



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 147 • NUMBER 041 • 2nd SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, February 4, 2014

—

Speaker: The Honourable Andrew Scheer

CONTENTS

(Table of Contents appears at back of this issue.)

HOUSE OF COMMONS

Tuesday, February 4, 2014

The House met at 10 a.m.

[*Translation*]

Prayers

41ST GENERAL ELECTION

ROUTINE PROCEEDINGS

•(1005)
[*English*]

CANADA ELECTIONS ACT

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC) moved for leave to introduce Bill C-23, An Act to amend the Canada Elections Act and other Acts and to make consequential amendments to certain Acts.

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

* * *

INTERPARLIAMENTARY DELEGATIONS

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the following reports of the Canadian Delegation of the Canada-United States Inter-Parliamentary Group respecting its participation in the following meetings: the Canadian/American Border Trade Alliance that was held in Ottawa from May 5 to 7, 2013; the 67th annual meeting of the Council of State Governments, Southern Legislative Conference, that was held in Mobile, Alabama, the United States of America, from July 27 to 31, 2013; the Canadian/American Border Trade Alliance conference that was held in Washington, D.C., United States of America, from October 6 to 8, 2013; and, finally, the 53rd Annual Meeting and Regional Policy Forum of the Council of State Governments, Eastern Regional Conference, that was held in Fajardo, Puerto Rico, the United States of America, from December 6 to 9, 2013.

* * *

PETITIONS

CHEMICAL PESTICIDES

Ms. Lois Brown (Parliamentary Secretary to the Minister of International Development, CPC): Mr. Speaker, I am pleased to present a petition on behalf of constituents in Newmarket—Aurora, who are concerned about a new class of pesticides and are asking the government to ban the use of these pesticides for the period of a year for study.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am pleased to be presenting two motions today.

The first petition concerns the fraud committed during the last federal election.

[*English*]

The petitioners in this case are from the Vancouver area, and they are asking the House assembled to do everything possible to get to the bottom of the question of what took place in the misleading attempt for what are now called robocalls, some of which were live calls.

ROUGE NATIONAL PARK

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from residents throughout the GTA. I am very honoured to join with other MPs because yesterday was international wetlands protection day. This is a petition that calls specifically for action to ensure the ecological integrity of the Rouge National Park. I think all MPs are thrilled with the efforts of the current administration to create a national park in the Rouge. The petitioners want to ensure that the park includes the 100-square kilometres of sensitive area and particularly ensure that there is a corridor that protects the forests of the area.

INCOME TAX DEDUCTIONS FOR TRADESPEOPLE

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I rise today to present a petition about the enactment of Bill C-201. The member for Hamilton Mountain has introduced Bill C-201, which would allow tradespersons and indentured apprentices to deduct travel and accommodation expenses from their taxable incomes, so they can secure and maintain employment at construction sites that are more than 80 kilometres from their homes. This is signed by many petitioners from my riding and local ridings, who are all in favour of this.

Business of Supply

ASBESTOS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am pleased to present today a petition that has been signed by literally tens of thousands of Canadians, who call upon the House of Commons to take note that asbestos is the greatest industrial killer that the world has ever known. In fact, more Canadians now die from asbestos than all other industrial or occupational causes combined. They call upon Canada to ban asbestos in all of its forms, and to end all government subsidies of asbestos, both in Canada and abroad, and to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam Convention.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

BUSINESS OF SUPPLY

OPPOSITION MOTION—COMMUNICATIONS SECURITY ESTABLISHMENT CANADA

Hon. Wayne Easter (Malpeque, Lib.) moved:

That the House express its deep concern over reports that Communications Security Establishment Canada (CSEC) has been actively and illegally monitoring Canadians and call on the government to immediately order CSEC to cease all such activities and increase proper oversight of CSEC, through the establishment of a National Security Committee of Parliamentarians as laid out in Bill C-551, An Act to establish the National Security Committee of Parliamentarians.

He said: Mr. Speaker, I am most pleased to take lead off in this debate. I will not reread the motion, other than to say that the motion is critical of what we believe to be the illegal monitoring of Canadians by CSEC and that the House sees that issue as such.

Secondly, it is to propose a solution, which is better oversight in Canada of our intelligence gathering agencies. We are the only country in the so-called Five Eyes that does not have an agency of parliamentarians that provides that oversight in a proactive way.

The purpose of this debate is twofold. The first is to draw attention to the very possible, at worst, illegal activities, and at best questionable activities, of the Communications Security Establishment, or CSEC, and the government's response to the obvious excessive behaviour of our intelligence services. Second, it is to outline for Canadians the proposal for the creation of a proactive oversight body of parliamentarians of our security and intelligence agencies and organizations.

I would like to put on the record that the structure of such an oversight body was developed by members of the House and the Senate. Among those who participated in the creation of this

proposed oversight agency were the current Minister of Justice and the current Minister of State for Finance. At the time, they were members of the opposition, and along with you, Mr. Deputy Speaker of the House, the member for Windsor—Tecumseh, we were all a part of that committee that made that recommendation.

To be clear, what is proposed in the legislation, brought forward as Bill C-551, is the result of a non-partisan initiative. It was neither a government nor an opposition party effort. We in this place were all involved, and I will come to that later in my remarks.

However, allow me to come back to why the need for such oversight has become an urgent matter for Canadians. According to media reports and Snowden documents, as has been reported in the media, CSEC has been, and apparently continues to be, actively intercepting and retaining information related to individuals, Canadians and otherwise, who are transiting through major Canadian airports. That is where that information has been gathered. We are led to believe that this activity was done without the co-operation of the airports involved.

I think Wesley Wark, who is the visiting professor with the Graduate School of Public and International Affairs, at the University of Ottawa, summed it up best. I will go to a document that he prepared and quote what he states in that document, the CSEC defence of its airport metadata project:

CSEC issued a statement on January 30, 2014, immediately following the reporting of the Airport Wi-Fi project document by CBC. That statement noted, "CSEC is legally authorized to collect and analyze metadata".

That statement, according to Mr. Wark, may be misleading, insofar as there is no independent and external legal authorization for CSEC's metadata activities. There is no special court similar to the United States Foreign Intelligence Surveillance Court that has authorized CSEC metadata. All one can say is that CSEC metadata activities are conducted under a secret ministerial directive and in accordance with secret Department of Justice interpretations of the application of the provision of CSEC's legislative mandate. There is no internal legal interpretation of whether CSEC is able to collect and analyze metadata that has ever been made public.

● (1010)

I think Mr. Wark lays out the issue and the concern.

Yesterday in this House, and on Friday as well, several MPs from opposition parties raised questions with the Minister of National Defence on this particular issue. His answers, as all who listened know, were not very forthcoming. He fell back on the Communications Security Establishment Commissioner for cover, and basically said, in a number of different words, that CSEC operated within the law, using the words "continues to act lawfully".

In terms of what the commissioner said, I say to the minister, "Not so fast. Maybe. Maybe not".

When we go to the last report of the Communications Security Establishment Commissioner, the report for 2012-13, presented to the minister in June of last year, the commissioner says, on page 20, under "Findings and Recommendations":

However, a small number of records suggested the possibility that some activities may have been directed at Canadians, contrary to law. A number of CSEC records relating to these activities were unclear or incomplete. After in-depth and lengthy review, I was unable to reach a definitive conclusion about compliance or non-compliance with the law.

There is a concern. The Communications Security Establishment Commissioner raises that concern in his report.

It should be also noted that when Mr. Chuck Strahl, the former chair of SIRC, which is the oversight agency for CSIS, who has now stepped down—we will not to get into the reasons why he stepped down, but I will say that I do think he was a good chair for that committee—appeared before the national security and defence committee of the Senate, on December 9, 2013, this is what he had to say:

What we're finding, increasingly is that CSIS is having to engage other partners in order to get the information they want. We can examine anything that CSIS does. What we have highlighted and made note of is that we are increasingly nervous or wary of the fact that you come up to an imaginary wall, if you will, where we examine everything that CSIS does, but now it involves other departments. It might involve a no-fly list. It might involve CBSA or CSEC, and so on, but our authority extends only to CSIS in our review process. So I think the committee is, and the government would be, wise to look at—and it's a modern reality—how we can make sure that we don't, when we're chasing a thread and trying to make sure that Canadians' rights are being protected, run up into the legislative wall of saying, "Well, yes, but you can only look at CSIS, even if the new thread continues on into CSEC," as an example. That is one thing I would encourage you to think about.

There was a worry there, on the part of Mr. Strahl.

Yesterday, because of the publicity around this issue and the concerns of Canadians, we had the Prime Minister's security advisor, a man who many of us in this place did not even know, and the heads of CSIS and CSEC, called before the Senate committee over this very issue.

Mr. Rigby spoke, and I listened to his remarks, as I was at the committee, of how broad and global security matters are now. We understand that. We understand that security is an important file.

• (1015)

However, we also have to understand the counterbalance: how important the privacy of Canadians is.

In response to questions from the chair, Senator Lang, about the Wi-Fi airport metadata, Mr. Rigby said, "It is data about data". He said that several times, "It is data about data". Well what does that mean? Stating that it is data about data leaves the impression that there is not much to worry about. Anybody who reads history knows how those with power and authority can gain personal information and use it for ulterior motives. We do not want to see that happen in this country.

Let me turn to this metadata issue. Many of us do not understand what "It is data about data" means. The best information on that really comes from the Ontario Information and Privacy Commissioner, Ms. Ann Cavoukian. She produced an article for the Big Surveillance Demands Big Privacy conference that was held about a week ago. I will cite a fair bit of that article, published on July 17 of last year, because we need to understand that metadata is not just data about data. Metadata is much bigger and could be much more intrusive into Canadians' lives. Indeed, the BlackBerry or cellphone of some member on the other side may have been one of those surveyed, when going through the airport. Do people want to know

Business of Supply

where he or she went? Did they want to follow that thread? That is worrisome.

Ms. Cavoukian stated:

Senior government officials have defended the seizure of our personal information on the basis that "it's only metadata." They claim that gathering metadata is neither sensitive nor privacy-invasive since it does not access any of the content contained in associated phone calls or emails.

She went on to say:

Metadata is information associated with other information—generated by our smartphones, personal computers and tablets. This information can reveal the time and duration of your communications, the particular devices used, email addresses or numbers contacted, and at what locations. Since virtually every device has a unique identifying number, all of your communications and Internet activities may be linked together and traced, with relative ease.

The digital trail can reveal a great deal about you as an individual. Information about where you live, work, travel, what you purchase online, who you associate with, even what time you go to sleep, wake up and leave home.

Government surveillance programs, however, gather and analyze our metadata for different purposes. Armed with this data, the state has the power to instantaneously create a detailed digital profile of the life of anyone swept up in such a massive data seizure. Once this data is compiled and examined, detailed pictures of individuals begin to emerge. The data can reveal your political or religious affiliations, as well as your personal and intimate relationships.

She goes on from there, but that is the important point.

I have to ask a question for the government representatives. Is metadata really just data? Is it data about data?

What worries me is that maybe Big Brother is just sitting to the right of the Speaker. That is worrisome, if Big Brother with the current government gets out of hand.

• (1020)

In a press release, the Minister of Natural Resources said:

Unfortunately, there are environmental and other radical groups that would seek to block this opportunity to diversify our trade...

These groups threaten to hijack our regulatory system to achieve their radical ideological agenda.

Are they environmental radicals or are they just citizens who are protesting?

In the early seventies, when there were blacklists created from some organizations in this country, I happened to be in one of those organizations. Those threats are real. In today's information age, we cannot let this get out of hand. We have to worry that security is not used to cross the line into privacy matters.

I want to make another point on the conference I attended, with respect to the statements by Andrew Clement, who is the co-founder of the Identity, Privacy and Security Institute. He said in his remarks that so much Canadian data passes through the United States in this day and age. He explained that if we were in a downtown Toronto office sending a packet of information across the street to another office, with the three major telecom companies, that information does not just cross the street. Rather, it goes from Toronto, to New York, to Chicago, and back to Toronto; so other authorities can pick up that information, analyze it, and see what we are up to. There is a lot to worry about here. We do not want to scare people, but the reality is that something could be going on that should not be going on.

Business of Supply

Let me now turn to the proposed legislation. However, there is one other point I should make before I go there.

Canadians have a right to expect that their government and government agencies act legally and that their right to privacy is respected. In the case of CSEC, we are faced with an agency that has enormous powers to intrude upon the lives of all Canadians and those who are visiting the country. The appearance of three very powerful folks before the Senate committee yesterday is a case in point. Those faces are not known by Canadians, yet they could be involved in our everyday lives in many ways. However, we must not forget that they also do a great service for Canadians in protecting our security as a nation.

Therefore, I believe that we in this place have a duty to ensure that our intelligence-gathering agencies are acting within the law and that we also have the assurance from the government that there has been no abuse of the authority granted to the minister under the provisions of the National Defence Act.

I see I am running out of time so I will make this last point. What is proposed here is an oversight agency made up of parliamentarians. We are the only country in the western world that does not have a proactive oversight agency. The proposed legislation has come out of an all-party committee that travelled to London, Washington, and Australia to look at their oversight agencies. Parliamentarians would have to take the Privy Council oath, would have to maintain that secret, and would have access to classified information to ensure Canadians, in a proactive way, that our intelligence-gathering agencies are operating within the law and not above or around the law. It is important that we do that. I call upon government members to take this opportunity to take action to ensure that our security agencies are operating as they should, not with a review after the fact but by holding parliamentarians responsible for doing their duty to ensure that intelligence-gathering agencies are abiding by the law. That bill is there right now. The government can pick it up and we can ensure that it is implemented.

• (1025)

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, it was interesting listening to our friend from Malpeque speak this morning. He was talking about needing parliamentary oversight, and we saw an example of parliamentary oversight last night in the Senate. The Senate committee pulled in three major people involved with security intelligence in this country, collecting signals and interpreting things that are taking place around the world and ensuring we are protected here in Canada.

The member is calling for more parliamentary oversight, yet Parliament has always had the ability to have these individuals appear before committee. I sit on the national defence committee, and CSEC is one of the agencies that is responsible under the Department of National Defence. Our committee has the power at any point in time to call on those people who are appointed either as the chief or commissioner of Communications Security Establishment Canada. We can call them in to talk about budget and activities.

It is all there for Parliament to take on that role, so what the member is asking for already exists.

On top of that, we have a commissioner who is a supernumerary judge. We also had at one point a former Supreme Court justice who knows the law and has the ability to circumvent and look at all the data that is being collected.

Last year, they looked at every single case where Canadians may have been accidentally brought into intelligence gathering and that was reviewed by the commissioner to ensure that their privacy rights were protected. In every single case last year they said that it was within the law. So it is rich that the Liberals are bringing forward this motion.

• (1030)

The Deputy Speaker: The member has now taken up two minutes of the ten-minute question and answer period. Could he pose a question rather than make a speech, please? He will have the opportunity to make a speech in a few minutes.

Mr. James Bezan: Mr. Speaker, it is questions and comments, and so I can speak as well.

I was just saying to my friend that, as he saw last night, Parliament has the full ability to pull in the chief heads of our security regulatory agencies. That exists right now. On this side of the House we have the Standing Committee on National Defence and the Standing Committee on Public Safety and National Security, and we have independent oversight with commissioners who are experts. I would ask the member to comment on that.

Hon. Wayne Easter: Mr. Speaker, I will try to be shorter than the two minutes.

The independent oversight is clearly after the fact, and it is time parliamentarians accepted their responsibility.

This legislation that is now a private member's bill was tabled by the government of the day in 2004-05. It was tabled by the then public security minister. There was a recognition on the part of that public security minister that there indeed has to be parliamentary oversight.

The current Minister of Justice sat on that committee, as did you, Mr. Deputy Speaker. Whatever happened to that Minister of Justice? Why did he get fearful of doing the right thing in terms of ensuring that we have proper oversight of these intelligence-gathering agencies?

The parliamentary secretary can talk, but there were a lot of questions not answered at that Senate committee yesterday or at a parliamentary committee, because we cannot talk about classified information. However, if we had a group of parliamentarians who swear the oath and have the responsibility to check out these things, we can in fact do that.

Maybe the parliamentary secretary can answer this in his remarks when he gets up. Can he tell us the details of why the metadata was collected on Canadians going through Canadian airports? Were there any MPs involved, in terms of their data being collected?

Business of Supply

These are some of the questions we need answered, and we need to absolutely ensure the privacy of Canadians. The way to do that is to set up an oversight committee with responsibilities.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the Parliamentary Secretary to the Minister of Defence certainly knows the difference between asking questions at a parliamentary hearing and true parliamentary oversight, particularly when it comes to national security concerns. They need insight and access to information, secret information sometimes, to do proper oversight.

I want to ask a question to the proposer of the motion, because we are getting explanations from the government that, for example, there was no targeting of Canadians in this exercise at the airport and no Canadians were being tracked. How is that meaningful when it seems that everyone who used a cellphone at that airport was actually having his or her data collected as to what it was and who it was? Everyone was being tracked, or rather, it was not them; just the cellphone was being tracked. It just happened to be in someone's pocket. How is it meaningful to get responses like that from the minister of the crown and from the person who is supposed to be exercising that oversight on behalf of Canadians?

● (1035)

Hon. Wayne Easter: Mr. Speaker, I personally cannot understand the answer from government members. In my explanation of how the Privacy Commissioner for Ontario explains metadata, it is information. It is not the text of the individuals. As she goes on to say:

Once this data is compiled and examined, detailed pictures of individuals begin to emerge. The data can reveal your political or religious affiliations, as well as your personal and intimate relationships.

I would say it goes beyond that.

One of the worst decisions the government made was killing the long form census in terms of it being compulsory. That is metadata, to a great extent. It provides information in a general sense. However, this data being collected can infringe on the privacy of Canadians.

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I have two questions. One is in reaction to what we heard from the government side. If having a committee in either House were sufficient, how would my colleague explain the fact that the U.S., New Zealand, Australia, and Great Britain all have committees to do the same thing but still have an oversight capacity for parliamentarians? I am just a little baffled, because it is necessary to have parliamentarians in an oversight committee that has a particular mandate by law, given by Parliament, to indeed oversee. We are not there at all, even with the actions of the Senate committee or the House committee.

Second, we have heard that the airport authorities where this was done were not aware that it was being done. How do we know that other free Wi-Fi zones in the country are not also being tapped into, such as in hotels, restaurants, cafés, and so forth and that Canadians all over the place are providing their metadata to CSEC without them knowing about it?

Hon. Wayne Easter: Mr. Speaker, to answer the second question first, how do we know? We do not. We might know if further Snowden releases come out. It may be provided in some of that

information. However, now that the government has admitted what the Snowden release said relative to the collection of data in at least one airport in the country, it tells us that it is time to worry. It is time, as a Parliament, to protect the private information of Canadians.

On his first question, as I said in my remarks, the current Minister of Justice sat on that same committee as you and I, Mr. Speaker. He was probably the strongest member, gung ho. He said that we had to catch up with the rest of the world in terms of having an oversight agency made up of parliamentarians. What has happened since? He became a minister of the crown.

It makes no sense to me that other democracies—Australia, New Zealand, Britain, and the United States—have proper parliamentary oversight, and Canada, 10 years after that report was originally tabled as government legislation, still does not. It is time to act. Let us act now.

● (1040)

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I will be splitting my time with the Parliamentary Secretary to the Minister of Public Safety.

I am pleased to speak on the unique history of the Communications Security Establishment Canada and the vital role it has played in working with its partners to help keep Canada safe. Over the course of its existence, CSEC has grown from a small unit to a vital organization at the heart of Canada's security and intelligence community.

To achieve the important work it undertakes, CSEC has a staff of approximately 2,100 employees. Let me say that again. It has 2,100 employees. They do not have the capability to sit there and listen to every phone call and every email that is going over the airwaves, through Wi-Fi, on broadband, and across cyberspace every single second. CSEC does have sophisticated computers and tools that it employs in doing its work. It also has a staff with specialized skill sets, including engineers, mathematicians, computer scientists, and linguists.

However, as the House may know, Communications Security Establishment Canada's beginnings stretch back to World War II. Its forerunner, the Examination Unit, was Canada's first civilian office solely dedicated to the encryption and decryption of communication signals. Prior to 1941, signals intelligence, or SIGINT, as it was known then, was entirely within the purview of the military.

At the beginning of the Second World War, the Canadian Armed Forces were already collecting ciphered signals from enemy military and foreign mission communications traffic. Canadian military intercepts of enemy signals were used mostly to locate enemy positions and movements. Such information was shared with our British and American allies.

Business of Supply

It was with the Nazi occupation of France that Canada was encouraged by its allies to put together a civilian office that would decrypt signals traffic content, such as messages from the Vichy government and other military and diplomatic communications. On occasion, depending on the type of communications, some content would be analysed by specialized military SIGINT units. However, it was the newly created civilian Examination Unit that would regularly decipher content and disseminate intelligence to Canadian Foreign Affairs as well as to the allies.

By 1945 the disparate SIGINT collection units of the navy, army, and air force were co-located with the Examination Unit. By the end of the war, these military and civilian units were able to coordinate signals intelligence collection, analysis, and dissemination so efficiently that their success was a primary justification for the establishment of a new peacetime Canadian cryptologic agency, known as the Communications Branch of the National Research Council of Canada.

The creation of a peacetime civilian organization allowed for 180 individuals, with highly developed and virtually irreplaceable skills and expertise, to continue the work they were doing during the war, under the direction of the legendary Lieutenant Colonel Edward Drake. This was done with as little disruption as possible to the collaboration that had developed between Canada, the United States, and the United Kingdom in sharing signals intelligence.

The CBNRC was renamed the Communications Security Establishment in 1975, and the organization was given its first legislative mandate in 2001, which was contained within the National Defence Act. Of course, in 2001 there was a Liberal government.

The legislative mandate is threefold. First, CSEC collects foreign communication signals intelligence to support government decision-making for national security, defence, and foreign policy. Second, CSEC provides IT security advice, guidance, and services that help secure systems and networks of importance to the government and the information they contain. Finally, it provides technical and operational assistance to federal law enforcement and security agencies under their respective mandates. Here CSEC acts under the legal authority of the requesting agency it is assisting, and it is subject to any restrictions on or conditions of that authority. That includes any applicable warrant issued by the court, and it needs a court warrant.

It is important to note that all of CSEC's activities under this mandate are reviewed by the independent Communications Security Establishment Commissioner.

CSEC's place in government was changed in 2011 to that of a stand-alone agency within the National Defence portfolio. This was to reflect the fact that CSEC evolved into a full member of Canada's security and intelligence community with its security and intelligence role codified in legislation.

• (1045)

I note that prior to becoming a stand-alone agency, information regarding CSEC was included in broader reporting to Parliament through the Department of National Defence. Since becoming a stand-alone agency, CSEC now appears in the main and supplementary estimates as well as in the public accounts, making its

financial information more available to parliamentary scrutiny than ever before.

I have given a bit of a history lesson on CSEC. Now I would like to say a few words about how it works with its domestic and international partners.

I can assure my colleagues that despite the civilianization of Canada's cryptological capabilities following the Second World War and CSEC's change to a stand-alone agency, it has and continues to support Canada's armed forces and our troops on the ground.

As mentioned, the Canadian Armed Forces has been involved with CSEC and its predecessors doing signals intelligence since 1941. This is a unique partnership based on a history of trust and mutually compatible objectives.

Operating under its foreign signals intelligence collection mandate, CSEC supported Canadian military operations throughout and long after the end of the Cold War. This was indeed the case when it came to supporting our troops during our mission in Afghanistan. CSEC has provided intelligence support for the Afghanistan mission to meet a broad array of Government of Canada and military requirements, ranging from force protection to governance. I note with pride that CSEC played a critical role in helping to protect the men and women of our armed forces against threats from insurgents.

CSEC has continued to support the forces in the post-2011 Canadian mission in Afghanistan. Following the November 2010 announcement of a continuing training mission in Afghanistan, CSEC's efforts have been directed to ensuring sustained intelligence support throughout the combat withdrawal period. Of course, CSEC has also provided support to military operations in regions other than Afghanistan, and it will continue to do so whenever our troops may be at risk in the performance of their duties.

Beyond its relationship with the military, as a member of Canada's security intelligence community, CSEC also works closely with a number of other domestic partners, such as the RCMP and CSIS, consistent with its legislative mandate to provide assistance to law enforcement and security agencies. These relationships are vital to CSEC's success and can take the form of intelligence sharing, technical advice, and where appropriate, lawful operational collaboration.

That being said, in all of its activities, CSEC is prohibited from targeting the communications of persons in Canada or of Canadians anywhere in the world under its foreign intelligence and cyberprotection mandates.

Business of Supply

Turning now to the international stage, CSEC's closest partnership is multilateral and is referred to as the Five Eyes. This partnership is rooted in our World War II alliance and includes the U.S. National Security Agency, the United Kingdom's Government Communications Headquarters, the Australian Signals Directorate, and New Zealand's Government Communications Security Bureau.

CSEC receives and shares intelligence with the Five Eyes and when doing so must comply with Canadian law. CSEC cannot ask its international partners to act in a way that circumvents Canadian laws. In turn, its partners cannot ask CSEC to do anything on their behalf that they cannot do on their own under their legal frameworks.

I am pleased to note that in his 2012-13 annual report, the CSEC Commissioner noted that CSEC does take measures to protect the privacy of Canadians in what it shares with our international partners. In fact, the commissioner praised CSEC's chief:

...[they] have spared no effort to instill within CSEC a culture of respect for the law and for the privacy of Canadians.... I can say with pride and confidence that CSEC is truly being watched.

CSEC provides valuable foreign intelligence that protects and promotes Canadian interests while also safeguarding the security of Canada from foreign threats and cyberattacks. Throughout its long history, CSEC has contributed significantly to Canada's own security and to that of our allies and has done so in accordance with Canadian laws, including the Privacy Act.

Again, protecting the privacy of Canadians is law, and CSEC follows the letter and the spirit of that law. It has helped to keep Canada safe from foreign threats, has provided lawful assistance to law enforcement and security agencies, and has helped to protect our troops, all the while making the protection and the privacy of Canadians a priority.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, we all understand that signals intelligence is necessary and that it plays an important role in Canada's international activities and in the defence of our country, and we support that. What we are concerned about, as the hon. member knows, is whether or not they are operating within their mandate, not only in terms of being within the law but also in terms of carrying out appropriate functions.

I find it interesting that when the head of CSEC testified yesterday and was talking about airport surveillance, he said, "No data was collected through any monitoring of the operations of any airport — just part of our normal global collection." What he is saying now is that they did not track anybody or follow anybody and that they do this all the time. This is part of their normal global collection of data and information.

Does the hon. member not find it disturbing that part of the normal collection of data by CSEC is information emanating from cellphones and iPads and computers within Canada? Does he think that is okay and that it is something Canadians should know and understand is happening all the time?

• (1050)

Mr. James Bezan: Mr. Speaker, as was noted, when the chiefs of CSEC and CSIS were before the standing committee yesterday, they answered all these allegations and provided assurances that CSEC was acting within its legal authority.

I want to offer a quote. The CSEC commissioner, the Hon. Jean-Pierre Plouffe, a supernumerary judge, based upon that story, issued the following statement. He said:

In June 2013, my predecessor issued a statement referring to CSEC metadata activities. Many reviews of CSEC activities conducted by the Commissioner's office include examination of CSEC's use of metadata. For example, we verify how metadata is used by CSEC to target the communications of foreign entities located outside Canada, and we verify how metadata is used by CSEC to limit its assistance to federal law enforcement and security agencies to what is authorized by a court order or warrant.

The commissioner, of course, is very independent. He has looked at all these allegations and he is confident that CSEC continues to act within the law.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, the of Ontario has published a letter regarding this issue and is basically calling the federal government to task for its silence on this issue.

Meanwhile, in the United States, the President has announced reforms to the National Security Agency, demonstrating that a free and open society actually needs a proper discourse on the surveillance powers of their intelligence agencies. While that debate is happening in the United States, our government is maintaining what the Privacy Commissioner calls a "wall of silence".

When clearly the experts are saying otherwise, I want to hear from the parliamentary secretary why the oversight of CSEC by a single commissioner who is appointed by the minister and reports only to the minister would be considered adequate. Why would we want to have a so much weaker oversight mechanism of this agency that reports to the Minister of National Defence than all of our allies have in their countries?

Mr. James Bezan: Mr. Speaker, the CSEC commissioner is not just one person. It is an office with people working full time with top-level security clearance, and as the commissioner said, "As Commissioner, I am independent of the government and of CSEC, and as such do not take direction from any minister of the crown or from CSEC."

I will not comment on the capabilities of CSEC or the capabilities of any of our international partners or their activities, but cyberprotection, protection of Canadians, and protection of our troops abroad are paramount to us. They are our responsibilities as parliamentarians, so we need to take light of the fact that the commissioner, who is a supernumerary judge, is making sure that the laws of this land are respected by the security establishment, that it is acting and performing within the mandates it has and not stepping outside those mandates, and is doing the job and being provided proper oversight.

Business of Supply

•(1055)

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, I am pleased to rise today to discuss the important issue of national security and oversight to ensure that Canadian rights and freedoms are protected. I would like to specifically touch on the portion of the motion that deals with parliamentary oversight of national security agencies.

Government has few responsibilities less integral than keeping its citizens safe from outside threats. In fact, our Conservative government takes this responsibility very seriously. That is why we passed the Combating Terrorism Act, which, among other things, makes it illegal for individuals to travel overseas to become radicalized or receive terrorist training. It also gives important new tools to law enforcement.

Shockingly, the opposition party, the NDP, voted against this important legislation. However, we are not here to talk about the past failings of the opposition. We are here to talk about the oversight of national security agencies and activities.

Responsibilities for oversight of CSIS, the Canadian Security Intelligence Service, rest primarily with the Security Intelligence Review Committee, also known as SIRC for short, which provides an external review mechanism that is arm's length from the government.

In this capacity, SIRC has three key functions: SIRC prepares a certificate attesting to its satisfaction with the CSIS director's annual report; SIRC conducts self-initiated reviews of CSIS activities, reviewing them against legislation and ministerial direction; SIRC also investigates complaints in relation to any CSIS activity, as well as any denial or revocation of a security clearance. SIRC tables a report in Parliament each year summarizing the results of all of the work it has undertaken.

SIRC was created as an independent external review body to ensure that CSIS' extraordinary powers are used legally and appropriately and, therefore, to ensure that Canadian rights and freedoms are protected. This is our government's priority: ensuring Canadians are protected without stepping on civil liberties.

The opposition has raised stories from the CBC as a smoking gun of sorts, purporting to show that there is a mass surveillance state. Nothing could be further from the truth. As one has come to expect from the CBC, the story is simply wrong. Nothing in the documents the CBC has obtained showed that Canadians' communications were targeted, collected, or used, or that travellers' movements were being tracked. In fact, CSEC is prohibited by law from doing precisely what the story alleges.

Let me reiterate that national security organizations, specifically CSIS and CSEC, are subject to independent review by the Security Intelligence Review Committee and the Office of the Communications Security Establishment Commissioner respectively. The review bodies have always found these agencies to work within their legal mandates. That is why this government, our government, will be voting against this motion.

While we are always open to new ideas that will create openness, accountability, and transparency without compromising national

security or operational integrity, we are not open to creating duplication and waste. The current oversight and review bodies accomplish rigorous and thorough analysis. Creating a new level of review would either render this work useless or create an over-burdensome paper trail.

I know the Liberals do not like this, because they like duplication. In fact, this is something that Liberals are quite famous for. In the previous Liberal government, the member for Malpeque, who was serving as a Liberal member of Parliament, brought this bill forward. However, it was not actually brought forward for debate. The simple reality is that this type of body would not be as effective as what we currently have.

What we need to do is continue to provide our law enforcement and national security agencies with the tools they need to do their jobs, and while we firmly believe that on this side of the House, the opposition continues to adamantly oppose and obstruct our government's efforts on these important files. In fact, our government passed the Faster Removal of Foreign Criminals Act, which will send dangerous foreign nationals who often have ties to listed terrorist organizations back to where they came from. The opposition voted against this common sense measure.

We created the "Wanted by the CBSA" list, the Canada Border Services Agency list, which helped remove over 40 criminals. Some of the worst criminals who are illegally in Canada we have removed from Canada. The opposition opposed this common sense measure.

We increased the number of front-line border guards by 26% in order to help protect our borders and keep Canadians safe, and both the NDP and the Liberals voted against this common sense measure. We also created Canada's first counterterrorism and cybersecurity strategies, and the NDP and Liberals both opposed these measures, which is not surprising, given the Liberals' lack of action on this file when they were in government.

•(1100)

We have invested nearly a quarter of a billion dollars in protecting Canadians from hacking and cyberespionage. The NDP and the Liberals voted against that too. There is virtually no common sense measure to keep Canadians safe that the parties opposite will not oppose.

Therefore, when I hear the member for Malpeque talk about oversight of national security agencies, I cannot help but just shake my head. Really? Rather than working with us to keep Canadians safe and to ensure rights are protected, his party wants to throw up new roadblocks. While I cannot say this is overly surprising from a member of the party whose leader said he would not rule out ending mandatory prison sentences for anyone, I still find it very disappointing.

Business of Supply

In conclusion, I would like to reiterate that CSIS and CSEC are already subject to robust oversight. These independent arm's-length agencies have consistently found that CSIS and CSEC abide by all relevant laws and have not violated the rights of Canadians. We will be opposing this motion, which would seek to create a wasteful and duplicative process for overseeing national security agencies. Instead, our Conservative government will focus on real action to keep Canadians safe and secure in Canada.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I wonder if the parliamentary secretary would comment on the fact that if we look even among the Five Eyes partners around the world, Australia has direct legislative oversight over security and intelligence, New Zealand has direct legislature oversight of security intelligence, the United Kingdom has direct legislative oversight of intelligence and security, and the United States has direct congressional oversight through both the House of Representatives and the Congress on intelligence and security. Canada does not.

If it is good enough for our partners we are sharing this information with to ensure that their citizens, through their parliaments, have assurance that what is going on is not only lawful but appropriate, why can we not?

Ms. Roxanne James: Mr. Speaker, I want to assure the members of the House and Canadians at home that this government is steadfastly set on protecting the safety and security of all Canadians while respecting the privacy laws here in Canada.

That said, and I did mention it in my speech, the agencies we are discussing today, CSIS and CSEC, already have robust oversight boards, et cetera, in place. For example, as mentioned in my speech, CSIS oversight responsibilities rest primarily with the Security Intelligence Review Committee, also known as SIRC, which provides an external review mechanism that is at arm's length from the government. It is not my oversight. It is not oversight by the Minister of Public Safety or the Minister of National Defence. It is at arm's length. It is not linked to this government.

I wanted to reassure the member and all Canadians that this is actually already taking place and that in fact no issues of privacy concerns have been found.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I was a little surprised at the partisan tone of the parliamentary secretary's remarks. This is not a partisan issue. I was also surprised by the attack on the CBC. Should the House be warning the reporter, who I believe was Greg Weston? Is he going to be targeted now? Public Safety is responsible for the RCMP, for CSIS, for the Canada Border Services Agency. There are a lot of ways the government could target someone it has a concern with.

This is what the 2012-13 annual report of SIRC said:

The risk to CSIS, then, is the ability of a Five Eyes partner to act independently on CSIS-originated information. This, in turn, carries the possible risk of detention or harm of a target based on information that originated with CSIS. ... There are [also] clear hazards, including the lack of control over the intelligence once it has been shared.

That comes from the SIRC report. There is clearly present danger in terms of information being misused. That is what an oversight agency would be involved in. I would suggest that the metadata at airports and the information coming out at the moment are only the tip of the iceberg.

Why can the Conservative government not see this and allow Parliament to do its job, accept its responsibility, and provide parliamentary oversight, as the rest of our Five Eyes partners do?

