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# Standing Committee on Government Operations and Estimates

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Chair: Mr. Kelly McCauley





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• (1715)

[English]

**The Chair (Mr. Kelly McCauley (Edmonton West, CPC)):** Good afternoon, everyone. I call this meeting to order. Welcome to meeting 127 of the House of Commons Standing Committee on Government Operations and Estimates, widely known as the mighty OGGO.

Welcome back, Mr. Doan.

Before we start, I will go over a few things. We agreed to some accommodation measures for our witness today. Mr. Doan will be making an opening statement. We're going to do a five-minute break after the first round; a five-minute break after the second round; after the third round, which will take us about halfway through, we'll provide a 10-minute break; and then after the round after that there will be a five-minute break.

Mr. Doan is obviously appearing by video conference. He's accompanied by his counsel, and we will allow suspensions or breaks for Mr. Doan to refer to his counsel, at which time we will suspend the clock so you don't miss out on your questioning. Mr. Doan is aware that his counsel, though, has to remain off-camera at all times. If at any time Mr. Doan's health does not permit him to continue his testimony, the meeting could be suspended or adjourned, provided that Mr. Doan accepts that he will be required to reattend to complete the testimony in the future.

Just on a different point, colleagues, I remind members that, as with any testimony and documentation received by any parliamentary committee of this House, the proceedings today are covered by parliamentary privilege, which means that they cannot be used against any of us, including the witness, in a court of law in this country. This allows us to proceed with our inquiry with complete freedom. I refer members to the *House of Commons Procedure and Practice*, pages 89 to 95 for your reference.

Mr. Doan, again, welcome back. We start with your opening statement.

**Mr. Larry Brock (Brantford—Brant, CPC):** I have a point of order, Chair.

**The Chair:** Before I get to the first point of order and then to Mrs. Vignola, I should say that normally I'm a bit liberal with watching the clock. Today I am going to keep everyone to exactly five minutes or six minutes, so leave time for an answer. I will be cutting everyone off exactly at that time.

Mr. Brock, go ahead.

**Mr. Larry Brock:** Thank you, Chair.

As I indicated to you the last time that this witness appeared at committee last fall, given the contentious nature of the evidence, it would be prudent to have the witness sworn to tell the truth, and I make that request again today.

**The Chair:** I was expecting that. I think Mr. Doan was probably expecting that as well.

If we're fine, I'll turn it over to the clerk for that, and then I'll get to Mrs. Vignola. Let me just attend to this first, Mrs. Vignola.

[Translation]

**Mrs. Julie Vignola (Beauport—Limoilou, BQ):** Thank you, Mr. Chair.

[English]

**The Chair:** No. I'm sorry. I will turn it over to the clerk to just swear in the witness, and then I'll get to you, Mrs. Vignola.

[Translation]

**Mrs. Julie Vignola:** I'm sorry.

[English]

**The Clerk of the Committee (Mr. Marc-Olivier Girard):** Thank you, Mr. Chair.

Mr. Doan, with a hand on the religious text of your choice... Well, you have two options. You can perform a *serment*, an oath, or you can choose to make a solemn affirmation. Which do you choose?

**Mr. Minh Doan (Chief Technology Officer of the Government of Canada, Treasury Board Secretariat):** I'll do a solemn affirmation.

**The Clerk:** Please repeat after me: "I, Minh Doan, do solemnly, sincerely and truly affirm and declare the taking of any oath is, according to my religious belief, unlawful. I do also solemnly, sincerely and truly affirm and declare that the evidence I shall give on this examination shall be the truth, the whole truth and nothing but the truth."

**Mr. Minh Doan:** I, Minh Doan, do solemnly, sincerely and truly affirm and declare the taking of any oath, according to my religious belief, is unlawful. I do also solemnly, sincerely and truly affirm and declare that the evidence I shall give on this examination shall be the truth, the whole truth and nothing but the truth.

**The Clerk:** Thank you very much, sir.

**The Chair:** Thanks, Mr. Doan.

Mrs. Vignola, go ahead.

[*Translation*]

**Mrs. Julie Vignola:** Thank you, Mr. Chair.

I want to make sure the tests have been done in accordance with the Standing Orders, for the interpreters' well-being.

[*English*]

**The Chair:** Yes, they were done.

Mr. Doan, I'm sorry for the interruption. Please proceed with your opening statement.

**Mr. Minh Doan:** Good afternoon, Mr. Chair and honourable members of the committee.

Like most Canadians, I would prefer to not make my health issues public. However, as a result of some comments made in this committee, this is no longer possible.

In 2015, I had a heart attack, was rushed to the hospital, underwent emergency surgery and had two stents installed. I have had attacks of angina since. Stress has direct and life-threatening ramifications for me. I have been on medical leave since January of this year and I'm still currently on medical leave. There is nothing convenient about heart disease.

I am here today against my doctor's advice to avoid stress because I want to set the record straight on some points. Before speaking to the specific issues, I want to thank the committee for the accommodations it has extended to me, including delaying my appearance and for my appearance today.

The first is my involvement in the ArriveCAN development. As CIO, my role is to provide strategic IT direction. My role was not to determine specifically how the program was to be delivered at an operational level. Once I made a strategic decision, responsibility for the technical implementation was delegated to a senior executive at the EX 3 level to get the job done.

The question of who chose GC Strategies continues to be asked. The problem with this question is there are two questions and two answers, not one.

I already made clear at my last appearance that I picked a strategic direction to use in-house resources with staff augmentation. I am accountable for that decision and I stand behind it. However, I did not decide on a company. When I was presented with the two options, the staff augmentation proposal contained only technical information and did not include any information regarding GC Strategies. They were never mentioned, nor did I make any decision to specifically engage them.

This leads me to the other important question that isn't being asked. Who brought GC Strategies on board? How were they even aware of CBSA's urgent need for an app? Who asked them for proposals or mock-ups? Who had a relationship with them dating back years before the pandemic? That clearly was not me.

Sworn affidavits were recently filed in the Federal Court by Mr. MacDonald and Mr. Utano. I quote from Mr. MacDonald's affidavit. He said that Mr. Utano was involved in exploring options to

be presented. The internal group of which Utano was part of ultimately recommended GC Strategies as the solution.

With respect to Deloitte, I also quote from Mr. Utano's affidavit. He said that Deloitte would have developed the application entirely within their operation, while GC Strategies would employ a series of external programmers who would develop the application such that CBSA could operate and modify the application once CBSA personnel were trained.

Those are their words, not mine. I had no telephone calls with GC Strategies, but I've seen reported in *The Globe and Mail* that others had hundreds of phone calls with them, not only during COVID, but dating back two years before the pandemic even began.

I did not attend any events with GC Strategies, nor was I even invited to these events. Botler's initial report supports that I did not have a relationship with GC Strategies. It also noted conscientious efforts by members of my team to hide information from me.

Secondly, on the allegation that I moved files around to intentionally delete emails to hide evidence, this is false.

I needed to change my laptop because the battery on my current one was failing. When transferring files from my old computer to my new one, files were corrupted and the emails were lost. I personally reported this to my team to attempt a recovery of the emails. I believe CBSA still has these laptops and files in its possession.

Everyone knows emails do not reside solely on a particular computer or laptop. They are delivered through servers where they are usually backed up. In the case of CBSA, the servers in question are under control of another department—Shared Services Canada. More importantly, all recipients, senders and people on cc would still have copies of their emails from me and could have produced them as required. Neither I nor anyone else can delete other individuals' copies of emails. The loss of emails from my laptop would not result in them no longer existing anywhere else.

As a member of the executive team at CBSA at the time, I accept responsibility for the institutional and public service accountability for what occurs within the organization. I learn from the findings and recommendations when policies and programs are not proceeded with according to the rules in place, as was highlighted in the OAG and OPO reports.

At the same time, my delegated tasks will be completed by those under my authority, particularly to individuals at senior executive EX 3 levels. I should reasonably be able to expect that they will do so in accordance with all applicable standards, laws and regulations, and that they will flag to me things that require my attention. This is core to how delegation works.

In this case, it appears my trust was misplaced. In hindsight, knowing what I know now, I should have asked more questions and challenged more of those reporting to me. For those failures, I take full responsibility.

Thank you.

• (1720)

**The Chair:** Thanks very much, Mr. Doan.

We'll start with Mr. Barrett for six minutes, please.

**Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC):** Mr. Doan, you're the chief technology officer of Canada.

How long have you been working with computers and IT?

**Mr. Minh Doan:** It's been over 25 years.

**Mr. Michael Barrett:** Do you have training in computer science?

**Mr. Minh Doan:** I do.

**Mr. Michael Barrett:** Do you have an accreditation?

**Mr. Minh Doan:** I have a bachelor's degree in computer science.

**Mr. Michael Barrett:** Would you describe yourself as an IT expert?

**Mr. Minh Doan:** I would.

**Mr. Michael Barrett:** You know how to code, secure data and program. Do you understand how computer networks operate?

**Mr. Minh Doan:** I haven't coded in quite a while, but I do.

**Mr. Michael Barrett:** There are investigations now ongoing about the missing emails and deleted emails.

I just want to make sure I understand correctly your opening statement. Your contention is that because you switched the battery out in your laptop, thousands of records were deleted.

