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Chair: The Honourable Hedy Fry





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Monday, February 13, 2023

• (1105)

[*Translation*]

**The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)):** I call this meeting to order.

Welcome to meeting number 65 of the House of Commons Standing Committee on Canadian Heritage.

I would like to acknowledge that this meeting is taking place on the unceded territory of the Algonquin Anishinabe people.

[*English*]

As you know, the meeting is going to be hybrid, as we have been continuing according to the House of Commons order adopted on June 23, 2022.

Even though it is not mandated to wear masks, I would like to remind the committee that it is advisable, since the World Health Organization has reiterated that this is still a pandemic of COVID. Those of you who are in Ontario know that there have been lots of cases going to the emergency room, so it's just a good idea to protect yourself and your colleagues.

Please remember not to take screenshots of the meeting or of the video.

I want to remind you to please address anything that you have to say through the chair, and do not speak until the chair recognizes you by name. It's as simple as that.

Those of you who are witnesses know how to access interpretation. There is a little button next to you, and you can access interpretation in English or in French.

I'm going to begin now by welcoming the witnesses from the Department of Canadian Heritage: Mala Khanna, associate deputy minister, and Charles Slowey, assistant deputy minister, community and identity.

As you know, we would like to begin the discussion of the Canadian Heritage's contract with the Community Media Advocacy Centre.

I would inform the witnesses that they have five minutes. It isn't five minutes each; it's five minutes for your group, so you may decide who speaks when and how. I will give you a heads-up when you have about a minute or 30 seconds to go. I will say it out loud, because I know that sometimes you're reading and can't see me if I hold up a card.

I welcome the Department of Canadian Heritage.

Mrs. Khanna, please begin for five minutes.

**Mrs. Mala Khanna (Associate Deputy Minister, Department of Canadian Heritage):** Thank you, Madam Chair and members of the committee.

I'm pleased to be with you today to speak about funding granted to and subsequently terminated for the Community Media Advocacy Centre, and the steps the Department of Canadian Heritage has taken to strengthen and clarify our grants and contributions processes.

My name is Mala Khanna. I'm the associate deputy minister for Canadian Heritage, and I'm here with Charles Slowey, who is the assistant deputy minister for the community and identity sector. We are joining you today from the unceded territory of the Algonquin Anishinabe people.

Let me start by reiterating that anti-Semitism and all forms of hatred have no place in Canada. Organizations and individuals demonstrating hateful and racist behaviour, whether anti-Semitic, anti-francophone, anti-Black, anti-indigenous or against any other racial or religious groups, should not be supported through government funding.

The hateful comments made by Mr. Marouf were shocking and profoundly disturbing to us. Had Canadian Heritage officials been aware of his comments, the project would not have been funded. As the minister did when he was before you on October 7, I would also like to apologize for the pain that this has caused.

In explaining what happened in this situation, I will start with a bit of context.

Canadian Heritage officials negotiate thousands of grants and contributions with individuals and organizations every year. Last year, the department administered \$1.7 billion in grants and contributions, representing 80% of its total budget. In delivering these programs, the department follows established review procedures, which include the assessment of the public profile of the organization, the applicant's track record and financial issues.

In this case, the project on paper met the criteria of the anti-racism action program. There was an Internet search done of CMAC as an organization, but it was not done of the individuals who would be performing the work, because nothing came up after the search of CMAC. Had hateful comments turned up, the project would not have been funded.

On July 26, the minister's office informed me by phone that there was an issue that would need to be looked into concerning anti-Semitism in one of our projects. On August 2, I received information from the minister's office via email about the case, including one of the offensive tweets. Between August 2 and August 19, the department determined how the individual was connected to the project, reviewed the contractual obligations, sought legal advice and ultimately suspended the project on August 19. The minister then terminated the agreement with CMAC, and the department is pursuing the recovery of funds that were paid to CMAC.

[Translation]

At the October 7 meeting, the minister acknowledged that the time it took to suspend and terminate the agreement once we were informed of the hateful comments could have been shorter. I agree with him. We have learned from this experience and have taken steps to strengthen this process and shorten the timelines.

At the October 7 meeting, Minister Hussen also stated that he had asked the department to conduct a full review of the existing process. As a result of this process, funding applications now explicitly state that projects that espouse hatred or discrimination are not eligible.

In addition, applicants are now asked to certify, in writing, that they will not undermine the Anti-Racism Strategy and will respect the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act. The minister now has the option to immediately terminate a contract. We are conducting an online public information search on the organization and the individuals identified to work on the project. Program officers have received training on the new criteria and on anti-racism and anti-Semitism.

Using the new audit process, we reviewed each of the active and funded agreements, approximately 350 in total and approximately 200 additional applications, which fall under Canada's Anti-Racism Strategy. Funds are now flowing back to the communities, where they belong, so that groups can continue to undertake this important work.

We are also undertaking a broader review of all Canadian Heritage programs and the results of this review will help us refine and improve our processes.

• (1110)

The department has undertaken significant work to address the serious issues that have been highlighted in this situation.

We would be pleased to answer your questions.

[English]

**The Chair:** Thank you very much, Ms. Khanna.

Now I'm going to begin the question and answer session. We begin with the first round of six minutes for the Conservatives.

Mrs. Thomas, please begin for six minutes.

**Mrs. Rachael Thomas (Lethbridge, CPC):** Thank you.

I have a quick clarification here, Ms. Khanna. You said that an Internet search was done, but that individuals weren't looked at, only CMAC was. It was blatantly obvious to the general public that

there were only two individuals working for CMAC. That's on the public record. That is Mr. Marouf and his wife.

Given the small nature of this organization, I'm curious as to why an Internet search wasn't done on them as individuals since they are the organization.

**Mrs. Mala Khanna:** The processes that were followed were the established processes. An Internet search was done of the organization. Because nothing problematic turned up, they did not go further. That is what has now been adjusted. In the review we have done since, we are now going through and looking at the board of directors, the executive director, and individuals associated with the projects that are listed in the application. That work now is being done as a result of the learning we have had through this experience.

**Mrs. Rachael Thomas:** You said that an email was sent to you by the minister's office, to the department, on August 2. I'm curious as to which minister's office this was.

**Mrs. Mala Khanna:** It was Minister Hussen's office.

**Mrs. Rachael Thomas:** Thank you.

That was sent on August 2, but then funding wasn't asked to be revoked until August 22 by Minister Rodriguez. Is that correct?

**Mrs. Mala Khanna:** No, it was on August 19 that the contract was suspended.

**Mrs. Rachael Thomas:** That's interesting, because Minister Rodriguez testified something very different at this committee. He actually said he wasn't made aware of this until August 22, at which point he asked for funding to be revoked.

Would you be willing to table the email that was received?

• (1115)

**Mrs. Mala Khanna:** Do you mean the email that was received on August 2?

**Mrs. Rachael Thomas:** You said there was an email received asking for funding to be revoked.

**Mrs. Mala Khanna:** No, on August 19 the contract was suspended with the organization.

**Mrs. Rachael Thomas:** Would you have documentation of that?

**Mrs. Mala Khanna:** Yes.

**Mrs. Rachael Thomas:** Would you be able to provide that to the committee?

**Mrs. Mala Khanna:** Yes.

**Mrs. Rachael Thomas:** Perfect.

I'm also curious as to the funding that was received by Mr. Marouf concerning the anti-racism action program. How many applications were received for that funding?

**Mrs. Mala Khanna:** Initially, there were 1,100 applications.

**Mrs. Rachael Thomas:** Was this an open and competitive process?

**Mrs. Mala Khanna:** It was an open process.

**Mrs. Rachael Thomas:** How long were those applications open for?

**Mrs. Mala Khanna:** The initial call for proposals was on September 3, 2019, and I believe it closed in January 2020.

**Mrs. Rachael Thomas:** What made Mr. Marouf and his wife the best choice for funding?

**Mrs. Mala Khanna:** Initially, they were not successful in the first review of applications. Then additional funding was received by the program and all of the initial proposals that were submitted were re-reviewed. It was felt on paper that it met the criteria of the anti-racism action program.

**Mrs. Rachael Thomas:** Mr. Marouf tweeted that he was “begged” by the department and that money was thrown at him with regard to this grant.

Is there any truth to that claim?

**Mrs. Mala Khanna:** No, Madam Chair, there is no truth to that claim. The organization was contacted to see if they would be interested in having their project looked at again, because after the initial call was done it was not successful, and then we were looking at projects again. In that case, the outreach was made purely to see if they were still interested in having their application reviewed.

**Mrs. Rachael Thomas:** In terms of the application that was submitted by Mr. Marouf or CMAC, would you be willing to share a copy of that application submission?