• (1105)

Ms. Roxanne James: Mr. Speaker, I would like to remind the member once again that we already have that robust oversight mechanism in place. It is at arm's length from this government. We do not need another level of oversight. That is simply a duplication and a waste. If we were to implement another such level, then it would just diminish the work that SIRC currently does in establishing an oversight of CSIS and other security agencies.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am pleased to have a chance to speak to the resolution brought forward by the member for Malpeque. It is very timely, as we all know, given the recent revelations by the reports in the news media over the last several days about the activities of CSEC, with respect to what is the newest word in Canadians' lexicon "metadata", so-called, but what we are really talking about is the collection of information about Canadians.

I am old enough to have been in law school when legislation was brought in that allowed wiretapping, intercepting telephone conversations between two people by a third person. It is illegal, under the Criminal Code of Canada, unless one is a peace officer who has a warrant from a judge. The judge would only give that warrant if the police could convince the judge they had tried other methods that failed and had reason to believe that the person whose communications they were going to intercept was involved in the commission of a criminal offence and this would provide evidence.

That was the level of privacy and security intended by the Criminal Code then and now.

However, what we have today is this organization, which is not supposed to spy on Canadians, collecting information about where this cellphone is, what other cellphones it communicates with, where it travels, and whether it goes through this or that place. Every three seconds, this cellphone emits a signal that says where it is.

Not only do we have the calls it makes, who they are made to, the length of those calls, and how often those calls take place, but all of this is being collected. It does not seem to be a one-off. The director of CSEC said yesterday in the Senate committee that this was not anything special, that we were not targeting Canadians, that we were not targeting anybody, that we were just doing our normal collection of data, that there was no data collected through any monitoring of the operations of any airport, and that it was just a part of our normal global collection.

That is what we are dealing with. We now have confirmation that it does this regularly.

We did not know about that. We did not know it was legal. Most Canadians would not have thought it was legal. In fact, we have privacy commissioners and other experts saying that it is not legal, so what do we do about that?

Business of Supply

Before I move on, Mr. Speaker, I will put on the record that I am splitting my time with the hon. member for Alfred-Pellan.

That is the state of play right now. We have a situation in which Canadians do not know. Part of the reason they do not know is that they are, I think, being misled when the Minister of National Defence gets up in this House and says, “Oh, we’re not targeting Canadians. We are just collecting all their data. We’re not targeting particular Canadians. We don’t know whether they’re Canadians or who they are. We’re just collecting this information. We’re not tracking Canadians. No, we’re tracking the cellphones of anyone who happens to be moving around in airports or maybe anywhere else.”

Is that the truth? As they say in the courts, is that the truth, the whole truth and nothing but the truth? No, it is not. In fact, it is anything but the truth. Going by Mr. Forrester’s explanation, the truth of the matter seems to be that we are collecting this data as a matter of course, as part of our operations.

This is not a Canadian issue, per se. It is an issue in the United States and elsewhere. It is a political issue in the United States, this so-called “collection of metadata”. It is such an important issue that the President of the United States suggested, a week or 10 days ago, this information being collected is sometimes referred to as the “haystack”, the haystack of information, and that we might be looking for a needle in the haystack.

Instead of looking for the needle, we are actually collecting, through our governments, the entire haystack.

● (1110)

What President Obama has said is that the haystack is not going to be controlled and in the possession of the National Security Agency. It is going to have to be kept separate and out of its control unless it has a reason to search that data for any particular information; then it has to go to a court and get a warrant. That is what America has done in response to the concerns raised by the public as a result of the recent revelations. That how seriously it is being taken there.

This one-day debate is important. Yesterday at the Senate there was a one-day event at which senators asked their questions in public about policy and practices. However, that is not true parliamentary oversight. We get true parliamentary oversight on behalf of the members of the public who elect people to this place if we have a system to do that. As I said in my question for the Parliamentary Secretary to the Minister of Public Safety, Australia has it, New Zealand has it, the United Kingdom has it, and the United States has it, so why do we not have it?

The national security adviser to the Prime Minister, who also appeared before the Senate committee yesterday, said he was not sure all that was needed and that there would have to be caution. No one is suggesting we throw caution to the winds. These are some serious, sensitive matters. They should be non-partisan matters. They should be matters on which members of Parliament can exercise the obligation of oversight and do our duty as parliamentarians to hold the government to account in a special way.

We do have a legislature and we have the executive. All this is in the hands of the executive. CSEC reports to the Minister of National Defence—not even to the Department of National Defence, but

directly to the Minister of National Defence. The commissioner reports to the Minister of National Defence and issues an annual report.

The oversight mechanisms have been decried by privacy experts. Both the federal interim commissioner and the Ontario commissioner have spoken out quite strongly on this as not adequate, not strong enough, and not doing the job. We have to have a legislative role here.

The motion calls for a particular committee. You, Mr. Speaker, were a part of that proposal in 2004. We are not sure we need a committee of parliamentarians, as opposed to a committee of Parliament. We are not sure that this should report to the Prime Minister as opposed to Parliament. In fact, as New Democrats, we are not sure whether senators or even the Senate should be part of this at all, so we cannot wholeheartedly support the legislation as written in 2005. In fact, we have proposed a parliamentary committee to come up with the best method of parliamentary oversight. However, something needs to be done.

I cannot pass up talking about the small irony discovered in the last few hours about CSEC and the commissioner. We talk about the commission and how important the commissioner is. He is important and plays an important role, but I am not sure he has all the information he needs. In fact, the previous commissioner said that he did not have access to the information he needed, and he could not come up with the right kind of conclusion. There have been complaints by the Federal Court about how it is operating with other agencies and going beyond warrants in what information is being given.

However, the irony is this. People can complain to the commissioner of CSEC, but they can only do so by mail. The reason is that a complaint may contain sensitive information. Complaints are accepted only by mail addressed to the commissioner at a given address. It is only by mail because it is sensitive information that someone else might discover if we sent it by email.

I wonder who. I am not normally paranoid, although I have been accused of it.

Just for the sake of this great irony, can members guess what the CSEC commissioner’s address is? It is Box 1984, as in 1984. If we want to complain to the commissioner of CSEC, we must send our information to Box 1984.

We can be sure Big Brother will be watching.

● (1115)

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I want to thank my paranoid friend from St. John’s East.

I just want to correct some things that the member put on the record.

The commissioner for CSEC just this weekend released the following statement:

As Commissioner, I am independent of the government and of CSEC, and as such do not take direction from any minister of the crown or from CSEC.

Business of Supply

He is truly independent. He reports to Parliament, and we get that report on an annual basis.

They have been looking at this for over 16 years and have never found CSEC to be acting unlawfully. CSEC has to respect the laws of the land, the Privacy Act, the Criminal Code, and the Charter of Rights and Freedoms. All of that is taken into consideration by the commissioner, who is a supernumerary judge and always has the best wishes of Canadians in his thought process as well as the security of Canadians at home and abroad.

On the comment the member made on the cellphone, I just want to point out that CSEC has to act within the law. First of all, CSEC cannot target Canadians at home or abroad. Also, when it is working with its partners in security, whether the RCMP or CSIS, it has to follow the Criminal Code. As the member pointed out, it has to be done through a court order or through a warrant.

Again, CSEC is not out there monitoring everything going on in cyberspace or what is happening on our BlackBerrys and cellphones. If it happens, it is done through a court order, within the law and the mandate it has, as well as when working with the RCMP and CSIS.

Mr. Jack Harris: Mr. Speaker, the concern is that the line goes from the CSEC operations to the commissioner to the minister. These are all extraparliamentary; they are part of the administration of government. However, we are talking about parliamentary oversight, the members of Parliament who are elected, and not just the minister. The minister is elected for a riding, but when he sits in cabinet, in our system of government, he is the government. The cabinet is the government. He is the executive and we are the legislature. Also, other parliaments have parliamentary oversight, but we do not. That is the problem.

I would also quote the former director of CSEC:

There's no question that CSEC is very, very biased towards the less the public knows the better....

He is proud of that fact, and it seems to have worked, because we very seldom see CSEC on the front page of the newspapers.

Well, that has changed. I think Canadians, because they are aware of this situation, want to see more parliamentary oversight.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I enjoyed the member's remarks and the *1984* Big Brother reference. It almost seems that is what we have, across the way.

The key point here is that I really cannot understand the government's unwillingness to look at proper parliamentary oversight when two of its key cabinet ministers were in fact part of a report at one point in favour of such oversight.

We know that with this particular government, if an organization that depends on government funding comes out against the government, its funding will probably be cut.

The member went to great lengths explaining the Five Eyes and the other countries that are our allies in these issues. Where does the government get the idea that Canadians are less at risk of invasion of privacy and do not need proper parliamentary oversight, when all our allies do?

● (1120)

Mr. Jack Harris: Mr. Speaker, I think that is one of the questions.

What is it with this government, thinking that everything is okay? It is like the made-in-Canada solution. Everybody else in the world, the G7 countries, deliver mail by post office, et cetera, but we are not going to do that. We have a made-in-Canada solution, and we will not deliver the mail. In the case of oversight of secret operations, we have a made-in-Canada solution, and we will not have parliamentary oversight.

Well, I think that is just head-in-sand behaviour and a failure to face up to the responsibilities of government.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I am pleased to rise today to speak to the motion moved by the second opposition party. The motion reads as follows:

That the House express its deep concern over reports that Communications Security Establishment Canada (CSEC) has been actively and illegally monitoring Canadians and call on the government to immediately order CSEC to cease all such activities and increase proper oversight of CSEC, through the establishment of a National Security Committee of Parliamentarians as laid out in Bill C-551, An Act to establish the National Security Committee of Parliamentarians.

How did we come to the point where we are debating such a motion in the House? It all started on June 10, 2013, when the previous minister of national defence approved a CSEC program to monitor the telephone and Internet activities of Canadians by collecting metadata. The program was first created by the Liberals in 2005, but was later suspended because of the concerns raised by the organization responsible for overseeing CSEC.

The minister at the time denied that statement. The law is very clear in that regard: CSEC does not have the right to spy on Canadians. The legislation that sets out its mandate explicitly states that its activities:

273.64(2)(a) shall not be directed at Canadians or any person in Canada; and

(b) shall be subject to measures to protect the privacy...in the use and retention of intercepted information.

There is only one exception to that provision. If the Minister of National Defence authorizes it, CSEC can get around that provision, which happened 78 times between 2002 and 2012.

In June 2013, the minister said that he had authorized nothing of the sort. However, in August 2013, Justice Robert Décaré indicated in his annual report that Canadians had been the target of some spying activities. Unfortunately, the saga does not end there. In the months that followed, numerous documents revealed that CSEC had been spying illegally on Canadians. The latest revelations are probably the most troubling. On January 30, 2014, CBC uncovered information indicating that CSEC was able to track the movements of passengers at Canadian airports who used the free Wi-Fi networks on their mobile devices, including phones, tablets and computers. Not only did CSEC track them in the airport, but it continued spying on their devices for several weeks.

Business of Supply

Those kinds of discoveries about CSEC's actions are alarming. What happened to abiding by the law and upholding the public trust in our intelligence systems? What happens when the system is broken and the public becomes distrustful?

That is why the NDP will be supporting today's motion. We need to take action before this problem gets even worse. However, I must point out that there are some significant flaws in this motion, particularly in relation to some of the provisions in Bill C-551.

Bill C-551 proposes to establish a committee made up of members of the House of Commons and senators who would be mandated to review national security activities of federal government departments and agencies. First, this committee would report to the Prime Minister, and he would be entitled to hide information from Parliament. It is crucial that the Prime Minister not be able to conceal national security information from parliamentarians under Bill C-551.

Second, this bill would give unelected senators a seat on the review committee. Honestly, I am not entirely sure where the Liberals stand, with their Liberal senators who are sitting outside of the caucus, or their independent Liberal senators, or their Liberal sympathizers who happen, by sheer coincidence, to be senators. It is all rather confusing. The NDP feels that only individuals duly elected by Canadians should be part of the committee.

That is why, last October, my colleague from St. John's East moved a motion to that effect. The motion reads as follows:

That (a) a special committee on security and intelligence oversight be appointed to study and make recommendations with respect to the appropriate method of parliamentary oversight of Canadian government policies, regulations, and activities in the area of intelligence, including those of all departments, agencies, and review bodies, civilian and military, involved in the collection, analysis, and dissemination of intelligence for the purpose of Canada's national security;

● (1125)

(b) in the course of its work the committee should consider the methods of oversight adopted by other countries and their experiences and make recommendations appropriate to Canada's unique circumstances;

(c) the Committee be composed of 12 members, 7 from the Conservative Party, 4 from the New Democratic Party, and 1 from the Liberal Party, to be named following the usual consultations with the Whips and filed with the Clerk of the House...;

The committee's makeup would reflect that of the House. The motion also provided that:

(i) the special committee report its findings and recommendations to the House no later than May 30, 2014.

Canada is not the only country to consider parliamentary oversight of national security issues. The United Kingdom, Australia and New Zealand all have well-established systems that enable parliamentarians to ask the government for reports on national security issues. That is not the case in Canada. The only thing this Conservative Prime Minister has created is a cabinet committee on national security whose job is to supervise Canadian national security activities. However, this is a cabinet committee, not a parliamentary one, so it is not accountable to anyone.

If the Conservatives had really taken national security issues, protection of Canadians' privacy and problems related to CSEC disclosures seriously, they would have paid attention to this motion as soon as it was presented in the House, and we would already have

a committee of elected representatives in place to deal with this kind of situation. Instead, the government is letting the problem persist and shows no interest in managing it. Worse still, in a recent report, the Privacy Commissioner suggested that privacy protection was not a priority for this government. That is shameful.

People have become distrustful. About 80% of Canadians are now connected to the Internet. People spend an average of 41 hours on the Internet a month. In terms of Internet use, we rank second in the world. In addition, the digital economy is growing fast. In 2012, Canadians spent \$22.3 billion online. They already have serious doubts about how well their privacy is protected. Some 13% of people believe that their information is well protected on the Internet. If people can no longer trust that their own government will not spy on them, what or who can they turn to?

My colleague from Terrebonne—Blainville had also introduced an interesting bill on this, Bill C-475 on privacy protection. Canadian privacy laws have not kept pace with rapidly changing technologies, which is rather alarming. Those laws have not been updated since the first generation of iPods.

The purpose of Bill C-475 was to correct the situation by updating these laws and taking personal information protection seriously. We have the right to know when our personal information is gathered, used or communicated in any type of digital format. We have the right to feel safe. In that regard, this bill gave Canada's Privacy Commissioner increased law enforcement powers and made it mandatory to inform the persons concerned of any data leaks that might affect their privacy.

Canadians should not have to worry about the confidentiality of their personal information online. We must enhance our protection measures for children, for seniors and for all Canadians.

The NDP takes privacy protection and national security very seriously. We must protect the integrity of our country and ensure that people are safe. It is a matter of maintaining a delicate balance between liberty and security. National security is a top priority.

The government has a responsibility to make and apply policies to protect the country and its citizens, and not break its own laws and spy on the public. The fundamental problem with this government is the lack of openness and counterbalance. With our current institutional structure, we must make decisions for the common good and be more transparent to ensure that the right decisions are being made.

A number of the questions we have asked the Conservative government remain unanswered. Who authorized spying on Canadians through free Wi-Fi at a Canadian airport? Was the minister aware of this metadata collection program? Were these data saved? More worrisome yet, does this spying program still exist?

Business of Supply

•(1130)

We sincerely hope that the Conservative government will go public with its legal reasoning and rationale behind CSEC's metadata collection operations. The Conservatives' vague answers will not do. We need clear answers.

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, first I would like to share a comment and then I have a question.

I hope that we will be able to debate the content of the bill introduced by my colleague from Malpeque one day here in Parliament. Either the government should take it and introduce it itself, or else the member should have the opportunity to do so. I think that that will be the time to debate the content. We will have to take into account both sides: the right to privacy and our national security needs.

As for the government's refusal to move forward right now, I would like to hear my NDP colleague's thoughts about the fact that this bill was the result of a non-partisan, all-party initiative that concluded in 2004 that parliamentary oversight was necessary. Since then, wireless technology has evolved a great deal and become increasingly present in the Canadian market. As the member said, Canada is one of the first countries in the world to use this technology, which is why it is so easy for agencies like CSEC to collect information from the public.

Does my colleague not think it is even more important to create a parliamentary oversight mechanism now than it was in 2004?

Ms. Rosane Doré Lefebvre: Mr. Speaker, I thank my colleague from Ottawa—Vanier for his question.

He touched on a very important aspect of today's debate, which is the right to privacy and the fact that the Conservative government is dragging its feet in this debate and has not proposed anything meaningful for years.

As I mentioned, my colleague from Terrebonne—Blainville introduced Bill C-475 on privacy protection. I know that my colleague opposite voted in favour of this bill, which proposed greater structure and some privacy safeguards.

We on this side of the House have noticed a flagrant lack of privacy regulations, and the fundamental rights of freedom and national security are being violated.

I find it sad to see that the Conservatives on the other side of the House do not want to create all-party structures and that they are trying to shut down the debate on the right to privacy.

[English]

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, the motion today calls for a national security committee of parliamentarians. This committee would be made up of NDP, Liberal, and Conservative members of parliament.

I am a Conservative member who has been here for about two and a half years. I want to make sure that our bills are put forward and debated vigorously in the House. Some people like to say that we are non-partisan, but obviously we are all here to represent our parties and our own beliefs, ones that I stand firmly behind.

When I think of the motion calling for a national security committee of parliamentarians to oversee our national security agencies, I get a bit concerned that there may be some partisanship involved in this committee.

An hon. member: You think?

Ms. Roxanne James: Yes, you think?

Currently we have robust arm's-length oversight committees in place to oversee our national security agencies, and they are doing a great job. They review things regularly and have come back indicating that there are no issues with regards to privacy concerns.

Does the member believe that a committee to oversee our national security agencies would be better if it were bipartisan, or does she believe that it should be at arm's-length instead?

•(1135)

[Translation]

Ms. Rosane Doré Lefebvre: Mr. Speaker, I will try to be quick. It is too bad because I had a lot of things to say.

First of all, I would like to thank the parliamentary secretary for her comments. I am pleased to see that she is happy to debate the Conservatives' bills. It would be nice to see the Conservatives rise more often to talk about bills.

I wanted to say that similar bills have been introduced before by Liberal and Conservative governments. She should perhaps look at her party's policies.

Our allies have developed more solid parliamentary structures to look after national security. It is unfortunate that we have not done the same. I also think it is unfortunate that we are not striving for a more engaging parliamentary debate on the issue.

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, I am very pleased to rise in the House to talk about the extremely important motion on the privacy of Canadian citizens.

I will be sharing my time with my colleague from Vancouver Quadra. Mr. Speaker, could you also give me a signal when I have only one minute left?

I am particularly pleased to share the floor with my colleague from Vancouver Quadra and my colleague from Malpeque, who spoke earlier. In December, all three of us were at a news conference when this issue came to light in Canada because of Edward Snowden's revelations. There was a possibility that Canada was spying on one of Brazil's ministries.

At that time, we talked about the importance of exercising more effective control over our surveillance agencies to make sure that they stay within their mandates.

[English]

I would like to bring up the fundamental point of this debate and the motion we are talking about today. It has to do with something that is very dear to all Canadian citizens, their right to privacy. Canadians care deeply about their privacy and they now have questions about whether it is being respected.

Business of Supply

I am delighted that the NDP will support our motion today. I know that the Conservatives claim to care about the privacy of Canadian citizens. I remember when they decided they were going to get rid of the long form questionnaire. I remember in particular a comment by the Minister of Foreign Affairs at that time that the government had no business knowing how many bathrooms someone might have in their house. They claim to be very concerned and, in fact, got rid of the compulsory long form census because they say they respect the privacy of Canadian citizens. I share that belief.

At this point, however, questions are being raised and Canadians, particularly in this age of Wi-Fi and the Internet, have reason to question whether or not their privacy is being respected. Many Canadians come from countries that were authoritarian and know very well what can happen when their privacy is not respected. The Edward Snowden allegations that started a while back and touched on Brazil, the G8, and G20 summits, and more recently the possibility that Wi-Fi traffic is being monitored at a couple of Canadian airports to gather metadata have shaken the confidence of Canadians.

From the outset, the work that CSEC does is critically important for Canada's security. Let there be no doubt about that. One of its roles is to protect us against the possibility of terrorism, especially after 9/11. As a result of that, we expect it to be monitoring certain things. However, at the same time, we want to make sure that CSEC respects privacy and that it never monitors Canadian citizens. That is a very important point, the fact that we must ensure that while it carries out its very important and difficult task, CSEC stays within the bounds of its mandate.

In the end, it all comes down to the issue of the interpretation of this metadata. Many people are hearing for the first time about metadata and are wondering what it is. It sounds rather complicated and I am not exactly sure what it means. Yesterday, the national security advisor, along with the head of CSEC and CSIS, assured Canadians that their privacy was being respected and that there was no monitoring of Canadians. What they did say, however, very clearly, was that they are gathering metadata. In fact, the purpose of the period during which they were looking at Wi-Fi traffic in the two airports was to try to obtain a picture of the kind of traffic that occurs in a busy public space where Wi-Fi exists, as this would help them perform their task.

● (1140)

What is metadata? Metadata, according to Mr. Rigby, the national security advisor, is "data about data". Some people may say it does not sound as if it is very intrusive of their private lives, but let me give the House an important example. If a person is being monitored and we discover that every weekday around 7 o'clock in the evening, he or she phones the same number, that information can be extremely useful in knowing something about that person. We know that every day around 7 o'clock he or she phones a particular number. In addition to that, the identity of the person being called can also be worked out.

Another very good example is where a person phones someone several times in a particular week, with the number happening to belong to an oncologist. So there is a very good possibility that in this particular case the person making the phone call has cancer. That

is an extremely personal bit of information. I do not want people to know that I have cancer, if I have it, unless I choose to share that information. I do not want people to know where I am in Canada at any particular time, unless I choose to share that information. I do not want people to know whom I am contacting on the Internet, unless I choose to share that information.

Never mind whether or not the content of my messages or my cellphone calls is not known, the fact that people know that I am phoning or using the Internet to contact particular people at certain times is very private information, and Canadians share the belief that it is private information.

So what do we do about this? We have come up with a very practical suggestion in the Liberal Party. We believe that having one retired judge, who I am sure is working very hard on this, does not cut it. In this particular case, we are calling for the creation of a parliamentary oversight committee, which can proactively look at what is going on within CSEC to ensure that the organization is staying within its mandate.

[*Translation*]

This idea goes back to 2005. This is not the first time it has been brought up. It was proposed in 2005 and it had the unanimous consent of all the parties, because we recognized the importance of keeping a closer watch over our surveillance agencies.

[*English*]

That unanimous support in fact came from people like the current Minister of Justice and the current Parliamentary Secretary to the Minister of Finance. It came from you, Mr. Speaker, at that time and from the NDP and the Bloc. It came from people who examined this and recognized its importance.

We have tried, as Liberals, four times through private members' bills to bring this back. Currently, we are hoping that the motion today will be supported by all parties and that the bill being proposed by my colleague from Malpeque will have an opportunity to go forward. Our partners in the Five Eyes have quite clearly signed up to this. We as a Parliament of Canada need to do the same thing.

Let me conclude by quoting my colleague from Malpeque, who put out a press announcement recently to say that there was an urgent need for a parliamentary committee mandated to review the legislative regulatory policy and administrative framework for agencies responsible for national security in Canada. He said:

This proactive oversight of all aspects of national security handled by the federal government will fill a gap addressed by Canada's major allies long ago—namely providing oversight and accountability for agencies that have functioned in nearly complete secrecy.

● (1145)

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, I am going to go back to a similar question that I asked the NDP member previously. This bill is calling for a parliamentary committee to oversee our national security agencies. The member himself in his speech indicated that it is what he would like to see. I guess he believes that a potentially partisan committee made up of parliamentarians is better than an independent arm's-length body to oversee our national security agencies.

Business of Supply

Most Canadians would be a little bit concerned about that statement, but if that is in fact what he believes, I wonder what he is suggesting about SIRC, the intelligence review committee that is currently in place and oversees CSIS and the Office of the Communications Security Establishment Commissioner. If he believes that a group of parliamentarians from the House is better to oversee national security, is he saying that the work of these organizations lacks any merit?

Mr. Marc Garneau: Mr. Speaker, I recommend that the parliamentary secretary read Bill C-551. We are not talking about a partisan parliamentary committee but a committee composed of members from all parties, both MPs and senators. If the bill goes forward, we are certainly open in committee to looking at what the optimal structure of this would be. This is not another standing committee; this is a special committee. These people would be very carefully chosen and held to secrecy for life. This is a very important and delicate undertaking they would be doing.

I am sure the other countries in the Five Eyes are very proud and happy with the work being done by their respective agencies. Nevertheless, they have felt the need to have additional oversight, and that is not calling into question any aspect of the competence of the organizations themselves. It is just to ensure on an ongoing, proactive basis that CSEC, CSIS, and the RCMP are sticking within their mandates so that we can be sure they are doing their job while also respecting the law.

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I thank my colleague from Westmount—Ville-Marie for his very interesting speech.

I believe that this debate is being followed closely by many Canadians. It shows the importance of the House of Commons as an institution responsible for overseeing very sensitive activities concerning information gathering and privacy.

I would like to ask my colleague to comment on the fact that, in 2005, under the Liberal government, the defence minister at the time, Bill Graham, gave CSEC a very similar directive to that of the Conservative government, which allowed the collection of metadata.

I would also like to know whether the member for Westmount—Ville-Marie believes that adequate controls were put in place at that time and, in light of that experience, what mechanisms should be applied to the case before us today?

● (1150)

Mr. Marc Garneau: Mr. Speaker, I would like to thank my colleague for his question. I do not know the specifics of the decision made in 2005. However, the Liberal government was in power that year and the other parties all agreed to create that parliamentary committee.

This parliamentary committee should be created in order to understand what metadata is and to determine whether this is really a breach of Canadians' privacy, among other things.

In some circumstances, the minister has the authority to have Canadians closely monitored for security reasons. Once again, it is important that we have a parliamentary committee, not just to monitor CSEC's activities, but also to be aware of the minister's

decisions and determine whether he is acting responsibly when he authorizes an exception to the prescribed rules.

[*English*]

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, I am pleased to speak in support of our Liberal motion today.

Canadians understand and appreciate that part of their government's responsibility is to defend the realm and protect Canadians and our interests against terrorism and cyberattack. Part of the way we do this is through intelligence gathering. However, the way we gather intelligence has changed dramatically in recent years, and our structures for protecting privacy need to catch up.

I have no doubt that the men and women of Canada's security and intelligence agencies carry out their duties honourably. I do not doubt their loyalty or their commitment to the safety of our citizens. However, their job is hard and the world has changed. The very nature of national security threats facing open and democratic nations like Canada have changed. Gone are the days when our greatest security threats were adversarial states such as existed during the Cold War. Today, intelligence agencies operate in a rapidly evolved field of information gathering, where having and analyzing as much data as possible is essential. This need to collect data can potentially conflict with our fundamental right to privacy.

We have seen this several times recently, including with the Communications Security Establishment of Canada, an agency that is part of National Defence, which has been collecting the personal information of Canadian travellers who were transiting through Canadian airports. The member for Malpeque did a good job of explaining why this is a concern. This data was used to help conduct surveillance operations for weeks afterward and to track people's activities for the weeks before the data was collected through Wi-Fi users in the airport. That is seemingly a contradiction to CSEC's legal mandate. This was done without a warrant.

An analogy could be a government spy agency that begins to track individuals' mail, who is sending them mail, who they are sending mail to, where those letters are originating from, where they are sending their letters to, and where they are when they send those letters. It tracks people's mail, steams open the envelopes, but claims it is not reading the contents or opening it up and pulling out the letter. I do not think Canadians are comfortable with the idea of that kind of tracking. That kind of intrusion on the liberty and privacy of citizens is counter to the principles of our fundamental democracy. Therefore, to balance the need to acquire data and respect people's privacy and liberty creates a pressing need for a robust oversight of CSEC. It also means we need to have a detailed discussion about how we balance those interests in our society. That is the importance of our motion.

Business of Supply

•(1155)

[Translation]

That the House express its deep concern over reports that Communications Security Establishment Canada (CSEC) has been actively and illegally monitoring Canadians and call on the government to immediately order CSEC to cease all such activities and increase proper oversight of CSEC, through the establishment of a National Security Committee of Parliamentarians as laid out in Bill C-551, An Act to establish the National Security Committee of Parliamentarians.

[English]

It is unfortunate that the government appears to want to block proper oversight, such as is being proposed in Bill C-551, put forward by the member for Malpeque.

What is happening in Canada is unique in the western world. Ann Cavoukian, the Ontario Information and Privacy Commissioner, talked about the response by the United States president, which demonstrates the kind of free, open, and candid discourse that society is undertaking on the subject of surveillance powers of intelligence agencies. However, while the U.S. is doing that, to quote the commissioner, "...our government is maintaining a wall of silence around the activities of the...(CSEC). This silence is putting our freedoms at risk".

I ask why the Minister of National Defence is not listening to those who are raising red flags and sounding alarms about this intrusion and this wall of secrecy.

CSEC is an agency that is not being given proper direction by the government. At the Senate committee hearing last night, the director of CSEC made it clear that, should instructions by the government come that there should be a proper oversight and review by some other mechanisms, it would accept that. He was not arguing against the need for that; he was saying there was no political direction to do that. So that is a failure on the part of the Prime Minister and his defence minister.

Canadians need to have faith in their government that is elected to serve and represent them; so this is an issue of Canadians' trust in the government. I believe Canadians want to be free of unwarranted intrusion into their personal affairs. Right now they cannot trust that this is the case.

One of the senators at the committee hearing last night said that not only do Canadians need to trust but they need to be able to verify that the trust is warranted, and right now they are not able to verify and not able to have trust.

The Conservative members of Parliament in this debate have again and again repeated the idea that there is robust oversight, but that is simply not the case, and a range of people with expertise in this matter have commented on that.

One of them is Dr. Wesley Wark, who is a professor at the University of Ottawa. I am going to read a few comments that he made with respect to our current oversight situation, which is the CSEC commissioner.

According to Dr. Wark, who is an academic analyst on national security and cybersecurity issues, there has been no commitment on the part of the commissioner to conduct a specific investigation into the airport Wi-Fi project that is so concerning. The commissioner did

not indicate the timeline for his "ongoing review of CSEC". It has taken three years for the CSEC commissioner to conduct his first full review of metadata activities. That is three years, and it is important to note that this was never discussed in the commissioner's public annual report.

According to Dr. Wark:

The CSEC Commissioner's inability to bring any urgency to an investigation of metadata collection, his apparent unwillingness to engage in a targeted investigation of the Airport Wi-Fi project, alongside an abysmal prior failure to challenge CSEC's desire to keep even the term metadata secret, considerably (if not completely) undermines the value of that office as a watchdog.

This is not a robust watchdog. This is a starving, ineffective watchdog.

That is why the B.C. Civil Liberties Association has filed a lawsuit, the first yet on this issue, because it is concerned that "...unrestrained government surveillance presents a grave threat to democratic freedoms". It is filing this lawsuit to force the government to enact specific safeguards to protect the rights of Canadians. These are the very kinds of safeguards that our motion is proposing and that the member for Malpeque's bill would provide.

According to the B.C. Civil Liberties Association, "There is no court or committee that monitors CSEC's interception of...private communications and metadata information, and there is no judicial oversight of its sweeping powers. CSEC's operations are shrouded in secrecy".

It is ironic, as the member for Mount Royal noted, that the government cancelled the long form census based on supposed privacy concerns, a critical tool for understanding the demographics of our country and yet is defending the secrecy of an organization that is affecting Canadians' privacy.

•(1200)

Most Canadians would be far more comfortable telling the government how many rooms they have in their house than having government tracking their smart phone data and location and following them for weeks.

The government must listen to the concerns of the Canadians who want their agencies to respect the law and protect their privacy, and I call on all members to support this motion.

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, with all due respect to my colleague from Vancouver Quadra, to suggest that the independent commissioner of the Communications Security Establishment is not qualified or not capable of carrying out his mandate is insulting. That individual is a supernumerary justice who has the skill, the ability, and the top-level security clearance to do the job of evaluating the activities of the Communications Security Establishment of Canada and to ensure that CSEC is operating within its mandate.

Business of Supply

I also want to remind all members of the House that not only is the commissioner looking at the activities independently of CSEC but he is also ensuring that the laws of the land, like the Privacy Act, are respected. The Privacy Commissioner of Canada has the capability to also do a study on the activities of CSEC and very well may be doing one. That is, again, part of the oversight we have here in Parliament with independent officers who report back to us here in Parliament.

Ms. Joyce Murray: Mr. Speaker, once again, I did not hear much of a question in the member's comments.

He likes the word “supernumerary”. Perhaps he is so impressed with that word that he does not feel it necessary to have any actual mechanisms to ensure the independence of a commissioner who is appointed by a minister and responds to a minister—political people in the Conservative government—and has no report to Parliament that has not been abridged and condensed to the point where it says very little more than that it is operating within the law.

That is not good enough for Canadians. They want to not just be able to trust these agencies; they want to be able to verify. There is no ability to do that. The agency is being blocked by the current Conservative government and the Minister of National Defence.

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, the member for Vancouver Quadra talks a lot about trust, and I understand that the model that has been proposed, which I support and the NDP supports, is that of a parliamentary oversight committee, such as the intelligence committee in the United States, made up of security-cleared parliamentarians; so people would trust that we would be able to hear the information that is often national-security sensitive and act accordingly and be better briefed than currently is the case.

The Security Intelligence Review Committee is a model that presumably the current government has supported. It has appointed Mr. Arthur Porter; that did not work out well. It appointed Mr. Strahl; he lobbies for energy companies and he is no longer there. Trust is indeed an important issue.

Does the member believe that the failure of the current government to trust parliamentarians with security clearance is the reason why it is so adamantly opposed to doing what all of our allies do in this regard?

• (1205)

Ms. Joyce Murray: Mr. Speaker, I appreciate the member reinforcing concerns about trust and the ability of Canadians to trust the government's agencies.

My contention would be that this is part of an overall approach of the current government. From the muzzling of scientists who produce research incompatible with the government's ideological goals, to spying on environmental groups that may disagree with the government's pet projects, to potentially removing some of Election Canada's oversight powers because the Chief Electoral Officer found the Conservatives guilty of election offences, the government has responded very consistently with a clear disregard for transparency, accountability, or respect for the rights of our citizens and the well-being of Canada's democracy.

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, I will be sharing my time with the member for Northumberland—Quinte West.

I am pleased to speak against the Liberal motion today.

I would like to take a few moments to describe the many ways in which our Conservative government is working to protect Canada and Canadians against the very real threat of terrorism.

In 2012, our government released Canada's first counterterrorism strategy called “Building Resilience Against Terrorism”. This single comprehensive strategy guides the actions of more than 20 federal departments and agencies to better align them to prevent, detect, deny, and respond to terrorist threats. It speaks frankly about the terrorist threats that we face at home and abroad.

In a resilient society, everyone, including governments, first responders, critical infrastructure operators, communities, and individuals, know what they need to do when faced with a terrorist attack, mitigating the impact and helping to facilitate a rapid return to ordinary life.

First and foremost to the strategy's success is the element of prevention. Preventing terrorist ideologies from taking hold of vulnerable individuals is the best scenario.

The strategy also lays out how government organizations, including CSIS and CSEC, work every day to detect individuals and organizations who may pose a terrorist threat to deny terrorists the means and opportunities to carry out their attacks, and to respond to acts of terrorism in a manner that mitigates their efforts. I am convinced that our strategy, successfully implemented by the exceptional men and women working in our national security departments and agencies, effectively addresses the threat of terrorism to Canada, its citizens, and its interests around the world.