I am not a computer expert, but I've switched out batteries a couple of times. I've never heard of that happening. Would you say that that's quite common?

• (1725)

[Translation]

**Mr. Minh Doan:** I would like to specify that I did not change my computer battery. It was determined that my computer had problems relating to the battery and that I had to change computers, so this was not about changing the battery.

[English]

**Mr. Michael Barrett:** You needed to change the whole computer. In the imaging process, someone wiped your computer? I just don't understand. This is not something that I've heard of. Usually there are quite robust processes.

The IT staff here at the House of Commons, for example...and in my experience with IT working with the Department of National Defence, I've never heard of anything like this.

It seems incredible to believe that that's the story that you'd have us accept today. It's incredibly convenient for you that these documents are missing. How is it that you're both the victim of some-

thing that's exceedingly rare but also the beneficiary of something that's exceedingly helpful for you?

**Mr. Minh Doan:** The technical term is corrupt PST. Corrupt PSTs are actually not extremely rare. They are fairly common. It's actually so common that Microsoft put a tool in every Windows computer to fix them.

In terms of what you say, it is absolutely correct. When you get a new computer, it is imaged, but in transferring, it's no different from if you were to get a home computer. You would want to transfer files from your old one to your new one.

In that transfer, that is where the corruption occurred. It was fairly standard. You transferred files over and there was a corruption. That's what occurred.

**Mr. Michael Barrett:** You are the chief technology officer of Canada. The practices that are in place currently now see quite commonly that, when government employees swap out their hardware, thousands of files go missing. That is your contention. With that state of play and your accepted standard, doesn't that compromise your ability to abide by federal law and information retention policies?

**Mr. Minh Doan:** When this occurred, I was not the chief technology officer of the Government of Canada. I was the CIO of CB-SA.

In terms of the question that I failed to answer earlier, you asked if it was convenient for me. I don't know how having my files corrupted would be convenient to me in any way at all.

In terms of your other question of how often it occurs and whether it is a common occurrence, I think corrupted files are a common occurrence. As for how often it occurs when different government employees change laptops or computers, I could not speak to that.

**Mr. Michael Barrett:** The destruction of emails and other documents is relevant to the information request as it relates to allegations about your involvement in the \$60 million arrive scam and involvement with GC Strategies. Of course, the destruction would be to your benefit if you were attempting to cover up your activities and attempting to camouflage things that you had done. We've seen in the past prevarications by you at committee. We found that the main and favoured contractor also lied before committee.

The Information Commissioner of Canada is investigating you destroying these documents and evidence. Have you been interviewed as part of that investigation?

[Translation]

**Mr. Minh Doan:** No, no one from that office has contacted me.

To get back to what I was saying at the beginning, the fact that the emails are no longer on my laptop because of some kind of data corruption does not mean they no longer exist. These emails exist in all the other mailboxes of all the employees who sent me emails or received emails from me, and they can be obtained for the purposes of study or investigation. So this situation is no different from when a member of Parliament loses their laptop. The emails still exist.

• (1730)

[English]

**Mr. Michael Barrett:** Those are scattered across dozens, if not hundreds, of other people's computers. It makes the investigation exceedingly difficult when the agency you were with at the time has now been noted to have the worst record-keeping that's been seen in the history of the federal government.

It's far too convenient and simply not believable, what you're offering, sir.

**The Chair:** I'm afraid that is our time.

Mr. Jowhari, you have six minutes, please.

**Mr. Majid Jowhari (Richmond Hill, Lib.):** Thank you, Mr. Chair.

Thank you, Mr. Doan, for coming to the committee.

I have a couple of quick questions and then I want to go to the emails.

First of all, I'm sorry to hear that you had health issues. It is unfortunate.

Can you confirm you have received the accommodation for appearing in this committee as you had requested?

**Mr. Minh Doan:** I can confirm that. Thank you very much.

**Mr. Majid Jowhari:** Thank you.

Can you also confirm that everything you have so far said to this committee has been honest and has been truthful?

**Mr. Minh Doan:** I also confirm that everything I've said so far has been honest and truthful.

**Mr. Majid Jowhari:** In your opening remarks, you talk about Mr. MacDonald's and Mr. Utano's testimonies and you read from their testimony.

Do you believe their testimony is truthful and it's against what's been said about you?

**Mr. Minh Doan:** To clarify, I didn't read that from testimony. That was from sworn affidavits, from their part with the Federal Court of Canada.

**Mr. Majid Jowhari:** As a clarification, in their affidavits, are they supporting your testimony or they are disputing your testimony?

**Mr. Minh Doan:** From their affidavits, they are supporting.

The question that keeps coming back is who picked GC Strategies, who knew them and who contacted them.

As I quoted—and I'm happy to quote again—it was ultimately recommended GC Strategies as the solution. That would have been Mr. Utano.

**Mr. Majid Jowhari:** Okay. Thank you for those clarifications.

Now, I want to go back to the email. I'm going to draw on an experience I had recently.

Our computers are all Windows. When I was doing an upgrade on my personal computer, all my Outlook files were saved in an Outlook folder and that was backed up. When I got my new computer, those files were transferred, and then I brought up Outlook and it came up.

Now, as it relates to my work computer, I did not touch it. Basically, someone from IT came, took my computer and they went and did the reimaging. We got a new computer back. They came back to the office. They spent about 30 minutes with me. They made sure everything was up and they validated it. I didn't have access to any of my files to be able to do a transfer, similar to the experience I had when I brought my personal computer up.

I understand the fact you're IT savvy. Why wouldn't you go to IT and tell them, "Hey, look, here's my computer. The battery is dead. Can you get me a new computer? Please take care of it"?

I wouldn't assume a CIO of a department would have time to go and do all of that on their own.

Can you clarify that, please?

**Mr. Minh Doan:** Yes, of course.

As was previously alluded to, I've been in technology my entire life. I'm a proud technologist. I'm a proud geek and nerd around that.

Part of the IT team that reported to me.... Many people will attest that those who provide VIP service are extremely busy providing help for the other vice-presidents and DMs of the agency.

Any time I could on my own solve what I believed to be a fairly straightforward thing, such as a file transfer, I would do that.

**Mr. Majid Jowhari:** I just want to make sure I understand.

Somehow, as a CIO of CBSA, you seemed to have access to the file that was saved on the Outlook folder within the Government of Canada, CBSA...or whatever that folder is called.

Does everyone have access to a similar folder?

**Mr. Minh Doan:** I'm familiar with the set-up that you talked about in terms of what we would traditionally call a network share or a common share, where, in your case, the files would have been saved. These were files that I wanted to transfer from my local computer to the new computer I received. These were not from what you were referring to as a network drive.

• (1735)

**Mr. Majid Jowhari:** Those were the files. Am I right to understand that you had saved work-related files on your personal computer in a personal folder?

I just want to make sure, because I'm not an IT guy. I understand IT, but I'm not an IT guy.

**Mr. Minh Doan:** I had both.

As I mentioned in my opening statements, all emails are backed up on servers. Those servers are managed by another department. They're not managed by my team. They're not managed by the agency. I have those backups.

We also have backups of network drives, and those are managed by the CBSA IT. I had my local files as well that I wanted to transfer over, documents, pictures of my children or other things.

**Mr. Majid Jowhari:** I have 30 seconds left.

Were you keeping Government of Canada emails on your local folder drive, and over thousands of emails all of a sudden got corrupted as a result of that? Just say yes or no.

**Mr. Minh Doan:** No.

**Mr. Majid Jowhari:** Thank you, sir.

I don't understand that.

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

Ms. Vignola, you have six minutes.

[*Translation*]

**Mrs. Julie Vignola:** Thank you, Mr. Doan, for being here with us.

I had problems myself, relating to the transfer of emails and files to my Surface laptop when I changed desktop computers. I understand, at least in part, the problem you experienced. I experienced it myself less than a month ago. It is frustrating and upsetting. In my case, it is infuriating, because I have to start all over. I am not a “digger” when it comes to computers, I would mention as an aside—and I apologize to the interpreters for using the word “*piochonne*”.

Mr. Doan, I have reread your testimony from October 24, 2023, but I need some clarification. You said it was your team that made the decision. You then said that the team was made up of 1,400 employees under your supervision. That is enormous.

What I understand is that those people were divided into sub-teams; 1,400 people did not decide to opt for GC Strategies. I would like to know who did it. I am not asking you for names, but it is obvious that 1,400 people did not make that choice.

**Mr. Minh Doan:** Thank you for allowing me to clarify this for you. I gave an overview of the scope of my responsibilities and the size of my team. I was asked how many people there were in total and how many director generals. The question at that point was who had made the decision. It was my team, and it still is.

To get to your specific question, that is a bit of a summary of what I said in my opening remarks. It was members of my team, but not six director generals, and certainly not 1,400 employees. It was two individuals whose affidavits I read just a few minutes ago.