**Mrs. Mala Khanna:** I believe we could do so, yes.

**Mrs. Rachael Thomas:** Awesome. I'd love for that to be tabled with the committee.

It's come to light that Mr. Marouf is quite the anti-Semite, and very public about it. It's all over his Twitter account and other social media accounts. It's interesting that this wasn't caught.

When did the department become aware that there was a problem? When did that first cross the desk of someone within the department?

**Mrs. Mala Khanna:** It was on July 26. That was when the minister's office called to say that there was an issue that required some follow-up with respect to anti-Semitism with one of our projects.

**Mrs. Rachael Thomas:** Okay.

So July 26 was when the department was made aware. What's interesting to me is that Minister Hussen has testified at this committee that on July 19 he became aware. It took him about seven days to finally contact the department and ask that action be taken. I'll let that rest there.

I'm curious to know what the department did when they became aware of this.

**Mrs. Mala Khanna:** On August 2, one of the offensive tweets was sent to the department. We did work to identify Mr. Marouf and the connection with CMAC. We looked at the contract to assess the contract, sought legal advice and then by August 19 suspended the project.

**Mrs. Rachael Thomas:** Okay.

What kind of communication was had with the minister?

**Mrs. Mala Khanna:** During that period, we were keeping the minister's office aware of the work we were doing.

**Mrs. Rachael Thomas:** Has the money been paid back?

**Mrs. Mala Khanna:** Madam Chair, the money has been requested to be paid back. We have hired a third party collection agency. It's been demanded to be paid back. We first started with a collection agency that has been making attempts since December to get the money. We have not yet received the money, so the minister is—

**Mrs. Rachael Thomas:** Has even a dollar been received?

**Mrs. Mala Khanna:** No money has yet been received.

**Mrs. Rachael Thomas:** Thank you.

**The Chair:** Thank you. I think that's it, Mrs. Thomas.

I will now go to the Liberals and Mr. Housefather.

Anthony, you have six minutes, please.

**Mr. Anthony Housefather (Mount Royal, Lib.):** Thank you, Madam Chair.

Thank you for being here today, both of you. In my second round, I'll come back to where we are now and what changes have been made to the process to stop this from ever happening again, but I need to start with where we started from.

As for Laith Marouf and why this is important for Canadians, this was his Twitter description: “I have a motto: Life is too short for shoes with laces or for entertaining Jewish white supremacists with anything but a bullet to the head.” That was the top thing you saw on his Twitter feed.

In 2021, we had a rise in anti-Semitism like we've never seen. We had to hold a national summit, the first national summit on anti-Semitism, and this was his tweet about it: “A wacko Indigenous House-Slave of Apartheid Canada, from the 'First Nations Confederacy of Educational Centres', opens the Jewish White Supremacist Colonist conference hosted by the Zionist Lobby, PM @Justin-Trudeau and Apartheid Israel; to infer Indigeneity on Zionist Colonists.” These things were in his Twitter, along with racist, franco-phobic, horrible things.

On April 14, 2022, a press release was issued. I can understand what you said, that you only looked at CMAC for the grants, but a press release was issued that quoted both Laith Marouf and Ahmed Hussen.

At that point, did anyone bother to google Laith Marouf?

• (1120)

**Mrs. Mala Khanna:** Thank you, Madam Chair, for the question.

Organizations are responsible for their communications. In this case, we were relying on the initial vetting, so there was no additional vetting done—

**Mr. Anthony Housefather:** So nobody looked at the press release in the department and said, the minister is going to put a quote there, we're putting his good name out there, this gentleman's name is there, and we should google that gentleman.

**Mrs. Mala Khanna:** Madam Chair, we relied on the initial vetting that had been done.

**Mr. Anthony Housefather:** Will this process now change as well for press releases?

**Mrs. Mala Khanna:** We are looking at how we can ensure that we, systematically, over the course of the projects that are approved, at such key moments as press releases, do additional screening before that happens. Yes.

**Mr. Anthony Housefather:** Would you be able to provide to the committee a copy of the new screening mechanisms? I would like to see how department officials are now being trained on anti-Semitism and other forms of hate, what the new training process is and what the new vetting process is. Could you provide those documents to the committee?

**Mrs. Mala Khanna:** Yes, we can provide those documents to the committee. There was training done in October for all program advisers with respect to both the way in which the criteria are to be implemented and the training on anti-Semitism and anti-racism.

**Mr. Anthony Housefather:** If we could get those documents, that would be great.

I now want to come to the termination, because Mrs. Thomas pointed out something I was going to remark upon. It's on the public record that I alerted the minister on July 18. I sent him three emails on that day with the information that would easily have been able to tell you who Laith Marouf was.

You're saying that you first received communication on July 25, or was it July 26?

**Mrs. Mala Khanna:** It was July 26.

**Mr. Anthony Housefather:** Was that by email or a phone call?

**Mrs. Mala Khanna:** It was a phone call.

**Mr. Anthony Housefather:** From whom?

**Mrs. Mala Khanna:** It was from the minister's chief of staff.

**Mr. Anthony Housefather:** That would be Hursh Jaswal. Okay.

In that call, did he not provide you with the name of Laith Marouf?

**Mrs. Mala Khanna:** Madam Chair, I don't remember for sure. I don't want to mislead the committee. I don't recall. He described that there was an issue. He said that we needed to look into it. I don't believe—

**Mr. Anthony Housefather:** What was the next thing that happened? Did the department not begin looking into it until further information was received from the minister's office on August 2?

**Mrs. Mala Khanna:** Madam Chair, yes, on August 2, I received an email with one of the offensive tweets. That was when we started to look into it.

**Mr. Anthony Housefather:** You didn't receive an email with an offensive tweet until August 2. Did nobody in the department go to look for the offensive tweet between July 25 and August 2?

**Mrs. Mala Khanna:** Madam Chair, that's right.

**Mr. Anthony Housefather:** Okay. That is disappointing.

Let me ask you, once you had seen this offensive tweet.... I think this is what most Canadians want to know. It's what I want to know. I would have looked at that offensive tweet and said, "You must cancel the contract immediately." Why did it take such a period, from August 2 to August 19, to suspend the contract?

**Mrs. Mala Khanna:** Madam Chair, I understand the question. What I can say is that I agree that it could have been shorter. I think that, as a result of this experience, we have made changes through the system—

**Mr. Anthony Housefather:** To allow the minister to terminate it immediately, I understand.

But the breach in that contract was so egregious that I imagine termination for default could have occurred regardless. I would have loved to see CMAC come back and sue the government for a terminated contract after these tweets came out.

What was the delay in the process? Where was the delay? Did legal advice take a long time to come back? What was the delay?

**Mrs. Mala Khanna:** Madam Chair, the time that it took was really to obtain the facts and review—

• (1125)

**Mr. Anthony Housefather:** What were the facts? You go to the Twitter account. You see Mr. Marouf on his Twitter account and what he said. You see that they had two conferences, in Halifax and Vancouver, I believe. Mr. Marouf was a speaker at both of these conferences. I found that in two seconds going through a Google search.

What was the delay? What was the issue? It seems the facts are obvious.

**Mrs. Mala Khanna:** Madam Chair, I understand. As I said, I agree that it took longer than it needed to.

We do not want to be in this situation again, and we have taken steps to ensure that we are not in this situation again. Should we be in this situation again, yes, the minister can terminate it immediately. We also have a much better sense—

**Mr. Anthony Housefather:** On what date did you provide advice from the department to the minister's office suggesting that you thought the contract should be suspended or terminated?

**Mrs. Mala Khanna:** I would need to get back to you with the precise date.

**Mr. Anthony Housefather:** If you could come back with the precise date, that would be great.

Finally, would you be able to please produce the letter of termination and all of the letters between the department and CMAC on suspending and terminating the contract?

**Mrs. Mala Khanna:** If I am able to.... They may be protected.

**Mr. Anthony Housefather:** They should not be privileged, because they are letters to a third party. I would appreciate your producing that, if possible.

**Mrs. Mala Khanna:** Okay, thank you.

[Translation]

**Mr. Martin Champoux (Drummond, BQ):** You're on mute, Madam Chair. We can't hear you.

[English]

**The Chair:** I'm sorry. No wonder Anthony didn't hear me when I said that his time was up.

We're going over to the Bloc Québécois for six minutes.

Martin Champoux, you have six minutes, please.

[Translation]

**Mr. Martin Champoux:** Thank you, Madam Chair.

I'll continue along the same lines.

Mrs. Khanna, who was responsible for giving the signal or recommendation to immediately suspend the contract, if that was what the department wanted?