Without a doubt, Canada's success in remaining resilient in the face of terrorist threats depends on having an approach that is flexible, forward-looking, and adaptable to an evolving threat environment.

However, one thing is clear: Canada is not immune to the threat of terrorism. That is why our government fulfilled its commitment to report annually on the evolving terrorist threat to Canadians and Canadian interests. The “2013 Public Report on the Terrorist Threat to Canada” examined the most critical developments in terrorism since the release of the counterterrorism strategy. It also identified some of the measures our government has taken to address these threats.

Business of Supply

The terrorist threats that Canadians face at home are most often connected with and inspired by developments that happen abroad. As most Canadians already know, global violent extremist groups, such as al Qaeda, have been leading the terrorist threat to Canada for many years. This has not changed. Al Qaeda is weaker today than it once was, but it still poses a threat. It provides guidance to other terrorist groups, particularly its regional affiliates. These affiliates, including al Qaeda in Iraq, al Qaeda in the Arabian Peninsula, al Qaeda in the Islamic Maghreb, and Al Shabaab, all pose a threat to Canada. Al Qaeda and its affiliates remain interested in conducting international terrorist attacks.

Evolving conflicts abroad also continue to shape the nature of the terrorist threat to Canada. We continue to watch for developments abroad that may drive international and domestic terrorism. In Africa, for example, we have seen ongoing terrorist activities. Terrorists have attacked the Westgate Mall, in Nairobi.

Growing terrorist violence threatens to spill across borders and undermine regional stability, prompting international efforts to counter local terrorist activities. We have seen recent terrorist bombings in Volgograd, Russia. Syria has become both a major centre for terrorist activity and an emerging cause for global terrorist activity. Terrorist violence in Syria could spill across borders and lead to further regional instability. It is clear that Syria, as well as Iran, continue to provide state support for terrorist groups, such as Hezbollah, Palestinian Islamic Jihad, and Hamas.

While these developments take place far from Canadian shores, international events are often connected with terrorist threats here at home. The successful Canadian arrest of individuals accused of terrorism offences demonstrates the effectiveness of the integrated national security enforcement teams, known as INSETs, working in major cities across the country. INSETs, led by the RCMP, are staffed by employees from CSIS, CBSA, and local law enforcement. Its ability to respond appropriately to threats to the security of Canada is informed, in part, by the work of CSIS and other members of the intelligence community.

● (1210)

This approach has greatly improved the ability of agencies to work together and has led to many successes. This includes the disruption of the plot to attack a VIA Rail passenger train in April, and the plot to attack the Victoria legislature on Canada Day.

We must also deal with the reality that Canadians have travelled or attempted to travel abroad to become involved in conflicts in Africa, the Middle East, Asia, and elsewhere. In fact, the CSIS director spoke in the other place, just last evening, to discuss this issue. He pointed out that the number of Canadians fighting overseas is not insignificant. This poses a risk to us at home because these radicalized individuals will eventually come back. This is why it is key to develop entry/exit information-sharing with allies, and why it was key to pass the Combating Terrorism Act. Both of these common-sense measures are, shockingly, opposed by the NDP.

Let me be clear. The problems with citizens travelling overseas to fight is not unique to Canada. Other international allies each face similar challenges. It is clear that the global terrorist threat continues to shift and evolve and that international events can have a direct impact here at home.

While no government can prevent all terrorist activity from happening, we can take measures to counter the terrorist threat, whether it is a threat within Canada, support for violence abroad, or activities that undermine Canada's efforts to secure international peace and security. Canada is actively working to identify threats as early as possible, ensuring that robust and effective alerting systems are in place and sharing information appropriately and proactively within Canada with key allies and non-traditional partners. While terrorist threats remain, we continue to see positive developments in our efforts to strengthen and build resilience to terrorist threats.

Through successful domestic and international partnerships, strong legislative action, and with important work being conducted by the men and women in our national security departments and agencies, our government is taking the appropriate actions to protect Canadians and Canadian interests at home and abroad. Our counterterrorism strategy is working. We will continue to take action to keep the safety of Canadians as our top priority.

We will not undertake efforts to create duplicative processes to tie up front-line operators in red tape when they could be taking action to keep Canadians safe.

[*Translation*]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I thank my hon. colleague for his speech, although we must admit, that approach contains some rather exaggerated elements.

I would like to hear my colleague's response to the comments made by the former commissioner of Communications Security Establishment Canada, Justice Robert Décary. Following a review presented in his 2012-13 annual report, he reached the following conclusion—which was very troubling considering his position: “After in-depth and lengthy review, I was unable to reach a definitive conclusion about compliance or non-compliance with the law.”

Even the commissioner seems to have a very limited ability to determine what is happening, which is completely unacceptable. Would my colleague not agree that Communications Security Establishment Canada should at least be the subject of an independent review?

● (1215)

[*English*]

Mr. LaVar Payne: Mr. Speaker, that being said, CSEC is prohibited from targeting the communications of persons in Canada, or Canadians anywhere, under this foreign intelligence and cyber protection act.

The Privacy Act ensures that we do not get into individuals' information. That requires a court order. I believe the commissioner has already outlined that we are following the law, and that is important.

Business of Supply

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, the member talked about not wanting to tie up the agencies in red tape. I would suggest that the member and his government take note of a lawsuit that was filed in October, in the B.C. Supreme Court. It is the first one to challenge the legality of CSEC's spying activities against Canadians. It was filed by the British Columbia Civil Liberties Association, and supported by OpenMedia.ca. This means that because there is such a vacuum of leadership by the Conservative government, the courts are going to be filling the gap, at public expense and with the red tape of fighting this out in court.

The lawyers on behalf of the British Columbia Civil Liberties Association claim that unaccountable and unchecked government surveillance presents a grave threat to democratic freedoms. I think Canadians would agree that Canada is not a nation of secret laws. It is fundamental to the proper operation of our democracy that Canadians be able to access and understand the laws that impact their freedoms and their rights, and it is simply not enough for the government to ask Canadians to trust its spy agencies. We are not a society of blind faith. We are a society of accountability, transparency, and free and open debate.

My question is, why not engage in that debate to move forward in this complex terrain—

The Acting Speaker (Mr. Barry Devolin): Order. The hon. member for Medicine Hat.

Mr. LaVar Payne: Mr. Speaker, the member ought to know that we would not talk about cases that are before the courts.

However, I can say that the commissioner has outlined specifically that no laws have been broken. We are following all the Canadian laws, particularly on privacy. We understand that Canadians want to make sure their private matters are not interfered with by the government.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I am pleased to rise today to speak on this Liberal motion regarding the review of the Canadian national security and intelligence community.

Keeping Canadian life and property safe from those who wish to harm us because of their hatred for our way of life is a key responsibility for any government. In this respect, our security and intelligence agencies perform a vital function. That is why agencies like CSIS were created. However, we must have respect for core Canadian values such as privacy. That is why Parliament created the Security Intelligence Review Committee simultaneous to the creation of CSIS.

The robust oversight mechanisms in place are an important part of safeguarding our freedoms. Let us look at the history of how this came about.

Almost 30 years ago, Parliament passed the Canadian Security Intelligence Service Act on the basis of recommendations by the McDonald Commission. As an important part of this act, Parliament subjected CSIS to one of the most robust and comprehensive review regimes in the western world. This was done because, even 30 years ago, the importance of independent review and maintaining Canadians' trust in our national security activities was well understood.

There are many important checks and balances built into the system, including judicial authorization by a federal court, as well as by the Privacy Commissioner, Auditor General, and parliamentary committees. In fact, the director of CSIS appeared at the committee in the other place just last evening to discuss important issues.

The CSIS act clearly outlines the requirement for judicial control of specific activities. Even a cursory look at the relevant provisions reveals the level of rigour required for CSIS to seek or renew a warrant before the Federal Court. It should also be noted that CSIS activities can be, and frequently are, reviewed by the Privacy Commissioner, who can issue public recommendations.

In addition to these measures, SIRC plays a critical role in the overall system of accountability. Specifically, SIRC independently reviews CSIS activities to ensure they are conducted legally, effectively, and appropriately. SIRC is also charged with examining complaints from the general public. SIRC has access to everything it needs to thoroughly carry out its functions.

As members will know, SIRC produces an annual report, which is tabled in Parliament. This report describes world trends and summarizes reviews by SIRC of specific CSIS activities. The fact that review topics are varied is a testament to SIRC's independent reviews that are launched at its discretion and have delved into issues related to CSIS' operational policies as well as its compliance with ministerial direction and Canadian law. SIRC's annual report also presents any findings or recommendations. All combined, SIRC's report gives Parliament and the public valuable insight into the activities of CSIS and the environment in which it operates.

Each year, the director of CSIS must submit a classified report on its operational activities to the Minister of Public Safety and Emergency Preparedness. This is not only an exercise in ministerial accountability, but also one of independent review, as a copy of CSIS' classified report is reviewed by SIRC, line by line. In fact, SIRC must submit a certificate to the minister to attest to the extent to which it is satisfied with a classified report. This exercise has been a requirement of CSIS since its inception.

Most recently, SIRC found that CSIS' classified report to the minister was a "useful and comprehensive review of the whole of CSIS operation". Importantly, SIRC also found that the operational activities of CSIS, as they are described in the director's report, did not contravene the CSIS act or ministerial directives, nor did they involve the unreasonable or unnecessary use of the service's powers.

Quite simply, SIRC, an independent committee with full access to relevant information, found that CSIS is operating within the rule of law. All of these activities undertaken by CSIS in the pursuit of its mandate are consistent with Canadian laws and values.

Business of Supply

● (1220)

In light of the recent controversy, it is also important to distinguish between the mandates and the laws governing intelligence activities in Canada and the United States. Many have been too quick to assume that the U.S. intelligence agencies' activities described in media reports are akin to those conducted by CSIS in Canada. This is simply not the case. CSIS warrants authorized by the Federal Court do not allow mass surveillance of Canadians, and CSIS does not engage in such activities. Importantly, SIRC did not suggest anything to the contrary in its recent annual report. CSIS warrants are directed against specific individuals who pose a threat to the security of Canada, a threshold that is clearly articulated in the CSIS Act.

Discussions surrounding review and process are important, but we need to keep these issues in context. CSIS exists to help protect Canada's national security and to advance our interests in a world where threats from abroad and at home are intertwined in very complex ways.

I remind members that just this year, the RCMP, aided by CSIS intelligence, made arrests in two high-profile bomb plots. One was to destroy rail lines in Niagara Falls, and the other was to cause mayhem and death at a Canada Day celebration in Victoria, British Columbia. These threats are real, and the men and women of CSIS work every day to ensure that they do not materialize.

In any debate on review, I hope we would always keep in mind Canada's national security, as it remains the pre-eminent role of any country to keep its citizens safe and secure from threats and physical harm. However, that does not seem to be the case here today.

Let us look at the facts. The member for Malpeque, who brought forward today's motion, was the minister responsible for national security, and neither he nor his Liberal government brought this proposal for increased parliamentary oversight into force. That may be because it was, in fact, the first government to authorize the use of metadata, which it now conveniently opposes. In fact, his Liberal government introduced a similar proposal but never brought it forward for debate.

The NDP is so wrong on national security issues that it voted against the Combating Terrorism Act, which makes it an offence to go overseas to receive terrorist training.

Our Conservative government will not support this motion, as it seeks to create needless duplication of efforts.

● (1225)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I have to laugh, because there seems to be, by some members on the government side, a bit of an attack on the member for Malpeque. That is fine. It does not bother me much. However, let us clear up the facts for the member for Northumberland—Quinte West. The government that asked for an all-party committee, which was made up of all parties, and I have its report here, "Report of the Interim Committee of Parliamentarians on National Security", and the minister of public security at the time did, in fact, introduce government legislation to have a proper oversight committee.

I listened to the parliamentary secretary earlier, and I wondered whether the theme would continue. The Conservatives try to make this look like a partisan issue. There was a time, and this was when this committee came into being, that parliamentarians worked in a non-partisan sense for the good of all Canadians. I would say to the member for Northumberland—Quinte West that this is not a partisan issue. This is not an issue to undermine our security agencies, which are doing a good job. The idea behind this motion is to have the government and Parliament act responsibly to ensure that Canadians' privacy is protected. What does the member see wrong with that?

Mr. Rick Norlock: Mr. Speaker, I will tell you some of the things I find wrong with a lot of the statements that come from across the way.

Before this government came to power in 2006, the previous government said that it would do a lot of things. There was a plethora of things they would have or could have done and now, perhaps, should have done.

The actual fact is that for the last 30-plus years, we have had in this country one of the most robust oversight systems in the western world. To my knowledge, there has been no proven time when the oversight committees have found that CSIS, in any serious, significant way, has compromised Canadian citizens. It has followed the act. We have seen it time and time again.

Last night, in the other place, as I just mentioned in my speech, the three people responsible for those entities appeared before a Senate committee. They answered every question honestly and with the greatest amount of detail possible, because we are dealing with matters of national security.

Liberals said that they were going to do it or they should have done it. Canadians know how long they were in office. They did not do it, and now they are trying to do it through the back door. There is no reason for that.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Mr. Speaker, throughout this whole debate, we have been hearing, basically, that it ain't broken, so what do we need to fix? We seem to be missing the overall question.

The event that spurred this motion and debate happened just this January. We are hearing constant references to the commissioner and what the commissioner ruled last year, in 2012, and 16 years ago, and so forth. What I would like to know is this. Based on the information that came out about activities this past January, what is the commissioner doing and what is the government doing in terms of verifying and regulating this situation with regard to spying on Canadians?

● (1230)

Mr. Rick Norlock: Mr. Speaker, I thank the member for the question, but I think he should have availed himself of the testimony made before the Senate committee last night. Those questions were addressed.

Business of Supply

Most people do not understand what metadata is all about. There was no specific Canadian targeted. There was no significant group targeted. CSEC wanted a generalized outlook on how many outgoing calls there were. Nobody was identified. I ask the member, before rushing to judgment, to read the testimony that occurred at the Senate committee. I think most of his questions would be answered.

As I previously stated to the member for Malpeque, we have been well served. One of the reasons previous Liberal governments did not do anything about creating some new entity was that they saw that this country was well served by the oversight committee that was created at the same time CSIS was created.

There is also a reason CSEC and CSIS report to different ministers. While they share some information, they are also kept as separate entities on purpose.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, at the outset, I wish to advise that I will be sharing my time with the member for Kingston and the Islands.

Media reports suggest that Canada's intelligence and spy agency, the Communications Security Establishment Canada, or CSEC, is collecting personal data on Canadians using Wi-Fi networks at Canadian airports. I am troubled by these serious allegations. If the allegations are true, and the information contained in top secret documents revealed by Edward Snowden seems to suggest their veracity, this is a serious violation of Canadian law.

It is important that Parliament and the government respond to these concerns and act legislatively, if necessary. The privacy of Canadians should not be an issue that divides the House of Commons along partisan lines, but I fear that the temptation to do that will prevail.

Canadians have a right to be assured that no agency of government has access to their personal information without legal authority.

Here is what we know thus far. According to recent reports from the CBC, the Communications Security Establishment Canada stands accused of actively intercepting and retaining information related to individuals, Canadian and otherwise, transiting through major Canadian airports. These activities were done without the cooperation of the airports involved, without a warrant, and with the suggestion that all of this was being done in contradiction of CSEC's lawful mandate. This seemingly happened despite the recent assurance by the Chief of CSEC, John Forster, that CSEC does not "target Canadians at home or abroad in our foreign intelligence activities, nor do we target anyone in Canada".

We are now confronted with a serious problem. We have evidence, as reported by the CBC, that government agencies are collecting personal information about Canadian citizens at our airports through Wi-Fi intercepts. We also have conflicting assurances from the head of CSEC that, in fact, this is not occurring and that our security services are not, in fact, doing this sort of invasive surveillance. Challenged with these conflicting stories, what are members of Parliament to do? Are we to take the word, at face value, of people entrusted with leading our security services in compliance with the spirit and letter of the law? Do we simply decide to trust, or do we decide to trust and then verify?

The revelations we have heard over the past year about the NSA as a result of the documents leaked by Edward Snowden have unleashed a significant and profound debate in the United States, the United Kingdom, and elsewhere. Here in Canada, we are told that despite allegations about the collection of personal data by our own security services, all is well. We simply need to trust the government. We are told by the Minister of National Defence, with a wave of the imperial hand, that we have nothing to worry about and that the current system of checks is sufficient. We are told to trust but not to verify.

For many Canadians, this is not a satisfactory answer. Canadians, whether the government accepts it or not, are concerned, and we have a duty to respect those concerns. Again, do we simply trust, or do we trust and then verify?

We are obligated to take note of the profound revelations occurring across the globe that point to the massive collection of the data of citizens not only in Canada but elsewhere. We expect this sort of smothering surveillance from countries without any meaningful democratic principles, so when media reports alert us to the fact that our very own security services may be operating outside their authority, we have a duty and a responsibility to listen. We can not only trust. We must trust, yes, but we must also verify.

The "we" in this situation is us. We are, after all, the elected representatives put here in Parliament to represent Canadians. We have a duty to respond to the fear and concern of Canadians who feel that their personal data is being watched, accessed, and monitored at our Canadian airports. This is not a minor problem, and the government should know this.

• (1235)

I think we have an opportunity in the House today to address the concerns of Canadians and their personal data.

My colleague, the hon. member for Malpeque, in whose name the motion stands before the House, is appropriately versed in such matters. In the previous government, the hon. member was the Solicitor General of Canada. He was responsible to Parliament for the conduct of our law enforcement and intelligence agencies, so I believe Parliament and certainly members in this current House can learn from his experience.

The member for Malpeque has put forth a reasonable solution in calling for a national security committee of Parliament. This parliamentary committee would have special access to our security services, while respecting the legitimate need to protect the confidentiality of important national security matters.

The important element here is that this oversight is to be provided by a committee of Parliament that would then provide added and important parliamentary oversight to CSEC and CSIS.

I wonder, then, if members of the government would tell Canadians what specifically they find objectionable about the motion put forth by the member for Malpeque. The motion reads:

Business of Supply

That the House express its deep concern over reports that Communications Security Establishment Canada (CSEC) has been actively and illegally monitoring Canadians and call on the government to immediately order CSEC to cease all such activities and increase proper oversight of CSEC, through the establishment of a National Security Committee of Parliamentarians as laid out in Bill C-551, An Act to establish the National Security Committee of Parliamentarians.

I really do not understand why members of the Conservative government would oppose the motion. Surely more accountability to elected members of Parliament vis-à-vis our security services is a good move, as long as those members of the national security committee are senior members of our caucuses, duly vetted, and perhaps sworn members of Privy Council as well.

However, the Conservative members seem to be opposed to this for reasons that are not at all clear, although, to be fair, there is a suggestion or a view from across the aisle that sufficient oversight is already in place. That current oversight, as we know, involves a part-time semi-retired judge who is responsible for overseeing the activities of CSEC.

That is all well and good, but are we really saying, despite the serious revelations that our spy agencies are collecting the personal data of Canadians, that we cannot do more to provide proper oversight? Are we really saying that the concerns expressed here today in this House and by Canadians outside of this House are not worthy of at least having the discussion about the privacy of Canadians and the protection of their personal data? Should we not err on the side of more oversight rather than less?

The matter of privacy is not a new issue for Canadians. Not too long ago, we saw the Conservative government introduce a bill that would allow for massive surveillance into the personal lives of Canadians. That bill, introduced by the former Minister of Public Safety, Vic Toews, would have allowed government security agencies and the police unfettered access to our personal computers without warrant.

The Conservatives had no issue with Big Brother having access to our personal information without a warrant and they hoped that Canadians would not notice, or perhaps they hoped, cynically, that Canadians would not care. However, Canadians do care. They care about their rights, particularly when a government is so willing to snoop, without a warrant, into their personal lives. The response from Canadians to this bill, to this massive intrusion of privacy, was immediate and overwhelming. It was so overwhelming that the Conservatives were forced to back away from their e-snooping bill.

Canadians were rightly outraged, and they turned to Twitter in order to express their anger. We all remember the hashtag #tellviceeverything that was created when literally tens of thousands of Canadians sent messages to Vic Toews, effectively telling him to butt out of their private lives.

Canadians told Conservatives that mass surveillance of citizens is unacceptable in a free and democratic society. Not willing to listen to the views of Canadians and unwilling to concede anything, the government simply introduced a new bill, ostensibly to tackle cyberbullying, but in fact it is a shameful cover to bring in almost every element of the old Vic Toews e-snooping bill.

The Conservatives' obsession with secrecy and flouting the privacy of Canadians is troubling. Surely we can do better than this.

Surely we can do more to provide oversight to our security agencies so that Canadians can trust that their rights are not being set aside, or perhaps even violated, without their knowledge.

I really encourage Conservative MPs to do the right thing and support the motion put forward by the hon. member for Malpeque.

• (1240)

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, the first thing that comes out of the mouths of people in this place is that it should be non-partisan. This whole place is partisan all the time, right down to almost the glass we drink water out of. Any Canadian who believes for a minute that these things are not partisan really does not know how this place works.

The member referred to Mr. Snowden. Members across the way keep referring to what is happening in the United States. Canadian laws and regulations are specific, and they forbid these types of generalized viewing.

CSEC is mandated. The member said that whenever something is reported in the news, we have to do something. If we were under a Liberal government, I can see that every time a CBC, CTV, or whatever program claimed there was something wrong, it would strike a committee to do something about it right away. What kind of government is that?

We have had good oversight in this country for over 30 years. I do not know why the member does not accept that.

Mr. Sean Casey: Mr. Speaker, I am relatively new here, having been elected just in 2011. I find it too bad that someone who has been in the House significantly longer than I have is saying that everything here is partisan. With respect, it does not have to be. I believe we are here to be the voice of our constituents in Ottawa and not Ottawa's voice in our constituencies, so I do not accept, and I do not think Canadians should accept, that everything has to be partisan. We have the capacity to work together, and there should be a lot more of that in this place.

I hope that everyone in this place can see a way to work together in the interests of our constituents, and that includes bipartisan cooperation on committees. It is possible. There just needs to be a will.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am sure the member would realize that bipartisanship is an American term. They have two parties there; here, we have a few more.

With respect to partisanship, I do not know if it is the water being served over there, but I would say to the member for Northumberland—Quinte West that the multi-party committees that operate in the U.K. and Australian parliaments and in the United States, where it is bipartisan both in the House of Representatives and the Senate, operate because it is important for them to do so, so there is no reason we could not do so here.

Business of Supply

In this case, the partisanship is shown by the government rejecting an idea. The details can be debated, but it is an idea that was a product of a multi-party committee of members of this House, including two sitting cabinet ministers; the Deputy Speaker of the House, representing our party; and the member for Malpeque, who represented the Liberals back in 2004. Therefore, there was some sort of multi-partisan consensus at that time to the effect that there is a need for parliamentary oversight.

Why is that now gone? I wonder if the member could comment.

• (1245)

Mr. Sean Casey: Mr. Speaker, I share the concern of the member for St. John's East. This idea was not only brought forward in 2004 by the committee to which he refers; it was also advanced by the public safety committee in 2009 and a special Senate committee with respect to anti-terrorism measures in 2011. This is not something new; it is something for which the time has come.

It is difficult to understand why something is automatically a bad idea if it generates from this side of the House. I appreciate the hon. member's concern that there is no reason that we cannot work in the interests of Canadians and our constituents on this matter, even if it means reaching across party lines. It would be a healthy change.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, as this is a chamber of debate, I would like to start by responding to an implication that I heard from the Conservative side. It was that we have had oversight for many years now, so why do we need something new?

In response, I would say that technology is a wonderful thing. It is something, however, that changes. We have had many changes in technology in the last 10 or 20 years, amazing changes. For example, I can contact someone with the push of a few buttons. All of us can. We have these great smart phones and all sorts of other ways of contacting people around the world instantaneously. There is no need to remember email addresses, no need to remember phone numbers or any other contact information. All that information is available at the touch of a button.

It is also around us, and it moves. That information moves from place to place as well. That is why it is always handy. I can start an app on my smart phone that can tell my family in real time where I am on a road, what my velocity is, and what my estimated time of arrival home for dinner might be. I could also run another app, a much more recent one, that can figure out where I am in a store, a museum, or a shopping mall and, by using the ambient Wi-Fi signals that are now ubiquitous in large buildings, send me content depending on where I am.

Technology changes, and that is the thing that has changed. That is why we have to look at what kinds of risks come out of the opportunities that are being exploited by technology. Technology can be used to serve people and can be used to protect Canadians, but it can also threaten privacy, and there is no reason that we should not have the public participate in a review of how the government uses technology to protect us from potential foreign threats.

Last week we learned from a leaked document that was obtained by the CBC that the Communications Security Establishment Canada, CSEC, may have illegally intercepted and tracked the

personal information of ordinary Canadians who were using public Wi-Fi at Canadian airports, and then tracked those people or the devices that used the Wi-Fi as they travelled elsewhere.

The problem is that this happened at a Canadian airport, where undoubtedly many Canadians were using the public Wi-Fi and then became part of the tracking that was alleged to have taken place. The problem is that the Communications Security Establishment Canada is supposed to be keeping track of potential foreign threats, not monitoring Canadians.

Canadians, having heard about this story and having heard about what the NSA was doing in the United States, are worried about privacy and worried about the rule of law. They are wondering if we as Canadians need to rely on leaks from people like Edward Snowden in order to know how their government actually does its work.

Canadians are wondering what sort of information is private. They are wondering about the digital economy and what will happen if people fear using the Internet. They are worried about online government services. We know that the government is trying to move more and more government services to websites. It is very commendable to have good government websites that provide service to Canadians, but now it is very fair for Canadians to ask what the risks are and how they can know that their privacy is being respected.

What we are not hearing from the government is a flat denial and that Canadians' privacy is being respected. I know there is a conversation about the difference between data, which is, for example the content of an email, and metadata, which is information about who sent the email, who received the email, and what time the email was sent.

• (1250)

I know there is a difference, but Canadians are worried. The way that members of the public can and should respond to this concern is to have their elected representatives, parliamentarians, oversee what the government is doing. This is a way for Canadians to be assured that there is some sort of check on what the government is doing by people who are accountable to the public. This right that Canadians have is expressed through what their elected members of Parliament ask for, in this case today for oversight and accountability.

It is important to talk about the difference between aggregate data and private data. Here it is important for good government and smart government to know, for example, how many Canadians live where. Even a municipality needs to know what sort of sewage system to put in place and what capacity is required. We need to know the aggregate data on how many Canadians live in a certain place. We need to know how many people travel down a certain street, even for the simple reason that we want to manage the traffic or parking. We need to know how many people work in a certain industry, or how many people are out of work, so that we can be good economic managers. That is something that Statistics Canada, for example, has done very well, both protecting individual privacy but also providing aggregate numbers so that government can have a good idea of the country it is supposed to be governing.

Business of Supply

What Canadians are worried about is information about individuals, about where a particular person lives, where that person goes, what time of day that person goes to a certain place, whom that person goes with, and how long someone stays in a certain place. These sorts of pieces of information about individuals are what Canadians worry might get into the wrong hands or be used for purposes that are not legitimate. Or, they simply want their privacy respected and do not want that information out there.

That is why the member for Malpeque has introduced Bill C-551 in this Parliament, which would create a national security committee of parliamentarians to oversee what the government, in particular the CSEC, is doing and to oversee from legislative, regulatory, government-policy, and administrative points of view what the agencies responsible for national security are doing. That parliamentary committee would be representing the public and giving the okay from the public for what the government decides to do regarding national security and privacy. This is not a particularly new idea. It has certainly been championed by Liberals for many years in government and in opposition, but it is something that is important to do. Canadians, directly or through their elected representatives, have a fundamental need to understand what their government is doing and to have confidence that their government is doing the right thing. A parliamentary committee is the right way to express that oversight.

I would also add that we have international partners, the U.K. and Australia, who have parliamentary oversight to protect the privacy of their citizens. Looking at it from CSEC's point of view, I am sure there are people in CSEC who want to do the right thing, so it would be very appropriate for them to consult with Parliament and say what they are doing and why they think they are addressing privacy concerns, just to get an okay from people of Canada.

I call on all members to support the motion today that the Liberal Party has proposed.

● (1255)

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the whole Liberal mantra that we are hearing today is based upon false allegations, speculation, and innuendo. That is no basis for forming the oversight committee the Liberal members are proposing.

We heard right from the get go from the commissioner, who said that the Communications Security Establishment Canada has a culture of protecting privacy and is respecting the laws of Canada, including the Privacy Act, the Criminal Code, and the charter, in everything it does.

As for the allegation that something may have been done that the commissioner could not determine whether or not it was within the law, that was a single event that happened 10 years ago and there was just not enough information surrounding that to ascertain whether it was well within the law.

I would remind members that CSEC only targets non-Canadians and people who have any intentions of maybe doing something to Canada.

An hon. member: How do you know?

Mr. James Bezan: It is about protecting our forces, Canada, and protecting us from cybersecurity attacks and terrorism. I just want the member to recognize that.

The Acting Speaker (Mr. Barry Devolin): Order. Before I go to the member, I just want to remind all hon. members that while I appreciate the complexity of today's debate, the Chair would appreciate it if all hon. members, not just the last one who spoke, would keep their questions and responses within the normal amount of time, so that more members can participate.

The hon. member for Kingston and the Islands.

Mr. Ted Hsu: Mr. Speaker, I thank my colleague who, I guess one could say, heckled, or asked the following question: "How do you know?"

I think that is the question Canadians are asking and which we want to answer by forming this parliamentary committee.

How do we know? If we do not know, do we want to participate in the digital economy? Do we want to help the government move its services online?

We are putting at risk something that is very important part of our economy, the digital economy. Why do that? Why not just have some oversight by elected representatives from different parties to work together to help reassure the people of Canada that someone who represents them is overseeing what this particular government agency is doing?

I think CSEC would probably welcome that. It does not want to harm Canada; it does not want to harm the digital economy.

[Translation]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, one of the things the motion refers to is Bill C-551, about which the NDP has some concerns.

In particular, one part of the bill gives the Prime Minister the right to exclude certain parts of the committee report before that report is made public. Unfortunately, the Prime Minister's indebtedness to the people is even more abysmal than this government's past debts.

Considering his leader's decision to release all Liberal senators from the caucus, my colleague has himself faced similar arbitrary action. Given what must have happened within the caucus as a result, is he not concerned that this arbitrariness will keep us in the dark?

● (1300)

Mr. Ted Hsu: Mr. Speaker, it is remarkable that he would talk about senators in this debate.

This is very simple: we want to establish a committee that Canadians can trust. The people should be able to trust their government. That is all we are asking for; it is very simple. I think all members of the House should be able to support today's Liberal motion.

[English]

Hon. Peter Kent (Thornhill, CPC): Mr. Speaker, I will be sharing my time with the member for Pickering—Scarborough East.

Business of Supply

I am very pleased to have this opportunity to discuss the valuable work of the Communications Security Establishment Canada, known as CSEC, including its work in protecting Canada against foreign cyber threats. What we need in order to have an informed and reasoned debate about the role of Canada's security and intelligence agencies are the facts. At the risk of repeating what my hon. colleagues have already said, here again are some key facts about CSEC, an agency which many Canadians may know little about.

For almost 70 years now, CSEC has provided legitimate, necessary, and valuable services to the Government of Canada and Canadians. CSEC's collection of foreign intelligence makes an invaluable contribution to the pursuit of Canada's international affairs, its defence and security interests. In concrete terms, CSEC's foreign intelligence activities have helped uncover terrorist plots. They have helped save Canadian lives and have protected Canadians from other foreign threats.

CSEC helps protect Government of Canada information and computer networks from cyber threats. CSEC helps federal law enforcement and security partners with technical assistance that is lawful under its mandate. CSEC is subject to all Canadian laws, including the National Defence Act, the Canadian Charter of Rights and Freedoms, the Criminal Code, and the Privacy Act. What CSEC can and cannot do is well defined in law.

Protecting the privacy of Canadians is the law and CSEC follows the letter and spirit of that law. CSEC's activities are subject to a comprehensive and detailed set of policies, procedures, and mechanisms that ensure that CSEC remains compliant with the law. All of CSEC's activities are reviewed by the CSEC commissioner. This commissioner, as we have said many times today, is independent of the government and of CSEC, and does not take direction from any minister or from CSEC itself.

All CSEC commissioners, past and present, have been long-serving judges, including several former justices of the Supreme Court, whose integrity, independence, impartiality, and judgment are beyond reproach. The conclusions of all past CSEC commissioners, in each of their public annual reports, have been that CSEC has never been found to have acted unlawfully. These are key facts. If we are to have a public debate about the role of CSEC and the appropriate oversight and review mechanisms for it, then let us discuss it based on facts.

Before I move on, I want to remind my hon. colleagues that CSEC and its employees are required by law, specifically the Security of Information Act, to keep the government's intelligence capabilities and activities secret. These requirements are in place for a good reason: to prevent potential adversaries, such as terrorists or foreign states, from knowing our capabilities and taking countermeasures against them.

My hon. colleagues and Canadians should be aware of the valuable service that CSEC provides each and every day. Specifically, I would like to highlight how CSEC stands at the front line in the battle against foreign cyber threats that target Canadian computer systems and networks on a daily basis. It should be obvious to all just how important information technology and the networks and systems they connect to have become in our daily lives.

At virtually every member's desk in the House, one sees hon. colleagues with laptops, tablets, smart phones, and other devices. With these marvels of modern technology, we can communicate directly and instantly with constituents by email, or broadcast to the world with a tweet. Canada and its economy are increasingly dependent on cyberspace and all it provides. It underpins the fundamental functioning of our economy today, including how the government increasingly provides services to citizens, and the daily operation of Canada's critical infrastructure.

● (1305)

As individuals, we are also increasingly plugged in. In fact, 85% of Canadians are online. Canadians spend more time online than citizens of any other country. Undoubtedly, we as a country and an economy rely on all of the benefits that cyberspace provides.

However excited we get about the next new smart phone or the newest app, we are also increasingly aware of the threats that lurk in cyberspace. These are threats to our personal data, to the government's most sensitive information, and to the very functioning of the vital cybersystems we depend upon as a society.

We know that cyberthreat individuals or organizations can range from hacktivists trying to make a statement, to criminals trying to tap into the lucrative cybercrime market, to terrorists using the Internet to recruit, plan, network, and fundraise, and to nation states that have the motivations and the resources to conduct long-term cyberespionage campaigns for the collection of intelligence.

Recognizing the importance of cyberthreats, this government released Canada's cybersecurity strategy in 2010, which provides a strategic framework for government action to secure the government's own systems, to work with the private sector and with other levels of government protecting critical infrastructure, and to help Canadians be secure online.

CSEC plays a critical role in achieving the first objective, securing the government's own systems. CSEC also helps government departments, like Shared Services Canada, to detect and to discover cyberthreats that probe and attempt to compromise government computer networks on a nearly constant basis. In fact, government systems are probed, we are told, millions of times a day. In this role, CSEC helps to ensure government information, which ranges from sensitive intelligence to the personal information of Canadians, remains out of the hands of foreign cyberthreat actors.

In addition, as the government transforms its information technology infrastructure, CSEC is helping Shared Services Canada ensure that security is built in right from the start. Security considerations are being baked into the design and procurement of the government's new email system, for example. Through such advice, CSEC will help ensure that the government's future systems and the personal information potentially contained therein will be less vulnerable from cyberthreats.

Business of Supply

CSEC's contribution to Canadian cybersecurity is also unique, and this is because CSEC, through its lawful foreign signals intelligence activities, is able to understand foreign cyberthreats before they can target Canadian systems. By collecting foreign signals intelligence, CSEC allows the government to recognize malware and viruses and other devices unknown to commercial cybersecurity services.

Of course, as with all of its activities, CSEC must conduct its cyberprotection mission with great care, with adherence to all Canadian laws, and in compliance with extensive internal policies, procedures, and mechanisms that are in place, including those to ensure the ever-important privacy of Canadians.

