services, Royal Canadian Mounted Police):** Through you, Mr. Chair, the equipment that is designed, manufactured and purchased from Sinclair Technologies, located in Aurora, Ontario, as described, is essentially made of a tin can that has a series of rods and some coaxial cables. It is designed to optimize our telecommunications and encrypted radio system—our push two-way talk system.

It essentially maximizes the frontline members who are using the radio system. It filters out other frequencies, so that the main frequency of the RCMP channel is not interfered with and there's no actual impact on our operations.

It is installed by RCMP radio technicians. It's installed on our towers and/or towers across our nation, coast to coast to coast. Again, it is a device, a piece of equipment, that has no access to any RCMP system. It's essentially a device that filters out other systems. It's commonly used in communication and broadcast equipment and no different from the towers that we use.

Again, there is no computer encryption within it. There are no systems within it. There is no manipulation within it. We actually control that piece of equipment.

**Mr. Han Dong:** Did the contract awarded to Sinclair Technologies give them any access to sensitive technology or information that could threaten Canada's national security?

**D/Commr Bryan Larkin:** There is no access to any technology or any of our systems. Occasionally, from time to time, there may have been a requirement for an employee from Sinclair to attend to assist with installation or some process. Anybody who would access any of our sites or locations would go through our departmental security branch and all the security clearance, which is required.

However, generally speaking, these devices are procured and installed by RCMP technicians. They are evergreen. There is a cycle; they have a life cycle. We would be responsible for their replacement on our radio towers across our nation.

• (1555)

**Mr. Han Dong:** Thank you.

Going back to the minister, does the government have any kind of security assessment screening for companies that apply to get these types of contracts? If so, what does the security screening entail?

**Hon. Marco Mendicino:** We do, in fact. This is where my officials and the agencies within my portfolio work very closely with PSPC to apply a rigorous standard of security screening. That is something I have taken as an opportunity to reiterate, not only to the RCMP but to all of the agencies within my portfolio, to assure that we are raising the bar when it comes to potential threats from foreign interference. That's to make sure we are holding ourselves to the highest standards when it comes to procurement, especially as it relates to the critical infrastructure that is there to support public safety agencies, be it the RCMP or other agencies within my portfolio.

By doing so, we are maintaining the confidence of Canadians that our institutions, which are there to protect our public safety and our national security, are free from any foreign interference.

[Translation]

**The Chair:** Thank you very much, Minister and Mr. Dong.

Mr. Lemire, go ahead for six minutes.

**Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ):** Thank you, Mr. Chair.

Mr. Mendicino, thank you for your efforts in French. I appreciate it because I know you do it with great interest.

I'd like to get back to the exchange you had with Mr. Dong. Sinclair Technologies will encrypt the data that is transmitted by these devices. However, what would prevent the company from having a sensor, decrypting this data, recording the conversations and transmitting them later?

**Hon. Marco Mendicino:** Thank you for acknowledging my big efforts in French.

To answer your question, I have already explained that the technology that was acquired in this case does not allow for interference with our critical infrastructure owing to its limitations. In addition, the standards set by the Communications Security Establishment for the RCMP are very high.

After the RCMP review, which was conducted with great care, as this is an important issue for protecting all of our institutions involved in public safety, I am satisfied that there are no issues with this contract.

**Mr. Sébastien Lemire:** Since the person doing the encryption of the data can also decrypt it, are you entirely certain that conversations cannot be recorded?

I can well imagine that a walkie-talkie with a tape recorder can be used to record a message and transmit it anywhere, including to China.

**Hon. Marco Mendicino:** That would not be possible in the context of this contract. I'm not concerned about that, because a review has been conducted and managed by the RCMP. However, my colleague, Deputy Commissioner Larkin, may wish to add a few words about that.

**D/Commr Bryan Larkin:** Thank you, Minister.

[English]

The radio filtration system does not transmit communications. It's designed to filter out any interference. When frequencies are crossing over each other, it's designed to optimize the frequency that the front line or the operations of the RCMP are using.

What I can tell you, though, is that as a result of the information that came to light there are two reviews happening. There's a due diligence review, which is being done by our independent internal audit unit, and a technical review.

We have taken a Sinclair radio filtration device, which is a piece of equipment, off a radio tower in Ontario. Our team has deconstructed it to look at any opportunities, whether it was compromised and whether there were any sorts of devices. I can report back and say absolutely not. The device was the equipment that would be designed for use in a filtration system.

We're also doing other random spot audits across the country. The next one will be in British Columbia, and we can come back to the committee with that information in writing at a later time as we progress across the nation.

