

*Private Members' Business*

**Mr. Tom Wappel (Scarborough West, Lib.):** Mr. Speaker, I was very pleased to second the motion put forward by my colleague and neighbour from Scarborough—Rouge River. I did so because I believe that as always my colleague has approached this matter from a clear, analytical, legal point of view, has investigated the situation to his satisfaction and has proposed a solution that he believes and I believe to be reasonable.

What I want to do in the 10 minutes that I have is just take a look quickly at the nature of the motion, why I support it and what the problems are that I see. If this motion were to pass it would send a signal to the government that the Communications Security Establishment should be under the watchful eye, if I can put it that way, of the Security Intelligence Review Committee which is a civilian review committee made up of privy councillors. Their current job is to keep a watchful eye on the Canadian Security Intelligence Service.

In order to make some sense of this, we have to know what we are talking about. What is the Communications Security Establishment? It sounds like a very laundered, nice, clean phrase. To me it is like a shadow. One can see a shadow if one knows where to look but one cannot touch it, feel it, speak to it. One cannot get answers from it and that is a problem. Like a shadow it can loom large, it can be small, it can move away. Like a shadow it can be there when we do not even notice it. I am not saying it is a problem, it is a potential problem.

What does it do? What is the Communications Security Establishment? In order to know what it does, we have to look at something called foreign intelligence. What is foreign intelligence? I am quoting from the Department of the Solicitor General: "Foreign intelligence refers to intelligence or information concerning the capabilities, intentions or activities of foreign states, corporations or persons. It may include information of a political, economic, military, scientific or social nature and can produce information with security implications".

From everything I know about CSE, it certainly would fit within that definition. It has two functions. Before I get to those two functions, I want to remind this House that the CSE does not exist alone in the world. There are comparable organizations in other countries and it might be interesting to let the House know what those organizations are so that we can see where Canada fits in.

In the United States there is such an agency. It is called the National Security Agency. In the United Kingdom it is called the Government Communications Headquarters. In Australia it is called the Defence Signals Directorate and in New Zealand it is called the Government Communications Security Bureau.

Communications is the link here but it is not communicating. It is listening to communications. The question whose communications is it listening to? Might it be our own private communications? We do not know.

How did CSE come to be? How did the shadow come to exist? Was it an act of the Parliament of Canada?—no. It was by executive order, by order in council. This is a very significant point because it is therefore not a creature of statute and I want to refer to that near the end of my remarks.

• (1900)

Having been created by order in council, what is its purpose? What does it do? Well, we are told that it has a signals intelligence capability sometimes known as SIGINT, that is offensive in nature. I guess that means it is intrusive. It listens in on conversations. Then there is an information or communications security component sometimes known as INFOSEC or COMSEC. These sound like codes to launch missiles from a site in Boulder, Colorado. INFOSEC or COMSEC is a defensive capability.

We are told by Ward Elcock, who at that time was the deputy clerk and in charge of at least a portion of CSE, that one of the functions of COMSEC deals with security of communications of the Government of Canada. It is very important. The second responsibility is the collection of signals intelligence which is intended to provide the government with foreign intelligence on the diplomatic, military, economic, security and commercial activities, intentions and capabilities of foreign governments, individuals and corporations. I suppose there is nothing wrong with that. We want to make sure we are protected in this country.

That is what it does, assuming anybody can understand INFOSEC, COMSEC, SIGINT, et cetera. Presumably the people who work there—the chief as he is called or perhaps it is a she now, we do not know—they know what it is supposed to do.

One might say fine, we know how it was created. We know what it does. To whom does it report? That is a legitimate question. Since there is no statute one can assume it does not report to Parliament. Guess what? We are right. It does not report to Parliament. Presumably it reports to the Minister of National Defence. The Minister of National Defence is supposed to report to Parliament. The chief, who I mentioned before also reports to the deputy minister of National Defence for financial and administrative matters interestingly enough, and also to the deputy clerk, subtitled security and intelligence and counsel, in the Privy Council Office for other matters.

What is the missing link? The people of Canada. The missing link is this Parliament. Is that a problem? As I see it there is a problem. There is no legislative mandate upon which to found