Again, protecting the privacy of Canadians is the law, and CSEC follows the letter and the spirit of that law.

I should also remind all hon. members of this important note: CSEC is prohibited from targeting the communications of persons in Canada or Canadians anywhere under its foreign intelligence and cyberprotection mandates.

To ensure full compliance, the independent CSEC commissioner has free rein to review all of CSEC's activities for lawfulness, and he does so on a regular basis. In fact, the CSEC commissioner has recently praised CSEC's chiefs who, "...have spared no effort to instill within CSEC a culture of respect for the law and for the privacy of Canadians". The commissioner writes, "I can say with pride and confidence that CSEC is truly being watched".

Let me close by reminding my hon. colleagues and all Canadians of the invaluable role that Canada's security and intelligence organizations like CSEC play in protecting Canadians and Canadian interests from threats such as those emanating from cyberspace.

• (1310)

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, my hon. colleague's eloquent speech gave us a bit of a history lesson on what CSEC is supposed to be about and the ways in which it is supposed to go about its operations, and yet we hear revelations quite to the contrary.

I want to read a quote from Ron Deibert, who heads the world-renowned Citizen Lab, the research program at U of T's Munk centre. He says that, whatever CSEC calls it, the tracking of those passengers at Canadian airports was nothing less than "indiscriminate collection and analysis of Canadians' communications data". He says that he could not imagine any circumstances that would have convinced a judge to authorize it.

We are debating a motion that would require Parliament to give greater oversight to this body, and actions that have been revealed recently suggest that we desperately need it.

Given the evidence and the questions that are coming up, does my colleague not think that is cause for grave concern and greater oversight?

Hon. Peter Kent: Mr. Speaker, I would raise and counter the member's question with one of my own: Exactly what evidence does he think he is presenting in the House? Let us remember that we are here today and in this debate today because of a story by the CBC that is based on stolen intelligence material, purchased under the

guise of hiring a freelance journalist, who by the way is a former purveyor of pornography.

CSEC issued a statement yesterday saying that the story reported by the CBC was both misleading and that it hurt Canadian interests. CSEC said:

The classified document in question is a technical presentation between specialists exploring mathematical models built on everyday scenarios to identify and locate foreign terrorist threats

The most important line in the statement from CSEC yesterday was:

The unauthorized disclosure of tradecraft puts our techniques at risk of being less effective when addressing threats to Canada and Canadians.

Mr. Bruce Hyer (Thunder Bay—Superior North, GP): Mr. Speaker, recently released documents show that Canadian security agencies interfered with our international ally in Brazil by hacking into mining companies, that they co-operated with the CIA to get involved in the G20 in Toronto and hacked some of the participants in that, that they handed over control of the encryption standards to the CIA, and that they have handed over other materials to crack encryption codes to the NSA in the United States.

Individual Canadians would be prosecuted for any of these things. Does the member think that the government should be above the law? If not, who should be, and which ministers okayed this? If no ministers okayed this, who did okay this stuff?

Hon. Peter Kent: Mr. Speaker, I am not here to comment today on operational practices, methods, or capabilities. I am here to respond to the motion as put by my colleague from Malpeque.

I would just point out that, in the motion, he says that he has placed his motion on the order paper to "increase proper oversight of CSEC" and security agencies. The key word there is that the oversight is proper. It is in place. The government believes that the CSEC commissioner, in the case of CSEC, represents a robust and reliable oversight that Canadians can rest assured is protecting their interests.

• (1315)

Mr. Corneliu Chisu (Pickering—Scarborough East, CPC): Mr. Speaker, it is my pleasure to join today's debate on the Communications Security Establishment of Canada, CSEC. I would like to take this opportunity to underline the important role that the Communications Security Establishment of Canada plays in protecting Canada and Canadians. Last night, the chief of CSEC appeared before a parliamentary committee to speak to the lawfulness of CSEC activities. He clearly explained how CSEC works to keep Canadians safe and explained the agency's continued commitment to lawfulness and privacy. I was very happy to have CSEC behind me when I was fighting in Afghanistan with the Canadian army.

Business of Supply

In other words, CSEC operates within all Canadian laws. Protecting the privacy of Canadians is the law, and CSEC follows the letter and spirit of that law. Under both its foreign intelligence and cyberprotection mandates, CSEC does not target Canadians anywhere in the world or any person in Canada. CSEC may also lawfully assist federal law enforcement and security agencies under their specific legal authorities; for example, any applicable court warrants. All of the CSEC activities are reviewed by the independent CSE commissioner, who has never found CSEC to have acted unlawfully. In fact, he has specifically noted CSEC's culture of lawful compliance and genuine concern for protecting the privacy of Canadians.

Let me further emphasize that the foreign intelligence activities of CSEC are critical to fulfilling the government's commitment to address emerging threats to our sovereignty and economy, posed by terrorist cyberattacks, while ensuring that Canadians' fundamental privacy rights are protected.

Government has no higher calling than the protection of our sovereignty and our citizens. Canadians understand that this means we require serious capabilities to deal with serious threats. Today, Canadians face vastly different threats to our security, threats that rely on blending in with the everyday to evade detection.

Terrorists, hostage takers, and others who seek to harm Canadians or the interests of our country use the Internet and other modern communications technologies to plan, recruit, and carry out their plots. In the face of this threat, CSEC plays an integral role in protecting Canada and Canadians against terrorism. By targeting and intercepting foreign communications, decoding them, and then analyzing them, CSEC detects the activities of foreign terrorist networks and their operational plans. In fact, the agency's efforts have revealed plots to attack Canadians and allied personnel overseas before these plans could be executed. It has also uncovered foreign-led efforts to attract, radicalize, and train individuals to carry out attacks in Canada.

Although the days of the Cold War may be over, the threat to our security and our economy from foreign espionage still exists. Last week, the Canadian Security Intelligence Service highlighted once again that a number of foreign intelligence agencies continue to gather political, economic, and military information in Canada through clandestine means. CSEC has helped to identify and defend our country's interests against the actions of these hostile foreign intelligence agencies.

Our government has advanced several key efforts to enhance our perimeter security. These efforts rely on the latest in foreign intelligence about the illicit transfer of people, money, and goods. CSEC is an important provider of this vital intelligence. In any state, a strong economy is integral to national security. Foreign intelligence provided by CSEC is critical to securing Canada's interests by providing context about global events and crises that can impact Canada's economy and our foreign relations.

As outlined in the last budget, our government believes that innovation is a keystone of economic growth. The protection of the intellectual property of Canadian businesses from cyberthreats is paramount to ensuring Canada's continued economic prosperity.

Further, we must protect Canada's critical infrastructure, on which we all rely, from the danger posed by cyberthreats.

I should note that CSEC never shares foreign intelligence with Canadian companies for their commercial advantage.

Of course, CSEC's foreign intelligence work is also based on a long history of support to our military and contributes to the protection of our deployed Canadian men and women overseas, whether they are in uniform or in civilian service to our country. I thank CSEC for protecting me while I was in Afghanistan.

• (1320)

Further, the unique technical capabilities of CSEC are also often harnessed in the service of our law enforcement and security agencies. These agencies may lawfully request that CSEC provide technical and operational assistance in their investigations under the local authorities, such as court warrants. This means that CSEC also contributes to Canada's domestic security.

Every day, the efforts of the talented men and women who work at Communications Security Establishment Canada help to ensure our nation's prosperity, security, and stability. Their success is hard won and depends on their ability to keep one step ahead of foreign targets overseas. This means that these foreign targets need to remain unaware of the methods and technology that may be used against them.

It is, however, also important that Canadians have a general sense of the activities taking place at CSEC and how they better protect them. As a stand-alone agency since 2011, more information is available than ever before on the activities of the organization. It appears in the public accounts and in the parliamentary estimates.

To take this further, the organization has also taken significant steps to provide additional information through its public website, and its officials are always ready to appear before committee to answer important questions, just as the Chief of CSEC did last night.

I would like to once again repeat that the foreign intelligence activities of CSEC are conducted in full compliance with Canadian law. This important work is always undertaken with the utmost concern for protecting the privacy of Canadians, which is CSEC's most important operational consideration. In the words of the independent CSEC Commissioner, "...the protection of the privacy of Canadians is, in the eyes of CSEC and its employees, a genuine concern". The ongoing work of the independent CSEC Commissioner and his staff will continue to provide robust reviews of CSEC activities.

By providing valuable foreign intelligence, CSEC contributes significantly to Canada's own security and to that of the global community. Canadians can continue to count on this organization's efforts to safeguard the security of Canada from foreign threats while, at the same time, it acts in full accordance with the law and protects the privacy of Canadians.

Business of Supply

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, we are having a debate on the oversight mechanism for CSEC, and this member went on and on about the threats to the security of Canada being very real.

I entirely agree with that and thank him for those observations. I was a member of the first team of lawyers advising the Security Intelligence Review Committee. I have top secret clearance from that work. I know exactly of what he speaks.

However, that is not what this debate is about. It is about whether Canadians should simply take him at his word, the soothing words that all is right because we get a statement from the commissioner and his staff every year saying, “Don’t worry; be happy”. We are not. We are worried, and we are not happy about what we have recently learned.

Therefore, the question on the floor for debate today is this: why can Canada not join with its other allies and have a parliamentary oversight body to allow us to know what is going on?

Mr. Corneliu Chisu: Mr. Speaker, my colleague speaks about the importance of what he calls oversight. We have oversight by the commissioner. We must trust our democratic institutions. Yes, we should trust our democratic institutions more than the CBC. The CBC has put forward only allegations.

I have full trust in CSEC. I will take this opportunity to mention briefly Sir William Samuel Stephenson, a great Canadian intelligence officer. He first enrolled in the Corps of Engineers, my corps, and was best known by his wartime intelligence code name, Intrepid. His role in the success of the allies against Nazi Germany is well known.

Why I am referring to him in answer to the hon. member’s question is because CSEC is built on a great tradition of respecting the laws of the land and at the same time, as Intrepid did, protecting the security of Canadians in a quickly evolving world where industrial espionage, cyberthreats, and the terrorist threat are real issues.

• (1325)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the member for Pickering—Scarborough East said that the success of CSEC was hard won. I agree with that. It does a good job. However, I can assure the member that its success will only be maintained if it has the confidence of Canadians. That is what this debate is about today. Confidence in CSEC and the other intelligence-gathering agencies is being undermined by the metadata issue and the Snowden information. It was not just from the CBC; it was based on the Snowden revelations that have come out.

The other thing that is undermining the confidence of Canadians in CSEC is the fact that everyone on the government side is resistant to even looking at parliamentary oversight, which two of its current ministers originally agreed to.

In a party that cries often about the protection of privacy, are there any members on the government side who have an independent thought and can speak for themselves?

Mr. Corneliu Chisu: Mr. Speaker, I understand that my colleague from Malpeque has some concerns. For his information, the

activities of CSEC are regularly reviewed by an independent watchdog who has consistently found it to have acted lawfully. We should trust the person who has been appointed and trust our democratic institutions.

The Honourable Jean-Pierre Plouffe, the CSEC independent watchdog, said this last week:

As Commissioner, I am independent of the government and of CSEC, and as such do not take direction from any minister of the crown or from CSEC.

He also stated:

In light of the most recent unauthorized disclosure of classified information of the Communications Security Establishment Canada, I can state that I am aware of the metadata activities referred to.

...CSEC is only allowed to use metadata to understand the global information infrastructure, for the purpose of providing intelligence on foreign entities located outside Canada and to protect computer systems of importance to the government of Canada.

Should we respect our democratic institutions?

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I will be sharing my time with the hon. member for Mount Royal.

Before I begin, I would like to comment on two phrases that have repeatedly emerged from the other side of the House. The first phrase is, “we are told”. The second phrase is, “we should trust”.

This is what the motion is all about. It is to turn “we are told” into “we are satisfied that we know” and “we should trust” into “we can trust because we have the oversight of a body made up of those for whom people in Canada voted and then sent to this House of Commons”.

There are two premises upon which I think we should be debating today.

The first is that Liberals have always been vigilant about the need to protect Canadians’ security, and any assertion to the contrary would be, in my view, disingenuous. We are the ones who introduced anti-terrorism legislation after 9-11, and we supported recent amendments to this legislation. These were controversial, of course, but we believed that they were the right thing to do. We supported the amendments and believed that they achieved the appropriate delicate balance between constitutionally guaranteed civil liberties and the need to protect Canadians’ physical security from the harm terrorists would cause us.

The second premise upon which we should be debating is that Liberals respect the judicial system. We do not introduce legislation that we know will be negated or nullified later on by the courts. It is not only a waste of time to approach the drafting of legislation in this way, with an eye to ideology rather than to established legal principles, it is counterproductive as well, often setting the putative objective even further back than when the particular legislation was passed.

As an aside, I would like to mention that the committee we are proposing is the committee that was proposed under the Martin government previously, but the legislation was not debated or adopted.

Business of Supply

I would like to mention that this committee would also overlook the activities of CSIS and the RCMP. We are not just talking about CSEC. We have been talking a lot about CSEC today, because it has been in the news. However, there are other security establishments in Canada that require that we have some kind of oversight to ensure their accountability to democratic principles. Therefore, there would be not only a double benefit but a triple benefit from this committee.

We know that these agencies are not perfect. We know that people are not perfect. They can wilfully break the law, or if not technically break the law can violate the spirit of the law or even violate the letter and spirit of the law without necessarily knowing that it is what they are doing.

In the United States, for example, there have been many reported cases of private communications being unlawfully intercepted on very flimsy or totally unwarranted grounds, despite safeguards that have been built into the system. The BC Civil Liberties Association and others have provided many examples of these breaches.

We are talking basically about technology. The thing about technology is that it begs to be used. It was created to be used, and it is very seductive in this way. We have to create safeguards to ensure that it is used appropriately and lawfully. However, creating and enforcing safeguards is an ongoing challenge that constantly requires new defences and new legal and institutional tools, like this committee we are proposing.

I would like to look at the incident that took place earlier but that was reported by CBC last weekend. CBC reported that communications were being tracked at Canadian airports by CSEC. I would like to look at this from the point of view of citizens like me who are not part of the organization and who are not in the ministry that is managing this organization. I would like to look at it from that point of view and try to understand what it all means and what is going on in this complex, mysterious, and murky new cyber-reality.

● (1330)

We are told time and time again that CSEC is not allowed to spy on Canadians, so we ask ourselves, what was it doing tracking Canadians in their airports? The response seems to be that CSEC can track Canadians if it is tracking foreigners who happen to be engaged in communications with Canadians.

However, how does CSEC know who is Canadian and who is not at a Canadian airport? Can we not assume that most are Canadians travelling to points within Canada? To that, CSEC might say that it was doing nothing more than conducting a digital traffic survey for model building purposes, just like looking at cars passing through an intersection and observing licence plates without knowing who the cars belong to.

To that we might ask, why are they following those cars for two days after they leave the intersection? CSEC might say there is no law against that, but do we want to live in a society that follows its citizens around, whether on the ground or in cyberspace? This is not the former Soviet Union; this is Canada.

Another question is, why was CSEC doing this on Canadian soil when its mandate does not allow it to operate in Canada and to track Canadians directly? Yesterday the answer that seemed to be offered at the Senate committee was that this was not done on Canadian soil,

but by monitoring traffic on servers located outside of Canada. In other words, this traffic, which includes traffic at Canadian airports, is on the open seas, as it were. These are technicalities and loopholes that fuel Canadians' growing distrust. We are in essence being told, sorry we should have read the fine print. That, as in other areas, fuels resentment, bitterness, and distrust.

There is a question that I would like to ask the government. Why is it so opposed to this rather simple proposal? Other countries have mechanisms for oversight of security agencies that are made up of elected representatives. General principles of democratic accountability maintain that no one can act without the authority of the people or some kind of democratic licence being granted by the people, which they will grant in exchange for accountability that prevents abuse and allows them to judge if they wish to withdraw that licence later on.

There is virtually no cost to creating a national security committee of parliamentarians. First of all, it would not meet every week. Second, it would likely not travel. I doubt that it would do site visits in this cyberworld that we are concerned about. A Library of Parliament clerk and researchers could be seconded from other committees, say the Public Safety committee or the National Defence committee. Existing MP staffers would provide support to individual committee members. Members also would be bound by some measure of confidentiality, such that the government would not need to worry about being criticized or embarrassed in question period on any given day.

In other words, what is the downside for the government in creating such a committee, other than having to agree with what was originally a Liberal proposal under the Martin government? If the other side wants to be non-partisan, why not simply agree to an idea that came from a previous government just because it is a good idea? Is the government that prideful and that insecure and defensive that it feels it would be compromising itself, its cherished brand that it supports through taxpayer advertising, by doing what is right in respect of fundamental democratic principles?

Our security depends not only on the abilities and competencies of our national security authorities, but on the co-operation and backing of the Canadian population. We are told this constantly by CSIS and others, that they need the co-operation of the people of Canada. However, how are they going to maintain that co-operation if they cannot win people's trust?

● (1335)

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I want again to remind everyone that we should not be fearmongering and getting Canadians worried that their privacy is at risk. Communications Security Establishment Canada, CSEC, only targets its activities on non-Canadians and abroad. It is trying to protect our border. It is trying to empower our military and supporting the Afghanistan mission. It is protecting this country from cyberattacks. It is prohibited by law from doing any surveillance of Canadians at home or abroad.

Business of Supply

All the talk that is coming from the other side is not factual. They are false allegations. We know from the comments by the commissioner himself, who oversees independently the activities of CSEC, that he is satisfied that the organization has a culture of respecting the privacy of Canadians. I want to make sure that the member understands that and that everything it does is in accordance with the laws of Canada.

Mr. Francis Scarpaleggia: Mr. Speaker, there were many interesting points raised by my hon. colleague in that question.

First, how do we know what the culture is inside CSEC? We have no window into that organization. That is what this motion is all about, to get a window into the organization, and then we can judge what the culture is like.

Second, we are not fearmongering. Canadians are very suspicious of these new technologies and their ability to track their activities, not only in terms of what CSEC or CSIS is doing, but in terms of any other entity, or individuals, who could hack into systems and track movements of people because of some function they forgot to shut down on their BlackBerry or whatever. There is a fear out there, within all people, quite frankly, about where this new technology is taking us. It is not all about CSEC, and it is not all about CSIS.

• (1340)

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I would like to thank my colleague for his remarks on this opposition day motion and thank the member for Malpeque for introducing this on behalf of his party.

I believe that Canadians are concerned about the possibility that their private communications are being monitored and that perhaps we do not have proper oversight over CSEC. I remember a recent debate at the finance committee. In a budget implementation act, one of these omnibus budget bills, the government decided to eliminate the position of the inspector general, which was a full-time oversight position over CSIS, and to replace that with a position as a member of the board. We were warned at the committee that this was not proper oversight, but the government went ahead with it anyway.

Given that we, as average Canadians, cannot monitor the security agencies, we need to be assured that those who are set up to monitor our security agencies are doing so appropriately. We need to have confidence in that.

My question for the member is this. In 2005, when then Liberal defence minister Bill Graham signed the directive to allow CSEC to collect metadata, does the member think there were appropriate checks and balances established at that time?

Mr. Francis Scarpaleggia: Mr. Speaker, I was not in the government in 2005 and am not familiar with that directive and all the associated safeguards.

However, the point that we have to remember is that this is not 2005; this is 2014. Nine years later, things have evolved, and we have seen the possibilities that new technologies offer, technologies that did not exist in 2005.

However, I thank the hon. member for her question. It was obviously a well thought-out question.

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I rise in support of the motion standing in the name of my colleague, the member for Malpeque, expressing the House's concern over reports that Communications Security Establishment Canada has engaged in improper practices, including the monitoring of Canadians, and calling for parliamentary oversight of CSEC through the measures outlined in Bill C-551, the national security committee of parliamentarians act. Indeed, I was one of those who, some 10 years ago, recommended the establishment of such a committee.

Others have risen to contextualize today's debate, citing recent media reports that CSEC accessed the metadata of passengers at airports in Canada using airport Wi-Fi, an activity which would be beyond CSEC's mandate and which would infringe upon the privacy rights of Canadians. Rather than discuss these reports at length or dwell on the technical questions surrounding the proper use of metadata, I will organize my remarks around a discussion of the foundational principles that should exist in our discussion of anti-terrorism law, practice, and policy, and their impact on matters of privacy, personal and collected.

As I have written elsewhere, the foundational principle should be that of human security, which does not see security and rights as a zero-sum or trade-off exercise, but which is inclusive of both security and human rights and is organized around a dual perspective. The first principle is that transnational terrorism constitutes an assault on the security of a democracy such as Canada, and on the individual and collective rights of our inhabitants, our rights to life, liberty, and security for the person. In that context, anti-terrorism law and policies are designed to protect the security of democracy and the rights of its inhabitants.

At the same time, the enactment, enforcement, and application of our anti-terrorism law and policy must always comport with the rule of law. The Charter of Rights and Freedoms must always be respected; individuals and groups must never be singled out for differential and discriminatory treatment; torture must always be condemned; and vulnerable and visible minorities must always be protected, be it as targets of incitement to racism and hatred or targets of racial profiling. In the promotion and protection of human security, we must never undermine our individual and collective rights, which are a fundamental component of that human security itself.

As the Supreme Court of Canada has put it, the question is not whether to respond to acts of terror but rather how we respond. "The Constitution", it added, "is not a suicide pact". Therefore, anti-terrorism law and policy is clearly necessary. Canada's Charter of Rights and Freedoms, the centrepiece of our Constitution, and the proportionality principle, the linchpin of any purported limitation on any charter right, must always be adhered to and respected. The same goes for our privacy rights, which are concretized in two federal statutes, primarily the Privacy Act and the Personal Information Protection and Electronic Documents Act.

Constitutional democracies such as Canada can and should address the dilemma of how to respond to terrorism in an informed and principled way rather than in any political or politicized fashion. As such, I wholeheartedly support the bill referenced in this motion, which would allow for oversight by a committee of parliamentarians, both senators and members of the House of Commons, sworn to secrecy, to receive briefings and updates on the activities of Canada's security services, and to do so in as secure a setting as needed. The importance of this issue cannot be understated. Just last week, Interim Privacy Commissioner of Canada Chantal Bernier tabled a report entitled, "Checks and Controls: Reinforcing Privacy Protection and Oversight for the Canadian Intelligence Community in an Era of Cyber-Surveillance", which states:

While secrecy may be an inherent aspect of many intelligence activities, so is accountability. Reporting, review and appropriate legal controls lead to accountability on the part of decision-makers and institutions.

I believe I can speak for all members of this place when I say that we seek accountability and come to expect it. This holds even in the national security context.

● (1345)

[Translation]

As Ms. Bernier's report states:

National security claims do not reduce accountability obligations and security bodies must account to Canadians for what they do with personal information. Independent review mechanisms ensure this accountability of security agencies, safeguard public trust and verify demonstrable respect for individual rights.

[English]

The report of the interim Privacy Commissioner is a fascinating look at the interplay between national security and the protection of Canadians' personal information and data. There are also recommendations therein for the government. I hope it will implement some of them in the near future.

However, a more serious debate needs to happen wherein parliamentarians can help define and fashion the contour between what is acceptable in the pursuit of safety and what behaviours infringe upon our civil liberties in ways that we would deem inappropriate and improper, particularly with respect to the rights of privacy.

Regrettably, it is not the government that has asked for this open dialogue. Thus, I am thankful that my Liberal colleague from Malpeque has initiated this debate. It is important that Canadians play their part in this discussion as well.

Elizabeth Renzetti, in yesterday's *Globe and Mail*, put it quite well in her column, aptly titled "As government snoops, Canadians... take a nap". Indeed, we have been lacking here in that sense of urgency about what has been happening, compared with the sense of urgency in matters of this kind in the United States and European parliaments.

Alarm bells are now going off. The interim Privacy Commissioner has sounded the alarm. We ought to heed her advice. She is not the only one, however. It is useful here to recall the Auditor General's report of March 2009, wherein he declared:

For Canadians to have confidence in their security and intelligence organizations, they need to know that government agencies and departments maintain a balance between protecting the privacy of citizens and ensuring national security.

Business of Supply

It is precisely that balance that we strive for through an informed debate on CSEC's activities and through the creation of a parliamentary oversight committee for Canada's security infrastructure, as outlined in my colleague's bill.

Moreover, some of the answers the government has offered leave much to be desired. For example, the top national security adviser to the Prime Minister, at a committee of the other place, testified yesterday that he is "not totally persuaded" that CSEC had "tapped into" Canadians' communications via airport Wi-Fi.

Saying that one is not persuaded is not a categorical denial. It is not a definitive no. Should not the top security adviser to the Prime Minister know for sure? We, as parliamentarians, on behalf of Canadians, have an obligation to discover fully what happened and why, and to pronounce ourselves thereupon.

In its statement on the recent media reports, CSEC noted:

The CSEC Commissioner is currently conducting another review of CSEC's metadata activities. We welcome that review.

I am hopeful that this review will be made public and that we will require more transparency from CSEC, including, as the Privacy Commissioner has recommended, the publication of annual statistics of interception and the tabling of a non-classified report in Parliament.

In closing, it is not only possible but also necessary to work together to ensure the protection of both security and rights. While it is a challenging matter to resolve, I believe that parliamentarians are capable of co-operating across party lines to ensure that Canadians enjoy both a robust security infrastructure, on the one hand, and the fullest expression of the principles underpinning the charter and privacy legislation, on the other.

● (1350)

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, not too long ago the opposition parties obstructed a bill that would have revoked citizenship from those who committed acts of terror. In that particular instance, I recall the opposition witness saying that it would be inhumane to revoke someone's citizenship simply if he or she had committed an act of terror. That witness said so in the same committee there was a spouse of someone who had lost a loved one from an act of terror.

When that the same opposition wants to bring forward a bill that would have parliamentarians, the same parliamentarians who would obstruct such a bill, overseeing national security, I am a bit concerned.

Here is the question I need to ask, and I have asked it throughout day. The opposition wants to establish a new committee made up of parliamentarians, possibly partisan, to oversee another committee that already exists to oversee our security agencies. It is creating a separate level of duplication.

Business of Supply

Why does the opposition think that a partisan group of politicians should be overseeing national security when we already have an arm's-length, independent body in place that has proven that these agencies are abiding by the law?

Hon. Irwin Cotler: Mr. Speaker, it is the first time I am hearing that the establishment of an oversight committee, which I regard as part of the responsibility of Parliament as a whole, would somehow be transformed into an alleged partisan mechanism.

It is a parliamentary committee that has been recommended by members on all sides of the House for over 10 years, one that exists in the American Congress and European parliaments. It would not be a novel undertaking, but a necessary undertaking, both for the protection of security and individual liberties.

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, before I changed committees, I was a member of the national defence committee, where members did not have access to documents classified as secret. That does not give parliamentarians the chance to understand fully what is going on when we talk about national security.

I would like to know if the member agrees if there should be a way that some members of Parliament, in a committee that already exists or a new one, have access to classified secret documents and the security clearance to do so?

Hon. Irwin Cotler: Mr. Speaker, such a parliamentary committee would be mandated through a review of the legislative and regulatory policy and administrative framework for the agencies responsible for national security in Canada.

I might add that this bill by the member for Malpeque stems from a 2004 report by an all-party committee of parliamentarians at the time, of which the Minister of Justice, Peter MacKay, was a member. We would expect the government's full—

Some hon. members: Oh, oh!

• (1355)

The Acting Speaker (Mr. Barry Devolin): Order, please. I would just remind the hon. member that he ought not to reference his colleagues by their given names in the chamber.

The hon. member for Mount Royal.

Hon. Irwin Cotler: Mr. Speaker, I stand corrected in that regard.

Just to further the basis for our initiative, which as I said has been concurred in by members from all parties, there needs to be an immediate independent and thorough review of CSEC activities and operations. In fact, our international partners, such as the U.K. and Australia, both have rigorous parliamentary oversight committees to ensure that the privacy rights of their citizens are protected as the security of these countries is protected.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Mr. Speaker, today I will be splitting my time with the hon. member for Renfrew—Nipissing—Pembroke.

I am definitely pleased to rise today and speak against the motion before us.

There is no question that our national security agencies operate in a dynamic, complex, and now global environment. The demands on

them are great as they carry out their responsibilities to protect Canadian life and property from those who would seek to harm us.

Our government recognizes that robust mechanisms to review national security activities are critical in maintaining the trust of Canadians. I am pleased to say that robust review does exist in the current environment.

Since CSIS was created, review of its activities to ensure its compliance with the law has been at the very forefront of its entire operation. The Security Intelligence Review Committee was created at the same time as CSIS, not later, recognizing that it had that obligation. It has been reviewing CSIS activities since its inception.

Ensuring that CSIS remains accountable for its actions has always been a key consideration. The committee provides an external review mechanism that is at arm's length from any government, past, present, and future. That is important to note.

The committee plays an important role in ensuring independent review of CSIS activities by carrying out three key functions: first, by verifying that it is satisfied with the annual report prepared by the CSIS director; second, by conducting reviews of CSIS activities to ensure that it complies with legislation, policies, and ministerial directions; and, third, by investigating all complaints in regard to CSIS activities.

Make no mistake, this type of review is vital. It helps ensure that all Canadians know that CSIS conducts its activities legally and in conformity with the policies and directions received. Such review is essential. It is critical to assuring Canadians that the activities of an organization such as CSIS that must conduct its activities away from the public eye are, nonetheless, scrutinized to ensure their compliance with Canadian law and respect for our rights.

SIRC does open a window into these activities for us. Is it a wide open window? Of course not. Certain information and sensitivities are involved in protecting the nation, its annual reports, for instance. These reports provide Parliament and the Canadian public with a broad understanding of CSIS operations.

The most recent report tabled last fall spoke to CSIS' activities to address the increasingly complex dimensions of the national security issues it must face. The report details findings and recommendations, shedding light on CSIS' activities, both for members of the House and all Canadians.

Another point of note in the recent report is that CSIS continues to work collaboratively with SIRC and continuously strives to address the committee's findings and recommendations. They are not working in isolation; they are working in tandem and in co-operation.

Another issue addressed by SIRC that is of interest to concerned Canadians is how CSIS and the Communications Security Establishment Canada work together.

The Acting Speaker (Mr. Barry Devolin): Order, please. The Chair must interrupt at this point. The hon. member for Prince Edward—Hastings will have six minutes remaining when this matter returns before the House after question period.

STATEMENTS BY MEMBERS

• (1400)

[English]

ONTARIO SPEAKER'S BOOK AWARD

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, it is an honour to rise today to recognize an incredible accomplishment of one of my constituents.

David Tsubouchi, a long-time Markham resident and former Ontario cabinet minister, recently had his memoir, *Gambatte*, short-listed for the Ontario Speaker's Book Award. The inspiring story begins in 1941, as the Tsubouchi family fights for survival amid the imprisonment of Japanese Canadians and the confiscation of property and possessions by the Mackenzie King Liberal government.

While *Gambatte* paints a brutal picture of Canada during the World War II era for Japanese Canadians, it tells a remarkable story of perseverance and accomplishment, not only for Mr. Tsubouchi but also for an entire community.

In 1988, the same year that the Mulroney government officially apologized for the treatment of Japanese Canadians, Mr. Tsubouchi was elected as Markham councillor and became the first Japanese Canadian to hold a seat in any government office. *Gambatte* means "Do your best and never give up". This spirit is at the heart of David Tsubouchi's life story.

As his member of Parliament, I am proud to recognize his political, literary, and lifetime success here today.

* * *

BLACK HISTORY MONTH

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, February marks the beginning of Black History Month in Canada. The city of Windsor has played an important role in facilitating the underground railroad, which served as a gateway to freedom for many escaped slaves seeking refuge from the United States. The underground railroad helped tens of thousands of escapees find freedom in Canada, enriching cities such as Windsor for generations to come.

Every year Windsor's African-Canadian community enhances our region with events celebrating Black History Month. Organizations such as the Essex County Black Historical Research Society and the Northstar Cultural Community Centre are critical pillars that promote the important contributions from individuals of African-Canadian heritage to the cultural fabric of Windsor and Essex County and all across Canada. My community's proud legacy as a freedom destination is perpetuated through these and similar organizations. Canadians of African descent continue to play an integral role in the cultural, political, social, and economic development of our community as a whole.

Not only is February a time to reflect on black history, it is also imperative to recognize it is a foundational element in Canadian history.

Statements by Members

WHEAT GROWERS

Mr. Larry Maguire (Brandon—Souris, CPC): Mr. Speaker, many farmers are in Ottawa today for the 44th annual western Canadian wheat growers convention.

As a previous president of the organization, I can say without a doubt that the farmers who have joined us today are at the forefront of their industry. Wheat growers bring ideas to the table. They strive for results. Most of all, they are an effective farm organization that advances positive market-oriented policy changes. I commend them for working with the government to open new markets for producers. I know they will continue to break down trade barriers that will bring great benefits to prairie farmers and indeed all Canadian farmers.

I also want to thank them for their tireless efforts in promoting marketing freedom and for their steadfast support of our government's efforts throughout the years.

On behalf of all members of this House, I wish them a successful convention. I look forward to working with them to get real results for Canadian farmers.

* * *

EATING DISORDERS

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, this is Eating Disorders Week in Canada.

Anorexia nervosa and bulimia are among the most prevalent psychiatric disorders in young adult females and the second most common chronic illness in adolescents. They have the highest mortality rates of any psychiatric disorder in adolescents. Youth with eating disorders are 12 times more likely to die than their peers who do not have eating disorders.

There are 600,000 to one million Canadians who have been diagnosed with eating disorders. Stigma and late diagnosis contribute to chronicity, which in turn makes it difficult to treat. Less than 50% of patients have successful treatment. Without treatment, eating disorders and their related co-morbidities, including substance abuse, can cause severe disability and death, yet many primary care physicians do not regularly screen for eating disorders or have the skills to detect them.

It is time to develop a strategy to improve awareness, prevent and diagnose eating disorders early, and to fight the stigma faced by patients.

* * *

HOCKEYVILLE

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker:

Statements by Members

I rise again in this House to talk about hockey
In a community that lies between Red Deer and Rocky.
Sylvan Lake's plight is my subject of call.
Their arena collapsed under record snowfall.

The old barn came down without much warning.
A very close call, at one in the morning.
Many young children with no place to skate
No stands to cheer from, so proud and so great.

A rink that is known for its great hockey camp,
Producing great players, some Stanley Cup champs
The Sutters, Morris, to name just a few,
Ranford and Iginla, have skated there too.

And now comes the task, not incredibly small
How to rebuild; the costs will be tall.
Sylvan Lake's spirit will not be defeated.
Fundraising has started; the job CAN be completed.

Mr. Speaker, before my poem's complete
I do need to note, that with no small feat
Other towns and cities have provided support,
Working together to help Sylvan Lake sport.

Thanks to Eckville, Clive, Blackfalds, Leduc,
Red Deer, Rocky Mountain House, and Caroline too.

Maskwacis, Bashaw, Spruce View, Innisfail,
And Rimbey, a friend, just down the trail.

But today, I stand in support of this town
For I've played there too, and when that building fell down,
What I ask for today, is support from the Hill.
Vote for Sylvan Lake, for Kraft Hockeyville!

* * *

●(1405)

WORLD CANCER DAY

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, today we mark World Cancer Day. Like far too many Canadians, my life has been touched by cancer. Like all Canadians, I want this disease beaten once and for all, so join me in saluting the Campaign to Control Cancer. It has pulled together 70 organizations, and controlcancer.ca is a powerful force that is working to cut the rate of cancer deaths in half. It is meeting in Toronto today to engage, excite, and rally Canadians to control cancer. It debunks myths, it promotes prevention by applying what we know and learn, and it celebrates many breakthroughs that bring hope to everyone in the world.

Cancer is not partisan, so orange, blue, red, or green, let us stand united and join in the Campaign to Control Cancer.