**Mrs. Julie Vignola:** Thank you.

I did not understand what was said earlier clearly. Can you remind me of when your emails were erased? When that problem occurred? Did it only affect emails relating to the ArriveCan project?

**Mr. Minh Doan:** No, it occurred at the beginning of 2023. You did not misunderstand, since I did not answer that question.

To get back to the question asked by the committee member before you, I want to clarify that this was not my personal computer. People are not allowed to use their personal computers. It was a Government of Canada computer, and more specifically a Canada Border Services Agency computer. I should have clarified that, but thank you for giving me the opportunity to do it.

**Mrs. Julie Vignola:** Was it only emails relating to the ArriveCan project that disappeared, or was it rather emails about a lot of subjects?

**Mr. Minh Doan:** The best possible term to use here to describe what happened would be “random”. It was certainly not just one subject. It was corruption, and corruption is technical.

**Mrs. Julie Vignola:** Thank you.

In your testimony on October 24, you said that it was not you who made the decision and you had not been informed of complaints, in particular the one from Botler AI, which was unrelated to the ArriveCan application.

So you are saying that in the Botler AI case, you were not made aware of the complaints and you did not know, at that time, what could be improved in the contracting process.

As a final question, what exactly were your duties as chief information officer?

• (1740)

**Mr. Minh Doan:** It comes back to your previous question. As the person in charge of 1,400 employees, with six director generals, I was responsible for 190 systems, not just the internal Canada Border Services Agency systems, but also all the tools it uses.

I had no choice, I had to delegate tasks. I had to stay at the strategic and technical level, not the policy level, for example. I worked with colleagues, with counterparts, vice-presidents and others, I kind of defined the needs at the highest levels and I translated it all into strategic and technical decisions.

That said, I trusted my director generals, based on the situation, to find the best possible methods and to be able to provide the deliverables. I had to delegate the delivery of services to them, both financially and in terms of human resources, among other things. They had to inform me if they needed my help and warn me if I had to know about something.

To come back to one of the first questions, at my level, I was no longer doing coding or designing networks. What I did was strategic and technical management at the appropriate levels. I made sure that what the director generals were producing and delivering met high-level needs.

**Mrs. Julie Vignola:** Very quickly, who ultimately exercised oversight of your team? Were you alone or was there a whole team that oversaw the 1,400 people?

**Mr. Minh Doan:** It functions hierarchically. I directly oversee my six director generals, they oversee directors, who direct managers, and so on. When the governance is functioning well, that is how employee oversight works. Obviously, I did not manage 1,400 employees directly.

**Mrs. Julie Vignola:** Thank you.

[English]

**The Chair:** Mr. Bachrach.

**Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP):** Thank you, Mr. Chair.

Thank you, Mr. Doan, for being with us today.

I'll start with some matters concerning Botler AI. My understanding from Botler is that they have still not been paid about \$220,000 for work that they delivered. If I understand correctly how they became involved in this, someone who worked for you went out and found Botler AI, and then convinced them to contact GC Strategies. GC Strategies then got them to do some work for a CBSA project, and those deliverables were delivered, but as of today, they're still owed quite a bit of money.

I'm wondering how that money could not have been paid to Botler AI for the work that they did.

**Mr. Minh Doan:** I believe there are a few questions there, and I'll try to address them as directly as possible.

How they came to be has been an issue of contention, as you rightly point out. There was testimony by some witnesses that it was an unsolicited proposal from GC Strategies. I've heard from the president of CBSA, at this committee or another committee, that it was actually, in fact, not an unsolicited proposal by this individual. As you say, this individual found this company and then asked them to work with GC Strategies, which is consistent with some social media messages that I've seen posted by Botler. I do believe your summary of events to be consistent with what I've seen in terms of testimony and evidence.

In terms of other testimony, though, I wasn't involved in the payment of Botler. That was delegated to my team. I'd heard from early testimony back in the late fall, and it was my understanding, that they were paid for the two out of six modules that they had delivered and that the contract was stopped. Unfortunately, I don't have a lot of details, in terms of what payments were and were not made. I would perhaps redirect that question to CBSA officials who would have all the details of which invoices and which modules were paid. My understanding from testimony here was that they were paid for the work they had completed and accepted.

**Mr. Taylor Bachrach:** I guess the confusing part, Mr. Doan, is that if they delivered six modules and got paid for two, what about

the other four? I think that's where the contention lies. I don't know if these are questions that you can answer, given your relationship to this work, but as I understand it, they were clearly asked to deliver all six of the deliverables, and they delivered all six of them, and then, they were only paid for two of them.

Is that your understanding of what's being alleged?

• (1745)

[Translation]

**Mr. Minh Doan:** That is not my understanding of what happened. It comes only from what I also heard at the various committees. I understood that there was an agreement for a pilot project in order to produce up to six modules, and, in that case, the client was not me.

Given the nature of the work in question, because it involved sexual harassment and artificial intelligence, it was a client in human resources. From what I understood, only two of the six modules were delivered and accepted, and that affected the work. What I understood is that the six modules were not delivered. However, my understanding of things might be inadequate, since I do not have the most recent or up-to-date information. I am basing this on the testimony I read and heard at the committee.

[English]

**Mr. Taylor Bachrach:** Shifting topics, Mr. Doan, the last time you were at committee, you said that your role was IT, not procurement, which is something you've reiterated today. The Auditor General found that CBSA failed to use their procurement directorate to procure GC Strategies, but instead, the information, science and technology branch worked directly with PSPC for contracting it. By your own admission, if you're not a procurement expert, why did you elect to not use the procurement experts in the CBSA procurement directorate?

**Mr. Minh Doan:** It was during a time of a pandemic emergency. I go back to my opening statement and what I've said. I did not make the decision to not go through the procurement directorate. Once I made the decision on the direction for staff augmentation, the procurement itself was carried out by my delegated DG.

**Mr. Taylor Bachrach:** I'll move on to some questions from a line of questioning by Mr. Barrett at one of our last meetings. This is where Mr. Barrett was questioning the invitation to dinners or activities with vendors. I believe that Mr. MacDonald indicated that he had been invited to dinners and that he had disclosed this to his supervisor. Mr. Utano said, "The short answer is I was at one dinner, and that was disclosed to my boss, who was Minh Doan at the time."

Did Cameron MacDonald or Antonio Utano disclose these to you?



**Mr. Minh Doan:** There were whiskey tastings and meetings at Lansdowne and other pubs. I've only learned of that recently as they came up in either The Globe and Mail or in committee. Mr. MacDonald did not disclose or ask, and that was something I've also seen in the OAG report. They did not ask for permission to attend these whiskey tastings or other meetings with, I believe, GC Strategies.

**The Chair:** Thanks very much. That ends our first round.

We're going to suspend for five minutes exactly.

• (1745) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1750)

**The Chair:** We are back, everyone.

We're into round two. We will do this round, and then do another five-minute break.

We'll start with Mr. Brock for five minutes, please.

**Mr. Larry Brock:** Thank you, Chair.

Mr. Doan, you'll agree with me that long before Mr. MacDonald and Mr. Utano stated emphatically that you had lied to committee not once but numerous times, you in fact were friends with Cameron MacDonald. Isn't that correct?

**Mr. Minh Doan:** I would consider him a very close colleague that I got along with.

**Mr. Larry Brock:** Yes. I'm looking at a text exchange from October 24, 2022, between yourself and Cameron MacDonald, where you're joking around talking about your upcoming appearance at committee. This was your first appearance. You were joking around saying:

My first line at cttee next week

Tina made me do it

My second line

Cameron MacDonald (Mac not Mc Mr. Speaker) did everything behind my back

You were joking. Mr. MacDonald knew you were joking. Mr. MacDonald said:

This entire thing is brutal.

Then you stated something very interesting. You said:

My issue isn't talking

I'm rather good at running my mouth

Now, I take that to mean, "I'm pretty good at telling tall tales." I would suggest very strongly that's precisely what you have done in the last two committee appearances, and that's what you're starting to do right now. You are very good at telling lies, Mr. Doan.

Furthermore, you continue, and Mr. MacDonald said in response:

Haha. Oh, I wasn't worried.

You then said:

My issue is what I want to say vs what I can say

[Can't] throw phac under the bus

[Can't] throw Ministers under the bus

It's hard to explain the complexity and cost of this thing without doing that

There are several questions, Mr. Doan, starting with PHAC. Who at PHAC are you trying to protect?

• (1755)

**Mr. Minh Doan:** First of all, I do not recall those exchanges. I'm not questioning them. I don't recall exchanges I sent two years ago; I send hundreds of texts a day. In terms of protecting anybody, there is nobody to protect. In terms of the question of throwing people under the bus, PHAC were the business owners. They defined the requirements. I think it was well stated here that there are, to memory, over 80 OICs. Those were not CBSA OICs. We had to react. We were working around the clock to meet the requirements—

**Mr. Larry Brock:** Thank you, Mr. Doan. I only have five minutes. I'm reclaiming my time.

To your point that you don't recall, these text messages are probably still on your phone, unless, of course, they mysteriously got deleted as well.