That was the technical review, but it is simply... The easiest way to explain it is that there is no communication that goes through the radio filtration system. It's designed to push out other frequencies. The system that we use for radio communication is two-way, push-to-talk. It's totally encrypted and totally managed by our RCMP radio systems. As well, it meets the standards of the Canadian cybersecurity establishment, so we're confident in the technology that we are using to ensure national security for our organization.

• (1600)

[Translation]

**Mr. Sébastien Lemire:** Thank you.

Mr. Mendicino, a few weeks ago, the Federal Court of Australia ruled in favour of Motorola Solutions on its copyright and patent infringement claim against Hytera Communications Corporation Limited, following similar rulings in the United States and Germany.

Many countries do business with Hytera and are approached by Motorola Solutions representatives. Hytera is currently in over 80 countries around the world. In 2020, a ruling was handed down against the company in connection with the payment of royalties on Hytera's sales of digital mobile radio products. Since then, Motorola Solutions has been pursuing all possible avenues to enforce this ruling outside the U.S.

Have you had any discussions with Motorola Solutions, either before or after the suspension of the contract with Hytera?

**Hon. Marco Mendicino:** I am not aware of this Australian ruling, but I can say that we in the federal government will always apply all the protocols and take all the steps we need to protect the institutions involved in public safety. That's what I explained in my opening remarks.

However, if—

**Mr. Sébastien Lemire:** I have to interrupt you because I don't have much time left.

What I want to know is whether you have had any discussions with Motorola.

**Hon. Marco Mendicino:** We stay in touch with industry, but each case is assessed on its own merits. That's our approach. The measures and protocols are there to protect our institutions. I am confident that our approach is the right one.

**Mr. Sébastien Lemire:** So the answer is yes.

**Hon. Marco Mendicino:** The process in place allows us to stay in touch with industry representatives who are seeking contracts.

**The Chair:** Thank you very much.

Mr. MacGregor, go ahead.

[English]

**Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP):** Thank you very much, Mr. Chair.

Minister, it's good to see you again, which is usually at public safety, but we'll do it here at the industry committee.

You mentioned that this contract is currently suspended. Is there a chance it will be reinstated if your review finds nothing wrong? What avenue is open to the company now?

**Hon. Marco Mendicino:** The first thing I want to clarify is that not only has the RCMP suspended, but there is a suspension of all contracts across my portfolio—

**Mr. Alistair MacGregor:** I'm looking at the future.

**Hon. Marco Mendicino:** With regard to the future, I will say the RCMP and all of the agencies in my portfolio are continuing to evaluate very carefully any threats, any risks, that may apply.

When we have more to say about that, Mr. MacGregor, we will be sure to let you and others know.

**Mr. Alistair MacGregor:** I appreciate that.

Reviews are important. I think governments sometimes use reviews to place a necessary pause on things. Sometimes they can take a while, though, and there are necessary public questions about government action or inaction given how much time they may take. We look at the time that was required to make a decision on Huawei. There was quite a long review on that before your government finally made a decision. We've had other ones.

I guess what I want to know, Minister, is that you have ordered all departments under the realm of public safety to commit to a review of their procurement practices. Am I quoting you correctly there?

• (1605)

**Hon. Marco Mendicino:** Yes, but I would just like to clarify the premise of your question, if I can.

**Mr. Alistair MacGregor:** I just want to have a chance to ask my question.

**Hon. Marco Mendicino:** Sure.

**Mr. Alistair MacGregor:** Am I quoting you right? You've asked for that review of procurement across the board.

**Hon. Marco Mendicino:** I have, and I've asked all of the agencies within my portfolio to apply the strictest of standards and rigour when it comes to national security screening around procurement.

**Mr. Alistair MacGregor:** I'm happy to hear that.

I guess what I want to know is this: Before you asked for this review, what was the standard? What we want to know is whether this review would have come with this particular company in question. Would this have been caught if there had not been a public outcry?

**Hon. Marco Mendicino:** First, I want to assure you and the public that the standards are already extremely high and robust. The proof of that is not only in the results of this case—and I have confidence in the assessment that has been done by the RCMP that there were no risks posed in the circumstances of this contract and the procurement and the services that were obtained as a result—beyond that, we are deploying an array of tools every day, 24-7.

As you know, Mr. MacGregor, from your work on the public safety file, we have to be ever-vigilant about this. We are constantly reassessing and re-evaluating whether or not there are new threat factors that may be posed by hostile actors, which is why in this particular matter and in all matters we will apply a very strict standard. That is precisely the instructions I have issued to the agencies within this portfolio.

**Mr. Alistair MacGregor:** Thank you.

Deputy Commissioner Larkin, it's good to see you again. Thank you for confirming that the RCMP did in fact find no security breaches.