**Mrs. Mala Khanna:** Thank you for the question.

[English]

Accountability for this is very important. Ultimately, it was the responsibility of me and Charles. We did ultimately take steps—

[Translation]

**Mr. Martin Champoux:** You say “ultimately”. I don't want to belabour the point, but we have a deep misunderstanding of the process and this delay in making a decision that seems so obvious to everyone.

You have in front of you tweets, statements and reports of absolutely unacceptable remarks because they are francophobic, anti-Semitic and hateful.

Who had to make the decision and didn't? Who didn't take the initiative to terminate this contract immediately?

I'm trying to figure out why it took so long. No one around the table here would have waited a minute before telling Mr. Marouf that it was over. Why did it take so long?

**Mrs. Mala Khanna:** Thank you for the question.

[English]

I do understand the concerns. I agree with you that we could have moved more quickly. I think in similar circumstances, if we had to be in this situation again, we would move more quickly. We wanted to make sure we had it right. We reviewed the contract—

[Translation]

**Mr. Martin Champoux:** Mrs. Khanna, you wanted to make sure you got it right, but I don't know what more of an argument you needed than the hard, public evidence you had in front of you. Let's just leave it at that because I understand that we aren't going to know anything more.

You said that there were two rounds of evaluations when the program was set up. Can you remind the committee how many submissions were made under the program, in total? I think you said there were 1,100.

**Mrs. Mala Khanna:** Yes.

**Mr. Martin Champoux:** Of those 1,100 submissions, how many resulted funding?

[English]

**Mrs. Mala Khanna:** Eighty-five did, Madam Chair.

[Translation]

**Mr. Martin Champoux:** Okay.

Do you remember the criteria that led to the Community Media Advocacy Centre not being selected after the first round of assessments?

[English]

**Mrs. Mala Khanna:** Madam Chair, I was not part of that initial review, but my understanding is that there was nothing wrong with the project proposal. It was merely that there were, as you said, 1,100 applications, and only 85 could be accepted. There was nothing deficient, but it wasn't at the top.

• (1130)

[Translation]

**Mr. Martin Champoux:** So there was money left at the end, if I understand correctly.

How are applicants screened? Are a few picked at random, or does each applicant go through a review, which I hope is now a little more comprehensive?

Are all applicants systematically reviewed?

[English]

**Mrs. Mala Khanna:** Yes, Madam Chair. Each application is reviewed.

[Translation]

**Mr. Martin Champoux:** Okay.

On September 12, 2022, the *National Post* reported remarks by the minister that this incident represented a system failure. He promised that a host of measures would be put in place to ensure that this doesn't happen again.

One of the things he mentioned was that there would be audit training for program officers. In addition, officers would be required to review each funding application before it is approved. These officers would receive training in reviewing the social media accounts of organizations and individuals, as well as diversity and inclusion training, including anti-racism and anti-Semitism awareness training. The minister went on to say that if an organization had its funding withdrawn, it would no longer be eligible for funding from Canadian Heritage. The minister concluded by stating that candidates should commit to taking steps to create an environment free from harassment, abuse and discrimination.

Were these measures put in place as a result of the incident? Don't you think that these are measures that should have been in place from the beginning?

[English]

**Mrs. Mala Khanna:** Thank you, Madam Chair, for the question.

There are very well-established procedures that were in place before the financials were looked at and the organization was looked at. Was it a first-time organization? A risk-based, comprehensive review of the applications is done.

What this case has brought to light is that while the contract itself was cancelled under the previous system, we wanted to make it much clearer, explicit, that individuals who espoused hate, racism or discrimination would not be eligible for funding. These additional requirements and training were brought in because it was new. Previously there was training for program advisers. This new training was specifically on the new criteria that we were piloting, along with additional training on anti-racism and anti-Semitism.

[*Translation*]

**Mr. Martin Champoux:** Mrs. Khanna, would you say—

[*English*]

**The Chair:** You have about 10 seconds left. I'm sorry.

[*Translation*]

**Mr. Martin Champoux:** I'll leave it at that for now, Madam Chair.

[*English*]

**The Chair:** Now we go to the NDP for six minutes, with Peter Julian.

Peter, you have six minutes. Thank you.

**Mr. Peter Julian (New Westminster—Burnaby, NDP):** Thank you, Madam Chair.

Thank you to our witnesses for being here.

This is, obviously, a concern to all members of the committee and to the Canadian public, I think, writ large. We've seen more and more instances of anti-Semitic hate and all other forms of toxic hate. A year ago on Parliament Hill, a Nazi flag, which is a despicable symbol of genocidal violence, was waved during the so-called "freedom convoy". This is something that all Canadians have to be concerned about: the rise in anti-Semitism and the rise in hate.

I've introduced a private member's bill, Bill C-229, to ban those symbols of hate, like the Nazi flag that represents nothing more than the genocidal violence and hate that led to the Holocaust.

The concerns, I think, are very legitimate. The fact that this anti-Semitism was funded by the federal government, funded by the taxpayers, I find unbelievable.

I want to understand that changes have been made to ensure that this never happens again. I listened very carefully to your testimony—thank you, Ms. Khanna—that there are new procedures that have been put into place. I think you referred to a deeper assessment that actually includes individuals as well as organizations.

Would you suggest that all of those procedures are now in place? It was unclear to me whether the department was still considering that or whether the department had put in place concrete measures.

**Mrs. Mala Khanna:** The attestation and the program eligibility requirements that have been strengthened are now in place. All of the active files that were in the system when this was discovered

subsequent to Minister Hussen's asking for a pause and a comprehensive review.... All of those agreements have been re-reviewed by program advisers using this new criteria. We've gone back and looked at the application to ensure that we were doing the deeper, enhanced online searches.

That has been done. It has been done with a view to testing the system, piloting it and better understanding what needs to be added to it. The objective is to ensure that we will be reviewing in this manner. However, we will be assessing and our internal audit will be looking at this to make sure that we can have the best possible advice and evaluation of the process we have undertaken.

• (1135)

**Mr. Peter Julian:** You made reference to a training process and training material. Mr. Housefather has asked that we get copies of that material, and I echo his call. Do the training process and training material include a definition of anti-Semitism?

**Mrs. Mala Khanna:** Yes, the training that was done on October 27 was done by UNESCO with the special envoy for Holocaust remembrance and combatting anti-Semitism. The definition of anti-Semitism that was used is the definition by the International Holocaust Remembrance Alliance, which is the same definition that was adopted as part of Canada's anti-racism strategy.

**Mr. Peter Julian:** I know the organization. I don't question its work at all. It does terrific work. The definition itself, as I'm sure you're aware, has been controversial because...less clear.

Are you familiar with or is there reference incorporated in the training materials to the Jerusalem Declaration on Antisemitism, which has a definition that says very clearly that "Antisemitism is discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish institutions as Jewish)"? Is that incorporated into the material that is provided for training?

**Mrs. Mala Khanna:** I'm going to turn to my colleague. I am aware that the definition that was used is the IHRA definition for anti-Semitism. I am not sure about the Jerusalem declaration.

**Mr. Peter Julian:** Did you need to confirm that?

**Mr. Charles Slowey (Assistant Deputy Minister, Community and Identity, Department of Canadian Heritage):** Just to add, I'm not aware of its being part of that training. We'd have to go back and verify.

**Mr. Peter Julian:** Okay.

Concerns have been raised. I think the minister received correspondence in this regard as well. One of the concerns that was raised was by Kenneth Stern, who wrote in *The Guardian* that "as the American Jewish Committee's antisemitism expert, I was the lead drafter of what was then called the 'working definition of antisemitism'". He suggests that there are concerns with that definition because it is less clear. One of the concerns that has been raised is that white supremacists, the most vicious anti-Semites of all—and I reference the flying of the Nazi flag—can find loopholes through that definition that are not available for them to use through the Jerusalem Declaration on Antisemitism.

Are you aware of those concerns that have been raised?



**Mrs. Mala Khanna:** I am not aware of those concerns that have been raised. We developed, working with UNESCO and the special envoy, the training that was done, but I am not sure if it contains the references you are referring to.

**Mr. Peter Julian:** Madam Chair, if you would like me to continue, I will continue with pleasure.

**The Chair:** I'm sorry. I keep muting myself, and then I forget that I'm muted.

Your time is up, Peter. We'll go into the five-minute second round.

I begin with a Conservative member for five minutes.

Go ahead, Ms. Lantsman.

• (1140)

**Ms. Melissa Lantsman (Thornhill, CPC):** Thanks, Madam Chair.

Sitting here, I think Canadians watching this.... I'm still unsure as to why it took so long. You said that on August 19 the contract was suspended. Is there a difference between cancelled, terminated and suspended in the view of the department—just a yes or no?