I encourage you to review your phone messages from just over a year and a half ago—" [Can't] throw Ministers under the bus". We already know about the difficulties you had with Minister Mendicino, who wanted someone's "head on a platter", and you threatened to throw Mr. MacDonald under the bus. Are you still protecting Minister Mendicino?

**Mr. Minh Doan:** Those are allegations and not facts, and they're allegations from an individual—

**Mr. Larry Brock:** Mr. Doan, it's a very straightforward question. Are you still protecting Minister Mendicino, now known as MP Marco Mendicino, yes or no?

**Mr. Minh Doan:** No, I have no reason to protect him.

**Mr. Larry Brock:** Then why would you say that emphatically in a text message? Why would you give the illusion that you want to say more, but you can't?

**Mr. Minh Doan:** No, the question—

**Mr. Larry Brock:** You swore to tell the truth. You affirmed to tell the truth, not only today but on your last appearance. You can't have it both ways. You can't just give us some of the evidence and hold back relevant details. Your affirmation is to give us the straight goods, Mr. Doan. No one forced you to write these text messages. This came from you.

What is it you really wanted to say, but you felt compelled that you couldn't?

**Mr. Minh Doan:** You're asking—

**Mr. Larry Brock:** Who are you protecting, and what are you hiding, Mr. Doan? That is the relevant question. What are you hiding?

**Mr. Minh Doan:** Mr. Chair, I'm trying to answer the member's question.

**Mr. Larry Brock:** What are you hiding?

**The Chair:** You have about 10 seconds.

**Mr. Minh Doan:** I have nothing to hide. I have nobody to protect. It was a very stressful and difficult time. We were responding to the pandemic and the needs of PHAC and others.

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

Mr. Bains, go ahead, please.

**Mr. Parm Bains (Steveston—Richmond East, Lib.):** Thank you, Mr. Chair.

Thank you, Mr. Doan, for joining us today.

I'm just still a little bit confused about the files that were corrupted.

How many did you say were corrupted?

**Mr. Minh Doan:** In terms of what we talked about here specifically, it would have been one file, which is called a PST file.

**Mr. Parm Bains:** It was one single file.

What was on there?

**Mr. Minh Doan:** A PST file is used by Outlook to store emails and other things.

**Mr. Parm Bains:** How many emails were there?

**Mr. Minh Doan:** I couldn't tell you.

**Mr. Parm Bains:** When you lost those emails, did you say, like, "Oh, no. I've lost a lot of important information"?

• (1800)

[*Translation*]

**Mr. Minh Doan:** Yes, absolutely.

As I said in my opening remarks, I am the one who brought it to the attention of my team, whom I asked to recover the emails. That is well documented. The Canada Border Services Agency still has those emails. I asked my team to immediately initiate the process of recovering the emails.

[*English*]

It's in the email. I asked them to use either internal tools or services from other groups within the agency, such as internal investigation, who I assume have extra tools to do this type of work.

I asked them to contact Shared Services.

**Mr. Parm Bains:** Who is "them"? Who did that work?

**Mr. Minh Doan:** It was my IT team, which is responsible for technical support. My main interface was my direct report at the time, who was the DG leading that IT team.

**Mr. Parm Bains:** Were they able to successfully get some of this stuff back?

**Mr. Minh Doan:** It was not in the time that I needed. I also moved to a different department after that.

I believe the efforts are ongoing, but I would have to refer to CBSA to see what the status is. I know this is being currently investigated as well.

**Mr. Parm Bains:** Those efforts are ongoing. We, at some point, could possibly see these emails.

**Mr. Minh Doan:** I can't speak on the efforts. I'm obviously not part of it. I'm not part of the investigation looking into this allegation. I haven't met with the investigator.

**Mr. Parm Bains:** You said the efforts are ongoing.

**Mr. Minh Doan:** I believe the efforts are ongoing by CBSA.

**Mr. Parm Bains:** Who's Diane Daly?

**Mr. Minh Doan:** If memory serves, she was somebody who was in charge of financials or procurement under Mr. MacDonald and then subsequently under Mr. Utano when Mr. MacDonald left. That would be my memory.

**Mr. Parm Bains:** Did you have a working relationship with Ms. Daly?

**Mr. Minh Doan:** No, I do not. My apologies. No, I did not.

**Mr. Parm Bains:** Were you then surprised to hear Kristian Firth of GC Strategies say that Diane Daly was the public servant he met with when he was allegedly able to negotiate or provide technical recommendations for the original ArriveCAN contract?

[*Translation*]

**Mr. Minh Doan:** I was not expecting that.

[*English*]

**Mr. Parm Bains:** Sorry, could you say that again?

[*Translation*]

**Mr. Minh Doan:** I was not expecting that.

[*English*]

**Mr. Parm Bains:** Why not?

**Mr. Minh Doan:** Following the testimony here, I would have thought that he would have dealt with somebody a little bit more senior in terms of dealing with and negotiating things around contracting.

**Mr. Parm Bains:** Was Ms. Daly a junior level officer in her work?

**Mr. Minh Doan:** I can't tell you from memory. I didn't interact with her. I can't tell you from memory what level she was, exactly.

If memory serves, she was not even an executive. In terms of specifics, she was not even what we would call an EX 1. I may be wrong there. She may have been acting.

**Mr. Parm Bains:** Who would be the appropriate person that Mr. Firth should have been talking to?

**Mr. Minh Doan:** Who he would have been talking to...in terms of what context?

**Mr. Parm Bains:** You just said that you wouldn't expect him to meet with someone at her level; it would be somebody else.

Who would that other, appropriate person be to work on something like negotiating a contract or providing technical recommendations for this ArriveCAN?

**Mr. Minh Doan:** I think that what the OAG and others have shown, to answer your question, is that I don't know that there were a lot of appropriate contacts, but that's just based on what I've seen in reports in The Globe and Mail.

In terms of what I've seen in testimony and evidence, his usual contacts would have been more Mr. MacDonald and Mr. Utano.

**Mr. Parm Bains:** Thank you.

**The Chair:** Thanks, Mr. Bains.

We'll go to Mrs. Vignola for two and a half minutes, please.

[*Translation*]

**Mrs. Julie Vignola:** Thank you, Mr. Chair.

I am going to come back to what you said in the past.

How do you explain the fact that when Botler AI complained the first time by sending an email to Mr. Utano, Mr. Utano did not inform you of the situation? Given that he reported directly to you, he should normally have informed you about it, if I am not mistaken?

**Mr. Minh Doan:** Thank you for the question.

That goes back somewhat to what I have already said. The way delegation works is that different levels of the hierarchy can make certain decisions. We assume that in making decisions, people follow the codes and practices in place and, like good Quebeckers, that they apply common sense. When they learn something, they have to talk to me about it, as the boss, and tell me there is something happening. They can tell me, for example, "I'm handling the situation, but you should be aware of it," or "I don't think I can handle the situation; I need your help."

As I said, from what I have heard about Botler AI, efforts were made to conceal various things from me. In that case, the situation was never brought to my attention. Should that have been done? Knowing what I now know, yes, I think it should have been brought to my attention. I could have been told something like "Boss, I am dealing with the situation, but I need you to know about it, and if you want me to do something else, I will do it."

• (1805)

**Mrs. Julie Vignola:** Thank you.

In their testimony, Mr. Utano and Mr. MacDonald said they were victims of harassment or, at least, of being made scapegoats to protect other people, including you.

What is your reaction to those allegations and the fact that Mr. Utano and Mr. MacDonald are also accusing Botler AI of wrongdoing? What are your reactions to that testimony and the accusations levelled against you, and in relation to your management and your testimony?

[*English*]

**The Chair:** I apologize. I'm afraid there's no time left to respond, but perhaps we can get back to that in Mrs. Vignola's next round.

Mr. Bachrach, for two and a half minutes, please.

**Mr. Taylor Bachrach:** Thanks, Mr. Chair.

Just returning to this question of dinners and entertainment with ArriveCAN contractors, and getting back to Mr. Utano's response to Mr. Barrett at a previous meeting, he said, "The short answer is I was at one dinner, and that was disclosed to my boss, who was Minh Doan at the time. In fact, my boss was present."

Mr. Doan, were you indeed present at this dinner with ArriveCAN, with at least one ArriveCAN vendor?

**Mr. Minh Doan:** I was at a conference in Washington, D.C., that was put on by Amazon Web Services for the public sector. I had ap-

proval from my superior to attend this conference, as was Mr. Utano. We were using AWS as our cloud service. At the end of the last day of the conference, it was presented to me that there would be a group dinner with the Canadian delegation, so myself and Mr. Utano attended that meeting with AWS. They picked up the tab. In the moment, I didn't push back, and because of this, I did not claim my meal for that dinner as part of my travel expenses.

**Mr. Taylor Bachrach:** Dinner disclosed as per the rules for disclosure...?

**Mr. Minh Doan:** Not... It was part of a conference and at the end, a conference that I had approval to attend so I did not disclose that afterwards.

**Mr. Taylor Bachrach:** You had approval to attend the conference, but not to go for a dinner with an ArriveCAN contractor who subsequently picked up the tab for that dinner. I guess it seems.... If the rules are that you have to disclose when vendors buy you dinner and in this case, very clearly, the vendor bought you dinner—it happened to be at a conference, after a conference, actually—do you feel that you were acting within the bounds of the disclosure rules?