* * *

WINTER OLYMPIC GAMES

Mr. Andrew Saxton (North Vancouver, CPC): Mr. Speaker, with the Sochi Winter Olympics just three days away, I can feel the excitement building nationwide in support for Team Canada. I am proud to highlight 21-year-old Lynn Valley native Liam Firus from my riding of North Vancouver, who will be representing Canada on the world stage in figure skating.

Liam originally got into the sport to improve his hockey skills. Fast forward a few years and Liam had gained national attention when he won the Canadian junior title in figure skating in 2010. He competed as a senior at the national championships until a painful

injury forced him to take some time off. However, that did not stop him from reaching his goals and bringing home the bronze medal in the 2014 Canadian national championships.

I am proud to say that he is also going to show off his talents in Sochi, alongside 216 other Canadian athletes who will represent our great country both in athletics and in our values of freedom and human rights.

I invite all members of the House to join me in cheering for our athletes. Go, Canada, go!

* * *

WINTER OLYMPIC GAMES

Mr. Rick Dykstra (St. Catharines, CPC): Mr. Speaker, we will all be watching and cheering on Canadian athletes during the Sochi Olympics. However, the people in my community may be cheering just a little harder for St. Catharines' own Kirsten Moore-Towers. Kirsten is one of our national champion pairs figure skaters, and we are all proud of her accomplishments. The hard work, dedication, and countless hours of training that she has committed cannot go unrecognized.

To our over 200 young men and women who will represent Canada at the Olympics, I want to wish them the best of luck and thank them for representing our country with dignity and class.

St. Catharines will be cheering on Kirsten and her partner, Dylan Moscovitch. We are looking forward to their bringing home that medal to where it belongs, St. Catharines.

* * *

JEAN HANSON

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, I rise today with a heavy heart, but I am honoured to pay tribute to a pillar of my community, Jean Hanson, who lost her second battle with cancer yesterday at the Maison Vale Hospice in Sudbury.

A pioneer in her field, Jean was the first female director of education for the Rainbow District School Board. Truly, her work as an advocate for children and her 40 years of public service bear witness to her commitment to a quality education for all. Jean was also a long-time community activist who worked tirelessly to improve the lives of our community's less fortunate and most vulnerable citizens.

I had the honour to work with her at the United Way/Centraide Sudbury and Nipissing districts, where she was a tireless advocate. Through her commitment to mental health issues, through her efforts with the Canadian Mental Health Association, her dedication to activism was evident.

Jean's legacy in our community will not soon be forgotten. On behalf of all Sudburians and all parliamentarians, I offer condolences to Jean's family and colleagues. I thank Jean. Her contributions to my community will be missed.

• (1410)

EATING DISORDERS

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, this week is Eating Disorder Awareness Week in Canada. I am pleased to welcome the national initiative for eating disorders to Parliament Hill. NIED is here to raise awareness about eating disorders such as anorexia nervosa, bulimia nervosa, and binge eating disorders, which are serious, life-threatening mental health conditions that affect both girls and boys as well as men and women.

Today we do not know how many Canadians are suffering from eating disorders, what the cost of eating disorders is to the health care system, and how many Canadians are forced to go outside Canada for long-term, life-saving treatment, as there are no such treatment centres in our country. Canada needs a national strategy and registry for eating disorders, including the sharing of best practices across the country and funding for treatment programs.

Let us all fight for those living with an eating disorder and for their families, who are hurting and need our help.

* * *

[Translation]

FRÉDÉRIC BACK

Hon. Thomas Mulcair (Outremont, NDP): Mr. Speaker, one of the icons of animation passed away on December 24. Frédéric Back, an illustrious citizen of the riding of Outremont, made nine animated films and won two Oscars: one for *Crac!*, the story of a rocking chair, and another for *The Man Who Planted Trees*.

His last film, *The Mighty River*, tells the story and the agony of the St. Lawrence River and won more than 40 prizes.

[English]

Beyond the international acclaim and the Oscars he won, Frédéric Back's work helped generations of viewers to realize the sacred nature of our planet. A truly great artist has left us. Frédéric Back's creations will endure as a pillar of our culture.

[Translation]

The death of this talented creator of animated films, nature lover and humanist is a terrible loss for all of us.

* * *

[English]

WORLD CANCER DAY

Ms. Eve Adams (Mississauga—Brampton South, CPC): Mr. Speaker, today marks World Cancer Day, a day to reaffirm our commitment to the fight against cancer and to raise awareness of those affected by this terrible disease.

According to the Canadian Cancer Society, cancer is the leading cause of death, killing 200 Canadians each and every day. My family and most Canadian families have lost someone because of this awful disease.

That is why I am proud of the actions of our government to fight cancer. Our government leads the way in scientific research, having funded over \$1 billion for cancer research and prevention since

Statements by Members

2006. This builds on nearly \$500 million in funding for the Canadian Partnership Against Cancer, which helps patients directly with prevention, early detection, and treatment.

Our Conservative government will continue working with the provinces and territories to improve treatment and prevention so that more Canadians can survive this terrible disease.

* * *

[Translation]

LAJEUNESSE COMMUNITY RECREATION CENTRE

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, I proudly rise in the House as the member for Papineau to mark the 25th anniversary of the Centre de loisirs communautaires Lajeunesse.

By promoting civic engagement and volunteerism and by encouraging the various local organizations to work together, this centre has become an integral part of the community's well-being and has made all the people of Papineau proud.

I would like to thank Marcelle Bastien and her terrific team for their dedication to creating a great and healthy place to live for everyone in Villeray by offering accessible activities focused on personal growth. I wish them every success.

I invite the people of Papineau to come and see the activities that all my friends at the Lajeunesse centre are organizing to celebrate its 25 years of contribution in Villeray. I would also invite them to take part in those activities.

Congratulations.

* * *

[English]

PUBLIC SAFETY

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Mr. Speaker, our Conservative government is committed to keeping our streets and communities safe. We have taken strong action to keep dangerous criminals behind bars, where they belong.

We have passed over 30 bills to do just that and, despite constant objections from the New Democrats and the Liberals, we are seeing great results. The crime rate in Winnipeg is down 13.5% since last year. However, there is still much to do. That is why we will introduce a victims' bill of rights, to return victims to their rightful place at the heart of the justice system.

I call on the opposition to support these important measures for our communities.

* * *

• (1415)

VETERANS AFFAIRS

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, let us recap the sordid week of the Minister of Veterans Affairs.

Oral Questions

First, the minister showed up late for a meeting with veterans. Then, when he did show up, he was disrespectful and insulted them. The following day, the minister was forced to read an apology. Then, a couple of days later, the minister went on the radio and boasted that he wears resignation calls like “a badge of honour”. He then retracted his previously forced apology, saying, “I’ve done nothing wrong, why should I resign?” To top it off, the minister then went on to insinuate that these veterans were nothing more than “union pawns”.

The fact is, the Conservatives have betrayed our veterans by making it harder for those suffering from post-traumatic stress to get help. The minister has to stop insulting our veterans. It is time for him to finally do the honourable thing, and resign.

* * *

ISRAEL BOYCOTT CAMPAIGN

Hon. Peter Kent (Thornhill, CPC): Mr. Speaker, Sodastream, an Israeli company that employs some 900 Palestinians, has become one of the targets of a dishonest boycott, divestment, and sanctions campaign that would actually hurt those it claims to support, given that Sodastream pays employees four times the wages earned by the average Palestinian and ensures that all employees are treated equally.

It is disappointing that organizations such as Oxfam support this movement, which targets Israel, while turning a blind eye to the world’s most cruel violators of human rights.

As the Prime Minister said in his historic address to the Israeli Knesset last month:

...Israel represents values which our government takes as articles of faith...to drive our national life.

And therefore, through fire and water, Canada will stand with you.

I encourage members of the House to join me in standing up against this misguided and deceitful movement. Let us counter the boycott with a “buy-cott”.

ORAL QUESTIONS

[English]

VETERANS AFFAIRS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the Minister of Veterans Affairs has been forced to apologize yet again. This time, it is for repeatedly mishandling the confidential psychiatric medical file of a veteran who tragically went on to take her own life.

Does the Prime Minister now understand why Canadians have lost confidence in his minister, and will he please tell us what it will take for him to finally fire him?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I have said repeatedly, this government has recognized like none other before it the serious challenges that do exist from time to time with mental health issues in the Canadian Armed Forces. That is why we provided record investments into these services and why we always encourage men and women who are

former or present serving members and who need any assistance not to be afraid to seek that assistance.

[Translation]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, that is very touching, but next year another \$105 million will be cut from the budgets for veterans’ services. The government is cutting \$105 million from the budgets for services to help the brave men and women who valiantly served their country.

Will the Prime Minister use the upcoming budget to restore that \$105 million in funding?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the NDP leader’s statement is absolutely false. The money allocated to veterans’ services has increased by \$5 billion thanks to this government.

We have only cut bureaucracy in order to ensure that there is funding for services for our veterans. I hope that next time, the NDP will finally vote in favour of that funding for our veterans.

* * *

• (1420)

NATIONAL DEFENCE

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, can the Prime Minister confirm that Communications Security Establishment Canada intercepted and gathered information on Canadians who were travelling through a Canadian airport?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as everyone knows, oversight of Canada’s security and intelligence services is provided by independent organizations. The commissioner has reviewed all of these activities and has clearly said that these services were acting within the law.

[English]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, CSEC claims that no Canadians were targeted or tracked, but it admits to collecting “metadata”. That means that it knew where and when Canadians were using the Internet and who they contacted.

Who in the government authorized that operation by CSEC?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, I do not discuss the activities of our security agencies. In the case of the Communications Security Establishment Canada, there is a commissioner set up with specific responsibilities. He is an independent individual with the responsibility of monitoring all of these activities to make sure that they are within the law, and he has confirmed that this is the case.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, is the Prime Minister saying that the locations of Canadians and their phone and Internet activity are not protected under Canadian law? Is that his contention?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, my contention is that the commissioner of the Communications Security Establishment, the Hon. Jean-Pierre Plouffe, former judge of the Superior Court of Quebec, continues to examine all of CSEC's activities and has said that they are clearly within Canadian law, as we would expect them to be.

* * *

DEMOCRATIC REFORM

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, Conservatives continue to attack Elections Canada, an agency respected as a model in democracies around the world. What is the government's response to repeated findings of Conservative wrongdoing? It wants to strip Elections Canada of its investigative powers, attacking its independence.

Why?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it is quite the opposite. There is a Commissioner of Elections, whose job it is to investigate violations of the law. What we are doing is making sure that office has full independence and is effectively housed in the director of public prosecutions. That should help the independence and the effectiveness of law enforcement.

[Translation]

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, the Conservatives continue to attack Elections Canada.

Elections Canada was asking for one change in particular: to be able to ask a judge to order a witness to appear during investigations.

Instead, this bill strips Elections Canada of its powers and attacks its independence. Why?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, there is a commissioner at Elections Canada who is responsible for investigations. The amendments that we have proposed will make that office more independent. It has all of the powers it requires to conduct investigations.

[English]

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, Elections Canada repeatedly sought the ability to ask judges to compel testimony in cases of election fraud. As we know, the Conservative government did not even consult with Elections Canada on its bill, so this reasonable and effective reform to strengthen our system was left out.

Why?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, of course the premise of that question is completely false. We have reviewed all of Elections Canada's reports and understand that the present minister met with Elections Canada as far back as last August.

As I have said repeatedly, the Commissioner of Elections is responsible for investigations. What we are doing is making sure that office has full independence and is vested with all of the powers necessary of all other investigators to conduct any investigations on the breaking of the law.

• (1425)

ETHICS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, today the first charges have been laid in the Senate expenses scandal. A key witness in the case against Liberal senator Mac Harb is refusing to co-operate with the RCMP. She is a diplomat from Brunei.

Has the Prime Minister asked the government of Brunei to compel their official to co-operate with Canadian police?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as members know, the RCMP has today laid charges against two senators, one of whom has already been sanctioned by the Senate. The other left before sanctions. This is what we would expect. The RCMP has the full authority to conduct these investigations and to hold anybody who does not respect the rule of the law responsible. That is what is being done. Of course, it will get full co-operation from the government.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the question was whether or not the Prime Minister has asked Brunei to compel its official to co-operate, and for the second time he is refusing to actually do anything.

[Translation]

When the Prime Minister appointed Patrick Brazeau to the Senate, he was the head of an organization based here in Ottawa.

Did the Prime Minister really believe that Patrick Brazeau lived 135 km away?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the RCMP has laid charges against two senators, one former and one current. We still expect parliamentarians to follow the rules; otherwise, they will suffer the consequences. We commend the RCMP for the work it has done.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): For years, Patrick Brazeau lived in Gatineau. Mike Duffy lived in Ottawa. Carolyn Stewart Olsen lived in Ottawa. Pamela Wallin lived in Toronto. None of those senators, all of whom were appointed by the Prime Minister, lived in the communities they were supposed to be representing in the Senate.

Why, then, did the Prime Minister appoint them?

[English]

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, as members know, the RCMP has laid charges against the two senators who it believes have broken the law. As we have said, we expect all parliamentarians to respect the rules and respect the law, and if they do not, there will be consequences. There have already been sanctions by the Senate. We obviously salute and acknowledge the work of the RCMP on these particular cases.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, at least until we can abolish it, senators have to live in the places they are supposed to represent. Pamela Wallin did not live in Saskatchewan. Patrick Brazeau certainly did not live in Ottawa—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. Leader of the Opposition has the floor.

Oral Questions

The hon. Leader of the Opposition.

Hon. Thomas Mulcair: Mr. Speaker, senators have to live in the places they are supposed to represent. Duffy lived in Ottawa, not Prince Edward Island. Wallin lived in Toronto, not Saskatchewan. And of course, Stewart Olsen lived in Ottawa, not New Brunswick.

Does the Prime Minister understand that the Senate scandal began when he started naming senators from places where they did not even live?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I have said repeatedly before, it is very common for members of both Houses of Parliament to maintain more than one residence, one in their riding and one in the national capital region. That is very common.

That is not what is at issue here. What is at issue is that there are clear rules to be followed in terms of the public trust and the use of public money and the claiming of expenses. When those rules are not followed, we have tough measures in place to deal with that. The RCMP has acted, and we congratulate them for acting.

* * *

DEMOCRATIC REFORM

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, yesterday the Minister of State for Democratic Reform claimed that he had consulted the Chief Electoral Officer. The problem is, Elections Canada said he did not. Today, the minister smeared Elections Canada saying, “[They] should not be wearing a team jersey”.

Does the minister really think that misleading the House one day and smearing Elections Canada the next is a really good way to start discussions on amending our elections law?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, certainly the wrong way to start discussions is to do what the member did, which was to walk out and announce his opposition to a bill that he admitted he had not even read.

As for consultations, I did meet with the Chief Electoral Officer, on August 22, for about an hour. I listened carefully to all of his thoughts until he had nothing more to add. I told him if he thought of anything that he could call to me at any time. I have since read his reports, studied his testimony before committee, and implemented 38 of his recommendations in the fair elections act. This act would improve elections in this country and make sure our democracy rests in the hands of the people.

• (1430)

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, it is clear to all that the minister actually is off to a really rough start.

My bill on fighting electoral fraud proposed fines of up to \$500,000. The Chief Electoral Officer proposed up to \$250,000. The government's bill limits fines to just \$50,000, ten times less than the NDP proposal. Why has the government failed to provide tough punishments for people who commit serious election fraud?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, I do not know why the member is trumpeting his plan to impose just monetary fines. In fact, the fair elections act

would impose prison time for election fraud, which goes much further.

We will ensure that the election watchdog, the commissioner, has sharper teeth, a longer reach, and a freer hand. Sharper teeth means tougher penalties, including jail time. A longer reach means many new offences to crack down on big money and election fraud. A freer hand means total independence, so that the commissioner can make his own decisions about investigations, manage his own staff, and have a fixed seven-year term so he will never have to worry about being fired without cause.

[Translation]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, the Minister of State for Democratic Reform plans on preventing people from voting if they do not have government ID or a fixed address. Could the minister tell us whether that requirement could violate the Canadian Charter of Rights and Freedoms?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, when someone lies about their identity or residence in order to vote illegally, they are stealing or cancelling out another person's vote. That is an attack on honest Canadians who are trying to have a legitimate influence within our voting system.

Some identification methods have a significant rate of error, and we will eliminate these methods in order to protect the integrity of the vote.

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, the updated version of the Canada Elections Act prohibits Elections Canada from advertising in order to increase voter turnout, for example.

How can the minister justify the fact that his government is prohibiting this agency from publicizing the right to vote, and meanwhile, this same Conservative government thinks it is okay to advertise a job training program that does not even exist?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, Election Canada's own reports show that the majority of people who do not vote do so for a practical reason. They do not have the information or they are too busy. That is why the fair elections act will enable people to vote another day. The information provided will have to do with the date of the vote, as well as the polling location and the methods of identification. Disabled people will also have access to special tools at the time of voting.

[English]

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, from in and out to robocalls, Canadians do not trust the Conservative government, and for good reason.

Oral Questions

For example, on March 12, 2012, every member of the House, including the Conservative government, voted unanimously in favour of the NDP motion to give Elections Canada the power to compel witnesses and the power to demand financial documents. The new bill would not provide these powers.

Why did the government break its promise to Canadians?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, the member should have started by reading the motion that he voted for and that he trumpets on the floor of the House of Commons today.

What it actually says is that the government should give the power to Elections Canada to request documents from political parties. Elections Canada has that power, and the fair elections act would maintain it.

* * *

●(1435)

NATIONAL DEFENCE

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, the Minister of National Defence is claiming that CSEC is merely tracking the metadata of Canadians, not spying on individuals. That would be like the post office saying that it steams open people's mail but it does not read their letters. Canadians do not want government illegally intruding on their personal privacy.

This CSEC watchdog has no teeth and is on a short leash. All of our major allies balance citizen safety and privacy by making their spy agencies accountable. Why are the Conservatives unwilling to submit CSEC to proper parliamentary scrutiny?

Hon. Rob Nicholson (Minister of National Defence, CPC): Mr. Speaker, it is a bit rich for Liberal members to now complain of an activity of CSEC which they themselves authorized in 2005.

That being said, the member may have missed this, but the heads of CSIS, CSEC, and NSA were before a Senate committee yesterday and confirmed that all of this activity is within Canadian law and protects Canadian privacy. Maybe the member should call some of her former colleagues in the Senate and ask them to confirm that.

* * *

DEMOCRATIC REFORM

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, last year the former democratic reform minister, who has now since gone, brought to caucus his new plans for electoral reform. They were refused by caucus at that time. We all know that.

Let us skip ahead now to the new minister. In the meeting that he had with Elections Canada, what did he say to that person? Why are there no new investigative powers for this to happen, to make this good legislation?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, the former minister of democratic reform did a terrific job. This excellent legislation to bring fair elections in Canada would not be possible without the hard work of he and his staff. He continues to serve all Canadians as the Minister for Multiculturalism.

In this country we have many cultures, many peoples, all of whom celebrate one thing in common, and that is democracy. Fair elections deliver democracy, and this legislation would continue that practice in this country.

[*Translation*]

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, on the whole, this bill will weaken the Chief Electoral Officer, whom the minister claims to have consulted even though the Chief Electoral Officer says that he was never consulted. That stands to reason, because this bill does nothing if not weaken the Chief Electoral Officer and Elections Canada.

Given that some Conservative members are under investigation and the Federal Court has found that the Conservative Party's own database is the most likely source of the fraudulent calls that tainted the 2011 election, what are the Conservatives hoping to achieve with this bill if not to undermine oversight in order to pave the way for more of the same tactics in 2015?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, on the contrary, the fair elections act will protect voters from rogue calls and impersonation.

We will do that with a mandatory public registry for mass calling, prison time for impersonating Elections Canada officials, and harsher penalties for deceiving people out of their votes.

I encourage the hon. member to read the fair elections act and support it.

* * *

[*English*]

NATIONAL DEFENCE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, yesterday the head of CSEC said that they were collecting information on Canadians but that it does not matter because it was only metadata, and that the airport Wi-Fi project was just a part of their "normal global collection". Experts tell us that metadata can show things such as who was using the phone or the Internet, what types of devices they used, who they were speaking to or connected to and for how long, and their locations while talking.

Does the minister think that is okay, and has he authorized such data collection?

Hon. Rob Nicholson (Minister of National Defence, CPC): Mr. Speaker, the head of CSEC made it very clear that they respect the privacy of Canadians and that they do not target Canadians. Again, that was confirmed by other heads of agencies in the Senate hearing yesterday.

Oral Questions

However, besides that, there is an independent review of CSEC's activities, and this is conducted by a former justice of the Superior Court. That should give all of us confidence. It gives us confidence that they are doing the right thing for Canadians.

• (1440)

[*Translation*]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, we want to know what the minister knows, not what the commissioner has said in the past.

Information collected in airports includes the name of everyone who used Wi-Fi, the device they used, the names of those they communicated with and the subject of those communications.

Collecting information about information is the same as collecting information about Canadians. The minister can call it metadata all he wants, but I call it spying.

How is this information about Canadians related to foreign intelligence?

[*English*]

Hon. Rob Nicholson (Minister of National Defence, CPC): Mr. Speaker, she wants to know what the minister knows. I know all the information that is put before me, before the House, and before committees. That is, this organization respects Canadians' privacy and complies with the law.

Here is what why we do disagree. I know this organization is in the business of protecting Canadians from foreign terrorists, cyberhackers, and kidnappers. That has our support, if not the support of the NDP.

* * *

[*Translation*]

INTERGOVERNMENTAL AFFAIRS

Mrs. Sadia Grogue (Saint-Lambert, NDP): Mr. Speaker, in their last budget, the Conservatives chose to eliminate \$300 million in funding for job training, which hurt the most vulnerable workers, in order to create the new Canada job grant program.

The Conservatives spent \$2.5 million in advertising for this program, which does not even exist. This has left provinces and employers holding the bag.

Will the minister finally accept the provinces' counter-offer?

[*English*]

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, the Minister of Employment is currently meeting with the provinces regarding the Canada job grant. We have listened to provinces, as well as stakeholders, and we have built a number of flexibilities into the Canada job grant.

The Canada job grant is good for the Canadian labour market because it will train Canadians for jobs that are available and will also include employers, not only in the decisions, but in the financial investment. We know that kind of notion is foreign to the NDP, which wants to build an economy around EI benefits. We want to build an economy around jobs and skills.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, that is quite funny because the provinces are united in their opposition to the government's "my way or the highway" approach. Despite their advertising blitz, the provinces just are not buying it. They have rejected the government's plan and made a reasonable counter-offer. The provinces are trying to stop the Conservatives from leaving vulnerable Canadians behind.

Will the minister pull the chute on his failed Canada job grant, or at the very least allow the provinces to opt out?

Hon. Candice Bergen (Minister of State (Social Development), CPC): The fact of the matter is, Mr. Speaker, the member is not a minister, so she might find it funny that the Minister of Employment is actually meeting with the provinces at this time. We have been listening to the provinces. We have been listening to employers.

In fact, let me tell everyone what Dan Kelly, president and CEO of the Canadian Federation of Independent Business, said. He stated:

Most of the programs that the provincial governments offer have really, really no connection to the realities of the labour market [...]. So we're [actually] quite positive about the Canada job grant...and involving the employer in a more fundamental way.

We are listening to employers.

* * *

DEMOCRATIC REFORM

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, my question is for the Minister of State for Democratic Reform about the bill he introduced today to protect the fairness of federal elections.

The fair elections act would ensure everyday citizens are in charge of democracy by putting special interests on the sidelines and rule-breakers out of business.

The bill would also make it harder to break elections laws. It would close loopholes to big money, would impose new penalties on political impostors who make rogue calls, and would empower law enforcement with sharper teeth, a longer reach, and a freer hand.

Could the minister please give us more details on the bill and its importance?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, in addition to the measures mentioned, the hon. member should be happy to hear that the bill would also crack down on voter fraud by removing the use of vouching and voter information cards. It would make rules easier to follow for all.

It would allow small donations in and keep big money out, because we want to let small donors contribute more to democracy through the front door and stop illegal big money from sneaking in the back door.

The bill would uphold the great principles of democracy that built this country. It would protect our elections and keep this country strong.

* * *

•(1445)

[Translation]

THE ENVIRONMENT

Mr. François Choquette (Drummond, NDP): Mr. Speaker, a report released yesterday reveals that air pollution caused by the oil sands has been grossly underestimated.

This most recent warning makes it even more urgent to conduct impact studies on health and the environment in order to understand the effects of these projects on the people living in the communities affected.

Why are the Conservatives opposed to any attempt to conduct studies on the impact of these energy projects on people's health?

[English]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, our government has made responsible resource development a priority. We have worked with the Province of Alberta to launch world-class scientific monitoring systems for the oil sands, and we have also opened up an office in Fort McMurray to ensure that companies follow the rules.

Our government will continue to support Canadian jobs while protecting our environment.

The real question is: Why do New Democrats keep voting against our investments for scientific monitoring? Instead, they want a \$21 billion carbon tax, and Canadians do not want that.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, the independent study of environmental impact assessments of oil sands operations reveals significant underestimates of pollution impacts on people's health and the environment. This echoes recent findings in studies by Environment Canada and other independent authors.

First nations and Metis peoples are still waiting for the health studies they have been demanding.

The Minister of Health has a mandatory duty under CEPA to take action on environmental impacts that harm Canadians. What action has the Minister of Health taken to comply with this duty?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): As I said, Mr. Speaker, our government has made responsible resource development a priority.

We will continue to work with our partners, like the Province of Alberta, to launch world-class scientific monitoring systems for the oil sands.

This is a transparent public process, which has some of Canada's top scientists involved. We will continue to work with the Province of Alberta on this world-class research.

Oral Questions

[Translation]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, it is clear that the Conservatives want to protect the industry, whereas the NDP wants to protect people's health.

The Conservatives allowed the National Energy Board to hide a troubling report on how TransCanada managed a pipeline leak. This 2009 report was just made public in 2014. Even the Dene Tha' First Nation did not have access to it.

How can the minister justify keeping this report from the public for five years?

[English]

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, I am troubled by the fact that the National Energy Board did not immediately release the report. A report was in fact made public last year, and contains recommendations to deal with corrosion.

Our government takes the safety of Canadians and the environment very seriously. That is why we have implemented new pipeline safety measures, including increased inspections, audits, and fines.

We are working to improve our safety system, in contrast to the opposition, which votes against these measures every time.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, it only became public because of access to information. Five years of hiding this report from the public is not world class. Canadians deserve better than that.

The report found that inspections were inadequate and that TransCanada was ineffective in managing the aging pipeline. That would have been important information for Canadians to have as we debate TransCanada's other project, Keystone XL.

When will the minister ensure that the National Energy Board make public all accident reports on time, fully, and honestly, so that Canadians can judge for themselves?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, it is the obligation of the National Energy Board to do just that. There was an error on its part. We were not aware of it. The National Energy Board is an excellent organization that does independent scientific investigations. Frankly, the willingness of the other side to attack this independent group is not the right thing to do because, quite frankly, it does not believe in science. It makes its decisions before the regulator actually reports.

Oral Questions

●(1450)

THE ECONOMY

Ms. Chrystia Freeland (Toronto Centre, Lib.): Mr. Speaker, this month the IMF released a report on Canada's economic outlook. The story the IMF tells is of a lost decade. To quote from the report, "Canada's exports have barely recovered from the Great Recession...". The IMF warns that low productivity growth has, and I quote the IMF report, "eroded Canada's external—"

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Toronto Centre still has the floor. I would appreciate a little bit of order.

The hon. member for Toronto Centre.

Ms. Chrystia Freeland: Mr. Speaker, I see the government is not interested in the view of IMF economists, but I think Canadians are. Let me continue to quote from that report. The IMF warns—

Some hon. members: Oh, oh!

The Speaker: Order, please. There are quite a lot of interruptions. The hon. member has run out of time, and I do not think she got to the question. I will give her the floor back to put her question very quickly so that the minister can answer.

The hon. member for Toronto Centre.

Ms. Chrystia Freeland: Mr. Speaker, why does the Minister of Finance continue to ignore this harsh reality, as documented by the IMF, at the cost of Canadian jobs and economic growth?

Hon. Kevin Sorenson (Minister of State (Finance), CPC): Mr. Speaker, I appreciate the question from the new member of Parliament. We know her policy. We know the platform she ran on: amen to higher taxes.

Thanks to the economic action plan, Canada has the strongest economic performance during both the recession and the recovery. Over 1 million new jobs have been created, of which nearly 90% are full-time and 80% are in the private sector. The IMF and OECD both project that Canada will have among the strongest growth in the G7 in the years ahead.

Amen to those facts.

* * *

AGRICULTURE AND AGRI-FOOD

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, when I met with grain farmers last fall, they were optimistic about their bumper crop and good prices, but not anymore. Most of their grain is still in their bins because the handling and transportation system has failed. Shipments are months behind, and some 50 boats are waiting on the west coast. Demurrage charges are \$16,000 per day, per boat. This constipated system is driving farmers' prices down by 35% to 40%.

Why has the Prime Minister let this happen?

Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC): Mr. Speaker, while the opposition was on holiday in January, for the past couple of months our government has continued to deal with this challenge. The minister has held round tables with stakeholders throughout the entire supply chain across

the Prairies. We recently invested \$1.5 million and are working with industry partners to find long-term logistical solutions. In the meantime, all players in the supply chain are expected to step up their game.

* * *

HEALTH

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, yesterday, the Minister of Health had no answer about Conservative staffers who now work for the tobacco industry. In addition to staffers like Sparrow and Beardsley, we have Aaron Wudrick, former Conservative campaign manager, and Duncan Rayner, former director of operations, lobbying for Imperial Tobacco. Meanwhile, Perrin Beatty, a former Conservative health minister, lobbied against increased warnings on cigarette packages.

How many times has the Minister of Health met with these people?

Hon. Rona Ambrose (Minister of Health, CPC): Mr. Speaker, I do not have a lot to say about tobacco lobbyists because I do not really care for them. I mentioned to the member yesterday, in fact, that if she does have a policy question or a policy suggestion on any way in which we can further our world-standing record, our anti-tobacco and anti-smoking record, I am open to that.

However, our government is incredibly proud of the fact that smoking is now at an all-time low, and we will continue to close any regulatory gaps we see and make sure we shut down what is a very impactful lifestyle on the health care system.

●(1455)

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, she does not need to "care for them"; she just needs to obey them, it seems.

However, the minister did not answer the question.

[Translation]

Levant, Sparrow, Beardsley, Rogers, Wudrick, Rayner, Beatty: all those people worked for our colleagues across the way and are now lobbyists for the tobacco industry. Sparrow is the former deputy director of communications for the Minister of Health. She would have us believe that the Conservatives just happened to fall into line with the lobbyists.

They refused to add more warning labels on cigarette packages and they changed the advertising message to fighting smuggling instead of smoking. When is the government going to invest in anti-smoking strategies instead of listening to its cronies in the tobacco industry?

[English]

Hon. Rona Ambrose (Minister of Health, CPC): Mr. Speaker, that is a ridiculous accusation. In fact, all the member has to do is talk to the Canadian Cancer Society about the record of this government when it comes to anti-smoking and taking on tobacco.

Smoking is now at an all-time low in Canada, dropping from 22% to 16%. Since 2012, as the member knows, we have required updated and larger health warning labels on tobacco products across the country. Also, we continue to invest in anti-smoking campaigns like the break it off campaign that we just launched recently with the Canadian Cancer Society. We will continue to make significant investments to get people off smoking.

* * *

FOREIGN AFFAIRS

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, Friday marks the beginning of the Olympic and Paralympic Games in Sochi, Russia. Many Canadians will be travelling to Russia to watch our Olympic team bring home the most gold medals ever. Could the Minister of State for Foreign Affairs and Consular inform Canadians who are travelling to Russia how to stay safe?

Hon. Lynne Yelich (Minister of State (Foreign Affairs and Consular), CPC): Mr. Speaker, Canadians deciding to travel to Sochi are reminded that they are responsible for their own safety. Canadians should take sensible precautions and maintain a high level of vigilance. While we are working with like-minded partners to ensure the safest environment for Canadians, Russia is solely responsible for the safety of all attendees.

We urge Canadians heading to the Sochi games to first visit our travel.gc.ca website to get the latest travel advice and to register in order to receive any of the updates.

Finally, I would like to say to all athletes, “Go for the gold”.

* * *

NATURAL RESOURCES

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, according to the NEB, last year from January to March eastern Canada propane storage dropped by 340 million litres, but only 330 million litres were in storage this January. With states throughout the U.S. competing for tight propane supplies, this is an international issue and a federal responsibility. If winter stays cold and the propane inventory runs dangerously low, what will the minister do beyond “...asking the National Energy Board and Competition Bureau to review propane market issues...”? How will he protect rural Canadians who heat with propane?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, in fact, it is within provincial jurisdiction to regulate distribution and pricing of propane. It may be that the Liberal Party wants to infringe on provincial jurisdiction, but that is not our view.

We understand this is an important issue for families who rely on affordable propane to heat their homes, and therefore, because our government cares for fairness for homeowners, we are asking the National Energy Board and the Competition Bureau to review propane market issues, including high prices and scarcity.

* * *

AGRICULTURE AND AGRI-FOOD

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, western grain farmers have a bumper crop but no money, because they cannot move their crop to market. Yet the minister seems to think studying

Oral Questions

the rail backlog is a good use of everyone's time and that the solution for farmers is to take on more debt.

The minister's plan does not work, and Canadian grain producers know it. They want their product moving, not in five years when the study is completed; they want it moving now. When will the minister put real pressure on the rail industry and get Canadian grain farmers' grain to market?

Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC): Mr. Speaker, one thing this record harvest clearly does show is that the end of the old single desk two years ago has reinvigorated Canada's grain industry. Our farmers seeded 2 million more acres of wheat and produced over 20 million more tonnes of grain this year from last year.

The minister has been busy holding round tables with stakeholders throughout the entire supply chain, and we recently invested \$1.5 million and are working with industry partners to find long-term logistical solutions.

* * *

● (1500)

NATURAL RESOURCES

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, last Friday, the State Department issued its final supplemental environmental impact statement for the Keystone XL pipeline. It clearly states that the project will have no major impact on greenhouse gas emissions. Furthermore, the report goes even further to state that the total annual GHG emissions will be higher if the project is denied.

I wonder if the Minister of Natural Resources would tell this House what exactly the report said.

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, the member for Peace River is absolutely correct. The State Department's final report concluded that if Keystone were not built, the result would be 28% to 42% higher GHG emissions. So, opposing the project would not only block job creation, it would exacerbate the problem of climate change.

It is far past the time for the NDP to get on the side of workers and the environment, apologize to Canadians, and support Keystone XL.

* * *

FOREIGN AFFAIRS

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, Mohamed Fahmy, a Canadian citizen, is one of three journalists who has been imprisoned in Egypt since December 29. They have all been charged with spreading “false” information about the situation in Egypt. If convicted, this Canadian could spend life in prison.

Business of Supply

Amnesty International considers these three prisoners as prisoners of conscience, imprisoned for the peaceful expression of their right to free speech.

Would the minister please inform the House what is being done to get this Canadian returned home?

Hon. Lynne Yelich (Minister of State (Foreign Affairs and Consular), CPC): Mr. Speaker, consular officials have been in contact and are providing consular assistance. The Canadian officials have raised this case with the Egyptian authorities. We are also in regular communication with specific family members, in accordance with his wishes.

* * *

[Translation]

DEMOCRATIC REFORM

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, while Quebec is taking action against fraudulent election financing and the use of false names by reducing the maximum amount of donations and increasing public financing, the Conservatives have proposed the exact opposite.

One would have thought that after Lino Zambito's admissions to the Charbonneau commission about his use of fake names to fund the Conservative Party, or after the string of donations from 12 executives of an engineering firm in the riding of Montmorency, the government would have at least had the decency to follow Quebec's lead.