I believe the contract required building the system, but also maintaining it. I want to focus on the maintenance part of it.

I understand this equipment does not have access to your end-to-end encryption and that the communication technology is secure.

What kind of protocol does the RCMP have in place when an employee of this company, which is now under investigation, is on site maintaining this equipment? They are going to be in the vicinity of some pretty sensitive technology. What kinds of standards are in place to ensure that security is maintained in the future during the maintenance of the equipment?

**D/Commr Bryan Larkin:** Through you, Mr. Chair, all employees are, again, mandatorily screened by our departmental security branch, and they would be escorted, so they have no independence or opportunities. Our radio service technicians escort them to do the work, and then review the work. There may be some troubleshooting, etc.

Again, that's something we consistently monitor. There's no independent access to any of our radio sites—to any of our facilities, in fact—and there's stringency in our background security checks.

**Mr. Alistair MacGregor:** Thank you.

I'm sorry to cut you off, but I want to get one last policy-related question to the minister.

Minister, your government has introduced Bill C-26, which is a wide-reaching bill in terms of the powers it will give the executive branch. We know the United States has taken similar steps. Bill C-26 requires designated operators to establish and implement security programs and mitigate supply chain and third party risks. That's the legislative fix.

However, in absence of that bill—because, of course, it has not yet passed Parliament—where are the gaps we need to be focusing on? Is this your government's answer to closing those gaps?

**Hon. Marco Mendicino:** In addition to Bill C-26—and you've given some highlights of it—we will work with industry and regulators to protect our critical infrastructure in a number of priority areas, including telecommunications. As you may recall, part 1 of Bill C-26 seeks to add, expressly, the objective of ensuring the security of our telecommunications sector. Beyond that, we have the protocols and policies that govern procurement, which we do in partnership with PSPC.

We also have the authorities granted to the service under the CSIS Act, which include the threat reduction measures this government introduced in 2019, but with the corresponding transparency and accountability, as granted by both NSIRA and NSICOP. There are reviews coming up for that legislation.

Mr. MacGregor, I hope that is something you and I will be able to work on, along with other parliamentarians.



We are making additional investments right across the national security and public safety apparatus so that Canadians can be assured we will be vigilant 24-7 in protecting our critical infrastructure and institutions, so we can keep them safe and preserve the Canadian interest, both here and abroad.

• (1610)

[Translation]

**The Chair:** Thank you very much. That's all the time you had.

I now give the floor to Mr. Vis for five minutes.

[English]

**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Thank you, Mr. Chair.

Thank you to the witnesses appearing today.

Minister, your government has stated—and you stated it again today—that these contracts were not subject to a national security review. The RCMP also publicly stated that the Hytera-Sinclair system in question was “not a security risk” and you reiterated that point today. Then, we hear today that you instructed the RCMP to conduct a review of the procurement practice that led to the contract being awarded. The contract was immediately suspended after this came to light in the media in December.

Why was the contract suspended if there was no risk to national security and all the protocols—from what we've heard today—were followed?

**Hon. Marco Mendicino:** Let me pick up on the last point you made.

I wish to underscore that the protocols and procedures were followed by the RCMP in this case. That should be a source of assurance. As to the conclusions of the RCMP's review, there were no risks with regard to the equipment and services procured in this matter.

That being said—and as I said to Mr. MacGregor earlier—it is important that we remain vigilant, and vigilance demands that we constantly—

**Mr. Brad Vis:** Thank you, Minister.

**Hon. Marco Mendicino:** —reassess the situation in order to be sure we are protecting our critical infrastructure from potential foreign interference.

**Mr. Brad Vis:** Thank you.

I'm going to ask another question.

You and the Prime Minister challenged the independent decision-making of the public service in December with respect to the awarding of this contract with the RCMP. Do you think the public service got it wrong when they gave Sinclair Technologies this contract?

**Hon. Marco Mendicino:** I believe the RCMP followed the protocols and procedures that are in place.

I also want to assure you that, in light of this study.... By the way, the government embraces the work of this committee. We think it's important to shine a light, with transparency, on how we procure.

However, following that, I issued directions to my agencies to make sure we are applying the strictest of standards and rigour to these screening protocols. The work of continually reassessing potential threats is ongoing. It does not end.

**Mr. Brad Vis:** Thank you, Mr. Minister.

**Hon. Marco Mendicino:** We will continue to spare no effort to protect our institutions.

**Mr. Brad Vis:** Through you, Mr. Chair, has the RCMP, with your discussions with the minister, acknowledged whether they were informed, or aware, of the U.S. Department of Justice's 21 charges for conspiracy to commit theft of trade secrets against the company in question today, prior to the contract being awarded?