**Mr. Minh Doan:** In terms of the conference, it was something that I had approval for, but to answer your question, it is something I regret. Even in the context of a group setting as part of what was presented as a Canadian delegation, I should not have accepted that dinner, and I should have disclosed it.

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

We will now go to Mrs. Block, please, for five.

**Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC):** Thank you very much, Chair.

Mr. Doan, you have appeared at this committee twice before, and unfortunately you have been evasive and have refused to clearly answer direct questions, and we're seeing that again today. This has resulted in you asserting falsehoods, which have been refuted since your last appearance by witnesses who have since attended this committee.

During your appearance on November 14, 2023, and again today in your opening remarks, you stated that in relation to the two options for ArriveCAN, "There was no company associated with the second option." That's a quote from your testimony on November 14, in reference to the GC Strategies option, which I believe you reiterated again today.

However, Mr. Doan, we have been given the slide decks of the two options which were presented to you, both the Deloitte slide deck and the GC Strategies slide deck.

In what we can see on the Deloitte slide deck, there is no logo or anything to indicate which company is behind that option, yet you knew that it was Deloitte. On the GC Strategies slide deck, there was the logo of their primary subcontractor, Distill Mobile, yet you claim to have had no knowledge of which company was responsible for this option. Why did you lie to this committee at that time?

• (1810)

**Mr. Minh Doan:** In my opening statement, I was very specific that there were no mentions of GC Strategies. I did not say there were no company logos. I did hear testimony about this Distill Mobile.

I went back into the records after hearing that testimony. There are many versions of that particular deck that you spoke of that was developed in a very short period of time. There was, early on, Distill Mobile, which is not GC Strategies. Should I have known that Distill Mobile was the subcontractor, at that time, of GC Strategies? I did not.

Then you will also see in evidence, that I believe CBSA has provided, that subsequent to the different versions that were coming fast and furious, the later versions of that deck, the Distill Mobile logo mysteriously disappeared as well, but in my opening remarks, I did not say that there were no company logos. I specifically said there was not a reference to GC Strategies.

**Mrs. Kelly Block:** Correct, and I would suggest that is just an example of an evasive answer, which you could have provided at the time.

In your opening remarks or in response to a question earlier in this committee, you indicated that as the lead on this team, you “should have asked more questions”, that this was your team, that you take responsibility, yet it would seem that you continue to not take responsibility and to provide evasive answers to the questions that you are being asked.

During your appearance before this committee on October 24, 2023, you indicated that your hiring at Treasury Board was through a competitive process. You stated, “I was in the middle of a competitive process with Treasury Board.”

However, we have since learned from Treasury Board officials that you were not hired through a competitive process. We were told that you “came over at level”, and they clarified that it was non-competitive.

Again, you lied to this committee. You were given this new cushy job at the Treasury Board despite your failures at CBSA. I'm thinking that you must have had a pretty good reference. Could you share with us today who your references were for your move to the Treasury Board?

**Mr. Minh Doan:** Those were not my statements.

The question was, did I receive a non-advertised...? I did. I was an EX 04 as CIO at CBSA. I was in a process for an EX 05 with Treasury Board, and this can be verified. I was at the interview stage. That is when CBSA learned that it was an EX 05 process. They counter-offered with a non-advertised EX 05. This continues to be consistent with what I said last time. Then, when I moved over as the chief technology officer, it was a lateral move. It was not a promotion. It was a lateral move. I was already an EX 05.

**Mrs. Kelly Block:** Thank you.

Mr. Chair, I asked—

**The Chair:** That's your time, I'm afraid.

Mrs. Atwin, go ahead please.

**Mrs. Jenica Atwin (Fredericton, Lib.):** Thank you very much, Mr. Chair.

Thank you, Mr. Doan, for being with us.

I'd like to go back to the text message exchange Mr. Brock was referring to. I'd like you to expand, if you would be able to, on this idea about not being able to “throw phac under the bus” or “Ministers under the bus”, specifically the part about it being “hard to explain the complexity and cost of this thing without doing that”. Please, for the sake of all of us understanding, can you explain “the complexity and cost of this” and specifically what you were alluding to? Again, you don't remember this exchange, but I think you can read into it now that we would really like this information. Could you please explain that?

• (1815)

**Mr. Minh Doan:** Thank you for the opportunity.

As a matter of principle, blaming people without merit is not part of who I am. The last time I was here for two and a half hours, under oath, I still did not blame anybody.

In terms of the complexity of this application, there were 177 versions. There were, I believe, to memory, over 80 OICs. They were changing almost every four weeks, if not more frequently. Sometimes, the OICs themselves were changing up to the last minute.

As the technology team, we had to code, re-code, adjust and test. I understand, from the OAG, that our testing wasn't sufficient on those time frames, but we had to respond to this.

It wasn't a question of the complexity and the cost of this being because of anybody. It was responding to the health measures, to the evolving pandemic, to the vaccines, to the mandatory random testing and to the different measures for excluded groups.

The context of that was that I needed to be able to explain why this application became so complex. No, it cannot be coded over one weekend for \$25,000. It was very complex. It had different components. It had different measures. Changes were added to it at the very last minute. It's not about blaming anybody for that. It is the reality of my PHAC colleagues, of health and of the evolving pandemic, not only in the country, but also around the world as well.

**Mrs. Jenica Atwin:** Thank you very much.

The last piece of that text exchange we have is that “I have to stay in my lane.” Were you receiving any pressures to say or not say anything with regards to the ArriveCAN app?

**Mr. Minh Doan:** No.

[Translation]

I am the person responsible for technology. I am not responsible for communications, policies and orders in council. I cannot voice an opinion on actions taken in relation to health.

I was supposed to appear before this committee to talk about the technology and its components. I cannot voice an opinion on the other matters that call for orders in council or on the reasons why there were so many, because that is not my field of expertise. I have to stick to my field, which is technology.

[English]

**Mrs. Jenica Atwin:** We mentioned earlier that you clearly had a friendly, I would describe, relationship with Mr. MacDonald. You mentioned he was a close colleague. How would you describe your relationship now with Mr. MacDonald?

**Mr. Minh Doan:** Listen, because of allegations that were made in this forum more than once, it has, as I said, directly affected my health. I'm on medical leave. I'm using medical leave that I've saved, as good public servants do, over years and decades. It has affected my health.

The social media has been extremely horrible. My kids are old enough to read, unfortunately, on Google. I've heard of, because I'm avoiding social media, tweets out there that tell me I should go back to China. As a proud immigrant, who became a public servant to serve and give back to this country, you can imagine how that feels.

A lot of this, if I may be so direct, was because of allegations, mostly stemming from testimony by Mr. MacDonald and Mr. Utano. Therefore, no, I wouldn't qualify our relationship now as friendly.

**Mrs. Jenica Atwin:** Thank you. I'm sorry to hear about those comments in particular.

You mentioned, in your opening statement, that there's a "conscious effort" to hide information from you. Who is doing this, and what kind of information do you believe is being withheld from you?

**Mr. Minh Doan:** That is a quote of what I heard from.... I do not have it. There was a Botler report that, in some respects, started all of this, a report of wrongdoing and misconduct. I think it was well quoted in The Globe and Mail, and in one of the earlier meetings in the fall, following The Globe and Mail article, one of the members was quoting parts of that report. I do not have access to that report. I've never seen that report. What I heard from that quote of the report was that there were deliberate efforts from individuals on my team to keep information away from vice-presidents, and I was the vice-president at the time.

**The Chair:** Thank you very much, Ms. Atwin and Mr. Doan.

We're now going to go to our second five-minute suspension before our next round.

• (1815) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1825)

**The Chair:** Thank you, everyone. We are back in session.

We are doing one more round and then we'll get to a 10-minute break.

We're starting with Mr. Genuis and then going to Mr. Sousa.

Go ahead, Mr. Genuis, for five minutes.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Thank you, Chair.

Mr. Doan, I'm trying to put together the picture here. In the context of the arrive scam story, one big issue is missing records. The Auditor General has identified that this is a key issue: records that should be there that aren't there and that would help us understand what happened in this whole fiasco. The fact that the records don't exist or can't be found means that either they were never created or they were at some point destroyed.

Now, you are one of the figures involved in discussion of the ArriveCAN issue and, in the midst of this, we see very significant and detailed allegations around your files disappearing. If I understand your testimony today, your files encountered some kind of technical problem, and then you undertook a kind of a do-it-yourself on your computer.

You explain that this do-it-yourself procedure you undertook because the IT folks are very busy. Now, you're a senior public servant. I would think that you're very busy as well. It would seem odd to me if a CEO at a big company said that he's just going to schedule his own meetings because his secretary and scheduler are very busy.

Nonetheless, you undertook a DIY on your own computer outside protocol and, in the process, something went wrong and files disappeared. At the same time, we have a problem of missing records that makes it harder for us to understand what happened with the whole arrive scam issue.