Why would this government introduce a bill that defies common sense, if not to protect itself?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, the Fair Elections Act will allow donations of small amounts and will exclude those from the wealthiest.

We will also eliminate the practice of using unpaid loans to get around donation rules. I want to add that a small increase in the limits will enable small donors to contribute a bit more to democracy, all the while ensuring that checks and stricter legislation protect Canadians against the undue influence of money.

* * *

[English]

SELECTED DECISIONS OF SPEAKER PETER MILLIKEN

The Speaker: I have the honour to table, in both official languages, the "Selected Decisions of Speaker Peter Milliken".

[Translation]

This new reference work on parliamentary procedure is the eighth volume in a collection of Speakers' rulings and includes 228 rulings.

[English]

Mr. Milliken has the distinction of being the longest-serving Speaker of the House of Commons, with a 10-year tenure, which began in the first session of the 37th Parliament and lasted until the end of the 40th Parliament.

Over the course of his mandate, Mr. Milliken acted as Speaker during both Conservative and Liberal governments, a testament to

the respect he earned for his understanding of the procedures, traditions, and usages of the House of Commons.

On this special occasion, we are honoured today by the presence in the gallery of the Hon. Peter Milliken, distinguished former Speaker of the House.

Some hon. members: Hear, hear!

[Translation]

The Speaker: All members are invited to a reception that will be held in a few minutes in room 237-C to celebrate the release of this work.

GOVERNMENT ORDERS

• (1505)

[English]

BUSINESS OF SUPPLY

OPPOSITION MOTION—COMMUNICATIONS SECURITY ESTABLISHMENT
CANADA

The House resumed consideration of the motion.

The Deputy Speaker: The hon. member for Prince Edward—Hastings has six minutes left in his speech.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Mr. Speaker, I was hoping you were going to say 26, but I will try to get it done within 6 minutes.

Before question period I talked about how SIRC addressed the relationship between CSIS and the Communications Security Establishment. Certainly, their mandates are different and the review of their activities is carried out by different review bodies. However, they are very much alike in one regard: they work in compliance with the law as they carry out their mandates. CSIS has collaborated and will continue to collaborate with its partners to help protect Canada's national interests, consistent with its authorities. There is no question that two such organizations simply must work together to carry out these activities. The National Defence Act and the CSIS Act provide the authority for this collaboration to occur.

In today's complex global threat environment, national security must be a team effort if it is to succeed. This means that CSIS will work, has worked, and must work with many domestic partners, including CSEC. Both organizations are dedicated to protecting Canada and Canadian interests, and therefore must in many ways support each other while always respecting their distinct and separate mandates. Indeed, any and all activities are lawfully granted by the Federal Court and are directed only against those individuals who pose a threat. This is clearly specified in the CSIS Act, and Canadians should, and do, expect nothing less.

It is also important that we consider the evolving threat environment. This is a threat environment that did not use to exist, but now includes the prospect of Canadian citizens leaving the country for the purpose of engaging in terrorist activities while still wanting all the protections of Canada and its laws. Of course, that threat environment includes espionage and our economic interests, cybersecurity, et cetera. This is a threat environment that includes the proliferation of weapons of mass destruction and is certainly an environment in which al-Qaeda continues to pose a very real threat to our safety and security, both at home and in many places around the globe.

Therefore, this is certainly a complex, multifaceted, and multi-dimensional environment. Through all of this, we rely on our intelligence community to help us prevent, to the extent possible, Canadians from travelling abroad to take part in terrorist activities. We also rely on them to provide us with information and advice that will help us protect our natural resources and our economy. There is no question that as they carry out their duties, there will be a continued and ongoing need for appropriate review.

While we certainly can continue to rely on the work of the various review bodies, our government will continue to explore options that would deliver continued, effective, and robust review and accountability of our national security activities. In other words, we should always be vigilant for improvement. However, what we will not entertain is a process that duplicates the great work already being done by officials in SIRC. Why would we simply add another bureaucratic level and added cost to give us the same results when we already have a competency in place? Therefore, rather than creating additional reams of red tape for those who work on the front lines keeping us safe, our government will continue to introduce new tools.

Our Conservative government passed the Combatting Terrorism Act, which created a new criminal offence for those who travel overseas to engage in terrorist activities. Shockingly, members of the House and the opposition voted against this very simple, common sense measure. Canadians know that our Conservative government can absolutely be trusted on matters of national security.

● (1510)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am surprised at the remarks by the member, who is the chair of the public safety committee.

The question is not about security. The question is about whether the government and the intelligence agencies can be trusted with respect to protecting privacy. That is the issue.

All our partners have a parliamentary oversight committee. It is not, as the member suggests, a duplication of what officials do; it is Parliament accepting its responsibility to do a review on behalf of Canadians in a proactive way, so as to ensure that the intelligence-gathering agencies are doing what they are mandated to do and do not go beyond those measures.

The member should know that in terms of the all-parliamentary committee, the current Minister of National Defence was on that committee, as was the current Minister of State for Finance. They wanted it then; why do they not want it now?

Business of Supply

Why would the chair of the public safety committee not look at this with some independent thought instead of taking the messages that all the others over there in that party have been portraying all day long? Will he not think about it independently and give Canadians the robust viewpoint that should be seen?

Mr. Daryl Kramp: Mr. Speaker, we do work together in partnership on the public safety and national security committee.

My response will be very simple. I do understand the reality that there are ongoing arguments and discussions to try to bring into place the effective balance between security and privacy. It is an ongoing discussion.

The member is suggesting that we need another agency or department on top of that and that Parliament should take on more responsibilities, thereby adding another body. Well, it was Parliament that established the original bodies and all of the oversight committees. It is Parliament that establishes the relationship to put a judicial authority into the content. It is Parliament that establishes the laws that all of these people are adhering to, and the independent bodies have attested to that.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I listened with interest to the remarks made by the chair of the public safety committee, but I think he missed the point, because clearly some of the agencies he talked about do not have adequate oversight.

Last November, a judge in the Federal Court said that CSIS clearly had withheld information when applying for warrants and was conducting surveillance operations that were outside the law. What are the consequences for that? What happens when that takes place? We clearly do not have effective oversight if this is happening and there are no consequences. I would like to know what the hon. member has to say about that incident.

Mr. Daryl Kramp: Mr. Speaker, the government takes all transgressions and inadequacies into consideration. We had a situation that was deemed not to be proper, and action was taken to correct it. Do we need another body on top of that when we already have review agencies and an independent audit that has identified the problem clearly?

Yes, it was not perfect. Was there an error or omission? Yes. Has it been obviously identified and corrected? Yes. Is that reason to spend countless dollars on another bureaucracy that would simply duplicate what we already have in place?

● (1515)

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, as the member of Parliament for Renfrew—Nipissing—Pembroke, it is my pleasure to join the debate today.

As a Canadian Conservative, I view with alarm any development or operation of government that extends its reach into the daily lives of Canadians. Big government and faceless bureaucracies are the purview of the socialist, left-wing, left-of-centre governments and their supporters. It was Big Brother who implemented the hated long gun registry. Big Brother is responsible for forcing rural Canada, without consultation and at great cost to taxpayers, to accept industrial wind turbines in their rural communities. It is Big Brother who would be listening to private conversations.

Business of Supply

I am pleased to assure my constituents in Renfrew—Nipissing—Pembroke that when it comes to the creep of Big Brother and big government, I will oppose anything that reduces their privacy and the privacy of all Canadians. Within limits, I will not, at the same time, compromise the safety and security of Canadians.

As the member of Parliament for Renfrew—Nipissing—Pembroke, which includes Canadian Forces Base Petawawa, I understand the importance of reliable intelligence in a dangerous world. This is particularly important when Canadian Forces personnel are sent overseas and put in harm's way. Our military require the proper intelligence to assess security threats. The women and men of the Canadian Armed Forces have a dangerous job. Let us make sure we do nothing to make it any more dangerous.

I thank the mover of today's motion for the opportunity to discuss the importance of the work done by the Communications Security Establishment Canada, CSEC, on behalf of the Minister of National Defence and all Canadians. In a perfect world, we would not need CSEC. However, it is a dangerous world, and in order to keep Canada safe, we have to keep one step ahead of those who would do us harm.

Canadians understand that CSEC was legislated by the mover of today's motion while his party was in power. Flawed legislation, Big Brother government, and not listening to the concerns of Canadians led to his party being reduced to third party status in the House of Commons.

If there were gaps or shortcomings in the way CSEC operated, as a right-of-centre Conservative, I would be one of the first to be critical. Under our Conservative government, CSEC respects and is bound by Canadian law, including the Canadian Charter of Rights and Freedoms, the Privacy Act, and the Criminal Code of Canada.

By law, CSEC can only undertake activities that fall within its mandate. CSEC fully respects these legal parameters and authorities under which it operates under the National Defence Act. CSEC cannot direct its foreign intelligence or cybersecurity activities at Canadians anywhere in the world or at any individual Canadian. CSEC is specifically required to apply measures to protect the privacy of Canadians in the execution of its foreign intelligence and information technology security activities.

CSEC may assist federal law enforcement and security agencies under their legal authorities, such as any applicable court warrant.

The independent CSEC commissioner, an esteemed retired or supernumerary judge, reviews all CSEC activities and has never found CSEC to have acted unlawfully. Among the former commissioners are Supreme Court justices and one chief justice of Canada's highest court. The current commissioner is the Hon. Jean-Pierre Plouffe, appointed on October 18, 2013. While he reports to the Minister of National Defence regarding CSEC's activities, he does not take direction from the minister, the government, or CSEC.

The office of the commissioner is independently funded by its own budgetary appropriation from Parliament. It is the CSEC commissioner who decides independently what activities will be reviewed. The resources of the office of the commissioner are comparable to other similar review bodies.

In order to review the agency's activities, the commissioner is supported by an expert staff. The office has 11 full-time employees and contracts additional subject matter experts as appropriate and when required.

• (1520)

The commissioner and his staff have full access to CSEC employees, records, systems, and data and have the power to subpoena if necessary. The resources of the commissioner are also solely focused on one organization.

Since 1996, the commissioner has regularly reviewed CSEC activities for compliance with the law and protection of privacy and has made helpful recommendations to improve CSEC's programs. In other words, the commissioner has a sharp focus on compliance with the law and the protection of Canadians' privacy.

The commissioner's findings and recommendations for each of the reviews he undertakes during the year are sent to the Minister of National Defence. The classified report is necessary to provide a full account to the minister while at the same time protecting sensitive operational information under the Security of Information Act. The commissioner also submits an annual unclassified report on his activities to Parliament.

In addition, the commissioner is also available to appear before Parliament at any time. He most recently appeared before the Senate Standing Committee on National Security and Defence in December to talk about his role. The commissioner spoke positively about his ability to fully review CSEC activities, his access to systems and staff, and the resources that are allocated to his office to undertake his important duties.

To date, CSEC has implemented all of the commissioner's recommendations related to privacy and is in the process of implementing recommendations from the most recent reviews.

If the commissioner encounters any activity that he believes may not be compliant with the law, he is obliged under our legislation to inform both the Minister of National Defence and the Attorney General, who will perform their own assessments of whether CSEC has broken the law. The commissioner also has a mandate to receive information from CSEC employees if they believe it is in the public interest to release special operational information about CSEC. This provides an avenue for employees to come forward with any concerns they may have without breaching the Security of Information Act. To date, no such complaints have been received.

To reiterate, the commissioner has never found CSEC to have acted unlawfully. In fact, he has specifically noted CSEC's culture of lawful compliance and genuine concern for protecting the privacy of Canadians. Like other departments, CSEC is subject to review by the Auditor General, the Privacy Commissioner, the Information Commissioner, the Commissioner of Official Languages, and the Canadian human rights commissioner. In addition to external review, CSEC's internal audit, evaluation, and ethics directorate also conducts regular reviews, and these reports are reviewed by an external departmental audit committee.

All of these forms of review help to reassure Canadians that CSEC and its staff respect and follow the law and protect the privacy of Canadians in performing the important roles in collecting foreign signals intelligence in addition to protecting the Government of Canada's important computer systems and networks.

CSEC's activities are also guided by legislation that was implemented through amendments to the National Defence Act in 2001. This legislation established CSEC's mandate in statute and included special measures to recognize the unique operating environment of CSEC.

Given the complex and global nature of cyberspace and telecommunications, CSEC's foreign intelligence and cyberprotection activities sometimes risk the incidental interception of the private communications of Canadians. This happens because there is no way to know in advance with whom foreign targets will communicate, including people in Canada.

The National Defence Act recognizes this. Under the law, and solely for the purpose of fulfilling CSEC's mandate to obtain foreign intelligence or protect Canadian networks, CSEC must obtain an authorization from the minister for any activity that may risk the incidental interception of private communications. These authorizations are valid for up to one year and are subject to strict conditions, which include measures to protect the privacy of Canadians.

• (1525)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, it was great to hear all the reassuring words from the member for Renfrew—Nipissing—Pembroke and all the assurances given by the commissioner. However, they have not all been assurances. In the report for 2012-13, this is what the commissioner said:

However, a small number of records suggested the possibility that some activities may have been directed at Canadians, contrary to law. A number of CSEC records relating to these activities were unclear or incomplete. After in-depth and lengthy review, I was unable to reach a definitive conclusion about compliance or non-compliance with the law.

The assurances are not quite as assured as the member tries to portray.

Second, yesterday the Prime Minister's national security adviser, who was before the Senate committee, when asked these questions on the metadata, basically said, "I'm not...persuaded" that there was an infringement of Canadians' rights, basically, for lack of a better term.

"Not persuaded" is not very definitive. We had all-party support here at one time. Yes, the minister during question period talked about the metadata that happened in 2005, when the Liberals were in power. I did not know that until just lately. Therein lies the problem.

Business of Supply

It does not matter the political party that is in government. What matters is what the security agencies are doing.

What is wrong with Canada coming up to the standards that all the other countries involved in the Five Eyes have in terms of oversight for our intelligence security agencies in this country?

Mrs. Cheryl Gallant: Mr. Speaker, the government recognizes the importance of independent review in maintaining Canadians' trust in our national security activities. National security organizations, specifically CSIS and CSEC, are subject to independent review by the Security Intelligence Review Committee and the Office of the Communications Security Establishment Commissioner respectively. The review bodies have always found these agencies to work within the confines of Canadian law.

I certainly understand that the recent controversy in the United States has caused concern here in Canada, but I can assure the member that CSIS warrants do not authorize mass surveillance of Canadians, and our agencies do not engage in such activities. Any investigative techniques employed are lawfully authorized by the Federal Court and are directed against specific individuals who pose a threat to the security of Canada, a threshold that is clearly articulated in the CSIS Act.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, the member went on at some length about the perils of big government, yet we have seen the government acting, frankly, like a big thug on the rights of veterans.

The security agencies are now not only in our pockets but are in our iPhones, our BlackBerrys, and our computers. They are tracking us everywhere we go, and the member stands and says that it is okay.

Why does she think Canadians should simply accept the government's assurances that things are okay, when we know, for example, that the claims it makes about veterans getting more services are absolutely false?

• (1530)

Mrs. Cheryl Gallant: Mr. Speaker, it is precisely the socialist parties that want to expand government and bureaucracy. That being said, CSEC is prohibited from targeting the communications of persons in Canada or of Canadians anywhere under its foreign intelligence and cyberprotection mandates. CSEC is required to operate within all Canadian laws, including the Privacy Act, which has legislative measures in place to protect the privacy of Canadians.

Protecting the privacy of Canadians is the law, and CSEC follows the letter and the spirit of that law. As well, CSEC's activities are reviewed by the independent CSEC Commissioner, who has specifically noted CSEC's continued adherence to lawful compliance and its genuine concern for protecting the privacy of Canadians.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, this is an important issue. Many Canadians are offended by the approach the government has taken in terms of protecting privacy.

Business of Supply

Members will recall last year when a bill was introduced by the government. The government arguably wanted to snoop a little too much into the personal lives of Canadians all across our land. The resistance to that Conservative piece of legislation back in June was so significant that the government made the decision to let the bill die on the order paper, because it had offended so many Canadians with respect to the issue of privacy.

One would think that the Conservatives would be a little more sensitive to some of the reports related to privacy. Imagine being in the airport using Wi-Fi and finding out that it is being tapped into or monitored. I would argue that Canadians would be quite upset.

One must ask oneself what is actually being proposed. It is a very simple and straightforward motion that has been put on the agenda today by the Liberal Party:

That the House express its deep concern over reports that Communications Security Establishment Canada (CSEC) has been actively and illegally monitoring Canadians and call on the government to immediately order CSEC to cease all such activities and increase proper oversight of CSEC, through the establishment of a National Security Committee of Parliamentarians as laid out in Bill C-551, An Act to establish the National Security Committee of Parliamentarians.

What has the Liberal Party actually done here today? One, we have recognized an issue that we believe Canadians are concerned about. We are asking all members of the House to provide input and share their thoughts on what we believe is a critically important issue, which is ensuring the privacy of Canadians.

Not only are we raising the issue, we are also coming up with a practical solution for the government if, in fact, it wanted to demonstrate that, like us, it is concerned about the privacy of Canadians. It is a constructive motion before the House today.

It is not as if the Conservatives would have to come up with their own piece of legislation. We have made reference to Bill C-551, which already exists. In essence, that bill would make the law of Canada similar to what many other jurisdictions in the world are doing. I would suggest that it is something the government should be acting on.

I do not know why the Conservatives would oppose it. The member who spoke before me comes across as if she is against big government and does not believe that the government should be getting involved in these privacy issues. I do not understand why she would oppose the motion. The motion is trying to protect the privacy Canadians have and demand.

• (1535)

We talk about Bill C-551, which the Liberal Party has had on the order paper for many months. What would it actually do? The bill would establish a parliamentary committee that would provide oversight of CSEC. That is the core of the legislation we are promoting.

What does that mean? At the end of the day, there would be elected officials from this House who would be responsible for ensuring that CSEC, among other things, actually follows the law to ensure that the privacy rights of Canadians are protected. What is wrong with that? The government cannot even argue from a cost perspective.

Mr. Speaker, I was so anxious to speak to the motion, I forgot to mention that I will be sharing my time with my colleague from Ottawa South.

We have 308 members. Actually, we will be increasing membership under the government. We will be spending \$30 million-plus in tax dollars to increase the size of the House of Commons, so there will be more members of Parliament in the House. That is another debate for another day.

We have 308 members of Parliament today. We could designate a number of those MPs. I believe that the standard is ten. The cost would be marginal. The space for the meetings is already available at the House. Members of Parliament already have staff. There are apolitical analysts who are accessible. We could even look to the Library of Parliament. Cost is not an issue.

I would argue that it would be more cost-efficient than what we currently have in place in terms of overview. We have an office established and a judge, who I believe is actually part-time, to deal with this particular issue.

A House of Commons committee would meet on an ongoing basis. It is not as if it would be meeting twice a week during a session, even though, potentially, it could do that. It could be easily implemented.

I do not understand why the government is opposing what the Liberal Party is trying to encourage the government to adopt. The real benefit would be to Canadians.

• (1540)

Given the phenomenal amount of change occurring within technology today, whether Wi-Fi, GPS, or Internet, the technology that our security agencies have to snoop and spy, more than ever there is a need for parliamentary oversight. That means that elected officials in Canada would be able to guarantee that laws are not being broken and that the privacy of Canadians is being respected on this very important issue.

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I want to make an observation. The member asks why the government would not do this. The Liberal party was in government when it authorized the collection and analysis of metadata through a ministerial directive. It was the Liberals who did that. The member for Malpeque, who moved this motion, is a former solicitor general. The member for Mount Royal is a former minister of justice.

The Liberals were in power for 13 years. If they thought this was such a great idea, why did they not do it then?

Mr. Kevin Lamoureux: Mr. Speaker, we needed more time. We did a lot of wonderful things. I could talk about the health care accord that was signed off and is expiring this year. We are still waiting for it. I could talk about the Kelowna accord, which was a huge Paul Martin initiative. The Clarity Act was another. There is so much that the Liberal government did back then.

Technology has changed tremendously over the last six to eight years. How wonderful it would have been to have done this, not in 2014, but in 2010, 2009, or 2008. If there were a proactive Conservative caucus back then, with a proactive New Democratic caucus, maybe that idea would have surfaced at the time. Obviously, it did not.

I can assure members that if the Conservatives fail to do it here, it is only a question of time before it does get done, and it might take a Liberal administration in order to make it happen.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am very pleased to have an opportunity to finally get the floor on this debate today. I am very supportive of this motion, and concerned about the excesses that are apparent in CSEC, the Communications Establishment Security Canada.

I want to ask my colleague from Winnipeg North a question that I do not believe has come up today. It is an example that blows a hole through the argument the Conservatives are making that nothing needs to be done about CSEC, that it is using legitimate means to intercept communications that come from foreigners for appropriate security reasons.

How do they explain that Canada was caught spying on the Government of Brazil through CSEC? It intercepted communications to Brazil's department of mines, in an apparent effort of industrial espionage, to assist Canadian mining companies dealing with Brazilian mining companies. There was no legitimate security interest in doing this. I would ask my hon. colleague whether that incident does not bolster the need for parliamentary oversight.

• (1545)

Mr. Kevin Lamoureux: Mr. Speaker, I thank the leader of the Green Party for supporting the motion. It is somewhat sad that the only time that this becomes a topical issue is when we hear of something that has inappropriately taken place, such as the report with respect to Wi-Fi, where it appeared that Canadians were being monitored in some fashion or another.

The point is that we do not know for sure either way. That is why it is critically important that we do have a parliamentary group that deals with the issue in terms of oversight. Only through that can we provide unequivocal assurance to Canadians that their privacy-related issues with respect to CSEC are being protected.

That is why I would encourage the government not to just wait for news reports; we can be proactive in dealing with this issue. It would not be costly. Canadians would value a government that would protect their privacy. At the end of the day, there is nothing to be lost by accepting this motion and passing the private member's bill that we have suggested.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I appreciate the opportunity to participate in this very important debate. Let me say from the outset that I completely understand the need for Canada to have the appropriate balance in monitoring communications and collecting information that is important when it comes to our collective security.

I say that because several years ago, I was commencing a three-week international visitor program in the United States. My first day of those three weeks was in Washington, which happened to be the

Business of Supply

morning of 9/11, and thus began my three weeks throughout America. I learned a lot about security and the evolution of security thinking, and apparatus, on a continental and global basis.

However, listening to the government views on this, and I have listened intently now for most of the day, I would like to remind the House that a lot of Canadians are deeply concerned and troubled by this. I have an international airport, the Ottawa Airport, in my district. I have received many comments and questions about what is going on in that airport as people fly in and out of our national capital, including, by the way, 65,000 foreign officials each and every year.

This motion today is a simple one. For Canadians who are watching, listening, or reading, it means simply that we would create an all-party committee to oversee the activities of the Communications Security Establishment Canada. This would, of course, be in keeping with what is already happening in other jurisdictions. A similar committee exists in the United States. There is one in the United Kingdom. One is in place in New Zealand, and yet another is operating in Australia. We are talking about having a fixed number of MPs, sworn to absolute secrecy, who would play an important role in monitoring the activities of this particular organization's agency, to make sure that Canadians' collective paramount right to privacy is maintained and upheld.

As I listened to the government members respond to this, I was perplexed. Only several years ago, all parties in the House came together, in a report of 2004, and agreed to create an all-party committee. In fact, the government brought in legislation saying it would do precisely that. The Minister of National Defence today was a member of that committee, who spoke perhaps most strongly in favour of doing this. Therefore, why has the government flipped its views in this regard? We have seen, as I just explained, other jurisdictions that are doing this. They are our partners, working with Canada on a daily basis with respect to security matters. Why would the government resist this?

If I could sum up the government's position, it would go something like, "We actually want more secrecy, but we cannot say why because that is a secret". That is what we heard the Prime Minister say today during question period when he was asked precisely about this question. His answer was that he could not say anything about this because it was secret. That is not reassuring for Canadians.

I have to ask, where are all the Conservative libertarians? Where are all the former police officers, the remaining lawyers, or the military officers in the caucus, who all swore an oath to uphold the rule of law? Can they categorically look at each one of their constituents and say there is absolutely nothing wrong going on here, when we know there are committee reports that say "Houston, we may have a problem"? They cannot say that. Where are those voices? What has happened to those people? What has happened to the caucus? It is deeply troubling to hear what the government is saying.

Business of Supply

One would think that the Conservatives, and the Prime Minister in particular, would be in favour of improving oversight. Here is one reason as to why, one incident to justify why they might be in favour of that. Let us all harken back to the Iraq war. Let us harken back to the former leader of the opposition, now Prime Minister, writing an open letter to major American dailies in New York City and Washington, attacking the Canadian government for not participating in the Iraq war when the former prime minister Jean Chrétien made the fact-based decision not to participate in the Bush war.

• (1550)

In contrast, one would think, knowing what we know now about the fact that there were no weapons of mass destruction, despite the assertions by the entire security apparatus of the United States, and that it was a construct and a fiction foisted on the world, which decimated America's security reputation for the decade that followed

• (1555)

Hon. Gordon O'Connor: What the hell has this got to do with the subject?

Mr. David McGuinty: Mr. Speaker, I hear the former minister of defence asking for an answer. Let me explain it for him. We would think they would have learned their lesson. They should be demanding more oversight. They should be demanding more information, as parliamentarians, so they do not, to put it in blunt terms, get sucker-punched again.

It is quite astonishing to hear the Conservatives say that this is not a positive step for Canadians who are concerned. He is a part-time commissioner, a former judge. I know lots of former judges. I am sure he is a good person. A part-time commissioner is overseeing this entire apparatus. What is wrong with having a group of MPs, sworn to absolute secrecy, to ensure this is properly monitored on behalf of the Canadians who elected us into this House to do the job?

I do not want to see ghosts here. Canadians are very fair-minded. However, because there is no real answer forthcoming from the government, no real rationale, except that it is all okay and all works just fine, Canadians are going to conclude that maybe there is something wrong here, that maybe there is something being hidden by the Conservative government. The voices previously, who spoke strongly in favour of this, are now all silenced. Former ministers of defence, current ministers of defence, and former ministers of justice, have all sworn to uphold the rule of law, and they all know better. There has to be a reason, because a man or a woman always acts for a reason.

I would like to hear from the Conservatives sometime today as to what the real reasons are here. Why are they resisting setting in place a no-cost measure? The Minister of Finance is looking for low-cost or no-cost measures. Other than my bill to eliminate his partisan advertising, which is no cost, here is an idea that is no cost: set up a committee of well-meaning, good-faith, hard-working MPs from all parties to give Canadians assurances that their communications in an airport establishment, or elsewhere, are not being monitored and tracked. That is a reasonable ask by any party; it is a reasonable ask by any citizen.

Earlier we heard a parliamentary secretary ask why they did not do it when they brought in the bill and the construct years ago. Well,

it is interesting. As President Clinton once said in a speech that I was privileged to hear, "knowledge is doubling" every 18 months. The pace of knowledge and the change in knowledge is actually accelerating. For any members in this House to think that the technology, then, is anything approximating the technology today, clearly they are not following trends. Back then we could not do a quarter of what we can do today, perhaps 10%. Given these changes and this rapid evolution of technology, it is incumbent on us to keep up with the times. One of the ways to do that is to have an all-party committee that can transcend time, so to speak, and follow these developments and be briefed on a regular basis.

What are the capacities of the agency now? No one here is attacking the agency, or the goodwill and the good faith of the people who are working there. I am sure we would all agree that they are motivated by the desire to do right by Canadians, to follow within the four corners of the statute that empowers them to do what they are doing. However, when Canadians hear about their communications being perhaps followed, monitored, and acted upon when they are inside airports, and the airport authorities reveal, as the Ottawa airport authorities revealed to me, that they knew nothing and have nothing to do with this, that is a problem.

For the life of us on this side, we cannot understand the resistance or reluctance of the Conservative government to ensuring that Canadians' privacy is paramount and that it is protected today and going forward.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I would like to broaden the debate a bit and ask the member about the Canada Border Services Agency, which was set up by a Liberal government, I believe, in 2003. What we have seen over time is the expansion of its activities. It now acts like a police force, conducts investigations, runs informants, and probably has a national security apparatus embedded within it. However, this agency has no oversight mechanism, no complaint mechanisms, and no way for the public to actually deal with CBSA decisions.

I wonder if the member would agree that this motion is also important for agencies like the CBSA, and not just CSEC, so that we could look at making the CBSA more accountable to the public and ensure it also operates within the law.

Mr. David McGuinty: That is a very probative and important question, Mr. Speaker, but one I cannot answer. I do not know whether the Canada Border Services Agency is pursuing illegal activities. The member asserts it is. I do not know if that is the case. If he has evidence of such wrongdoing, he should perhaps bring it forward.

The motion today deals with one specific security establishment, the Communications Security Establishment of Canada, and it speaks to it directly because we now have evidence and reports. We have heard that there are perhaps activities going on that ought to be subject to scrutiny and, to the extent possible, to the light of day through an all-party committee of parliamentarians.

Business of Supply

Going forward, if there were similar challenges with other security apparatus in the country, this is something that should be debated on the floor of the House, absolutely, without doubt.

Mr. Randall Garrison: Mr. Speaker, I think the hon. member misunderstood my question. I am not saying that I have evidence that CBSA does things that are illegal, but that when people have concerns about its activities, they have no way to lodge those concerns, and that we have, in fact, no parliamentary oversight body.

Therefore, your motion today seems to narrow things to CSEC, and what I am asking you is whether you would think this committee might also look at some of the—

The Deputy Speaker: Order. I would remind the member to direct the questions to the Chair rather than to other members of Parliament.

Mr. Randall Garrison: Mr. Speaker, would the member not also consider that this committee might be able to look at other agencies like the CBSA, which do not have parliamentary oversight mechanisms?

Mr. David McGuinty: Once again, Mr. Speaker, that is an important question and one I am not in a position to answer. It is something that I am actually pleased that he has raised here on the floor of the House because it speaks to a wider responsibility of the House to make sure we have parliamentary oversight.

However, as I like to say to my four adult children, in life sometimes the best way to start is to start. What Liberals are proposing is to start with an all-party committee of MPs that can bring the important role of a parliamentarian to bear—all sworn to secrecy—to review these matters on an ongoing basis, so that we can transcend all technology developments as they occur, because they are happening much more rapidly than we ever thought they could, and there would be more information coming forward over time.

I just cannot, for the life of me, understand why the Conservatives are not standing up and embracing this, given the culture of the libertarians inside the caucus, the former peace officers, those who have sworn to uphold the law. I should not be surprised. We have a Minister of Justice who, frankly, given his conduct here, may be subject to actually being removed from the Law Society of Upper Canada.

• (1600)

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the member refers to a former committee that involved some members from this side of the House going back to 2004. At that time, the Liberal Party was in power and it ignored that recommendation. Now Liberals are claiming that they are on the side of openness and transparency and that they are going to come forward with having more parliamentary oversight. He was here back in 2004. He got elected at the same time I did. Maybe he wants to talk about why the Liberals did not act upon it then.

The Deputy Speaker: The hon. member for Ottawa South has about 35 seconds.

Mr. David McGuinty: Mr. Speaker, that gives me 35 seconds to remind the member why we are debating this. We are not debating this because of he-said-he-said and she-said-he-said. We are debating this because Canadians right now are really concerned. I think the

member should spend more time focusing on the concerns of his constituents in his own riding than playing silly parliamentary games.

Canadians want to see us take positive, proactive, helpful measures. This is a proposal for one. It is before us now. I would rather hear the Conservative member speak to the merits of making change and helping Canadians than play, frankly, backward-looking, silly games.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I will be splitting my time with the member for Portneuf—Jacques-Cartier.

I rise today to speak in favour of the motion from the hon. member for Malpeque, and I thank him for giving members of Parliament the opportunity of raising in this House of Commons, once again, the important issue of public oversight of Canada's intelligence activities.

Over the past year, we in the opposition have repeatedly tried to bring the need for action on this issue to the attention of the Conservatives, and each time we have been rebuffed. A number of very specific incidents over the past year have pointed to the need for Parliament to act to protect the privacy rights of all Canadians and to ensure that our national security agencies are acting within the law.

The fact that concerns have been revealed in a variety of ways, for me, only strengthens the arguments for action by parliamentarians as a necessary part of our role as elected representatives in a democratic system. It matters little whether the information has been revealed as part of access to information requests in Canada, through the revelations of the U.S. whistleblower Edward Snowden, or through information revealed as part of court cases. What is important is the consistency of the problems identified.

We live in an increasingly wired world where each day more and more of our personal communication and personal business takes place through electronic means. It is a world where governments have acquired the ability to conduct surveillance on their citizens not even imaginable in the past.

Even if we narrow our concern to those agencies that deal strictly with public safety and national security, a central work that no one would argue should be neglected, Canada has grown a large number of arms to deal with this task: from the RCMP, CBSA, and CSIS, to an agency now within the Department of Foreign Affairs, to the Communications Security Establishment Canada or CSEC. We have an increasing number of Canadians employed in these national security functions, and they have increasingly sophisticated technology at their disposal. Yet, our legislation and oversight mechanisms have not kept up with these rapid changes so that we can be assured that protecting national security does not unnecessarily trample on our basic freedoms, including the right to privacy.

This is why last October the official opposition defence critic, the member for St. John's East, introduced a motion calling for the creation of an all-party parliamentary committee to determine the appropriate oversight for Canada's national security and intelligence community. New Democrats have been raising this issue in letters to ministers and in questions in the House since the previous June, without receiving any substantive response from the government.

Business of Supply

Unfortunately, the Conservatives rejected the idea of an all-party parliamentary committee, like the one we are considering today, and they have continued to engage in pretzel-like logic to explain away the obvious concerns about the protection of privacy and whether intelligence agencies are in fact operating within the law.

I am happy that the member for Malpeque has resurrected an old Liberal motion dealing with the same issue, because it gives us a chance to ask the government to focus on solutions to this complex problem rather than on elaborate evasions. While I might differ on some of the details of this Liberal motion, I can support it as it would allow us to tackle the problem directly.

Now, of course, I do not expect the Conservatives to have a change of heart and suddenly reverse position and support this motion. The very fact that it is an opposition motion mitigates against that, as the government is not in the habit of adopting ideas from this side of the House no matter how practical and sound they might be. However, if the government will not listen to the opposition on this, it might listen to some others with expertise in the areas of national security and privacy, who are calling for the very same thing: improved parliamentary oversight of intelligence activities to ensure protection of basic rights and especially the right of privacy.

One person who many might be surprised to know agrees with the position of this motion is John Adams, the former chief of CSEC. He said in a rare interview last October that the secretive agency he headed for more than seven years needs more parliamentary oversight. He said in the interview that CSEC had deliberately kept Canadians in the dark about its operations and that the government needs to do more "...to make Canadians more knowledgeable about what the intelligence agencies are trying to do on their behalf".

Ontario's Privacy Commissioner, Ann Cavoukian, said in two different interviews this month that action by Parliament is needed. She said:

It is really unbelievable that CSEC would engage in that kind of surveillance of Canadians. Of us.

I mean that could have been me at the airport walking around.... This resembles the activities of a totalitarian state, not a free and open society.

In another interview, Cavoukian also said:

Our silence on this is unacceptable as we are now vulnerable to both indiscriminate data collection and warrantless surveillance. The federal government needs to respond by ensuring that CSEC's surveillance powers are transparent and accountable so that our right to privacy remains protected. We can, and indeed, must have both privacy and security.

●(1605)

These are serious and stern warnings that ought to convince the Conservatives to take this issue seriously. I want to spend the remaining time I have left focusing on CSIS rather than CSEC, which has taken up most of the debate here today. I want to do that because of two very serious things that have happened with regard to CSIS, which are directly relevant to this debate about civilian oversight of intelligence activities. One of those is the weakening of accountability in CSIS resulting from the elimination of the inspector general of CSIS.