**Hon. Marco Mendicino:** I will pass to Deputy Commissioner Larkin, but it is certainly a well-reported fact. I will pass to the deputy commissioner to indicate exactly when the RCMP became aware of it.

**Mr. Brad Vis:** Very briefly, Mr. Larkin. Were you aware of the charges, yes or no?

**Ms. Samantha Hazen (Chief Financial Officer, Royal Canadian Mounted Police, Royal Canadian Mounted Police):** Whether a supplier is ineligible to do business with the Government of Canada is determined by PSPC through its integrity regime. In this case, PSPC determined that there were no ethical concerns with awarding Sinclair Technologies the standing offer.

**Mr. Brad Vis:** You were aware of the 21 charges against said company when the contract was awarded.

**Ms. Samantha Hazen:** That's not what I said in my response. We did—

**Mr. Brad Vis:** Can you answer my question then?

**Ms. Samantha Hazen:** I personally was not aware.

**Mr. Brad Vis:** Okay.

With my remaining time, Mr. Chair, I appreciate the candour today from all the witnesses in providing these responses. All of our instincts here today are to get to the bottom of how contracts are awarded to ensure the integrity of our system.

I'm going to move a motion. I move:

That all papers related to the contract awarded to Sinclair Technologies from the RCMP and the Minister of Public Safety be provided to members of the Standing Committee on Industry and Technology for further review and scrutiny.

I'll provide that via email right away. The purpose of asking for papers related to the discussion here today and what the minister referred to, which was his instructions to the RCMP, is that the Investment Canada Act is up for review by Parliament and it's integral that this committee, and other committees, to get to the bottom of how contracts are awarded, to ensure national security is upheld at the highest standard at all times.

• (1615)

**The Chair:** We have a motion on the floor by Mr. Vis.

I see Mr. Dong.

**Mr. Han Dong:** Thanks, Chair.

I respect Mr. Vis's right to move motions. Can we suspend the meeting until we see the motion in writing, so we can talk amongst ourselves?

**The Chair:** Mr. Vis, do you have the motion in writing? You just sent it. Okay. The clerk will distribute it.

I suggest we suspend for three to four minutes, so you can read it and make up your minds.

• (1615) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1620)

[*Translation*]

**The Chair:** We are resuming the meeting. I am sorry for the brief interruption.

Mr. Vis proposed a motion to the committee, and I think everyone has had a chance to read it. It is relatively short.

Before we vote on this motion, I invite members who wish to raise points to do so.

I note that no one wishes to speak, which is rare. We gladly accept that, and 2023 is off to a great start.

Mr. Clerk, we will be able to proceed to a vote on the motion.

[*English*]

**Mr. Andy Fillmore (Halifax, Lib.):** Excuse me. Could you repeat the question, please?

**The Chair:** Yes. We're voting on the motion, Mr. Fillmore.

(Motion agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

• (1625)

[*Translation*]

**The Chair:** Thank you.

The motion is adopted.

Mr. Vis, I think you had reached the end of your time. I checked, and you had five seconds left.

Minister, I believe you have to leave at 4:30 p.m. So that would leave about five minutes for the committee to ask you questions.

Mr. Gaheer, you are next on the list and have the floor for five minutes.

[*English*]

**Mr. Iqwinder Gaheer (Mississauga—Malton, Lib.):** Thank you, Chair. Through you, thank you to the minister for making time for this committee.

Minister, Sinclair Technologies was granted a contract for roughly \$550,000 for a radio frequency filtering system. Does a radio frequency filtration system pose any security concerns and does it allow access to radio communications at all?

**Hon. Marco Mendicino:** It did not pose any security concerns at the time of procurement and, following the review that was conducted by the RCMP, that continues to be the case.

I would also just clarify. You stated a numerical amount around the contract. It is important for members of the committee to understand the distinction between a contract and a standing offer against which the total allowable monies are drawn down. In the particular current standing offer, there were three instances where there was a drawdown of an amount of approximately \$55,000 or thereabouts.

I just want to make sure it's clear that the full contract amount was not paid out, but rather, in those three installations under the current standing offer, the amounts were limited to \$55,000 or thereabouts.

**Mr. Iqwinder Gaheer:** Thank you.

Can you share with the committee whether Canada's national security was under threat at any time during the process of this contract?

**Hon. Marco Mendicino:** I'm confident, on the basis of the review that was conducted by the RCMP, that the answer to the question in this matter is no, but that having been said, I do embrace the study.

I embrace the questions that have been posed by members of this committee, because it is important that we are exhausting every possible effort with due diligence and rigorous screening when it comes to the procurement of equipment, of technology and of services that are acquired in support of our critical infrastructure and that are there to make sure we can keep Canadians safe.