Is my description broadly correct in terms of your testimony? Or have I missed something?

**Mr. Minh Doan:** In terms of... I didn't attempt to fix anything. I had identified or had identified to me that my battery was about to go, and I needed it on my current work laptop at the time.

[Translation]

It was decided that before the battery failed and I lost all my data, I had to change laptops. When I did the transfer, as you say, I just copied files.

[English]

The DIY was as simple as a kind of a Control+C and a Control+V, so it was copy one file to the network—

**Mr. Garnett Genuis:** Okay, Mr. Doan. I know you've been trained on how to testify at committees and I don't want you to run my whole time.

I did ask a fairly clear question, I think. You testified earlier and you're testifying now that you undertook work that would normally be done by designated IT professionals. Instead of calling in the designated IT team, you went and did it yourself. Is that correct? That's essentially what you said earlier.

**Mr. Minh Doan:** Yes. I copied a file into the network and copied it onto my new computer.

**Mr. Garnett Genuis:** Okay.

In the process of doing that, files were accidentally—accidentally—damaged and that has led to a situation in which it's hard to find these records.

According to this IT employee who spoke to The Globe and Mail, the fact that you didn't engage the proper IT professionals for this is extremely unusual. It's outside the proper protocol. You contacted an individual IT employee directly at one point instead of going through the proper process.

I mean, how are we to find you credible, sir? I want to give you the benefit of the doubt here, but how are we to find your testimony credible, given how central missing records are to this whole story, that you, one of the central figures in this story, undertook to go outside the normal protocol to manipulate things on your computer on your own and, in the process, files were corrupted and disappeared?

How are we to believe credibly that, oh, you were just trying to save the folks in IT some time as a senior manager, and, oh, something just happened to go wrong?

**Mr. Minh Doan:** Beginning in 2023, the OAG report was not out. You mentioned missing records. Missing records was not a discussion or a point at that time, so to imply that I would have done anything specific for missing records, I didn't. In terms of the—

• (1830)

**Mr. Garnett Genuis:** Sir, that timeline has no relevance at all.

I'm almost out of time.

Why did you undertake this do-it-yourself on your computer? What is the real reason why you didn't use the proper protocol?

**Mr. Minh Doan:** Because I was highly—

**The Chair:** I'm sorry, Mr. Doan. I have to interrupt you here because we are out of time, but perhaps Mr. Genuis can get back to that in his next intervention.

Mr. Sousa, for five.

**Mr. Charles Sousa (Mississauga—Lakeshore, Lib.):** Thank you, Chair.

Mr. Doan, has any member of this committee attempted to contact you outside of appearing before this committee?

**Mr. Minh Doan:** No.

**Mr. Charles Sousa:** Have you shared any information with any elected officials around this committee or within the ministry?

**Mr. Minh Doan:** No.

**Mr. Charles Sousa:** Has any minister attempted to talk to you or direct you to make a decision or prepare you for today?

**Mr. Minh Doan:** No.

**Mr. Charles Sousa:** Do you know if any members of this committee have had outside discussions with Mr. Utano or Mr. MacDonald or that they were contacted by members of this committee regarding this investigation?

[Translation]

**Mr. Minh Doan:** Thank you for the question.

Yes, it did happen in the case of other committees.

[English]

I have seen at different committees that certain members had been in touch with Mr. Utano and Mr. MacDonald, so at least that's what I saw and that's what I heard.

**Mr. Charles Sousa:** You're aware that CBSA has been investigating Mr. Utano and Mr. MacDonald. Of course, there was a preliminary statement of facts that was divulged, I believe, to members of this committee prior to being available to others. Do you know of that? Are you aware of that content?

**Mr. Minh Doan:** I'm aware as far as what I have heard at committee.

**Mr. Charles Sousa:** Do you believe that the witnesses we've heard from, particularly Mr. MacDonald and Mr. Utano, provided honest and truthful testimony?

**Mr. Minh Doan:** No. There are many cases, in terms of the allegations specifically made against me, and some of them extremely hurtful. One comes to mind: that I faked a heart attack.

My health situation is nobody's business, first of all. It's personal and it's private. It's not something that I wanted shared. My heart attack is well documented. My cardiac disease is well documented. I'm followed by a cardiologist, and then to sit here and imply that I faked a heart attack, I would say that's the most extreme version of lying that I can think of.

**Mr. Charles Sousa:** Mr. Doan, are you being investigated? Do you know if the RCMP is investigating you?

**Mr. Minh Doan:** I have not been contacted by the RCMP.

**Mr. Charles Sousa:** You are aware that Mr. Utano and Mr. MacDonald have had some investigations. They've had some disciplinary action. You're aware that members of this committee decided to go out and beyond the scope of this committee directly deal with them during an investigation by the Auditor General, the ombudsman and, of course, CBSA.

Do you feel that it's an obstruction of the investigation? Do you feel that it's putting at risk, ultimately, the truth that we're trying to get down to?

**Mr. Minh Doan:** I couldn't opine on whether that's an obstruction. I do wonder why certain things are occurring the way they are, and I wonder about the flow of information from these witnesses, perhaps some privilege that they have of sharing information, which I do not, or that they are privy to the information. I couldn't opine on whether that's an obstruction of justice. That's not really my domain of expertise.

**Mr. Charles Sousa:** Your domain, though, is around IT, and you've been talking at length today about losing.... You've talked about the corrupt file that has gone missing, but you have already stated that the file is available either on the cloud or on the mainframe or something.

Please advise this committee what is required now to retrieve the missing file that exists. It doesn't exist on your computer, but it exists elsewhere. What is required to retrieve that?

**Mr. Minh Doan:** To my knowledge, CBSA still has my old laptop and my new laptop, including any files on there. There are quite a number of recovery services available, either through the private sector or through others, to recover files and hard drives that have even been burned.

What services CBSA has undertaken so far, I can't speak to and I'm not aware of; although, I know there's an investigation. I think, more importantly, as I said at the beginning, these emails do not exist on only this laptop, but anybody I sent an email to or anybody cc'd would still have copies. Anybody who sent me emails that they would like to provide as evidence, even if they were presumably gone from my laptop, could provide it and say, "I sent this email on this date to Mr. Doan", and all these other people cc'd would have a copy as well. There are a number of measures possible as well as some of the backups that would be available on Shared Services' servers because the email was not managed by CBSA.

• (1835)

**Mr. Charles Sousa:** Then, if we were to seek out and reference that file in the name of MacDonald, Doan, could we find it? Is it available to us?

**Mr. Minh Doan:** I would refer that to CBSA, where they are on the investigation.

**Mr. Charles Sousa:** Thank you, Mr. Chair.

**The Chair:** Thank you.

We have Mrs. Vignola for two and a half minutes.

[*Translation*]

**Mrs. Julie Vignola:** Thank you, Mr. Chair.

Mr. Doan, I am going to come back to my earlier question.

What do you think about Mr. Utano and Mr. MacDonald saying they were made scapegoats to protect people, including you? What is your reaction to those allegations?

**Mr. Minh Doan:** To reiterate what I said to another member of the committee, given everything that has gone on in terms of my health, my reputation and my career, and all the terrible things I have read on social media, I do not really feel protected.

That being said, why would they be made scapegoats to protect me? I don't know why I would be protected more than any other public servant. I am a member of the public service. I don't see why the agency or the public service would protect me more than someone else.

I acted in good faith and I don't know whether that is the case for them. If they are being targeted or scapegoated, I could not tell you why.

**Mrs. Julie Vignola:** Thank you.

According to excerpts from conversations, GC Strategies told Botler AI that the public servants protected themselves because they had compromising information about one another that could bring them all down. I think that is more or less why Mr. Utano and Mr. MacDonald say they are being scapegoated.

Do you have compromising information—mud, if I may say that—on Mr. Utano and Mr. MacDonald, or do you think those people were friends and colleagues?

**Mr. Minh Doan:** I hired Mr. MacDonald myself, and I promoted him. I also gave Mr. Utano a promotion, after that. I would not have done that if I had not had a high opinion of their skills and their integrity.

Before the allegations that were made last fall, I had a lot of respect for those individuals. No, I never had any mud on them, nor would I have looked for any. They were colleagues, not friends or family. Our relationship was professional. Maybe we talked about our children, but we often just talked about work.

**Mrs. Julie Vignola:** Thank you.

[*English*]

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

Mr. Bachrach, go ahead, please.

**Mr. Taylor Bachrach:** Mr. Chair, if we counted the number of hours we've talked about this particular email file, I think it would be fairly significant, and yet this question of where the emails are still hangs out there.

If I understand your testimony correctly, Mr. Doan, the backup of your emails lives on a Shared Services server somewhere. Is that correct?

**Mr. Minh Doan:** Yes.

**Mr. Taylor Bachrach:** So you had a problem with the corruption of your computer. I think everyone around this table can relate to that, because at some point in our lives we've had something similar happen. It's very frustrating, but it does seem as though in this case you solved the problem.

Am I correct in stating that all those emails are now back on your new computer and have been restored?

I see people shaking their heads. That's not their understanding.