For a savings of just around \$1 million, in 2012, the minister of public safety eliminated the independent officer within CSIS who

was responsible for making sure CSIS operates within the law. The very person who reported to the minister on the activities that would guarantee to Canadians that our intelligence agencies are not breaking the law was eliminated by the Conservatives. Instead the Conservatives passed this responsibility on to the Security Intelligence Review Committee, a part-time body of ex-politicians whose last two chairs were forced to resign, one for conflict of interest and the other for fraud.

The second concern related to accountability and CSIS is very serious indeed. Last November in a written decision, Federal Court Justice Richard Mosley concluded that CSIS had withheld key information from the court when requesting surveillance warrants. The information withheld included the fact that CSIS was asking for assistance from foreign intelligence agencies to carry out surveillance that is clearly illegal under Canadian law if performed by CSIS.

This is the Federal Court of Canada saying that CSIS violated the law, and this incident raises the important question of what happens when a federal court concludes that CSIS was not operating within the law. What are the consequences? To this point, there are apparently none, but it also raises the murky question of the legalities of Canadian intelligence agencies co-operating with foreign intelligence agencies.

In its annual report last year, SIRC concluded that it had no power to look into those co-operating activities. It had no ability to examine whether co-operation with foreign intelligence agencies resulted in violations of Canadian law.

Of course, concerns about this trend toward a surveillance state are not just limited to the collection of information, but they also apply to its use. Therefore, not only do we need civilian oversight to ensure privacy rights are respected and that intelligence agencies operate within the law; but we also need to protect citizens against the misuse of information or damages resulting from false information.

Not only do some of our agencies lack basic oversight mechanisms, as is the case with both CSEC and CBSA, but they also lack any complaint or dispute resolution process. The no-fly list is a good example of a security measure based on intelligence collection activities that was clearly not envisioned by existing legislation or our institutional structures.

Some individuals clearly belong on such a list. I would never dispute that, but when individuals end up on the no-fly list incorrectly, they suffer a large penalty with no recourse. An all-party committee has suggested that this motion could play a useful role in finding fair solutions for those who wrongly end up on no-fly lists, while still protecting an essential tool for protecting the travelling public.

Business of Supply

Seeing my time is drawing to a close, let me conclude by urging all members in the House to support actions like that proposed in the motion before us today. It is time for us to make sure that democracy catches up with technological and organizational change and, in doing so, to make sure that basic rights of Canadians are fully protected, both the right to security and the right to privacy. That is the challenge that we as parliamentarians are called upon to meet.

New Democrats are up to that challenge and if the Conservatives are not, as it appears from this debate today, then on this issue they will surely be called upon to explain themselves to their constituents in the coming election.

• (1610)

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I am a little concerned that by having this debate on CSEC and CSIS, we are increasing the level of concern among Canadians.

We have to remind members that the Communications Security Establishment Canada targets all of its activities for the protection of Canada. That is paramount to what we do here within Parliament: it is our first and foremost responsibility to protect Canada and Canadians.

The activities of CSEC cannot be targeted at Canadians, whether they are at home or overseas. The independent commissioner oversees CSEC to ensure that it meets the test and constantly asks questions of its activities to ensure that the laws of Canada and the rights of Canadians are protected. Those rights and laws are completely guaranteed under the Charter of Rights and Freedoms. They are protected under the Privacy Act and the Criminal Code.

Why do we want a partisan place to provide an oversight committee when we already have an independent, non-partisan individual and the office of the commissioner doing that job now?

Mr. Randall Garrison: Mr. Speaker, I am sorry to say that the parliamentary secretary's question is an example of pretzel logic, because he refers to an independent commissioner, but I am sure he is aware that the CSEC Commissioner is not independent. In fact, his reports are vetted by CSEC itself before they go to the minister, so that CSEC can take things out of the commissioner's report for national security reasons.

All we are asking for is to have a genuine independent mechanism for reviewing its necessary activities. I do not disagree with the parliamentary secretary: the national security activities of intelligence agencies are necessary. But we have no way of knowing what CSEC is actually doing, and I cited in my speech the example of a court finding CSIS to in fact be in violation of the law.

We need those mechanisms to ensure that both security and privacy are respected at the same time.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I really enjoyed how the member for Esquimalt—Juan de Fuca outlined what the judge had said relating to CSIS. It is an important issue. The judge certainly felt that his decision was in fact violated by one of the security agencies.

I am surprised by the line we are now hearing from the government that we would set up a partisan committee. That is not true. We would set up a committee of members of Parliament who

would swear an oath, a thing that the Privy Council does. They would in fact give up the right to ask questions in the House about the knowledge they had been given internally, in order to ensure that the privacy of Canadians is being protected.

I have been in government. I have been a minister. Because I was the Solicitor General, I know the pressure that the bureaucracy places on ensuring that security trumps all else.

Let us refer to the Information Commissioner of Ontario who says that it has been revealed that our very own CSEC has been working alongside the NSA, hand in hand, in what is beginning to look like a worldwide assault on privacy, with no government accountability.

Is it not time that the government took some responsibility and allowed the Parliament of Canada to do its job?

• (1615)

Mr. Randall Garrison: Mr. Speaker, I thank the member for Malpeque for saving me from asking so many questions.

I certainly agree with him, but what I was suggesting is not a partisan committee. We are looking for effective mechanisms to make sure that we can do our jobs as parliamentarians, and that is to make sure that Canadians' rights, as I said, for both security and privacy would be protected at the same time. New Democrats are certainly up to meeting that challenge.

[*Translation*]

Ms. Éloise Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, this is a highly important debate that we are having in the House today and I greatly appreciate the opportunity to participate.

I want to thank my colleague for his eloquent speech. He expressed our concerns over what is currently happening at CSEC and how important national security is to the NDP. We have heard certain comments, and according to what the Conservatives keep saying, New Democrats are friends of the terrorists. We are here to defend Canadians' right to privacy, while ensuring that the necessary information and communications services and resources are in place to protect Canadians' national security. That is a tricky balance to achieve and that is why today's speeches are so important.

The latest revelations concerning the activities of Communications Security Establishment Canada are particularly troubling. For two weeks, in direct violation of its mandate and the law, CSEC allegedly spied on thousands of Canadian travellers at the country's airports by using the free Wi-Fi network at a major Canadian airport. CSEC was able to use the information gathered through mobile devices to track the movements of thousands of individuals, thousands of Canadians, for days after they left the airport.

There is nothing ambiguous about the current legislation governing CSEC's mandate, quite the contrary. The legislation explicitly indicates that Communications Security Establishment Canada has no right to spy on Canadians, period. The Minister of National Defence and the head of CSEC are using semantics to try to convince Canadians of the legality of their actions, which I frankly find deplorable.

Business of Supply

For days now, they have been saying that no Canadian citizen was the target of surveillance, that Canadian communications were neither directly targeted nor collected, and that metadata are simply technical information that can legally be compiled. Such answers border on intellectual dishonesty and fool nobody. We know what metadata is composed of and all the information that people can get from those bits of data. Unfortunately, that information is too easily accessible through wireless networks and co-operation among various states around the world attempting to get more of this information.

In this case, we are talking about a pilot project. They were trying something on a large scale. Sure, they did not directly target Canadians, but that does not mean Canadians were not under surveillance afterward. We know that the activities of certain Canadians were tracked using information collected in airports. The Minister of National Defence's attempt to nuance this whole thing is worrisome. This all borders on half-truths.

As I was saying, we know that metadata provides an incredible amount of information on individuals: who they talk to, when they go places, where they go, what kind of information they look up on the Internet and when. Collecting that kind of information is spying, pure and simple.

The Minister of National Defence can play with words as much as he wants, but Canadians are not fools. They know that their minister is not telling them the whole truth, even though it is his responsibility to demand accountability of CSEC and to ensure that Canadians' privacy is protected.

Canadians have every right to expect that our intelligence services carry out their activities in full compliance with the law and that the minister responsible for these services bring them back into line when they go too far. Last week, we found out that this is what happened in 2012. Unfortunately, the minister refused to honour his responsibilities.

The latest CSEC spying incidents, as revealed in the documents released by Edward Snowden, are the latest in a long line of Conservative government national security disasters. Since the summer of 2013, a lot of troubling information about CSEC's spying practices has come to light and many alarms have been sounded, but the government has done nothing. In June 2013, we learned that the former minister of national defence had authorized a program to track Canadians' phone and electronic communications by collecting their metadata.

• (1620)

Of course, the Conservatives first denied the fact categorically, and then they just refused to debate it in the House, despite the NDP's request to do so.

In August 2013, Justice Robert Décaré stated that Canadians had been targeted by illegal spying practices. Once again, what has this government done to avoid such an attack on the rights and freedoms of the citizens of this country? It has done absolutely nothing.

Based on the information we are getting from a variety of sources, between October and December 2013, Canada conducted intelligence activities without any clear and strict rules. The Conservatives have been spying on Canadians, companies and foreign powers, and

are now intercepting data over the wireless network of a major airport. I am talking about the incidents reported last week.

In light of all those abuses, what is the Conservative government doing to rectify the situation? Nothing, of course. The situation is even more worrisome since we know that the former minister of national defence said last summer that CSEC was not spying on Canadians. Could he rise in the House today and say the opposite is true?

The minister rose in the House and said that there was no spying, that CSEC was complying with the legislation and that the organization's culture respects the privacy of Canadians. However, more and more information is emerging and proving otherwise. Frankly, that is a concern.

This reflects the Conservative government's attitude. Just like with the Senate scandal and the F-35 affair, the government refuses to shed light on inappropriate and downright scandalous practices. The government refuses to shed light on the acts of espionage that it itself approved. Enough is enough.

It is clear that Canada is facing terrorist threats and that they need to be taken seriously. Not one of my NDP colleagues would argue otherwise. We all realize that measures must be taken to protect Canadians within our borders, and that this involves gathering intelligence. However, it cannot be done any which way. It requires oversight mechanisms and some form of accountability, which does not currently exist.

We are being told that commissioners and other individuals will independently review CSEC's activities, but as my colleague said, the reports that will be produced by those independent authorities will be reviewed by CSEC, which could delete any information that it deems to be a bit too inconvenient. The same problem keeps coming up: there is no accountability mechanism in place at this time.

National security must be a priority for every government. We agree on that point. However, it should not come at the expense of people's basic rights or privacy.

The various events that we have recently learned about clearly demonstrate that there is a dire need to monitor CSEC more closely. With that in mind, the NDP will be supporting the motion that was moved by the Liberal member for Malpeque.

The motion is consistent with some of the demands put forward by the NDP in the past, in particular the creation of a special parliamentary committee on security and intelligence surveillance that would determine the most appropriate method of ensuring parliamentary oversight of intelligence policies, regulations and activities.

Of course, the committee that the NDP envisioned would not include unelected senators, nor would it allow the Prime Minister to withhold certain information from Parliament, as is the case with the Liberal Party proposal. However, this is a step in the right direction. That is why we will be supporting the motion before us today.

Business of Supply

Defending Canadians' basic rights and their privacy is crucial to the NDP. It is what we have always done and will continue to do. My colleague from St. John's East moved a motion before the Standing Committee on National Defence calling on the Minister of National Defence and the head of CSEC to appear before the committee to answer questions regarding their spying practices.

I hope the Conservative members of the Standing Committee on National Defence will support that motion and help us finally shed some light on the troubling events that were recently revealed.

• (1625)

[*English*]

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I want to thank the member for her presentation. I also want to thank her for the work she does on the Standing Committee on National Defence.

I would like her to talk a bit about the importance of CSEC from the standpoint of national security.

A couple of years ago, the committee was looking at potential threats to Canada. One of the biggest threats we are facing right now is cybersecurity. There are ongoing attacks from outside the country to try to ruin the infrastructure we have built around the Internet and the way we communicate in this country. They are trying to attack our financial systems and trying to attack our companies. We see all sorts of industrial espionage.

On top of protecting Canada and protecting the Canadian Armed Forces overseas, CSEC is the front line in protecting us from cyberattacks. Those types of attacks are often orchestrated by other nations or are orchestrated by terrorist organizations.

I would ask the member to speak to the importance of the role CSEC plays.

[*Translation*]

Ms. Éline Michaud: Mr. Speaker, I thank my hon. colleague for his intervention. He is not wrong. This is one of the rare occasions where I actually agree with one of my colleagues across the way.

Indeed, CSEC plays a key role in protecting Canadians and guarding against certain cyberterrorism threats. We cannot forget that. However, the importance of CSEC's role in monitoring and collecting information does not discharge it of its obligation to obey the law. Canada passed legislation to provide a framework for CSEC's mandate. That legislation formally prohibits any spying of Canadians on Canadian soil.

When we are faced with situations like the one that occurred in a Canadian airport in 2012, where Canadians were spied on for two weeks as part of a pilot project, that is when realize there is a problem.

No one here would deny the importance of the work done by CSEC. However, we must discuss how this work is being done as well as the dire need for better monitoring through a parliamentary committee made up of elected members.

It is on this point that the Conservatives and the NDP do not agree. I hope, however, that the government will listen to reason in the end.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, on the issue of parliamentary oversight and the benefits of parliamentary oversight, we have members of Parliament who would be able to ensure that no Canadian laws were being broken. It would be cost-efficient, because the committee would be here in the House, where we have all sorts of resources. However, the biggest beneficiaries would be Canadians because of the privacy assurances that would be provided.

Given how technology has changed over the last number of years, providing that oversight has become that much more important. For example, at one time, we did not have Wi-Fi. That is the example used today with respect to why we need to institute parliamentary oversight. At the time legislation was first brought in, we did not even have GPS. More and more, it is the right thing to do. Supporting Bill C-551 is the best way to ensure for Canadians that we have good oversight in dealing with privacy issues.

• (1630)

[*Translation*]

Ms. Éline Michaud: I do not have a lot of time to respond to such insightful comments.

We do need better oversight mechanisms. A special committee of parliamentarians could study how to increase CSEC's transparency and accountability.

I wonder why the Liberals did not set up such a committee when they were in power. That would have solved the problems we are faced with today. In 2015, the NDP will have the opportunity to do what the Liberals failed to do.

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Argenteuil—Papineau—Mirabel, Intergovernmental Relations.

[*English*]

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I am thankful for the enthusiastic applause, particularly from the opposite side.

This is an important debate. I am glad my colleague from Malpeque suggested it to the House as a day devoted to what is essentially a conflict between two fundamental issues: the right we all have to privacy and the expectation that those of us who live in this country need to be protected from those who would do us harm, whether it is criminality harm or terrorism harm, etcetera.

In anticipation of the government's line of questioning, I would say that is a fundamental issue that it needs to address. It is a core issue. Every Canadian has a right to be protected by his or her government, period. End of sentence. The question then becomes how intrusive we allow the government to be in pursuing our fundamental right to protection.

Mr. Speaker, our environment has changed. You and I are from a similar vintage, and might I say it was a very good vintage.

Some hon. members: Oh, oh!

Business of Supply

Hon. John McKay: I hear some heckling on the other side from junior members of Parliament, who may be more familiar with the era in which they were raised, which was with the BlackBerry, the iPhone, and all kinds of technology, which possibly you and I barely understand.

The issue is that there is a capacity in government agencies now to do things we could not possibly have imagined when you and I were in law school or practising law or when we came to this House. The concept of metadata was not anything other than for pointy heads at the University of Waterloo in third year engineering. We did not understand it.

We are only now starting to realize that when we get into an airport or any Wi-Fi zone, because of the capacity of CSEC and other agencies, they can get an electronic footprint. As one writer put it, it is as though a BlackBerry becomes a dog tag that follows us.

On Monday, I landed at the Ottawa airport. I went to Starbucks to get a coffee. There is an electronic print of my attendance there. On the way into Ottawa, I stopped at my favourite bank machine. There is an electronic footprint there. In the process of getting through Ottawa, I passed probably two or three Tim Hortons, one or two Starbucks, and a Bridgehead, which I would suggest is probably the finest coffee Ottawa has to offer. Indeed, all of those are Wi-Fi zones. All of those are places where I and other members of this chamber have left electronic footprints. The system is so sophisticated that not only do they know what I did today, yesterday, or Monday, they can actually track back what I or anyone else did weeks ago, because we went through various Wi-Fi zones and left electronic footprints. Therefore, we are all involved in this collection of metadata.

This digital dog tag we carry with us on a daily basis is a way those who wish to track our movements can track them. While they may not engage in finding out who we talked to on our BlackBerrys or iPhones or what the contents of the texts were, they know that we sent out an electronic signal from the Ottawa airport, down Metcalfe Street, into my office in the Justice Building, to here. Because this is a zone, we are giving off electronic signals as we speak.

● (1635)

In some respects, it is like the great game “Where’s Waldo?” You and I are from a similar era, Mr. Speaker, and raised our children in a similar period. “Where’s Waldo?” was one of my kids’ favourites.

It is frequently hidden in plain sight. Our electronic signal, which we think is private, is actually hidden in plain sight.

We get to the government’s position, which is essentially, “trust us”. Most Canadians would prefer to trust the government. They would prefer to believe that while it is protecting us from criminality, terrorism, and various other bad things that can happen to citizens, it is respecting our right to privacy. On that issue, the government is actually losing the confidence of Canadians, which could be redeemed by the suggestion from my hon. friend from Malpeque.

I regret to say that some of the words coming from the members of the government, particularly the minister and some of the representatives of the agencies, are words that might be described as weasel language. The point is that the government says that it did not actually target them. It is okay if it did not target them. If we

have 1,000 people going through the Ottawa airport, and the government picks up thousands of signals, it is okay, because the government did not pick me or him while it was gathering all of this data.

The minister says in response to various questions in the House that it is his understanding that Canadian communications were not the target. Apparently, if they were not the target, it is okay. They can find out my entire journey from the Ottawa airport to my chair here, and it is okay, as long as I was not the specific target.

CSEC then says that it obeys the law. That is an interesting concept. It obeys the law. It says that as long as it obeys the law, that is perfectly fine, as long as we are not the targets of an intercept. The minister then goes on to say that no laws were broken and that the commissioner reported no breach. However, Canadians are asking who is looking after the spies. Who is looking into these things?

On the point of the legal interpretation, I want to direct the attention of the House to the words of Wesley Wark, who I believe is associated with the University of Toronto. He is a renowned authority on international security and intelligence, and he said, “I cannot see any way in which it fits CSEC’s legal mandate”.

In all, we have a pretty sophisticated opinion, which says that the gathering of data on us and thousands of other Canadians is fine, as long as we are not the target. That is the government’s position. Professor Wark, on the other hand, takes the view that just the gathering of the information, targeted or otherwise, is contrary to the mandate of CSEC.

● (1640)

We have a fairly significant divergence of opinion just on the legal issue alone, but it kind of gets worse because Canadians are saying the minister does not seem to have any great enthusiasm for protecting our privacy, CSEC does not seem to have any great enthusiasm for protecting our privacy, the commissioner, within a narrow legalized interpretation of his mandate, says no laws were broken, we have a conflicting opinion from Professor Wark, and then we get on to Judge Mosley. I will quote from *The Huffington Post*, which states:

CSIS assured Judge Richard Mosley the intercepts would be carried out from inside Canada, and controlled by Canadian government personnel, court records show.

Mosley granted the warrants in January 2009 based on what CSIS and...CSEC—had told him.

However, Canadian officials then asked for intercept help from foreign intelligence allies without telling the court.

I repeat, “without telling the court”.

Mosley was unimpressed, saying the courts had never approved the foreign involvement.

“It is clear that the exercise of the court’s warrant issuing has been used as protective cover for activities that it has not authorized,” Mosley wrote in redacted reasons.

That means, Mr. Speaker, that you and I cannot read his full reasoning as to why he is upset with CSEC and CSIS on the abuse of the warrant that he issued.

Judge Mosley further stated:

“The failure to disclose that information was the result of a deliberate decision to keep the court in the dark about the scope and extent of the foreign collection efforts that would flow from the court's issuance of a warrant.”

Mr. Speaker, you and I may have gone to law school a long time ago and we may have practised law a long time ago, but nevertheless, one cannot mislead a judge. One cannot withhold basic information from a judge or use the issuance of a warrant for a purpose for which it was not intended. Therefore, he was a very upset judge, who was not able to fully communicate the extent and nature of his upset because his courtroom is in a situation where it is subject to the Official Secrets Act and various other matters and, therefore, his reasoning is fully redacted.

One does not have to get too far past the first year of law school to know that this is not a happy judge, who feels that he is being abused by the authorities, and that his warrant has been taken far beyond its intention.

This is the core issue. There is a sense in which, with all of the new technology and this collection of metadata, our laws have not kept up with the advances in technology. As I say, even 10 years ago, we did not even discuss metadata. Metadata was simply a rarefied concept among engineers, particularly computer engineers. Now they have the ability to follow people anywhere because they are continuously giving off electronic signals, and the minister seems to be fairly relaxed about it. He seems to be saying that, as far as he knows, they are staying within the law. I guess there is that kind of three blind mice approach to that. We would have hoped the minister would have had a bit more of an aggressive attitude toward protection of Canadians' interests.

• (1645)

Along comes the member for Malpeque, who has had government experience as a solicitor general. I dare say he was solicitor general at a time when metadata was simply a gleam in somebody's eye. He recognizes now that something needs to be done, and his proposal is that we as members of Parliament from both houses take some supervisory jurisdiction with respect to this kind of data collection and these kinds of activities.

It is human. The people who are authorized to protect us are doing that, and they are doing an exemplary job. However, sometimes somebody needs to blow the whistle and say that in their enthusiasm to protect us, they have actually crossed the privacy line. I do not know of any other body that would be more capable of doing that than those people who are the representatives of the people. It is quite a core concept that we either guard our privacy or we lose it.

Here we have almost a cultural distinction between our friends in the United States and Canadians. Frankly, Canadians justifiably feel a bit relaxed. We live in that peaceable kingdom. Canada is obviously the best country in which to live. There is a certain lulling aspect of that, and therefore not as many Canadians are as concerned as they should be about that little trip that I described from Ottawa airport to this chamber.

Our American colleagues are very upset, on the other hand, partly driven by the Snowden revelations, partly driven by the nature and extent of those revelations, and partly driven by their own cultural bias for privacy, freedom, and the American way, as it were.

Business of Supply

Our colleagues in the U.S. are actually pointing the way. Their government and President Obama, who has been dragged kicking and screaming to the table, are getting hold of this issue and are insisting on a supervisory jurisdiction for members of Congress and members of the Senate, because they are the people's representatives, after all.

I dare say that is the core of my colleague from Malpeque's motivation, which is that the people's representatives are the ones who get to decide where the line is and whether it has been breached, not the government, not the commissioners or the representatives of the various agencies, not even the defence department.

I have given the House a number of illustrations where thoughtful people have serious concerns about this kind of potential and breach of that kind of data, and that data is not just simply rarefied data that goes off into the middle of nowhere, but serious data as to what we do, where we do it, who we do it with, and a whole bunch of information that Canadians have every right to expect is private.

We either guard our privacy or we lose it, and that is what this debate is all about.

• (1650)

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, that was a treat, to hear the member opposite's attack on a very respected institution, for which his number one source was *The Huffington Post*. The member himself did not come to the obvious conclusion that, if he wants to go off the grid, he just needs to leave his phone at home.

It is extraordinary that this representative of the Liberal Party, the party that created CSEC, that brought it into being, that started the whole process of collecting metadata, is now attacking the very mission of its own progeny. Does the member opposite believe that secret intelligence plays a role in protecting us? Does the member not believe that CSEC is accountable to Parliament through the minister, through a commissioner that oversees it, and when it undertakes investigations in Canada, through judicial oversight?

The chief of CSEC was before a Senate committee recently. Would the member opposite please enlighten us? Does he have a single source? He is a former solicitor general of Canada accusing CSEC of actively and illegally monitoring Canadian communications. Does he have a single source, apart from Edward Snowden, who remains a guest of President Putin in faraway, frozen Moscow, who is a fugitive from American justice, and who is even, I think, somewhat disliked by President Obama?

The Deputy Speaker: I ask all members to keep their questions and comments and responses to a minute or so.

The hon. member for Scarborough—Guildwood.

Hon. John McKay: Mr. Speaker, we have to wonder at times whether the members of the Conservative Party have hearing blockages or whether there is something fundamental causing them to just not get it. I thought I started off my speech by recognizing the good work that CSIS and CSEC do. I repeated over and over again that the core responsibility of government is to protect its citizens. I do not argue that point. I am arguing the point that there is nobody looking after the shop. I do not know why the hon. member does not get it.

Business of Supply

He asks if all I have got is Judge Mosley. You and I have been reading judgments for a long time, Mr. Speaker, and we know judges are generally more circumspect in how they put their *ratio decidendi* and their judgments. This is one very upset judge, and these are the only ones to which we actually get access.

I want to point out that, yes, he is right. We did start CSEC when we were in government. That was the idea. I understand that. That is why we put it in place. However, if he was listening, and I do not think he was, the time at which that agency was created was in the last millennium, and technology has moved way beyond our legislative capacity to supervise.

• (1655)

[Translation]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, I would like to thank my Liberal colleague for his speech, and especially for his comments regarding the minister's response. Many questions were asked by the NDP and the Liberals in question period and he always answered that Canadians were not targeted.

I do not know to what extent MPs understand how the collection of metadata works. Metadata about 100 million people in one room can be collected without targeting anyone. However, information has been collected that could reveal many things about a particular person.

The answer given leads us to believe that the government is not very concerned about protecting Canadians' privacy. We have seen that on a number of occasions. For example, the Conservatives voted against my Bill C-475 on personal information protection. Furthermore, they have failed to put in place transparency mechanisms for CSEC.

Consequently, what are the risks of casting a large net to collect metadata about so many Canadians? What risks does this pose to Canadians' privacy?

[English]

Hon. John McKay: Mr. Speaker, first of all, may I say that the hon. member is from a generation that probably understands this better than I do. Her core question is, what happens when all of this data starts to get collected and how will that be used? In asking that question, she asks something very profound because we actually do not know how this data is going to be used. We do not know how it will be used and abused.

I will give an example of the abuse of power. I come from a multi-ethnic riding, and from time to time people come to my office who have had trouble at the border based upon the similarity of their names with others'. They just try to get those problems cleared up. It takes months and years, and sometimes it just cannot be done.

That is on a minor issue, but how this data is used and abused is yet to be discussed; hence, the reason for a parliamentary committee sworn to secrecy to act as a supervisory entity.

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, I would like to understand why my hon. colleague thinks that the Conservatives are not going to support what we are talking about today. They did back in 2005. They recognized that parliamentary oversight would be a good thing.

In fact, the Minister of Foreign Affairs, more recently in talking about the long form census questionnaire, said that he was so concerned about the privacy of Canadians that he felt government had absolutely no business knowing how many bathrooms one had in one's house, which was one of the questions on the long form census. That certainly led me to believe that the Conservative government actually cared about the privacy of individuals, enough to actually kill the long form census.

I am curious as to the member's thoughts on why the government is now suddenly no longer so concerned about the privacy of individuals, because metadata tells us where one is calling from, who one is calling and how often. It is very privacy-invasive information.

Hon. John McKay: Mr. Speaker, my colleague makes an excellent point. However, it is way beyond me to speculate on the logic of the Conservative government. That is a bridge too far. There is no rationale, rhyme or reason, certainly when juxtaposed against the long form census.

The federal government killed the long form census because it intruded into private lives. The same government has an airport grab, and we do not know whether it has stopped, which means that Ottawa was not getting a snapshot of our lives every five years, but it was in our pocket and purse, following us on vacation and to the car rental agency and gas station and washroom. Apparently, the Conservatives are not interested in how many washrooms one has, but they are interested in whether one went to the washroom.

• (1700)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I think we also have to remember the context in which this information comes to us. It is from Edward Snowden, who has been releasing information. I have seen reports from the German media of an interview he did today, which was completely blacked-out so that citizens in the United States and Canada could not see his interview, wherein he describes what he has seen as a security officer misrepresented by intelligence forces. This reminds me of what Count Münster said years ago in describing Czarist Russia as "Absolutism tempered by assassination". I wonder if we are looking at "Big Brother tempered by leaks".

Without citizen oversight, how do we assess the difference between legitimate inquiry and an extensive and anti-democratic invasion of our privacy?

Hon. John McKay: Mr. Speaker, I thank the member for Saanich—Gulf Islands for hitting the nail on the head.

On the conflict between the right of the citizen to be protected and the right to privacy, my answer to her is to support the motion by my colleague from Malpeque, because that would provide parliamentary oversight of all of us, governments, commissioners, and agencies alike.

The Deputy Speaker: Resuming debate. The hon. member for Provencher will have 14 minutes.

Business of Supply

Mr. Ted Falk (Provencher, CPC): Mr. Speaker, it is my pleasure to speak against the Liberal motion before us today.

I grew up at a time when, as a youngster, I played street and ball hockey with my friends in the evening. I knew it was time to go home when the siren at the local fire hall rang at 9 o'clock in the evening and my parents expected me home. I also walked to school in the morning and my parents expected that probably sometime around 4:30 or 5 o'clock, I would again be home for dinner.

Our world has changed. Even in rural Manitoba, where I grew up, we would be hard pressed today to see groups of street-hockey enthusiasts playing late into the evening without parental supervision. Parents drive their children or walk their children to school and pick them up at the end of the day. Our world has changed, and therefore I speak against the Liberal motion before us today.

There is no task more critical for a government than to ensure the safety and security of its law-abiding citizens. Our government has a robust system of agencies and departments that, despite having separate mandates and areas of responsibility, work closely together on issues of national security to protect the safety of Canadians. Securing Canadian life and property requires a multi-partner approach and a clearly defined review structure. Our government recognizes the importance of independent reviews and ensures that Canadians feel confident in their government and know that their best interests are at the forefront.

Today we face complex and shifting threats across the globe, and we must continue to adapt and evolve how we detect, disrupt, and prevent attacks from happening. Indeed, our government's efforts to keep Canadians safe do not stop when they leave the country. We work with our international security partners to protect our citizens abroad. Indeed, Canada has in place a number of national strategies and international agreements that are founded on solid partnerships across all levels of government, non-governmental organizations, business and private sector, and community groups.

Of particular note, Canada's counter-terrorism strategy guides more than 20 federal departments and agencies to better align them to protect, detect, deny, and respond to terrorist threats. Among these federal agencies are the Canadian Security Intelligence Service, CSIS; and the Communications Security Establishment Canada, CSEC. The mandates of these two bodies are established in the CSIS Act and the National Defence Act. They obligate both organizations to carry out their activities in strict adherence to Canadian laws. The statutes that created both CSIS and CSEC also established independent review bodies to provide external arm's-length review of those critical national security functions.

As we have heard in this debate, the Communications Security Establishment Canada plays a very important security and intelligence role, helping to protect Canada and Canadians against foreign-based terrorism, foreign espionage, cyberattacks, terrorism, kidnappings of Canadians abroad, and other serious threats with a significant foreign involvement.

Another critical national security agency I will discuss is the Canadian Security Intelligence Service. Governed by the CSIS Act, 1984, the service acts to collect and analyze information and security intelligence from across the country and abroad, and reports to and

advises the Government of Canada on national security issues and activities that threaten the security of Canada. Again, this mandate carries great responsibility and implications for Canadians. The responsibility for review of CSIS activities rests primarily with the Security Intelligence Review Committee, or SIRC, which was created under the CSIS Act also in 1984.

The Security Intelligence Review Committee is an independent external review body that reports on the service's operations. To perform its functions, the Security Intelligence Review Committee has access to all information held by the service, with the exception of cabinet confidences. Furthermore, the committee meets with and interviews CSIS staff regularly and formally questions CSIS witnesses in a quasi-judicial complaints process.

• (1705)

The results of Security Intelligence Review Committee reviews and complaints are regularly discussed among members of the CSIS executive, and the service has adopted most of the committee's recommendations over the years.

The SIRC annual report, also tabled in Parliament by the Minister of Public Safety and Emergency Preparedness, plays an important role in providing Parliament and the Canadian public with a broad understanding of CSIS operations.

As members of the House will see, our government takes the security of Canadians very seriously. The fact remains that terrorism is a multi-faceted phenomenon. The national security threat environment has evolved dramatically over the past several decades. Indeed, the terrorist attacks of 9/11 forced a fundamental shift in the way we think about public safety. Moreover, the exponential growth of the Internet has meant another shift in focus to protecting our citizens and interests from sophisticated cybercriminal activity that threatens our critical infrastructure, economic growth, and public safety.

Canada is well positioned to meet these serious threats because we have a robust national security system in place, one that involves transparency, accountability, and strong checks and balances to keep Canadians safe while protecting their rights and freedoms.

Canadians expect and deserve to live in a country in which their government is working with its allies to create a strong and robust national security system that is ready to prevent, detect, deny, and respond to any type of emergency.

Canadians want to know that their streets and communities are safe. That is why our Conservative government passed the Combating Terrorism Act, which made it a criminal offence to travel overseas to engage in terrorist activity. Shockingly, the NDP opposed this important legislation. That is why we are bringing forward entry and exit information sharing.

Business of Supply

The Liberals also continue to vote against any measures that will keep Canadians safe, which should come as no surprise from a party led by someone who said he would not rule out ending mandatory minimum sentences for anyone. Canadians know that only our Conservative government can be trusted to keep them safe from those who wish to harm us.

In a statement by the CSEC Commissioner, the hon. Jean-Pierre Plouffe, on January 30, reported by the CBC, he said the following:

Past commissioners have reviewed CSEC metadata activities and have found them to be in compliance with the law and to be subject to comprehensive and satisfactory measures to protect the privacy of Canadians. CSEC is providing full cooperation to my office in the conduct of another ongoing in-depth review of these activities, which was formally approved in the fall of 2012.

He goes on to say:

...my predecessor issued a statement referring to CSEC metadata activities. Many reviews of CSEC activities conducted by the Commissioner's office include examination of CSEC use of metadata. For example, we verify how metadata is used by CSEC to target the communications of foreign entities located outside Canada, and we verify how metadata is used by CSEC to limit its assistance to federal law enforcement and security agencies to what is authorized by a court order or warrant.

He added that as commissioner he was independent of the government and CSEC, and as such did not take direction from any minister of the crown or from CSEC. He truly is an independent review individual.

We do not comment on specific CSEC methods, operations, or capabilities. To do so would undermine CSEC's ability to carry out its mandate. It would also be inappropriate to comment on the activities or the capabilities of our allies. That being said, CSEC is prohibited from targeting the communications of persons in Canada or Canadians anywhere under its foreign intelligence and cyber-protection mandates.

CSEC is required to operate within all Canadian laws, including the Privacy Act, which has legislated measures in place to protect the privacy of Canadians. Protecting the privacy of Canadians is the law and CSEC follows the letter and the spirit of the law. As well, CSEC's activities are reviewed by the independent CSEC Commissioner, who has specifically noted CSEC's continued adherence to lawful compliance and genuine concern for protecting the privacy of Canadians. In fact, the CSEC Commissioner praised CSEC's chiefs, who "have spared no effort to instill within CSEC a culture of respect for the law and for the privacy of Canadians". I can say with pride and confidence that CSEC is truly being watched.

● (1710)

It is rich that Liberals have moved today's motion criticizing CSEC's use of metadata when it was the Liberals who first approved CSEC's metadata collection in 2005.

The chief of CSEC appeared before the Senate committee last night to answer all questions on these allegations, and provided assurances that CSEC was acting within its legal authorities. The independent CSE Commissioner reviews all CSEC activities and has never found CSEC to have acted unlawfully.

I am perplexed as to why a Liberal government that created the Security Intelligence Review Committee and then took the review of the Canadian Security Intelligence Service out of the hands of

members of Parliament now wants to create a national security committee of parliamentarians to oversee the two bodies we are speaking about today.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I heard the hon. member say something to the effect of "now the Liberals want to create a national security committee of parliamentarians", but is he not aware that this is an idea that was proposed by the former Martin government, I think in 2005?