**Mrs. Mala Khanna:** Yes.

**Ms. Melissa Lantsman:** Why wasn't it cancelled and terminated, and in that case when was it cancelled and terminated?

**Mrs. Mala Khanna:** It was suspended on August 19, and it was terminated on September 23. The reason for that is, pursuant to the agreement that was in place at the time, 30 days' notice had to be provided to the applicant. In this case, that was when the 30 days were up.

**Ms. Melissa Lantsman:** Wow. With a long list of clearly anti-Semitic, anti-French, anti-Black tweets, you'd still respect the 30 days. I find that shocking. There's now a new date that we know: September 23. On August 19 it was suspended. It should have been terminated, and I think Canadians at home would agree.

How many people work in communications at the Department of Canadian Heritage?

**Mrs. Mala Khanna:** I don't know the exact number, but—

**Ms. Melissa Lantsman:** Just an approximate....

**Mrs. Mala Khanna:** Maybe around 100.

**Ms. Melissa Lantsman:** How many people do you think monitor social media? I assume all of those 100 people have access to a basic search engine like Google.

**Mrs. Mala Khanna:** We do have a team that monitors social media. There are 24 accounts the department has and 10,000 tags of the department every month, but there is monitoring that is done by the department's social media team.

**Ms. Melissa Lantsman:** To your knowledge, Laith Marouf never came up in any media scan from the department before you heard about this, maybe in the mainstream media or from that call from the chief of staff?

**Mrs. Mala Khanna:** That's correct.

**Ms. Melissa Lantsman:** In a press release in April 2022, you have Laith Marouf's name, you have the minister's name and you have two quotes. Who approved those quotes?

**Mrs. Mala Khanna:** The department looked at the quotes, and ultimately recommended they be approved by the minister.

**Ms. Melissa Lantsman:** Now the department is putting out communication with Laith Marouf's name in it, with the minister's name in it, presumably together, patting each other on the back for \$133,000 of over \$600,000 that the Government of Canada has given to this, frankly, anti-Semite. Nobody in the department, in a team of 100 people, has ever come across a single tweet, for which there's a long list, if you want to see it, of his vile tweets. Is that correct?

**Mrs. Mala Khanna:** That is correct.

**Ms. Melissa Lantsman:** Today, The Globe and Mail says that Laith Marouf at one point was barred from entering Canada and was interviewed by CSIS. This happened in 2009.

Is there any interdepartmental communication about anybody who applies? Presumably, Mr. Marouf's name was on the application when he applied for CMAC funding. Is there any conversation between the ministry of heritage and anybody else in government about the people who apply for taxpayer dollars from the Government of Canada? Answer yes or no.

**Mrs. Mala Khanna:** Not that I am aware of. There have been interdepartmental discussions around processes and ensuring that we are all learning from one another in terms of best practices. However, in terms of reviewing individual applications between departments, I don't think so.

**Ms. Melissa Lantsman:** Will there be anything like a vetting process in the future included in everything the department is trying to do to right this very wrong thing that happened?

**Mrs. Mala Khanna:** The review process that we have put into place since this unfortunate situation came up is what we have been focused on up to now. The Privacy Act is an issue that we would need to be very mindful of in looking at the additional sharing of information between departments, but we are—

• (1145)

**The Chair:** Thank you, Ms. Lantsman. I think your time is now up.

I'm going to go to the Liberals for five minutes, please.

Mr. Housefather, you have five minutes.

**Mr. Anthony Housefather:** Thank you very much, Madam Chair.

I want to start off by going through the list of things I would like to see you deliver to this committee. They've been mentioned by me or my colleagues, or I'm going to add them.

I want to see the new training that the department received. I want to see the new diligence procedures. If you have a copy of the former diligence procedures, I'd like to see the former diligence procedures. I would like to see the actual contract with CMAC. I would like to see the new template agreement that has replaced the old document that CMAC had. I would like to see the new attestation. I would like to see the suspension letter to CMAC, the termination letter to CMAC and any other correspondence between the department and CMAC.

Can you provide that, please?

**Mrs. Mala Khanna:** We will make our best efforts.

**Mr. Anthony Housefather:** Thank you very much.

I'm tempted to ask for internal emails, but I will not do that.

I want to come back to another issue, which is something that is really gnawing at me. It's the termination notice. In Ms. Lantsman's last round of questions, the suspension was on August 19 and the termination was on September 23. Presumably, this means that the lawyer who looked at this file, or the department—whoever made the decision—determined that the contract could not be terminated for cause effective immediately.

Was there no clause in that agreement? I've never seen a contract in my life—and I've been a lawyer for well over 20 years—that did not allow immediate termination for cause for egregious things like this. Did that contract not have any provision that allowed termination for cause immediately?

**Mrs. Mala Khanna:** I don't believe that it did. I believe that we needed to, in that case, ensure that the 30 days' notice was respected—

**Mr. Anthony Housefather:** Was there any provision in the contract, whether or not for this issue, that said it required 30 days? Was there any issue?

Let's say he had killed somebody. Was there any issue for which you could terminate it immediately?

**Mrs. Mala Khanna:** When the contract was suspended, it froze the situation. There was no further activity that could happen. They wouldn't have been able to do anything more on the project.

This notice period was meant to give them, or anybody, the opportunity to—

**Mr. Anthony Housefather:** I understand, but let me again.... I'm going to give you....

Notices relate to an opportunity to cure. When you have given a notice period, it's because you believe the defaulting party can cure the ill in the agreement. You're saying, "You didn't deliver me the goods on this date. I'm giving you this number of days to deliver it."

You always have in contracts cure periods related to defaults that can be cured, and terminations immediately when the default cannot be cured. An example is when the company goes bankrupt. I'm shocked to hear that the department's standard contract didn't have that. That's why I want to see the contracts.

Let me go to another question. Did any employee within Canadian Heritage have any sanction or any discipline related to the delays?

**Mrs. Mala Khanna:** Thank you for the question.

We have learned from this experience. We have taken—

**Mr. Anthony Housefather:** The answer is no.

**Mrs. Mala Khanna:** That's correct.

**Mr. Anthony Housefather:** Thank you.

Let me just come now to another issue I have to get into because it's important.

Does the new contract incorporate the IHRA definition of anti-Semitism? Does either the attestation or the new contract require applicants to subscribe to the government's anti-racism strategy, which incorporates, by definition, the IHRA definition?

• (1150)

**Mrs. Mala Khanna:** The attestation and the requirements require that the individuals not undermine Canada's anti-racism strategy—

**Mr. Anthony Housefather:** That incorporates, by reference, the IHRA definition.

Let me just mention this because it was important. My friend, Mr. Julian brought it up.

The Jerusalem declaration is a competing definition of the IHRA definition. The IHRA definition was developed by many countries, including Canada, over 10 years to come to a consensus definition of anti-Semitism. The Jerusalem declaration was developed by eight people. It was a response to IHRA.

The internationally accepted definition that all Jewish organizations—all mainstream Jewish organizations—in Canada subscribe to is IHRA, which is why the government adopted that, so I wouldn't want to see a competing definition come into this.

Do I have any time left?

**The Chair:** You have 30 seconds.

**Mr. Anthony Housefather:** Thank you.

I'll just to finish off in terms of the new agreement.

[*Translation*]

Has a clause been included that prohibits discrimination on the basis of language? Such a clause wasn't included in the previous agreement. I think it's important for Quebeckers.

[*English*]

**Mrs. Mala Khanna:** Thank you for the question.

Yes, discrimination on the basis of language is also one of the criteria that would make an applicant ineligible for government funding.

**Mr. Anthony Housefather:** Thank you very much.

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

Now I will go to Mr. Champoux for two and a half minutes, please.

[Translation]

**Mr. Martin Champoux:** Thank you, Madam Chair.

Mrs. Khanna, do you feel that the lesson you had to learn from this incident has been well understood and applied by all government departments?

**Mrs. Mala Khanna:** Thank you for the question.

[English]

All departments that have grants and contributions have been very attentive and interested in the work and the learning we have done over the last few months. We have had at least two meetings with other departments to share the work we have done.

[Translation]

**Mr. Martin Champoux:** Were you consulted when it came time to appoint Ms. Elghawaby as Canada's special representative on combatting Islamophobia? For example, did you advise the people who had to do the vetting to go and look at her Twitter account and other social media and her past statements?

There seems to be a trend within the departments, and it concerns me that something as serious as the Community Media Advocacy Centre case hasn't received a more obvious response from all the departments.