**Mr. Minh Doan:** As I mentioned, this is being investigated. Whether they were able to recover them either from backups from Shared Services or through recovery services on the hard drive, I couldn't speak to. To my knowledge, Shared Services, which provides email services for a number of departments, does have backups. They have backups of emails, and they have backups of exchange servers. So there would be different services available to receive still.

**Mr. Taylor Bachrach:** It just seems to me to be a non-issue. If the committee is serious about getting copies of the emails, all we have to do is order the production of the emails from Shared Services, from wherever the server lives, and they'll be compelled to produce them. It seems as simple as that.

Perhaps we can talk more about whether that's necessary and whether that's something the committee wants to pursue, but it does seem as though we've spent a fair bit of time trying to figure out the personal IT travails of one individual.

Mr. Chair, how many seconds do I have left here?

• (1840)

**The Chair:** You have 35 seconds.

**Mr. Taylor Bachrach:** Moving on to another topic, I'm wondering about the processes. My understanding of this conversation is that essentially you had people working under you at CBSA who were responsible for us all sorts of things, but you couldn't really track what they were all doing because there were so many of them, and they were doing so many different things.

For a supervisor, there must be processes and protocols through which you exercise accountability for the work of the people working under you. What processes and accountability systems were in place and did you follow in order to ensure that the people working for you weren't breaching protocols and rules and all of these sorts of things that we've been talking about?

**The Chair:** I apologize, but we're past our time. Perhaps we can get back to it in 25 minutes for Mr. Bachrach's next intervention and you can give it some thought, Mr. Doan.

We're now going to go to Mr. Barrett for five minutes.

**Mr. Michael Barrett:** I want to follow up on Mr. Bains' question.

Chair, does the committee agree to send for the recovery request referred to by Mr. Doan?

**Mr. Majid Jowhari:** Yes.

**Mr. Michael Barrett:** That's great.

Mr. Doan, I want to be clear about the job you're in now, chief technology officer of Canada.

Did you get that position through a competitive process, yes or no?

**Mr. Minh Doan:** No, it was a lateral move.

**Mr. Michael Barrett:** It was a lateral move.

**Mr. Minh Doan:** When you're looking for a promotion, you have to compete for it. For a lateral move, there's no competition because you're not changing levels.

**Mr. Michael Barrett:** So when you went to the Treasury Board, it was a lateral move?

**Mr. Minh Doan:** I was an EX 5 at CBSA when I left. That is an executive level. When I moved to the Treasury Board, I stayed an EX 5. I did not change levels.

**Mr. Michael Barrett:** I don't understand, because when you came before committee in October of last year, my colleague Ms.

Kusie asked you this very question. She referred to it as a "substantive process". But in response, you said, "I was in the middle of a competitive process."

We've heard your answer today and we heard your answer then. Your answer has changed. I know that the answer is that it was not a competitive process, because we have that testimony from the Treasury Board Secretariat already.

That's very interesting.

Who were your references for that change in jobs? Give us just the names of your references, please.

**Mr. Minh Doan:** Catherine Luelo, who was the Government of Canada CIO at the time, made me the offer. Who she consulted and who she asked, I do not know. I presume it would have been my deputy minister at the time.

**Mr. Michael Barrett:** Who was..?

**Mr. Minh Doan:** At the time, it was, when I moved over, Ms. Erin O'Gorman, and she probably would have talked to my previous deputy minister as well, who was John Ossowski.

**Mr. Michael Barrett:** This job wasn't publicly advertised?

**Mr. Minh Doan:** It was not, to my knowledge, publicly advertised.

**Mr. Michael Barrett:** Okay.

You took issue previously with testimony from Mr. Cameron MacDonald that during a phone call you had threatened him. Do you remember refuting that you had threatened him?

**Mr. Minh Doan:** I do remember that allegation.

**Mr. Michael Barrett:** Do you remember saying that you hadn't threatened him?

**Mr. Minh Doan:** He was in a different department. He wasn't even working for me any more. I was calling him—

**Mr. Michael Barrett:** Yes or no: Did you threaten him or did you not threaten him?

**Mr. Minh Doan:** No, I did not threaten him.

**Mr. Michael Barrett:** We know that you have previously been fined for threatening a fellow public servant. Is that correct?

**Mr. Minh Doan:** That is incorrect.

**Mr. Michael Barrett:** It is incorrect?

**Mr. Minh Doan:** That is incorrect.

**Mr. Michael Barrett:** Have you ever had any allegations of you making threats against another individual?

**Mr. Minh Doan:** I have a personal matter that was brought to my attention, a family matter that I did not disclose, but I never threatened another individual, another public servant.

• (1845)

**Mr. Michael Barrett:** Okay. Did that matter come before the courts?

**Mr. Minh Doan:** No, it did not.

**Mr. Michael Barrett:** In the reporting process with respect to Mr. MacDonald, did Ted Gallivan ever speak to you about the threats against Mr. MacDonald?



[Translation]

**Mr. Minh Doan:** Thank you for the question.

The first time I heard about these allegations relating to threats was when Mr. MacDonald testified before this committee in the fall of 2023.

[English]

**Mr. Michael Barrett:** Chair, I'll just ask for a bit of extra time because the witness is switching back and forth and it's taking translation extra time.

Well, I'm not sure if he's doing it for my benefit or for his, but—

**The Chair:** You're burning up your own time, but why don't we continue?

**Ms. Julie Vignola:** [Inaudible—Editor]

**Mr. Michael Barrett:** Thanks very much, Julie. I appreciate the attempt at help there.

Multiple times at the committee we've heard you give answers that aren't clear, sir, in looking both to use up time and to be unclear in what it is that you're trying to say.

We've seen the text messages that you were concerned about, throwing a minister under the bus, and you and Cameron MacDonald getting your stories straight. Why was that your priority instead of just simply telling the truth to parliamentarians who were asking you questions?

**The Chair:** A very brief answer, please.

**Mr. Minh Doan:** I don't remember trying to get my story straight. I was actually calling Mr. MacDonald for facts that we did not have, and frankly, to this day, the investigation is ongoing, which is, who brought GC Strategies into CBSA? I was not trying to get the story straight.

Nobody at CBSA at the time could answer the question. He was closest to it. He was the DG in charge reporting to me and I called him for more information. He cordially, after this alleged threat—

**The Chair:** Thank you, gentlemen. That is our time.

Mr. Kusmierczyk, please.

**Mr. Irek Kusmierczyk (Windsor—Tecumseh, Lib.):** Thank you, Chair.

Thank you, Mr. Doan, for appearing here today under difficult circumstances.

I want to go back to the issue of deleting emails. In his previous testimony in front of this committee, Mr. MacDonald said, "I'm very concerned that thousands of emails have been deleted to hide the truth."

He went on to state: "My last comment would just be this: I think it's pretty clear that tens of thousands of emails were deleted by Minh Doan".

I just wanted to ask you, would someone with the technical expertise, as Cameron MacDonald, be aware that emails deleted on a laptop would still exist, as you say, on a server?

**Mr. Minh Doan:** Yes, and would exist both on a server and, as I mentioned in my opening statement, they would exist on every other computer and laptop that they would have received—

**Mr. Irek Kusmierczyk:** My question, Mr. Doan, is this. Would Mr. MacDonald be aware, with his technical expertise, that those emails could still be retrieved if someone wanted to retrieve them?

**Mr. Minh Doan:** You'll understand if I'm not inclined to suppose what Mr. MacDonald is or is not aware of.

**Mr. Irek Kusmierczyk:** I understand.

Is it fair to expect that someone with technical expertise, IT expertise and background, would know that emails could be deleted on a laptop but still exist on a server and still be retrievable?

**Mr. Minh Doan:** I would assume someone with rudimentary knowledge would know that, especially when it comes to government servers. You can't delete anything from the Internet. You can't make an email disappear once it's sent or received. You cannot do that. It is impossible. For anything I sent, there are backups of backups; there are backups of servers. With multiple servers being involved, each server has its own backup routine, and emails exist everywhere.

You cannot make an email disappear just because you deleted it from your laptop.

**Mr. Irek Kusmierczyk:** Why would someone like Mr. MacDonald, who has IT expertise that, I imagine, is beyond basic, rudimentary IT expertise, talk about the deletion of emails and perhaps not be aware that those emails could be retrieved at will? That's the reason I was asking you that question.

Mr. Doan, we heard in previous testimony accusations that Mr. Firth and GC Strategies were working with public officials to design bid criteria or recommend bid criteria.

Is it appropriate, in your experience, for a vendor to approach and work together with a public servant on bid criteria?

• (1850)

[Translation]

**Mr. Minh Doan:** Thank you for the question.

I made the same discoveries when I read the report of the Office of the Auditor General of Canada, and the short answer is no.

This is a competitive process. Given its nature, a competition is open to various people. If one person dictates or influences the terms of the competition, that definitely gives them a competitive advantage.

The short answer is that it is not an acceptable practice, both in the government and elsewhere.

[English]

**Mr. Irek Kusmierczyk:** Thank you.

In his previous testimony, Mr. Utano stated the following:

What we were not responsible for signing is contracts, as we did not have contracting authority.