Mr. Ted Falk: Mr. Speaker, the government recognizes the importance of independent review and maintaining Canadians' trust in our national security activities. National security organizations, specifically CSIS and CSEC, are subject to independent review by the Security Intelligence Review Committee and the Office of the Communications Security Establishment Commissioner respectively. The review bodies have always found these agencies to work within the confines of Canadian law.

The government continues to develop options that would deliver an effective and robust review and accountability without undermining the operations of departments and agencies, or their capacity to protect Canada and Canadians, and without creating needless duplication. In addition, certain RCMP and CSEC activities are subject to judicial oversight or require ministerial approval.

● (1715)

[*Translation*]

The Deputy Speaker: Order. It being 5:15 p.m., it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the business of supply.

[*English*]

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the nays have it.

And five or more members having risen:

The Deputy Speaker: Call in the members.

● (1755)

(The House divided on the motion, which was negated on the following division:)

(Division No. 48)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Ayala
Bélangier	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brosseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Comartin	Côté
Cotler	Cuzner
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Dubourg	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dusseault
Easter	Eyking
Foote	Fortin
Freeland	Freeman
Fry	Gameau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogoué
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hyer	Jacob
Jones	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Laverdière
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Leslie	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McGuinty	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mulcair	Murray
Nantel	Nash
Nicholls	Nunez-Melo
Papillon	Patry
Pécllet	Perreault
Pilon	Plamondon
Quach	Rafferty
Rankin	Rathgeber
Ravignat	Raynault
Regan	Rousseau
Saganash	Scarpaleggia
Scott	Sellah
Sgro	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sitsabaiesan	St-Denis
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Trudeau	Turmel — 130

NAYS

Members

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield

Business of Supply

Aspin	Baird
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Crockatt
Davidson	Dechert
Devolin	Dreeschen
Duncan (Vancouver Island North)	Dykstra
Falk	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Galipeau
Gallant	Gill
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hillyer
James	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lauzon
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukivski
Lunney	MacKay (Central Nova)
MacKenzie	Maguire
Mayes	McColeman
McLeod	Menegakis
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	Obhrai
O'Connor	Oliver
O'Neill Gordon	Opitz
O'Toole	Payne
Poilievre	Preston
Raitt	Rajotte
Reid	Rempel
Richards	Rickford
Saxton	Schellenberger
Seeback	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Trost
Trottier	Truppe
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer — 146

PAIRED

Nil

The Speaker: I declare the motion defeated

OPPOSITION MOTION—ATM FEES

The House resumed from February 3 consideration of the motion.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion of the member for Sudbury relating to the business of supply.

Business of Supply

● (1805)

(The House divided on the motion, which was negated on the following division:)

(Division No. 49)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Ayala
Bélangier	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brousseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Comartin	Côté
Cotler	Cuzner
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Dubourg	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dusseault
Easter	Eyking
Footé	Fortin
Freeland	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hyer	Jacob
Jones	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Laverdière
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Leslie	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McGuinty	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mulcair	Murray
Nantel	Nash
Nicholls	Nunez-Melo
Papillon	Patry
Péclét	Perreault
Pilon	Plamondon
Quach	Rafferty
Rankin	Ravignat
Raynault	Regan
Rousseau	Saganash
Scarpaleggia	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sitsabaiesan	
St-Denis	Stewart
Stoffer	Sullivan
Thibeault	Toone
Tremblay	Trudeau
Turmel— 129	

NAYS

Members

Ablonczy	Adams
----------	-------

Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Amblor	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Crockatt
Davidson	Dechert
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Falk	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Galipeau
Gallant	Gill
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hillyer
James	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lauzon
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Maguire
Mayes	McColeman
McLeod	Menegakis
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	Obhrai
O'Connor	Oliver
O'Neill Gordon	Opitz
O'Toole	Payne
Poilievre	Preston
Raiitt	Rajotte
Rathgeber	Reid
Rempel	Richards
Rickford	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Trost	Trottier
Truppe	Uppal
Valcourt	Van Kesteren
Van Loan	Vellacott
Wallace	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 147	

PAIRED

Nil

The Speaker: I declare the motion defeated.

*Private Members' Business***PRIVATE MEMBERS' BUSINESS***[Translation]***NAVIGATION RESTRICTIONS**

The House resumed from November 8, 2013, consideration of the motion.

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, as a member of Parliament, I take my role as a legislator very seriously. I believe that we all need to remember that we are here in Ottawa to propose measures, laws and regulations on behalf of our constituents.

All of our ridings vary in size and population, but I think we all agree that there is a lot of distance to cover and there are a lot of people to meet in this great country.

My colleague, the member for Laurentides—Labelle, a riding next to mine, moved a motion to ensure that our regulations are appropriate for different communities across Canada. I believe that that is the very essence of what we do.

His motion builds on the local knowledge and expertise of municipalities, which would be able to adjust the regulations to their own specific situation. I will read the motion:

That, in the opinion of the House, the government should, following consultations with provinces, territories, municipalities and First Nations, carry out a review of the Vessel Operation Restriction Regulations with the objective of facilitating and accelerating the process allowing local administrations to request restrictions regarding the use of vessels on certain waters in order to improve how waters are managed, public safety and the protection of the environment.

In his view, that is the way to properly handle this issue, which is important for his riding and mine. First, not only does the government need to consult and work with other levels of government and first nations, but it also has to have a critical yet positive attitude toward regulations.

Whenever I work with the RCMs, the mayors of various municipalities in my riding, the people's representatives and various local organizations, such as NPOs, I see their passion for their communities and all the opportunities to get them involved in positive and fruitful initiatives to benefit their constituents.

The various waterways used for recreational boating are governed by a hodge-podge of regulations at all levels of government. Navigation falls under federal jurisdiction, whereas riverbanks, rivers and the environment fall under provincial jurisdiction. Municipalities can ask the federal government for additional restrictions and are ultimately more present on the ground to deal with the various problems that arise.

Since the municipalities are the level of government most directly present on the ground and closest to their communities and their people, they are clearly in the best position to act quickly and effectively in response to each local situation.

This motion in no way changes the levels of jurisdiction. It simply improves the process of adapting regulations to local contexts.

● (1810)

[English]

One mayor from my riding, Scott Pearce, mayor of the Township of Gore, is particularly involved in and concerned for the protection of lakes and rivers. Here is what he had to say about the role of municipalities in the management of boating:

Larger boats with heavier motors are being purchased more and more frequently for use on small recreational lakes across Canada. These boats, wake boats, are produced to create very large wakes. Many of the cottage lakes are not large enough to withstand the erosion caused by these wave-producing boats.

For example, Lake Barron in Gore is only 3.5 kilometres long and only a half a kilometre wide at its widest.

As currently legislated, any property owner, due to the fact that the lake is navigable, can put a 60-foot luxury liner on the lake.

This is illogical as the shoreline erosion caused is irreversible and the fish fraying areas are greatly damaged.

If the federal government will not allow local governments to legislate for watershed protection, they should at least classify lakes across Canada by surface acreage and legislate maximum size of boats, motors, and all other motorized water vehicles.

Local governments often have on staff biologists who can monitor and recommend changes that could be instituted to protect our waterways for future generations.

I think Scott's position clearly demonstrates the problem at hand and demonstrates the importance of having local government leaders who are knowledgeable about the situation, have proximity to the situation, and are committed to finding practical solutions for their communities.

I also want to share with the House words from another municipality in my riding, Morin Heights, which is right next to Gore. They passed at their city council meeting a motion in support of the resolution by my colleague from Laurentides—Labelle. Here is its assessment of the situation.

[Translation]

Considering the present process which allows for a municipality to ask Transport Canada for restrictions on waterways is long, complex and costly;

...the requirements hinder the speedy settlement of disputes and open the door to many disagreements in the communities and have often been criticized by municipalities;

...municipalities are closer to citizens and therefore in a better position to propose changes regarding how waters are managed throughout their territories;

[the motion] would allow for better management of the waterways and better protection of the environment, improve public safety, and lessen a number of local conflicts over the use of the lakes and waterways;

The solution that my colleague from Laurentides—Labelle is proposing is to cut the red tape.

When it comes to managing recreational boating, that is what needs to be done. My Conservative colleagues should be pleased to hear the NDP talk about faster and more efficient bureaucracy. I hope there will not be any doublespeak because we know that bureaucracy cuts both ways.

By the way, I think it is a shame that the Conservatives will tackle bureaucracy when it gives them more power and refuse to get rid of certain rules to make them better suited to the different municipalities. I sincerely hope that there will be no holdups regarding this motion and that the Conservatives will support it.

Private Members' Business

Unfortunately, there were a lot of budget cuts that affected our lakes and rivers. I do not want this to make them blind to our local needs in terms of lakes and rivers. These needs are very important for the local development and identity of our regions. I absolutely want to emphasize that point to my Conservative colleagues. The environmental protection of these navigable lakes in my riding, such as Lake Parent, is important on an economic level.

In closing, I want to come back to the role of the legislator, which is at the centre of this motion. Our primary mission is to improve the laws and regulations for all Canadians and Quebecers and to make them more effective and efficient and better adapted to the different communities across this vast country of ours.

The motion's goal and subject matter, as well as my colleague's approach, demonstrate a positive and inclusive vision of public affairs and politics. It demonstrates a desire to divide the work among levels of government and, at the same time, a desire to work together to get better results for Canadians.

It should be easier for municipalities to make legislative changes in relation to their waterways. They know the people in their municipalities and are well positioned to ensure social peace. There are often local conflicts about how the lakes should be used in the municipality of Morin-Heights. Municipalities should also be allowed to better manage navigation on their waterways and to limit the presence of motorized vessels. It would help us do a better job of protecting the environment. Social peace and environmental protection are our main goals.

• (1815)

In addition, this motion is designed to reduce red tape. The current regulatory framework shows that the system is slow and inefficient.

To conclude, I would like to point out that this motion would not cost anything. It simply states that we can do better and it gives us the tools to make that happen. This motion is another example of the work being done by the NDP to improve government for everyone.

[*English*]

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I want to make a point of clarification at the beginning. I am not the member for Cape Breton—Canso and have not been for a long time. However, had he been given the opportunity to speak, and had he known what he was supposed to be speaking about, I am sure he would have enraptured this entire chamber with his eloquence. Unfortunately, members are stuck with me.

I would like to compliment my colleague from Laurentides—Labelle on this initiative. It is an important initiative. We all relate it to our personal experiences.

As you know, Mr. Speaker, you and I live in some proximity to each other. You have a very famous facility just north of Lake Orillia, and I cottage somewhat east of that. I would say it is about \$200,000 east. We all have traffic. You, in particular, have traffic that comes off Lake Simcoe, up Lake Couchiching, and into the system. I have a lesser amount of traffic, but it is nevertheless a great deal of traffic. We will have both noticed that the boats are not getting any smaller, and the Sea-Doos are not getting any quieter, which is taking a toll on some pretty nice lakes and rivers in our respective communities.

That is the issue my colleague is trying to address. To rein in the excesses of some cottagers, a very small group of cottagers, the municipalities sometimes struggle to manage traffic flow. I know that the OPP intervenes from time to time, but that is an intervention on the basis of safety and criminality.

My colleague's concern is that there are vessels that are getting to the point that they are actually doing environmental damage, just by virtue of their size and speed. When a municipality wishes to rein in that behaviour, it finds that to obtain jurisdiction in the area, it has to seek the permission of the federal government.

I know that colleagues have some frustration trying to get things done around here. When we try to get something such as this done, there is buck-passing of a major order. What my colleague is trying to do, and I congratulate him for it, is slice that Gordian knot and get the buck to stop at the municipality or in the local jurisdiction that is most relevant to the lake or the river, as the case may be. I am mixing my metaphors, and I apologize for that. When the buck stops with the municipalities, they can impose regulations and restrictions, which would facilitate the peace, harmony, and good feelings that are generally associated with the lakes and rivers of Ontario, in our case, of Quebec, in my colleague's case, and certainly out in British Columbia and various other places.

We find ourselves in sympathy and in support of this initiative. We have some concerns about how this would occur and how we would transfer the jurisdiction from the federal government to the municipalities. Particularly in Quebec, some transfers would be a challenge. For us the issue is the how rather than the principle of it, but we certainly will find ourselves in a position to support the motion.

The member is right to say that no one regime fits all. Just going from lake to lake, there are differences in attitudes among cottagers. Some want a quiet, peaceful lake that is motor-free, and others want lakes where they can run around on Sea-Doos and tow skiers behind big boats.

Let me end with that. This is a good initiative. It is an initiative I hope money will flow to, because public funds are scarce. We would encourage him in his efforts to pursue this, and I encourage all members to support this motion.

I am thankful for the time and attention, and I only wish I was half as eloquent as the hon. member for Cape Breton—Canso.

• (1825)

[*Translation*]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I will try to be brief, but there are several points I would like to address in my speech, since I have been working on this issue in my riding since I was first elected.

I wish to thank my hon. colleague from Laurentides—Labelle for moving this motion, which aims to improve the regulation process for setting speed limits on the water. In my riding, there are several aspects to consider.

Private Members' Business

First of all, there is the matter of safety. For instance, in the summer, the Otterburn Boating Club has to stop all activities at 1 p. m. for safety reasons, because the power boats go so fast. That club is very concerned about this issue.

There are also some environmental concerns. I am sure that many of my colleagues have talked about this. That is also the reality in my region. For instance, the excessive speed of some boats can cause erosion of the shores of the Richelieu River.

There are also economic considerations. Certain facilities, such as wharfs, can be damaged. This can include public wharfs, which are funded by the federal, provincial and municipal governments, as well as private wharfs. In my riding, there are a few hundred if not thousands of residences on the shores of the Richelieu River, extending from the Chambly basin to Mont-Saint-Hilaire and Beloeil. These residences have private wharfs. When people purchase a property on the waterfront, they often see that the facilities are damaged.

The nuisance factor must also be taken into account. Power boats are very noisy, especially in residential neighbourhoods. In fact, I have received a number of emails, letters and phone calls from constituents who wanted to tell me about this problem.

Every time I work on this issue, I tell my constituents that we are trying to find a solution that will serve as a compromise, one that respects everyone. I would also like to point out that I live in that region myself, and I also enjoy the use of those boats.

I have friends who wakeboard. There is nothing better than having a beer with friends before boating to Vieux-Beloeil and going to a restaurant such as Le Jozéphill or Restaurant Janick. When you see the number of boats there, you realize that this is about tourism. We do not want to stop people, including myself, from enjoying these types of leisure activities. I understand the importance of having fun.

However, when you live in a community, you have to share the natural resources. In this case, we are talking about the river. We want to find an amicable solution that everyone can agree on.

When I talk about this issue with people in my riding, I like to compare it to how fast people drive on the highway. For example, if people go 200 km/hour, we set a speed limit of 100 km/hour. We do not want people to drive slowly; we just want the speed to be appropriate for the different sections of the river.

There are different kinds of places along the river, and we would like the speed to vary accordingly. For example, where there are many residences, the maximum speed should be different than where there are no residences and where only the highway is located alongside the river.

Furthermore, some boats drive away from the wharf at high speed. That causes a lot of damage compared to a boat that is in the middle of the river. That is a very important point. In our community, everyone understands both sides of the argument and we want to find the middle ground. For that reason, I made a commitment that, one day, our section of the Richelieu River would have a speed limit.

I would like to talk about the current process, which is at the heart of this motion. The process is all over the place and creates a major

burden for municipalities. Transport Canada's process is all about making it easier for municipalities where there are four or five cottages around a lake. It is easy to consult with four or five cottage owners on one lake.

• (1830)

However, it is much more difficult to consult, or to come to a conclusion that can be considered adequate, when you have a river like ours. That river, after all, flows out of Lake Champlain and ends in Quebec City.

Elected municipal officials and I have talked about this issue. We have also raised it with Transport Canada, unfortunately without receiving a satisfactory response. For example, do we have to consult with people from Laval because they come into my constituency with their boats? Do we have to consult the Americans who come visit us? Transport Canada had no answer to those questions. As I see it, that highlights the problems we see in this process.

About a year ago, we held a meeting with elected municipal officials and we invited Transport Canada officials to come and explain the process to us. A number of the municipal officials had a hard time finding answers and explanations that would enable them to start the process. It has been quite difficult.

I do not want to go after officials who are doing their jobs because I do not think that they are the problem. The regulations are making the process bureaucratic, and that is not necessary. Ultimately, decisions are being made by people who do not come to see us and who unfortunately do not understand the reality of our situation.

I can guarantee that every summer, on the front page of the *Oeil régional* or the *Journal de Chambly*, there will be a picture of a boat going top speed with a headline such as, "The Cowboys are Back". I saw that headline last year. There are countless articles about my constituents who, although they respect boaters, believe that we need to take the right steps to protect our environment; protect the safety of other types of watercraft, such as kayaks and canoes; and protect various types of public and private facilities, such as docks.

We started this process before my colleague moved his motion, and we have seen resolutions in six of the twelve municipalities in my riding. Most of the municipalities are part of the RCM of La Vallée-du-Richelieu, and there was also the Fédération québécoise des municipalités and the Montreal metropolitan area, to which many of these municipalities belong. They all adopted resolutions supporting a clear speed limit all along the Richelieu River, especially in my riding.

I am sure that some of my neighbours will talk about the situation in their own ridings. Perhaps they already have, since we are nearing the end of this debate.

We also had the opportunity to meet with the president of the union for the Régie intermunicipale de police Richelieu-Saint-Laurent, which serves our area, as well as representatives from Sûreté du Québec. They feel that the problem is that they are not able to fine people who they believe are behaving dangerously on the river. However, the majority of people pose no problem; it is a very small minority.

Private Members' Business

In my riding, the towns of Saint-Basile-le-Grand, McMasterville, Mont-Saint-Hilaire, Chambly, Carignan and Saint-Mathias-sur-Richelieu have all passed resolutions in favour of Motion No. 441, which was moved by the hon. member for Laurentides—Labelle and which we are discussing today.

At a convention, COVABAR, an organization that works to protect the St. Lawrence and Richelieu rivers, also passed a resolution in support of my colleague's motion. That organization works mainly in my riding.

All of the municipalities that make up the La Vallée-du-Richelieu RCM have unanimously supported this motion. They recognize that there is a serious problem with the process.

We do not know if the consultations will be honoured. As I said, we keep hearing about a consultation process, but we cannot know in advance if we are consulting the right people or if Transport Canada will think the consultation was adequate. We are putting not only an administrative burden on municipalities, but also a financial burden. Furthermore, municipalities have to pay to advertise the consultation even though there are no clear criteria. They also have to pay all the other costs associated with such a consultation.

In conclusion, I hope that my own experience in my riding will encourage my colleagues to support Motion No. 441.

• (1835)

I would like to reiterate my commitment to the people of Chambly—Borduas: if not now, someday we will have a speed limit in place to protect our community.

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I am pleased to rise to support Motion No. 441, which calls on the federal government to give municipalities a tool that will facilitate and expedite the administration of the lakes in their area.

This motion is very important for rural communities throughout Canada, especially those that have many lakes. I counted about fifty lakes in the riding of Brome—Missisquoi alone. In my riding, municipalities face considerable challenges when they try to better manage their waterways. However, municipalities are closer to their citizens and in a better position to act on their behalf. That is why we believe that the process has to be streamlined.

In speaking to stakeholders from various areas, I learned that, in many cases, municipalities simply decided to withdraw from the administrative process. In some cases, the battle lasted for years.

I would like to talk about the situation in Brome—Missisquoi, for example. First of all, I would like to thank the Brome—Missisquoi watershed organizations for their great work over the years. I have learned a lot from them about the situation of the Brome—Missisquoi lakes.

For example, people regularly water-ski or use personal motorized watercraft on Lac Bran de Scie. When they do, the other recreational users have no choice but to leave in order not to be hit by a boat. The lake is small enough that a good swimmer can easily swim across it. However, it would be reckless to try it without being escorted by a boat and someone watching to protect the swimmer. There have even been boat collisions.

In 1987, on Brome Lake, a man drowned when his sailboat was hit by a motorboat. In 1990, on the same lake, a canoe was heavily damaged by a 225-horsepower motorboat whose driver was blinded by the sun. In the summer of 2005, a rowboat equipped with a motor just missed hitting two kayakers.

Motors are increasingly powerful and there are more and more boats on the water every year. On Brome Lake, there are more than 400 motorboats and half of them are equipped with motors of 50 horsepower or more. It is difficult for the authorities to monitor the situation.

The municipality of Orford township area is dotted with a multitude of lakes, and so are the surrounding municipalities. Since some of those lakes are quite large, in terms of surface area, officers obviously have trouble covering the smaller ones. That means that it is almost impossible to apply the current regulations on our lakes given the current legislative framework.

In addition to these safety issues, there are environmental problems. The noise pollution from some kinds of motors disturbs the people who live along the shores. The banks are also eroding because the wake from motor boats creates large waves. A large number of these boats are still driven by two-stroke engines. That particular kind of engine is known to discharge the oil it uses. However, many lakeside cottages get their drinking water from those same lakes. Clearly, using gasoline-powered engines on our lakes can have a negative effect on the health of the residents who use the water for their needs.

• (1840)

Because of this, a number of people are calling for restrictions on certain kinds of gasoline-powered engines or are asking that only electric motors be used in order to reduce the risk of pollution from the discharge of oil.

Banning motor boats on the Chaîne des Lacs in the Orford township has made news on a number of occasions. In June 2006, the municipality of Orford township held public consultations that led to submissions suggesting a ban on motor boats on the Chaîne des Lacs. Following those consultations, in November 2007, the municipal council passed, by majority, a proposal to ban motor boats, except those with battery powered electric motors.

They had to wait until the winter of 2009 before Transport Canada finally replied, turning them down. Instead, Transport Canada required compliance with the regulations in effect. This put an end to the initiative of the municipality and the local association, despite the general movement of support from the people.

The process in place under these current regulations may cost hundreds of thousands of dollars in the smallest municipalities, which simply do not have that kind of money. The process can be drawn out over several years, as it did in the example I gave. For a municipality of 1,500 people, starting a process that goes on for years needs legal counsel, which can be very expensive.

Under the current regulations, if the vast majority of people who live by a lake agree to impose a restriction, a single person can disobey the order and ride his 300-horsepower motorboat on a lake no bigger than Parliament Hill, for example.

Motion No. 441 presents us with the opportunity to work in a non-partisan way on this issue. As my colleague so aptly said, this motion is designed to reduce red tape, and it will cost nothing. If our friends opposite would like to vote in favour of the motion, I invite them to do so.

We believe that municipalities know the people and are well positioned to ensure social peace. In my many discussions with various stakeholders, three main aspects came up over and over again: social peace through better municipal control, greater environmental protection and less red tape.

Keep in mind that in 2008, the summary of the regulatory impact analysis stated that the increase in waterway activity led to an increase in disputes between waterway users. Many municipalities reacted by asking for restrictions on navigation.

It is our duty to respond to their request by supporting this motion. Already, more than 40 municipalities have each indicated their support for this motion. I invite the members of the House to do the same.

• (1845)

The Acting Speaker (Mr. Bruce Stanton): The hon. member for Laurentides—Labelle wishes to exercise his five-minute right of reply. He has five minutes.

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I am pleased to rise today to close the debate on Motion No. 441, which aims to review the Vessel Operation Restriction Regulations.

Many of my colleagues have raised some very interesting points, and I would like to clarify a few things.

The problem with these pleasure craft is a real one. No one is making it up. Since my election, this is one of the most frequent requests I receive. People want something to be done about these boats. Everyone said that it was up to the federal government and that nothing could be done. They would then raise the issue of a jurisdictional wrangle between the various levels of government.

In the end, after examining the navigation act, I figured that the only way to intervene in this context would be to work with the existing legislation, so that is the approach I used in Motion No. 441. The request to amend the regulations already exists. The only problem is that the bureaucracy is so cumbersome that people become discouraged before anything can actually be done. Also, we have to trust the people. Even in my riding, there are many lakes where the lakeshore residents have established voluntary codes of conduct and successfully agreed to exclude certain boats from those lakes.

However, one problem remains: this has no legal bearing, as long as the government refuses to change the regulations. A lakeshore resident who wants to breach a voluntary code can simply take his or her boat out on the lake. This person can take the matter all the way to the Supreme Court, and he or she would win, because no one can

Private Members' Business

interfere with navigation. I figured that the best way to proceed would be to use a provision that already exists in the legislation. The government has been preaching for some time about eliminating red tape and simplifying bureaucracy, and this would be an excellent opportunity to do so, especially since it would benefit citizens directly.

My colleague talked about the situation on the Richelieu River, which I know very well. I have friends who live on that river. At night, some boats with huge V8 engines go right by the houses doing more than 100 km/h. You can hear them for five minutes. It is no surprise that a coalition of about 10 political bodies and organizations have asked the Minister of Transport to take action on the marine traffic on the Richelieu, claiming that the current process is too cumbersome. Clearly, there is a problem.

We do need to trust people. People who live on a lake and in the same community have many opportunities to calmly discuss and find a compromise that almost everyone can live with. There may be two or three stubborn people who will insist on doing what they want. However, the current process can drag on for years. It went on for 10 years in the case of the Columbia River wetlands.

• (1850)

I have heard from watershed groups and associations of waterfront property owners in Quebec. They told me that they were discouraged and had not even started the process because it was so complicated. I saw one municipality that submitted an application to change the regulations and was told that if it was missing the minutes of one meeting, a single document or the slightest bit of evidence that they had made announcements, the application would not even be considered. That is far from being democratic. We need to simplify the bureaucracy and red tape—

The Acting Speaker (Mr. Bruce Stanton): Order. The time provided for the right of reply has now expired.

The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bruce Stanton): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Bruce Stanton): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bruce Stanton): In my opinion the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Bruce Stanton): Pursuant to Standing Order 93, a recorded division stands deferred until Wednesday, February 5, 2014, immediately before the time provided for private members' business.

*Adjournment Proceedings***ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

INTERGOVERNMENTAL RELATIONS

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, I am very pleased to be able to return to the question I asked the Minister of Canadian Heritage and Official Languages last November 28. My question was simple and the importance of the government's commitment should be clear. I asked whether the government would commit to investing the funds needed to restore the Grenville Canal in my riding.

First, I want to take some time to give you the background for this request. The Grenville Canal is a significant historic heritage site for my region, and for all of Quebec and Canada. Its importance comes from its potential for economic, recreational and tourism development in the Argenteuil area. The canal, which extends along the Ottawa River between Montreal and Ottawa, is one of the earliest examples of military canal-building in Canada. Construction began in 1819, in order to facilitate navigation to Kingston and the Great Lakes.

It was initially designed for military purposes in response to the Anglo-American War of 1812. It was built as part of a transportation network that included the Carillon Canal—still in operation in my constituency, being run by Parks Canada—as well as Chute-à-Blondeau, which is in my constituency as well.

Although they have no qualms about using the War of 1812 for publicity for their members and their government, the Conservatives do not seem to want to take a stand on protecting the heritage of that historical era. That is the case for the Grenville Canal. The walls of the canal have been deteriorating for years, and this has led to its closure because of the obvious lack of safety for local residents and the general population.

The municipality of Grenville and its 1,600 residents cannot absorb the entire cost of maintaining the canal. The federal government has owned and managed the canal for 161 years; it has a duty to protect Canadian heritage and should assume responsibility for preserving this navigable waterway along the Ottawa River.

For that reason, and as the NDP member for Argenteuil—Papineau—Mirabel, I demand that the federal government take action to preserve the Grenville Canal.

I will therefore put my question to the government once more: will it undertake to invest the money required to save the Grenville Canal?

•(1855)

[*English*]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, the canal is located along the Ottawa River between Ottawa and Montreal. It was constructed between 1819 and 1833 to bypass the rapids of the Ottawa River and to play a defensive role in any potential future conflict.

When completed, the Grenville Canal combined with the Carillon Canal, the Chute-à-Blondeau Canal, and the Rideau Canal to form an essential military supply and communications route between Montreal and the Great Lakes.

Although originally designed for military use, the Grenville Canal quickly became an important commercial route. By the 1870s its shallowness made it inadequate for commercial use and it was completely rebuilt. All traces of the original canal were removed in the construction of its replacement. The Grenville Canal was eventually closed in 1959 with the construction of the Carillon Dam, which flooded almost all of the canal, leaving only a short surviving section.

Since 1919, the Government of Canada has been commemorating important aspects of Canada's history through national historic sites, persons and events. The Government of Canada has recognized the important role of the Grenville Canal. On the advice of the Historic Sites and Monuments Board of Canada, it was designated in 1929 as a national historic event. In 1931, a large stone cairn was constructed to hold a bronze commemorative plaque. That original 1930s cairn and plaque are still in place today, proudly sharing with Canadians the historical significance of the Grenville Canal.

I would like to assure the member for Argenteuil—Papineau—Mirabel that our government is strongly committed to supporting communities and to the preservation of Canada's built heritage.

Just before Christmas my colleague, the Minister of the Environment, announced the government's renewed commitment to Parks Canada's national historic sites cost-sharing program.

Since 2009, our government has funded a total of 132 projects across the country for the conservation of non-federally owned national historic sites. Through these projects we have injected \$177 million into local communities, which clearly demonstrates our commitment to conserving and presenting Canada's history for future generations of Canadians.

Our government will continue to be proud stewards of the Rideau Canal and work to ensure that it is protected in order to provide personal moments of inspiring discovery for Canadians and for people from around the world.

[*Translation*]

Ms. Mylène Freeman: Mr. Speaker, I think it is appalling that the government and the parliamentary secretary are hiding behind the designation of "historic event" instead of "historic site" to justify their refusal to protect this canal.

Regardless of the designation used by the parliamentary secretary, the community and heritage groups consider it a priority to protect the canal. In 2009, the canal made Heritage Canada The National Trust's top 10 endangered places list. I will share a quote from the organization's website:

•(1900)

[*English*]

Without immediate action this historic site will be lost forever.

Adjournment Proceedings

[*Translation*]

There is far too much work required to reopen the canal for a municipality like Grenville, which has about 1,600 residents. They cannot take on the cost of this work alone. Although the RCM of Argenteuil has provided assistance for short-term solutions, we could end up completely losing this canal in the long term.

Describing a canal as an “event” as a result of its state does not prevent it from deteriorating even more.

Why do the Conservatives want to let this historic canal deteriorate, when it represents an economic opportunity for my region?

[*English*]

Mr. Colin Carrie: Mr. Speaker, our government has indeed invested record amounts in protecting heritage sites and in commemorating the War of 1812. Through Canada's economic action plan, it has been this Conservative government that has

undertaken many initiatives to mark the 200th anniversary of the War of 1812. These include infrastructure and capital improvements to a number of historic sites across Canada associated with the War of 1812, such as Fort Malden, Fort Chambly, Queenston Heights, and the St. Andrews Blockhouse, as well as significant legacy projects at Fort Mississauga and Fort York.

These investments in heritage conservation are an effective way of ensuring the long-term legacy of the War of 1812. However, it is a shame that the opposition continues to vote against our efforts to invest in commemorating Canada's rich history.

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:01 p.m.)

World Cancer Day	
Ms. Adams	2547
Lajeunesse Community Recreation Centre	
Mr. Trudeau	2547
Public Safety	
Ms. Bateman	2547
Veterans Affairs	
Ms. Mathysen	2547
Israel Boycott Campaign	
Mr. Kent	2548

ORAL QUESTIONS

Veterans Affairs	
Mr. Mulcair	2548
Mr. Harper	2548
Mr. Mulcair	2548
Mr. Harper	2548
National Defence	
Mr. Mulcair	2548
Mr. Harper	2548
Mr. Mulcair	2548
Mr. Harper	2548
Mr. Mulcair	2548
Mr. Harper	2549
Democratic Reform	
Mr. Trudeau	2549
Mr. Harper	2549
Mr. Trudeau	2549
Mr. Harper	2549
Mr. Trudeau	2549
Mr. Harper	2549
Ethics	
Mr. Mulcair	2549
Mr. Harper	2549
Mr. Mulcair	2549
Mr. Harper	2549
Mr. Mulcair	2549
Mr. Harper	2549
Mr. Mulcair	2549
Mr. Harper	2550
Democratic Reform	
Mr. Scott	2550
Mr. Poilievre	2550
Mr. Scott	2550
Mr. Poilievre	2550
Ms. Turmel	2550
Mr. Poilievre	2550
Ms. Turmel	2550
Mr. Poilievre	2550
Mr. Christopherson	2550
Mr. Poilievre	2551
National Defence	
Ms. Murray	2551
Mr. Nicholson	2551

Democratic Reform	
Mr. Simms	2551
Mr. Poilievre	2551
Mr. Dion	2551
Mr. Poilievre	2551
National Defence	
Mr. Harris (St. John's East)	2551
Mr. Nicholson	2551
Ms. Michaud	2552
Mr. Nicholson	2552
Intergovernmental Affairs	
Mrs. Grogulé	2552
Ms. Bergen	2552
Ms. Nash	2552
Ms. Bergen	2552
Democratic Reform	
Mr. Richards	2552
Mr. Poilievre	2552
The Environment	
Mr. Choquette	2553
Mr. Carrie	2553
Ms. Duncan (Edmonton—Strathcona)	2553
Mr. Carrie	2553
Mr. Julian	2553
Mr. Oliver	2553
Mr. Julian	2553
Mr. Oliver	2553
The Economy	
Ms. Freeland	2554
Mr. Sorenson	2554
Agriculture and Agri-food	
Mr. Eyking	2554
Mr. Lemieux	2554
Health	
Ms. Davies (Vancouver East)	2554
Ms. Ambrose	2554
Mr. Boulterice	2554
Ms. Ambrose	2554
Foreign Affairs	
Mr. Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	2555
Mrs. Yelich	2555
Natural Resources	
Mr. Hsu	2555
Mr. Oliver	2555
Agriculture and Agri-food	
Mr. Allen (Welland)	2555
Mr. Lemieux	2555
Natural Resources	
Mr. Warkentin	2555
Mr. Oliver	2555
Foreign Affairs	
Mr. Marston	2555

Mrs. Yelich	2556
Democratic Reform	
Mr. Bellavance	2556
Mr. Poilievre	2556
Selected Decisions of Speaker Peter Milliken	
The Speaker	2556

GOVERNMENT ORDERS

Business of Supply	
Opposition Motion—Communications Security Es-	
 tablishment Canada	
Motion	2556
Mr. Kramp	2556
Mr. Easter	2557
Mr. Garrison	2557
Mrs. Gallant	2557
Mr. Easter	2559
Mr. Chisholm	2559
Mr. Lamoureux	2559
Mr. Bezan	2560
Ms. May	2561
Mr. McGuinty	2561
Mr. Garrison	2562
Mr. Bezan	2563
Mr. Garrison	2563
Mr. Bezan	2565
Mr. Easter	2565
Ms. Michaud	2565

Mr. Bezan	2567
Mr. Lamoureux	2567
Mr. McKay	2567
Mr. Alexander	2569
Ms. Borg	2570
Mr. Garneau	2570
Ms. May	2570
Mr. Falk	2571
Mr. Scarpaleggia	2572
Motion negatived	2573
Opposition Motion—ATM Fees	
Motion	2573
Motion negatived	2574

PRIVATE MEMBERS' BUSINESS

Navigation Restrictions	
Motion	2575
Ms. Freeman	2575
Mr. McKay	2576
Mr. Dubé	2576
Mr. Jacob	2578
Mr. Morin (Laurentides—Labelle)	2579
Division on motion deferred	2579

ADJOURNMENT PROCEEDINGS

Intergovernmental Relations	
Ms. Freeman	2580
Mr. Carrié	2580

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

SPEAKER'S PERMISSION

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 Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

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

PERMISSION DU PRÉSIDENT

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.

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 du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>