I have just two and a half minutes, Mrs. Khanna, so I'll tell you that the clerk of the committee just emailed us a few minutes ago the old and new versions of the applications and agreements. We obviously haven't had time to read all of this since we are here with you today.

However, since you have a front-row seat for this issue, can you tell us what the new agreement contains that addresses the concerns that have been expressed since the committee began its study?

**Mrs. Mala Khanna:** Thank you for the question.

Madam Chair, I'm going to turn to my colleague, Mr. Slowey, to answer the question.

**Mr. Martin Champoux:** Madam Chair, I don't have much time, and I would ask for your indulgence.

I don't think Mrs. Khanna's colleague heard the question, so I'm going to ask it again. With the generosity of the committee, I'd like to have some time because I think it is of interest to everybody.

Mr. Slowey, a few minutes ago, we received the old and the new version of the program applications and the new version of the contract. I want to know if this new version contains the responses to the concerns we've been expressing to you since the beginning of this study.

[English]

**Mr. Charles Slowey:** Yes, in the materials that you received, you received both the previous contribution agreement and application and the new contribution agreement and application, where we strengthened...particularly in the contribution agreement under annex C, which is the general terms and conditions.

Number two is the obligations. We clearly lay out new expectations and obligations for all applicants. It strengthens the points that

we've made around clarifying up front the expectations for certain behaviours. Then there are the repercussions within section D for what we can do in terms of acting quickly to end the contract.

**The Chair:** Thank you, Martin. I think that your time is now up.

I'll go to the NDP, Mr. Julian.

Peter, you have two and half minutes. Thank you.

**Mr. Peter Julian:** Thank you, Madam Chair.

We're going to have to, of course, go through all the old applications, new applications, the old contribution agreement, the new contribution agreement. I am, as I think we all are around this table, concerned about the length of time that this took. Really, essentially from the point of first clearly identifying the hateful anti-Semitism that was being funded by the federal government to actually ending the contract took over two months. With the rise of white supremacy, the rise in hate, we can't have a federal government that takes that long to respond to egregious cases of hate being disseminated whether that's online or any other venue.

When you talk about the measures that have been put into place, what are the measures that would mean that if something comes to light, if something is identified with the department or in the ongoing vetting that's taking place within the department, there can be a rapid end to that contract? The reality is that it undermines confidence in our federal government when we have federal government funds going to a person or an organization that is propagating vicious anti-Semitic comments and hateful messages.

• (1155)

**Mrs. Mala Khanna:** It's a very important question that you're raising, sir.

The contract was suspended on August 19. The new changes that we have brought into force would allow for the minister, depending on the severity of the situation—so in a situation such as this—to be able to terminate the agreement immediately.

**Mr. Peter Julian:** In the case where it is identified on July 18, it becomes something that the minister is aware of on July 26. On August 2, the first steps are taken. What do you think the timeline would be now in the new framework?

How long would that take if we're taking July 18 as the starting point? How long would it be before that contract would be ended?

**Mrs. Mala Khanna:** I understand the question.

I think it will always depend on the complexity of the facts. I will say that we could have moved faster on this case. It was clear. We could have moved faster. I wish we had moved faster. I think in a situation such as this one the measures we put in place—again, I hope very much and I'm confident—will make a difference. If we were in such a situation again, I believe we would be able to move more quickly, in a matter of days.

**The Chair:** Thank you, Ms. Khanna.

Peter, your time is up.

I want to thank the two witnesses, Ms. Khanna and Mr. Slowey.

**Mrs. Rachael Thomas:** I have a point of order, Chair.

We are close to the end of a round. We still do have a bit of time. I am wondering about something. The original motion said that an entire committee meeting would be dedicated to this. At the last minute that was changed, unbeknownst to this committee, aside from a notice that was sent to us only a couple of days ago.

First, I'm curious as to why that change was made by you, unilaterally, as the chair.

Second, I am wondering if you would then allow for this round to be completed.

**The Chair:** I think the round is completed, Mrs. Thomas.

**Mrs. Rachael Thomas:** If you wouldn't mind checking with the clerk on that, that would be great.

**The Chair:** I can tell you because I keep the time on a stopwatch here.

The round comprises four political parties. The Conservatives, the Liberals, the Bloc Québécois and the NDP have just completed the second round, and we were going to do those two rounds.

Thank you very much.

**An hon. member:** I have a point of order.

**The Chair:** I'd like to know who is raising the point of order.

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** It's Marilyn Gladu, Madam Chair.

Actually, the round is not finished. There is a Conservative and then a Liberal to go.

I think it's the will of the committee that we have at least one Conservative question and perhaps one Liberal question with the limited time that we have.

**The Chair:** I'm sorry, Marilyn. You are absolutely right. I did not factor that in.

I apologize to the committee.

I am going to start again with the Conservatives. I don't know who's going to ask the question.

**Ms. Marilyn Gladu:** It will be me.

**Mr. Peter Julian:** I have a point of order, Madam Chair.

I would share the concern that we actually need to take more time. I have more questions for our witnesses. I don't understand why the agenda was changed, but I do agree that we should allow more time.

I would suggest not only completing this round but also doing one further round if other members are in agreement. There are a lot of questions that we still have to ask.

• (1200)

**The Chair:** I will ask for unanimous consent on this, but I do think it also depends on whether the witnesses are able to stay for that extra time.

**Ms. Marilyn Gladu:** Madam Chair, I'm seeing indications that the witnesses are able to stay, so I think there's unanimous consent for that.

**The Chair:** Is there unanimous consent?

**Some hon. members:** Agreed.

**The Chair:** What we will do is finish this round with Marilyn, and then Mr. Housefather will do the second five minutes for the Liberals. We could then go into a third round.

Thank you.

[*Translation*]

**Mr. Martin Champoux:** A point of order, Madam Chair.

I like my Liberal friends a lot, but there seems to be a pretty big gang of them around the table right now. Is every member present? It's rare.

[*English*]

**The Chair:** We are allowed, as you know, Martin, to have other MPs attend, and I think we have a few MPs who are interested in just being here to listen.

[*Translation*]

**Mr. Martin Champoux:** Okay.

[*English*]

**The Chair:** Thank you.

Begin again, Marilyn, for five minutes.

**Ms. Marilyn Gladu:** Thank you, Madam Chair.

Thank you to the witnesses for staying.

We've had a lot of discussion about the incident that happened last summer and the contract. However, I'm more concerned even more broadly.

Were you aware that Laith Marouf's company, CMAC, has been awarded multiple contracts since 2015, more than half a million dollars' worth?

**Mrs. Mala Khanna:** Madam Chair, I wonder if the member is referring to the CRTC cost awards.

**Ms. Marilyn Gladu:** He received money from the broadcasting participation fund. He received money, as well, from Minister Miller even though he had made vile comments about indigenous people. It appears to me that, across all departments, whatever we were doing certainly was not preventing the behaviour. It's not like Mr. Marouf woke up last summer and began tweeting vile and offensive things. This is a pattern of behaviour that... We can see that he was barred from re-entering Canada in 2009. He has a long history. The fact that he's been awarded all these contracts since 2015 really surprises me.

What instructions is the communications department given when it looks into who's applying for the grants?

**Mrs. Mala Khanna:** The analysis of the applications is done by program advisers who work for the anti-racism action program. I'm talking about the contract that was awarded to Mr. Marouf. In the previous process that we had, we did a risk-based assessment that looked at financials and looked at whether the applicant was a first-time applicant. There are a series of questions and points of inquiry that are made. That has been improved upon as a result.

**Ms. Marilyn Gladu:** That's fine.

Is there a review done after the project is complete to assess whether or not the money was well spent, for example, or whether there were any issues such as these?

**Mrs. Mala Khanna:** Yes. There are mid-term requirements for mid-term reports before additional funds are awarded. That's a very common feature in contribution agreements.

**Ms. Marilyn Gladu:** There was some discussion, I think, about the definitions to use. My understanding is that the IHRA definition is not controversial. Is that your assessment as well?

• (1205)

**Mrs. Mala Khanna:** The definition for anti-Semitism that is part of Canada's anti-racism strategy is the one that has been given by the International Holocaust Remembrance Alliance.

**Ms. Marilyn Gladu:** In terms of other departments that have awarded money to CMAC, are you aware of what their practices are? Is it a standard set of selection criteria that all departments use, or does each one have their own?

**Mrs. Mala Khanna:** Broadly speaking, there is similarity in terms of the kinds of questions and the kinds of analysis done. There is information sharing between departments in terms of best practices. When this case came to light, we did share the work that we were doing with other departments. We actually borrowed some of the best practices that we had learned as well, to add to the attestation that we now have. There is a forum for sharing information in order to determine best practices for the awarding of grants and contributions.