It is, I would add, a very complex geopolitical environment. There are hostile actors who would seek to undermine the Canadian interests, and those hostile actors do look for vectors, for entry points into which they can exploit their interests through foreign interference, but I'm confident that we have protocols in place and procedures in place.

Certainly, when it comes to the procurement of the equipment here, there were no breaches of security, as you've heard the RCMP indicate.

**Mr. Iqwinder Gaheer:** Thank you.

Was the contract awarded in accordance with federal government procurement policies and regulations, and in accordance with trade agreements?

**Hon. Marco Mendicino:** Yes, it was, in addition to the diligence that was carried out by the RCMP. I would also highlight for the members of the committee that we work in close partnership with PSPC, who are principally responsible for procurement and contracts across government.

That work is done in close collaboration, and I would call to the committee's attention in your study that we do have the necessary mechanisms in place for screening as it relates to national security and that those steps and those protocols are followed assiduously so that we can be sure that the things we acquire in no way pose any threat to our critical infrastructure or to our public safety apparatus.

**Mr. Iqwinder Gaheer:** Great. Thank you so much.

[Translation]

**The Chair:** Mr. Lemire, the floor is yours.

**Mr. Sébastien Lemire:** Minister, in the interest of fairness, since the NDP and the Bloc Québécois have two and a half minutes left to speak, could you stay with us for another five minutes to complete the round of questions?

**Hon. Marco Mendicino:** After checking my other appointments with my team members, I'm going to use my discretion and stay an extra five minutes.

**Mr. Sébastien Lemire:** Thank you.

**The Chair:** Mr. Lemire, you have the floor for two and a half minutes.

• (1630)

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

In August 2022, Member of Parliament Pam Damoff, your parliamentary secretary, met with representatives of Motorola to discuss law enforcement and legal issues.

I would be surprised if this meeting had nothing to do with Hytera and I would be even more surprised if the U.S. decision and national security concerns were not discussed.

Did Motorola express any concerns about Hytera's use of its technology or security threats?

**Hon. Marco Mendicino:** Can you tell me again when my parliamentary secretary met with Motorola?

**Mr. Sébastien Lemire:** It was on August 15, 2022.

**Hon. Marco Mendicino:** I will look into the results of that meeting.

However, I would like to point out that we have very good ongoing relations with industry leaders who want to offer their technology services to support the work of our public safety agencies.

I also remind you that there is a process in place, which was followed in this case and which we will continue to follow.

**Mr. Sébastien Lemire:** On June 9, 2022, Rob Jamieson, a senior advisor in the Office of the Minister of Public Safety, also met with Motorola. Could you tell us more about what was discussed at that meeting?

**Hon. Marco Mendicino:** It was about checking on the state of the relations and making sure there was very good communication between industry leaders and government. This was necessary to understand the business opportunities, while respecting regulations and protocols.

**Mr. Sébastien Lemire:** Thank you very much.

**The Chair:** Thank you.

Mr. MacGregor, you have the floor for two and a half minutes.

[English]

**Mr. Alistair MacGregor:** Thank you, Mr. Chair.

My questioning is along the same lines as what was just asked.

Concerning our allies in the United States, the FCC did list Hytera, and it has a list of its banned equipment to the extent that

it's used for the purpose of public safety, security, government facilities, physical security, surveillance of critical infrastructure and other national security purposes. I understand clearly that the equipment in this particular case came nowhere near our secure communications, and that was confirmed and verified by the RCMP.

That being said, the RCMP does work very closely with United States' law enforcement agencies. Would our business contract with Sinclair, which is owned by Norsat and then by Hytera, have ever given them any sort of pause or was any kind of concern ever raised?

The United States probably has a vested interest in making sure that our national security is up to par. I understand that you've defended that, and I do agree that it does work, but have there ever been concerns raised cross-border because of the collaboration that exists between our two countries?

**Hon. Marco Mendicino:** I can assure you that I work very closely with my American counterpart, Secretary Mayorkas, in a variety of forums. We are consistently finding ways to collaborate in the sharing of intelligence and the understanding of the risks that are posed by foreign actors who are hostile towards us and other democracies and the like. We collaborate in the Five Eyes. We collaborate in the G7. We collaborate in the cross-border crime forum, which I hope to be convening alongside our American allies in the very short term.

I can assure you that there is a very sustained effort to collaborate. As we are acquiring equipment, services and technology, we are applying a very rigorous standard when it comes to national security so that we can protect the Canadian interest in national security. By extension, that also has the net-positive impact of also protecting our allies, including the United States.

**The Chair:** Thank you very much, Mr. MacGregor and Mr. Mendicino.

Mr. Minister, thanks for joining us this afternoon and for our first meeting in this Parliament. Thank you very much. You're free to go.

[Translation]

**Hon. Marco Mendicino:** Thank you, Mr. Chair.

• (1635)

[English]

**The Chair:** We still have a few questions to go for Mr. Larkin and Madam Hazen, so thanks to them for sticking around with us.

[Translation]

I will now turn the floor over to Mr. Perkins for five minutes.

[English]

**Mr. Rick Perkins:** Thank you, Mr. Chair.

I'd like to follow up, Ms. Hazen, on something you said. You said that you weren't informed, or that the RCMP wasn't informed, of the charges. The charges against Hytera in the U.S. were levelled in February 2022—21 charges of espionage.

I'm curious about how the RCMP, as one of our primary security agencies, in doling out a contract, would be dependent on another department that is not our security responsibility to tell it that a company it was engaging had been charged with 21 counts of espionage, signed in a letter by President Biden, and banned from doing business in the United States.

**Ms. Samantha Hazen:** The existing processes that are in place with regard to contracting for the federal government.... The departments rely on verifications that are performed by our colleagues at PSPC, Public Services and Procurement Canada. In this case, we did do a validation with the RCMP with regard to the integrity regime, which ensures that the government does business with ethical suppliers. That validation came back indicating that there were no flags; therefore, the standing offer was let, with Sinclair Technologies, by PSPC.

**Mr. Rick Perkins:** No, I understand that. Those are the notes and stuff that you read in the last answer, but my question isn't that.

My question is this: As one of our primary security forces for this country, why is it that you do not have your own knowledge and intelligence in the work that you do with our other security agencies, to know and be aware of all companies that pose a threat, particularly when they've been charged with espionage in the United States?

I find it incredible that you have to rely on Public Services and Procurement Canada to tell you that. Isn't that your job and the job of CSIS and some of the others? Do you not talk?

**Ms. Samantha Hazen:** As the chief financial officer at the RCMP, I don't have access, myself, to a listing of all suppliers abroad. That is why, in my capacity at the RCMP, I rely on the processes put in place by the federal government. I validate these transactions with my colleagues at PSPC.

**Mr. Rick Perkins:** I'll ask your colleague the same question, then.

As a senior RCMP officer and a deputy commissioner, are you not aware of Chinese-state national companies that have been charged with espionage by our closest ally?

**D/Commr Bryan Larkin:** Deputy Commissioner Mike Duheme, who oversees our federal policing and national security file.... This is of interest and concern. One of the reasons for the due diligence review in the internal audit is to look at how we enhance these processes.

What I want to re-emphasize is that the piece of equipment that was procured through our radio subject matter experts—

**Mr. Rick Perkins:** We've heard a lot of testimony on that already, but I'm trying to get at the process issue that led to the decisions around that, because it's not the only one that's happened in the Government of Canada. It happened with the Canada Border Services Agency. Again, that was with a company that's owned by Hytera. These are serious issues.

The U.S. public safety and homeland security bureau has published a list of communications equipment and services that are deemed to pose an unacceptable risk to the national security of the United States. Has the RCMP, with your security counterparts, produced such a list for Canada?

**D/Commr Bryan Larkin:** Not to our knowledge. No.

**Mr. Rick Perkins:** The FCC was referenced earlier by my colleague from the NDP. The FCC in the United States has put out a list of radio and telecommunications equipment that pose a national threat or need national protection, I guess, for security issues.

Has the RCMP or the security intelligence establishment, that you're aware of, done the same thing in Canada and made a list of those things?

**Ms. Samantha Hazen:** I'm not aware of such a list at the RCMP.

**Mr. Rick Perkins:** I guess this is why we see that these relatively small procurements for the size of the Government of Canada can slip through the cracks. It's when agencies don't have that kind of help and assistance to figure this stuff out, even, surprisingly, in our security intelligence agencies.

The minister referred to standards. We don't know what those standards are. First of all, some standards clearly aren't adequate, because these kinds of procurements keep happening. Also, standards are changing.

Which standards did the minister refer to that need to be updated, as he's informed the whole RCMP, the Canada Border Services Agency and all of these agencies responsible for security that report to him? What are those standards, which failed and needed the updating that he referred to, that have been updated?

• (1640)

**Ms. Samantha Hazen:** Thank you, Mr. Chair, for the question.

I can share that there are two verification processes that are run by PSPC with regard to procurements. The first one is the integrity regime, which I already spoke to the committee about.