**Ms. Marilyn Gladu:** You said there was a look back at all the contracts that had been awarded.

Has that been completed?

**Mrs. Mala Khanna:** There has been a review completed over the last few months of all active agreements that are under the anti-racism action program and the multiculturalism program that we have. That review has been completed by officials. Money is now moving to community groups in batches. We are moving that through as quickly as we can.

We are in discussions now to just get the final review completed.

**Ms. Marilyn Gladu:** Thank you.

**The Chair:** Thank you very much, Ms. Gladu.

I will go to the Liberals and to Anthony Housefather.

You have five minutes, please, Anthony.

**Mr. Anthony Housefather:** Thank you very much, Madam Chair.

Thank you to both of you for being willing to stay for another round. It's appreciated.

I have a couple of questions just to tidy up some stuff that happened before.

A number of references have come up with regard to "the minister". Minister Rodriguez' name was mentioned previously in one round of questioning by Ms. Thomas. You have been referring to Minister Hussen in all your references to "the minister". Is that right?

**Mrs. Mala Khanna:** The minister responsible for these two programs that I am referring to is Minister Hussen.

**Mr. Anthony Housefather:** When you were saying that there was an agreement with the minister to suspend the agreement on August 19, that minister was Minister Hussen, not Minister Rodriguez.

**Mrs. Mala Khanna:** That's correct.

**Mr. Anthony Housefather:** In these types of situations, the department acts as a silo in the sense that you're reporting to Minister Hussen. You're not alerting Minister Rodriguez or involving Minister Rodriguez in any of the discussions or decisions related to this contract. Is that correct?

**Mrs. Mala Khanna:** We work as a department, but in this case we were working with Minister Hussen.

**Mr. Anthony Housefather:** Thank you.

Let me come to another question. When you talked about the training, you mentioned that UNESCO had done the training. I find that hard to believe. Are you sure you didn't mean the Friends of Simon Wiesenthal or a Canadian group?

**Mrs. Mala Khanna:** We worked with the special envoy for Holocaust remembrance—

**Mr. Anthony Housefather:** Yes, Irwin Cotler.

**Mrs. Mala Khanna:** —who is Professor Cotler, but we had been working with UNESCO. They had training that they had been developing, and this was an opportunity to be able to try that training. We had lots of discussions with them.

We have since had conversations with Friends of Simon Wiesenthal and other groups.

**Mr. Anthony Housefather:** It was the Jewish public servants' alliance, as I understand it.

**Mrs. Mala Khanna:** That's correct—and the Canada School of Public Service. We are working to develop other training on anti-Semitism, because combatting anti-Semitism is an integral part of Canada's anti-racism strategy. We know that we need to ensure that there is a continuing awareness and understanding of the way in which anti-Semitism is experienced. That includes in the public service.

**Mr. Anthony Housefather:** I understand. I agree. What I'm basically understanding, though, is that because of this incident, we're trying to figure out all the.... You make lemonade out of lemons.

You now have a situation in which the Jewish Public Servants' Network, Simon Wiesenthal, the Public Service Alliance and Professor Cotler are working with the department to create anti-Semitism training that can be rolled out across government and across departments. Is that correct?

• (1210)

**Mrs. Mala Khanna:** That is correct, yes.

**Mr. Anthony Housefather:** That is a good thing.

The other thing I want to know, if it's okay to come back to you, is who the attorney working with the department on providing you advice related to the contract was. Was that person in Canadian Heritage or were they an attorney in Justice?

**Mrs. Mala Khanna:** They are Department of Justice counsel, but they work through Canadian Heritage.

**Mr. Anthony Housefather:** Did you have trouble accessing that counsel? Is that why there was such a long time in terms of providing...or was that not the part of the delay? Was it not the legal advice that caused the delay?

**Mrs. Mala Khanna:** I would say that the time that it took was not isolated to legal advice. It was the length of time it took the system to kick in, and I acknowledge that it took too long.

**Mr. Anthony Housefather:** Let's look at the new attestation and new agreement. How long did it take from the time that Minister Hussen was here at committee until that agreement and attestation were completed? When did the department approve the new attestation and agreement?

**Mrs. Mala Khanna:** The new attestation was posted online on December 14. I would have to get back to you on when it was approved.

**Mr. Anthony Housefather:** As you've said, that new agreement basically now allows immediate termination for cause, and there will never have to be any more delays if a person is found to have been violating either the Charter of Rights or the anti-racism strategy. Is that correct?

**Mrs. Mala Khanna:** That is correct. There is now the option for the minister to terminate the agreement immediately.

**Mr. Anthony Housefather:** Thank you so much.

My five minutes are done.

**The Chair:** You had 30 seconds left, but that's okay.

I'm going to move now to the third round, which was requested unanimously by the committee.

I begin with Kevin Waugh, for the Conservatives.

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Thank you, Madam Chair.

Thank you, guests, for being here and thank you for staying here a little longer.

Was there a demand to repay the full amount? We've talked about the \$133,000 that we now know has not been repaid. You've gone to a third party to collect it. My first question is whether there was a demand to repay the full amount and, if so, could we get the letter that the department sent to recover this money?

**The Chair:** I think that was a question, Mr. Waugh, by Mr. Housefather.

**Mr. Kevin Waugh:** Okay.

**Mrs. Mala Khanna:** Yes, we will get that for you. The amount that was requested was \$122,661. There was a holdback of \$11,000 that remained, which was not paid out, so what we requested to have back was \$122,661.

**Mr. Kevin Waugh:** Is there any penalty for failure to repay the \$122,000? I mean, this has gone on month after month here. What actions can the department or our government take? You're paying a third party, kind of a tax collector now, and there is obviously commission involved in that too. Is there a date by which to get all this money back into the government's coffers?

**Mrs. Mala Khanna:** There is a very strong interest in getting that money back. The first attempt was by demanding the money back. When that didn't produce, then a third party was sought, which has been attempting to get the money from the organization. Since December, five attempts have been made. We want to ensure that we allow that process to unfold and that the minister is also looking at other options including legal options.

• (1215)

**Mr. Kevin Waugh:** What would other options be?

**Mrs. Mala Khanna:** It would be possible for the minister to take legal action.

**Mr. Kevin Waugh:** I'm concerned. You admitted it. First, there were 1,100 applications, and at first, CMAC did not qualify. You stated that it did not make the grade on the....

Yes, go ahead.

**Mrs. Mala Khanna:** As a point of clarification, it wasn't that it was not eligible. There were a number of other projects that were deemed to be the cream of the crop. Because there were 1,100 projects.... It wasn't that it was ineligible, and then found to be eligible. It was just not chosen.

**Mr. Kevin Waugh:** I'm really concerned that you've attempted five times since December, two or three months now.... You've not had any correspondence, I believe, from CMAC, on recovering the \$122,000.

**Mrs. Mala Khanna:** We have had some correspondence from CMAC. It has not yet paid the money back, though.

**Mr. Kevin Waugh:** Do you think that is a concern?

**Mrs. Mala Khanna:** Yes.

**Mr. Kevin Waugh:** You gave them the money originally, the \$133,000. We understand \$11,000 of that wasn't used. The taxpayers of this country are on the hook for \$122,000, which was granted in 2022. There doesn't seem to be any rush by CMAC to stroke the government and the department the \$122,000.

Could we suspend CMAC from ever applying again? This is a huge red flag. It has taken the money—so far, as we know—with no intention at all of paying any of it back.

**Mrs. Mala Khanna:** The government is very much seeking that money back and attempting that through a third party now, but it also wants to very much keep the option open to pursue.

**Mr. Kevin Waugh:** Who's responsible in the department for getting the money back? When will we know that the grant of \$122,000 has been repaid, or if it ever does get repaid?

**Mrs. Mala Khanna:** The Department of Canadian Heritage is communicating with the third party to get updates as to its efforts. On the basis of those results, we'll have to decide what other actions the minister would like to take.

**Mr. Kevin Waugh:** Is there any—

**The Chair:** Thank you very much, Kevin. I'm sorry, but your time is up.

I'm going to go to the Liberals and Mr. Housefather, for five minutes, please.

**Mr. Anthony Housefather:** Thanks so much. Mr. Louis is going to do this round.

**The Chair:** Mr. Louis, please begin, for five minutes.

**Mr. Tim Louis (Kitchener—Conestoga, Lib.):** Thank you, Madam Chair.

Thank you to the witnesses, especially for this extra time that you've been here. It's appreciated very much.

I thought I'd bring things back to more broad topics and ask you a bit more about the funding itself, about the lessons learned and about the next steps in a broad way. I want to give you a chance to sum things up in the last round we have here.

We're talking about the community support, multiculturalism and anti-racism initiatives program, and the anti-racism action program. What kinds of programs are usually approved? Can you give an example of programs that usually get approved?

**Mrs. Mala Khanna:** Your first question was on lessons learned. I think we have learned very important lessons through this terrible situation. We are making it very explicit that racism, hate and discrimination would make you *ab initio* ineligible for government funding. We require applicants to attest up front, themselves, that they, or anyone associated with the project, will not engage in hate. I think those are important lessons we've learned.

We also recognize that individuals associated with an organization need to be researched on a more systematic basis, not just the organization. Then, as discussed, there's the ability to immediately terminate an agreement.

All of that is learning we are applying.

In terms of the kinds of projects that are typically funded under both the anti-racism action program and the multiculturalism program, \$100 million has been committed under Canada's anti-racism strategy with \$70 million for community groups. There is a tremendous amount of work that small community groups across the country are engaged in. Canada's anti-racism strategy works to dismantle systemic barriers around employment, justice and social participation. The projects are aimed at that.

Mr. Julian referred to the increasing hate since COVID. We have a number of projects that deal with hate. I want to say that, in spite of this terrible situation, there are a number of very good programs and community groups working hard on the ground to ensure we have the most inclusive Canada, which we all want to see.

The other thing I would like to say is that the program advisers we have at the Department of Justice work very hard to implement these programs every single day. They are delivering the mandate and working—particularly during COVID—to ensure the money is going to community groups that are doing the work we want them to do.

● (1220)

**Mr. Tim Louis:** Yes, it is important. The anti-racism work we're doing is absolutely important.

We're seeing that Canadians want to make sure the vetting process is strengthened, along with the ability to terminate contracts. All the things we mentioned today.... It seems we're all on the same page. We just expect it to move forward at a faster pace.

Thank you.

I have one minute left. I'm going to cede to Mr. Housefather.

**The Chair:** Anthony, you have one minute.

**Mr. Anthony Housefather:** Thank you.

Since the new guidelines have been in place, have any groups been flagged or denied funding as a result?

**Mrs. Mala Khanna:** Through the review we did and as a result of the additional screening, there were a handful of organizations about which questions were raised. We had a closer review and, ultimately, there was a recommendation that funding not be removed or no further actions be taken.

**Mr. Anthony Housefather:** Can I ask what those flags were? Were there any defamatory, racist, anti-Semitic or francophobic tweets among them?

**Mrs. Mala Khanna:** There were concerns about comments an individual may have made, but they are no longer associated with the project. It was deemed not to be in scope. If it had been in the nature of the commentary you're describing, I can assure you we would have taken steps.

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

I think the time is up.

I will go to the Bloc Québécois and Martin Champoux for two and a half minutes.

[Translation]

**Mr. Martin Champoux:** Thank you, Madam Chair.

My question is similar to Mr. Housefather's. I'd like to know whether the lists of criteria to be monitored take into account anti-French comments such as those that are increasingly frequent on social media. Is that part of the criteria?

● (1225)

**Mrs. Mala Khanna:** Yes.

**Mr. Martin Champoux:** You're assuring me. Okay.

I'm going to go back to the conversation Mr. Waugh was having with you earlier about the collection procedures related to the contract between Mr. Marouf and the Community Media Advocacy Centre.

To your knowledge, had Mr. Marouf started using the money awarded to him under the program? Is he being asked to repay the full amount?

[English]

**Mrs. Mala Khanna:** Yes.

[Translation]

**Mr. Martin Champoux:** Do you have the impression that there will be a small legal battle? If so, is it likely to drag on?

What steps is the Department of Canadian Heritage prepared to take to follow through with the process, should lawyers get involved in the case and a lawsuit be filed?

[English]

**Mrs. Mala Khanna:** The money was demanded to be returned, all of the money that had been provided to CMAC.

We have used a third party collection agency, which is attempting to recover the funds. There is a process through the Canada Revenue Agency where, if there are refunds owing, those can be recouped. We have also engaged on that level.

Our interest was in seeing if those methods would work. We would like those methods to be able to be enforced and, if they are not, then we will have to look at other options.

[Translation]

**Mr. Martin Champoux:** Mr. Marouf has probably already spent some of that money.

Of the money that was given to the Community Media Advocacy Centre through the program they benefited from, how much has already been spent by the Community Media Advocacy Centre? Do you have any information on that?

[English]

**Mrs. Mala Khanna:** I don't have more precise amounts than the money that was given to CMAC for the work done on.... It was \$122,661.

[Translation]

**Mr. Martin Champoux:** To your knowledge, has the Canadian Radio-television and Telecommunications Commission also taken steps to recover the money given to Mr. Marouf's organization?

[English]

**Mrs. Mala Khanna:** The cost awards, which I believe you are referring to, are a means of being reimbursed for participating in CRTC hearings. The Department of Canadian Heritage has no role in that process, so I am not at liberty to say.

[Translation]

**Mr. Martin Champoux:** Thank you, Mrs. Khanna.

[English]

**The Chair:** Thank you very much. The time is up.

I'm going to the NDP and Mr. Julian for two and a half minutes.

**Mr. Peter Julian:** Thank you, Madam Chair.

You mentioned earlier, Ms. Khanna, that there's been a review undertaken, I'm assuming, of the thousands of contracts that are accorded to Canadian Heritage that—

[Translation]

**Mr. Martin Champoux:** A point of order, Madam Chair.

Mr. Julian, I apologize for interrupting, but there isn't any interpretation into French.

[English]

**The Chair:** I will suspend until we get that. Thank you.

• (1225)

(Pause)

• (1225)

**The Chair:** All right. Thank you.

Continue, Peter.

[Translation]

**Mr. Peter Julian:** Thank you, Mr. Champoux and Madam Chair.

[English]

Concerning the review of existing contracts, did that include social media vetting? Did that include all of the measures that obviously come to mind in this circumstance? Can you assure us that there are no further expressions of hate out there from any of the recipients of these contracts or their employees?

**Mrs. Mala Khanna:** The review that was done was of the two programs that Minister Hussen is responsible for, the anti-racism action program and the multiculturalism program.

We reviewed all of the active recipients with agreements that were already in place, because the minister paused both of the programs. We took the time during that pause to review all of the active agreements. There were about 350 active agreements. There were also, because there is a continuous intake, additional applications made for funds. Those applications, about 200 of them, were also reviewed.

The review that was done was what I was describing before, which is not just an Internet search of the organization but of the board of directors, the executive director, consultants or others who are associated with the project and who are listed in the project's application. There was a Google search done, and any results that came up that were of concern would be flagged to the manager and then looked at more closely by legal, our centre of expertise and comms for assessment.

• (1230)

**Mr. Peter Julian:** Okay. Thank you.



One concern that has come up is the lack of communication within the department between Minister Hussen and Minister Rodriguez. I was stunned to learn that Minister Rodriguez testified that he didn't learn about all of this until August 22.

Have measures been taken internally so the Minister of Canadian Heritage is aware of problems happening in his ministry even if they're administered by another minister?

**The Chair:** Your time is up, but I will allow Ms. Khanna to respond.

**Mrs. Mala Khanna:** Thank you for the question.

Within the department we are...and I think this case has been a good example of an opportunity for us to reinforce the importance of working, as a department, to ensure we are sharing pertinent information in as timely a way as possible.

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

I'm going to go to the Conservatives for five minutes, please.

Mr. Shields, you have five minutes.

**Mr. Martin Shields (Bow River, CPC):** Thank you, Madam Chair.

Thank you to the witnesses. It's a challenge to answer some of the questions. I understand.

One thing about this business and the people involved with this business is that they have been involved for many years in getting government contracts—about \$600,000.

Businesses can easily change their names. How are you going to make sure that this is communicated across the silos, so it doesn't pop up somewhere else?

**Mrs. Mala Khanna:** We are ensuring that within the Department of Canadian Heritage, we are—

**Mr. Martin Shields:** I got the Department of Heritage, but he has applied for contracts and other things.

How will this information be shared with other departments so that they're aware of this?

**Mrs. Mala Khanna:** Thank you for the question.

The communications that we have with other departments are really around processes. We do not have a—

**Mr. Martin Shields:** For the processes you're now putting in place that you've talked about, the many agencies you've talked to, the different things you're going to do with yours, are these now being shared across the government spectrum where people apply for grants?

**Mrs. Mala Khanna:** We are sharing the processes that we have put in place with other departments.

Was that your question, sir?

**Mr. Martin Shields:** Yes.

**Mrs. Mala Khanna:** Yes.

**Mr. Martin Shields:** That's critical. Could you share with us the communication you've done on that particular aspect?