The second one is a foreign ownership, control or influence verification, or a FOCI. In this particular case, due to the low risk associated with this particular equipment, through internal discussions between RCMP, security, procurement and radio technology experts, it was deemed to be a low-risk piece of equipment. Therefore, a FOCI was not requested by the RCMP.

**The Chair:** Thank you very much.

That's all your time, Mr. Perkins.

We'll go to Nate for five minutes.

**Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.):** Thanks, Joël.

First, Bryan, it's nice to see you. The last time we interacted was when you were in a different role, so I appreciate your being here today.

My core question is.... All we've heard today is that this particular contract, ultimately, didn't involve sensitive material, but the concern was driven initially by this concern. It's a fair concern that the RCMP was going to use equipment that could have potentially presented a public safety risk.

When it comes to the RCMP's procurement process and who it does business with, is there ever a moment when you compare our practices with, say, our American allies?

The Biden administration, just as an example, has taken strides, to my understanding, such that they won't do business with a list of certain organizations that don't meet minimum standards in relation to human rights. Do we take a similar approach here in Canada? Does the RCMP take a similar approach?

**Ms. Samantha Hazen:** Thank you, Mr. Chair, for the question.

No. I'm not aware of a similar approach being taken by the RCMP in comparison to the procurement practices that are being undertaken across the Government of Canada and those being undertaken by the United States of America.

**Mr. Nathaniel Erskine-Smith:** I'll use an example. I know we're talking about Sinclair today, but there are other instances. I'll pick on Pegasus as a company.

They provide spyware to authoritarian regimes all around the world. That's problematic for all sorts of different reasons, I would argue. Certainly, it's a problem for its impacts on human rights, its impact on a fair press and its impact on civil society generally in terms of the ability to have strong journalism, strong accountability and pro-democracy advocacy, all things considered.

Would it make sense to you for the RCMP to revisit service procurement practices and, on the one hand, make sure that we're adjusting public safety in a way that the Conservatives were mentioning today? We could also, perhaps, make sure that we are putting rules in place such that we wouldn't do business, and we would have minimum standards in relation to companies that engage in practices like Pegasus's, for example?

**Ms. Samantha Hazen:** Thank you, Mr. Chair, for the question.

I would say in this particular case, as previously mentioned, the RCMP followed all federal government procurement policies and regulations and applicable trade arrangements.

I would say decisions around changes that should be made to the overall procurement process as a whole probably should be directed to officials at PSPC.

**Mr. Nathaniel Erskine-Smith:** Sure, but if you're the minister responsible for the RCMP and you are ultimately responsible for an agency that is doing procurement, or you are in a position, as you are, and you are responsible for procuring, yes, procurement can set certain minimum standards, but surely you can set certain minimum standards too in terms of the companies the RCMP is willing to do business with. It strikes me that we should ensure, at a minimum, that we are not purchasing equipment and not procuring

from the worst human rights violators in some cases around the world, which is a low bar, I know, but that might be a minimum.

My last question is for either one of you. Has either of you ever spoken to Ron Deibert?

• (1645)

**Ms. Samantha Hazen:** The answer for me would be no.

**Mr. Nathaniel Erskine-Smith:** Bryan.

**D/Commr Bryan Larkin:** No, I have not.

**Mr. Nathaniel Erskine-Smith:** Bryan, I don't know who the right person is to do this at the RCMP. It may be you or it may be someone else. I don't know where this will lead, but he runs the Citizen Lab at the U of T. It is world class. Other civil society organizations and other governments rely upon their work. It would be great if you or someone senior at the RCMP who carries this file around procurement could engage with Ron and his team. I think it would start a conversation that could go somewhere meaningful.

Thanks very much.

**The Chair:** Thank you very much.

Colleagues, we don't have enough time to go through a full third round, and, as you know, we're going into committee business afterward, so what I would suggest is that I open the floor to anyone who still has questions. I know Mr. Lemire still has some questions for the officials with us. Then if we end before the 5 p.m. time, we can suspend, or adjourn actually, and go in camera a little earlier to discuss the items we need to discuss.

I'll open the floor and start with you, Mr. Lemire, for your questions.

[*Translation*]

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Mr. Larkin, are you already working with a new contractor or are you already using new equipment to replace Hytera's? If so, why didn't you choose it initially?

[*English*]

**D/Commr Bryan Larkin:** Thank you.

Through you, Mr. Chair, not at this time. What I can tell you is that we're doing a technical review of the equipment. We are doing spot audits across the nation to ensure that none of the devices, the radio filtration equipment we are using, has been compromised in any sense.

We are doing the due diligence review. We look forward to our—  
[*Translation*]

**Mr. Sébastien Lemire:** I'm sorry to interrupt, but there is no French interpretation.

**The Chair:** It has just been restored. You may continue, Mr. Larkin.

**D/Commr Bryan Larkin:** Thank you.

Mr. Lemire, did you hear any of that?