**Mrs. Mala Khanna:** I believe we can, yes.

**Mr. Martin Shields:** Okay.

Talking about communication, we also received a letter demanding that whatever the committee does and says must go to the lawyers representing them. You mentioned you've had communication with representatives of this company.

Would you please share that communication with us?

**Mrs. Mala Khanna:** Do you mean the correspondence between the organization, the counsel and the department?

**Mr. Martin Shields:** Yes, it's on the request for the money back.

**Mrs. Mala Khanna:** I want to just make sure there's no issue with sharing it. If we're able to share it, I will be very pleased to do that.

**Mr. Martin Shields:** This is not client confidentiality we're talking about here because he's demanding the information and communication we're doing. That's communication he's having with you. That's not client confidentiality.

I think it's important we know what's happening with the request for money and what they're communicating to you.

**Mrs. Mala Khanna:** I will make best efforts to get you the information you're seeking. I understand the reason you would like it, and I will make best efforts to make sure we can provide it to the committee.

**Mr. Martin Shields:** One last time, you had mentioned that no one was released from their job because of this situation. Has there been disciplinary action for any staff over what happened here?

**Mrs. Mala Khanna:** Thank you for the question.

Accountability is very important. I have spoken to the employees who were involved in this case. This was a situation where the process did not work to ensure we were able to catch this. This was not a situation where an individual employee.... There was no bad faith and there was not a situation where processes were not followed. Processes were followed in this case.

**Mr. Martin Shields:** Would you suggest then that the process you had was absolutely negligent? What was in place before then?

**Mrs. Mala Khanna:** I would not. I would say this was an opportunity for us to learn and do better. We have taken steps to do so.

The processes that were in place before were strong processes in terms of the review process. What we have done now strengthens it.

• (1235)

**Mr. Martin Shields:** That's why I'll be interested in your communication with other departments in the process that you're suggesting.

I have one other thing, following up from my colleague. He asked about who was involved in providing you with the training and information. You said you were going to be pursuing it with others, but you left out the others. What do you mean by the others that you're...?

**Mrs. Mala Khanna:** In terms of training...?

**Mr. Martin Shields:** Yes.

**Mrs. Mala Khanna:** We have had conversations with the Simon Wiesenthal Center.

**Mr. Martin Shields:** You mentioned that one already.

**Mrs. Mala Khanna:** We had conversations with the Jewish Public Servants' Network.

**Mr. Martin Shields:** You mentioned that one.

**Mrs. Mala Khanna:** It may be that there are other community groups that we have outreached to. We do outreach with many.... Those are the ones I am aware of.

**Mr. Martin Shields:** You made the statement, though, that you're going to pursue it with others. When you said you were going to pursue it with others, I assumed you had others in mind.

**Mrs. Mala Khanna:** I was referring to the work that my team is doing and wanting to leave the option for them to consult with the relevant community partners.

**Mr. Martin Shields:** I think that's important.

Could you supply us with information on who you contacted to work with you and provide that support as you changed this process and training, and any others you will be in contact with? I think it's important for us to understand what you're doing to remedy this situation. As you said, it's a learning experience. We need to know and to see what that has created and who you talked to in order to do it.

Would you be able to provide us with that?

**Mrs. Mala Khanna:** Yes.

**Mr. Martin Shields:** Thank you.

I'll turn my time to my colleague Marilyn Gladu.

**Ms. Marilyn Gladu:** Very good.

Quickly, I want to make sure that CMAC is not receiving funding from any other departments or ministries. When we see the scope of what they have gotten—

**The Chair:** I'm sorry, but the time is well over, Marilyn.

**Ms. Marilyn Gladu:** I'm sorry.

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

I'm going to go to the final round for the Liberals.

Mr. Housefather, you have five minutes, please.

**Mr. Anthony Housefather:** Thank you, Madam Chair. Hopefully, I won't take all five minutes.

I have a couple of questions.

First of all, to clarify, my understanding is that the only Department of Canadian Heritage contract that CMAC received was this

one for \$133,000 on the anti-racism strategy. There were no others from that department.

**Mrs. Mala Khanna:** That's correct.

**Mr. Anthony Housefather:** Okay, perfect.

The CRTC, as you said, is an independent third party organization, and costs awarded by the CRTC are independent of the department.

**Mrs. Mala Khanna:** That is correct.

**Mr. Anthony Housefather:** Good.

Coming back to what Mr. Shields mentioned, I think we all understand that the initial granting of the monies was through a process that needed to be fixed. I mean, nobody was responsible for making a mistake because that was what the process was.

I think the clarity that people want is why there was no accountability for the time frame between the time that the minister was first alerted of this on July 18 and the actual suspension on August 19. I think that's where people are confused. That's not a process question; that's a question of whether things were taken seriously.

Do you have any response to that?

**Mrs. Mala Khanna:** I understand the question. What I can say is that there is no place for anti-Semitism. The time it took was really an effort to understand the situation, and yes, it took too long.

[*Translation*]

**Mr. Anthony Housefather:** I have to tell you something, because I think it's important. It's just an impression, which certainly might not be justified.

The two groups that were most vilified by Mr. Marouf were Quebecers and Jews. Both groups feel that if it had been any other group, the reaction would have been quicker. Can you assure me that this is not the case?

[*English*]

**Mrs. Mala Khanna:** Yes. Thank you.

I can assure you. On the work the department has done both to ensure that both official languages are respected and celebrated in the programming we do, and to ensure that anti-Semitism is combatted with the programming we do, whether it's the summit we had on anti-Semitism or round tables, we need to continue our efforts. We need to be vigilant. We understand that hate is going up and that anti-Semitism is an integral part of Canada's anti-racism strategy. We need to continue efforts to ensure it is understood in terms of how it is manifest in society, but also within our institutions. That is the work we are engaged in.

• (1240)

**Mr. Anthony Housefather:** Thank you very much for your time. I appreciate it.

Thank you, Madam Chair.

**Mr. Kevin Waugh:** Madam Chair, could I have a point of order here, if you don't mind, just for a second?

I'm wondering if we could get any communication from the Department of Canadian Heritage to Mr. Marouf and CMAC, and any back from CMAC to the department, from August 2 to today.

What we have here, Madam Chair, is one minister spending the money and now the other, Minister Rodriguez, trying to collect the money. I'm just wondering if we could get any communication—emails—provided by the department to us.

**The Chair:** Mr. Waugh, I think Mr. Shields already asked for that in his presentation.

What I want to say is that the clerk has duly noted all the documents requested by every single one of the committee members. I think those should be sent as soon as possible by the department, and they will be distributed to everyone on the committee.

I just need to say that we must go—

[*Translation*]

**Mr. Martin Champoux:** A point of order, Madam Chair.

Again, we don't have interpretation into French.

[*English*]

**The Chair:** I'm sorry. What is going on, please? Are the interpreters there?

**The Clerk of the Committee (Mr. Michael MacPherson):** I'm sorry, Dr. Fry. There is an issue, I believe, with your headset, and interpretation is having difficulties interpreting for you. That's where we are at.

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, the interpreters have pointed out to us several times during the meeting today that the sound quality of your microphone is inadequate for interpretation. So that should be checked, but at the moment, the interpreters can't do their job.

[*English*]

**The Chair:** The problem is that I am using the required headset by the House of Commons, so I want us to make sure that we do have interpretation now.

Is there interpretation?

[*Translation*]

**Mr. Martin Champoux:** No.

[*English*]

**The Clerk:** No. There is a technical issue where the sound quality coming from your set-up today is not adequate for interpretation at the present time.

**The Chair:** Can we work on getting that done quickly?

**Mr. Chris Bittle (St. Catharines, Lib.):** I have a point of order.

**The Chair:** How long do we have before we end this meeting, Mr. Clerk?

**The Clerk:** There are 15 minutes remaining in today's meeting. There is also a—

**The Chair:** Do we have extra time?

**The Clerk:** I'm told we can have a little bit of extra time. I can double-check on that.

**The Chair:** All right.

Mr. Bittle, go ahead.

**Mr. Chris Bittle:** If Mr. Housefather was the last speaker, perhaps we can suspend, go in camera and sort out the technical issues while we're switching over.

**The Chair:** I think we can do that. The clerk, obviously, has a list of all the documents requested, and they will be sent to you all.

I also want to be very clear that this meeting did not have a timeline of two hours on it, so—

[*Translation*]

**Mr. Martin Champoux:** Madam Chair, on a point of order, we don't have French interpretation. So I propose that we suspend the meeting, because we can't continue if we don't have interpretation in both languages.

[*English*]

**The Chair:** We will suspend.

[*Proceedings continue in camera*]





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