**Mr. Sébastien Lemire:** I heard everything you said, but since there was no interpretation, it is possible that people at home did not understand. So I ask that you start from the beginning.

[*English*]

**D/Commr Bryan Larkin:** Through you, Mr. Chair, just to reiterate, we are doing, obviously, the technical review. We're still using equipment that has been procured across our nation. There is a significant amount of radio filtration equipment that is across our nation on radio towers. We are doing the technical review, which includes spot audits to ensure that none of the equipment is compromised. We also have the due diligence review, and we're looking forward to the internal recommendations around the use of that equipment as well as any recommendations that may come from this committee, which will determine the outcome.

I want to reiterate that there is no access to our encrypted radio communications. We continue to believe that this is low risk, although we look forward to the recommendations from committee as well as the internal findings of our internal audit.

[*Translation*]

**Mr. Sébastien Lemire:** Do you have a list of prohibited equipment, manufacturers or suppliers and, if so, which ones are on the list?

[*English*]

**D/Commr Bryan Larkin:** Through you, Mr. Chair, I don't have the list available, but our radio technicians and our radio experts would have that. We would be pleased to share that with this committee in writing at a different opportunity.

[*Translation*]

**Mr. Sébastien Lemire:** I imagine for example that Huawei could be part of this list.

**The Chair:** Thank you, gentlemen.

Would anyone else like to put questions to Ms. Hazen or Mr. Larkin while they are with us?

Mr. Perkins, go ahead.

[*English*]

**Mr. Rick Perkins:** You're in charge. What do you recommend and what will you be recommending internally so that there's more transparency into the process in the future with your future procurement of any of these state-owned enterprises that have caused a problem? The minister said that everything will be.... How will you improve that process so you're aware of it, since there doesn't seem to be a link between the communications and the security agencies?

**D/Commr Bryan Larkin:** Through you, Mr. Chair, thank you for that. I'll also turn it over to my colleague.

When we do procurement of technology, there are the subject matter experts who provide feedback. They work in partnership with our CFO's team around procurement. They also work with our chief security officer on setting those standards.

In this particular case, there's an assessment made. Obviously, we're looking forward to the due diligence review, what recommendations come forward and what conversations we have with other security and intelligence agencies, because we do work across the whole of government. That would ensure that national security is at the forefront.

Again, it's low risk, although there are always lessons learned in these processes. For example, the area that I lead includes technology. It's working more closely with procurement and enhancing discussions with departmental security—which is another area that I oversee—around ensuring that we maintain the trust and confidence in our systems and institutions such as our organization.

Ms. Hazen may have further conversation around that process.

• (1650)

**Mr. Rick Perkins:** I have a quick follow-up.

When that's done, would you be willing to share that? I know there are probably some security limits, but would you be willing to share the results of that review with this committee?

**D/Commr Bryan Larkin:** Through you, Mr. Chair, we'd be very pleased to share the results of our internal audit with this committee as well as the recommendations, absolutely.

**Mr. Rick Perkins:** Thank you.

[*Translation*]

**The Chair:** Thank you very much.

Go ahead, Mr. Dong.

[*English*]

**Mr. Han Dong:** Thank you, Chair.

I just have some thoughts to share with you.

I represent a riding where over 30% of the population declare themselves as Chinese Canadians. The most recent census shows that over 5% of the Canadian population self-identify as Chinese Canadians.

To me, being a member of Parliament, I try really hard to differentiate the policies or politics between Canada and China, and the issues that happen that are sometimes very problematic within our Canadian Chinese community here. I just want to make sure that, while we are maintaining a high alert on foreign interference or bad actors, if you will, on our soil, there is a huge number of Chinese Canadians and Chinese Canadian entrepreneurs who are contributing to our economy, our supply chain and so forth.

I don't imagine that incidents like this will cast a shadow on Chinese Canadian entrepreneurs, because they're Canadian first. They're doing business. I don't want any of these studies—I'm sure my colleagues will probably feel the same way—to in any way diminish Canadian companies that may or may not be owned by a Chinese Canadian and their chance to supply their goods and services to our government.

That's just a thought.

**The Chair:** Thank you, Mr. Dong.

I understand that's more of a comment than a question, but thanks for sharing it with this committee.

If I see no one else, then that concludes our questions.

[*Translation*]

Mr. Larkin and Ms. Hazen, on behalf of the committee, I sincerely thank you for your participation in this meeting, but also for your service to Canadians through the Royal Canadian Mounted Police.

With that, I will suspend the meeting.

[*Proceedings continue in camera*]

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