We were not responsible for selecting GC Strategies to work on ArriveCAN. This was Minh Doan's and the president's decision.

Can you speak to that?

**Mr. Minh Doan:** As I said in my opening statement, there are sworn affidavits with the Federal Court of Canada, in which Mr. Utano and Mr. MacDonald contradict what you've just read back to me. Their affidavits are very clear. They found that GC Strategies were the best among those they were looking at, and they recommended GC Strategies. That is in their sworn affidavit with the court.

With respect to contracting authority, there are many sides to that question. In terms of what your delegation limits are, you can be the contracting authority and the technical authority.

For smaller contracts, CBSA could be both contracting authority and technical authority. However, for larger contracts, that would be exceeding their authority, which was the case for most contracts with ArriveCAN. They exceeded the agency's authority, so then Mr. Utano, in that case, was correct. We would have been the technical authority, and the contracting authority would have been PSPC.

**The Chair:** Thank you.

**Mr. Irek Kusmierczyk:** Mr. Chair, how much time do I have?

**The Chair:** We're actually past time, but I thought it was important that we let Mr. Doan finish that because it was very important.

We're now going to take our 10-minute suspension, and we'll be back in 10 minutes.

• (1850) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1900)

**The Chair:** We are back in session. Thank you, everyone, for your patience.

We're starting with Mr. Brock, for five minutes, and then we'll have Mr. Jowhari.

Go ahead, Mr. Brock.

**Mr. Larry Brock:** Thank you, Chair.

I'm going back to text messages, Mr. Doan, from October 2022. The text messages say, "I'm rather good at running my mouth", "My issue is what I want to say vs what I can say", and "I have to stay in my lane".

In my opening round with you, sir, I opined what a literal interpretation would be and what I believe most Canadians would take from that text exchange. I will give you a little bit of latitude, sir, to explain yourself. Specifically, I'd like an explanation of what you want to say versus what you can say. What did you mean by that, sir, in your text exchange with Mr. MacDonald?

**Mr. Minh Doan:** I don't remember that text exchange, again, and I wonder why Mr. MacDonald would still have that text with him after leaving the agency. Having said that, what I—

**Mr. Larry Brock:** If I could stop you, with respect, the issue is not whether you recall it. The issue is not why you would ask why Mr. MacDonald would retain it. That wasn't the question.

These are your text messages. It is a snapshot in time. One would have thought these were pressing issues that would still be germane on your mind. I appreciate that you have health issues, but clearly, you have a lawyer, so you prepared for this meeting.

Correct me if I'm wrong. Correct Canadians if they're wrong. The interpretation is that you cannot be honest with this committee because you're being held back from telling us the truth.

Let me help you. Who was directing you not to give the committee the full truth and nothing but the truth? You were the vice-president at the time. Would it have been Mr. Ossowski or Ms. O'Gorman?

• (1905)

**Mr. Minh Doan:** Nobody was directing me to not be truthful.

In terms of saying what I want to say, as I want to do here, I stick to the facts. I don't conjecture. I don't give opinions. I'm not here to give opinions.

These are alleged texts, I must say. I don't have these texts. These are allegedly from the same individual.

**Mr. Larry Brock:** Sir, let me stop you right there. Don't go there. Don't suggest for one minute that these are fabricated text messages. By doing so, sir, you are now impugning the integrity and the character of the source of this information.

If you have an issue with this, my suggestion is that you go back to your phone and that you scroll back to your communications with Mr. MacDonald. Furthermore, if that is gone, talk to your service provider. Service providers retain up to 10 years' worth of text messages.

With respect, don't go there. Don't use the word "alleged". These are your words, and I've given you the opportunity to explain yourself.

I'll ask one further time. Why did you say you could not give us the full goods?

**Mr. Minh Doan:** I did not say that I could not give you the full goods.

With respect, Mr. Chair, the same individual has taken very strong liberties of impugning my reputation and going so far as saying that I faked a heart attack. My apologies if I do take offence to allegations because there have been many allegations made against me, and that—

**Mr. Larry Brock:** Mr. Doan, I'm moving on.

You have counsel with you. You've indicated that you're not under any investigation. You've indicated that you're not under internal investigation. You're not under police investigation. Why do you have a lawyer with you?

**Mr. Minh Doan:** I believe everybody is allowed counsel. I believe other witnesses who have appeared here have had counsel as well.

Given the harm that's already been done to my reputation, both here and on social media, I think it's wise for me—

**Mr. Larry Brock:** Thank you.

Is CBSA currently paying your legal fees?

**Mr. Minh Doan:** Yes, they are.

**Mr. Larry Brock:** How much have you submitted so far?

**Mr. Minh Doan:** I'm not done, so I have not submitted anything.

**Mr. Larry Brock:** You have submitted no bills.

**Mr. Minh Doan:** I've submitted bills for previous attendances, but not for this one.

**Mr. Larry Brock:** How much has your legal counsel billed for his or her services in assisting you? Give just the number, please.

**Mr. Minh Doan:** The last one was \$5,000.

**Mr. Larry Brock:** It was \$5,000.

**Mr. Minh Doan:** Approximately. I can get the specific number and invoice.

**Mr. Larry Brock:** That was for a two-hour appearance. Okay.

What about the first invoice?

**Mr. Minh Doan:** It would be, approximately, less than \$5,000. I can get that invoice as well.

**Mr. Larry Brock:** Maybe \$4,000?

Will you provide both invoices to committee?

**Mr. Minh Doan:** I certainly can—

**Mr. Larry Brock:** Will you provide the current invoice to committee as well, what he or she is charging you for today's appearance?

**Mr. Minh Doan:** I can provide that information.

**The Chair:** That is our time.

Mr. Jowhari, please.

**Mr. Majid Jowhari:** Thank you.

Mr. Doan, do you believe the text that is being referred to and was sent to us is the text that you were engaged in conversation with Mr. MacDonald...?

**Mr. Minh Doan:** I do not recall, so that's why I say "alleged". I do not recall.

I'm not denying that these occurred. As I said, I at the time had a good relationship with Mr. MacDonald, and we would have been texting a lot. I do not recall a text that I sent two years or over two years ago. I send hundreds of texts a day.

**Mr. Majid Jowhari:** The possibility is that exchange may have happened.

**Mr. Minh Doan:** It is possible.

**Mr. Majid Jowhari:** Okay.

Assuming that that possibility exists, you had referred to the ministers at that time.

You did not specifically name any minister, but let me be very specific. At any time, directly or indirectly, did Minister Mendicino at that time—and MP Marco Mendicino now—influence or ask you to throw anybody under the bus or make a decision on any of the solutions that CBSA was going through? Just a yes or a no.

• (1910)

**Mr. Minh Doan:** No.

**Mr. Majid Jowhari:** No. Thank you.

I just want to clarify, because we've already asked for the production of documents. You said the folder that you held, you uploaded into the network, and then you downloaded it, and it was during the download that it was corrupted, and that issue was resolved. Therefore, that folder is available on the network, and we are asking for the emails in that folder to be made available, correct?

[*Translation*]

**Mr. Minh Doan:** I would like to clarify one point.

I do not know whether it was resolved or the agency was able to recover the files when it examined the process.

That is the only clarification I wanted to make.

[*English*]

**Mr. Majid Jowhari:** Okay, but on the likelihood of somebody uploading a file from their personal laptop—sorry, from their work laptop into the network—that file must be available because there was no corruption happening at that time.

**Mr. Minh Doan:** Yes, that would be correct in our normal understanding.

**Mr. Majid Jowhari:** Okay.

There was no ministerial intervention, you acknowledge the possibility of having had that conversation with Mr. MacDonald and, also, you've guided us to a source so that we could look at those emails.

You don't recall how many there are. Apparently, other witnesses have made claims, but as soon as we look at the files, we'll be able to understand the nature of the content as well as the numbers, correct?

**Mr. Minh Doan:** Yes, and even further than that, an ATIP into the agency would reveal...even if there were emails that were no longer available on my laptop, an ATIP would reveal all emails that I would have sent and received to anybody at the agency or any other department.

**Mr. Majid Jowhari:** Okay. [*Inaudible—Editor*] You're asking us indirectly to do an ATIP for that. Okay—got the message.

Now, going back and looking at the decision that was made for GC Strategies for ArriveCAN, you also referred to the statement of facts, to Mr. MacDonald and Mr. Utano, and the fact that they had claimed they were involved in making that decision, correct?

**Mr. Minh Doan:** That is from the affidavit from the Federal Court. In the same Federal Court case, there was a decision. At paragraph 6 of their decision, the court noted that Mr. Utano and Mr. MacDonald were responsible for the initial execution and technical delivery of the ArriveCAN application. That was part of the court's recent decision.

**Mr. Majid Jowhari:** With about 30 seconds to go, do you believe that the reason that Mr. Utano and Mr. MacDonald were trying to block the release of those documents was because of the nature of the testimony they had provided?

**Mr. Minh Doan:** I participated in every single investigation, review and audit that I was asked to because I have nothing to hide. I have not tried to stop any investigation, review or audit, and I don't understand, or I'm not making any assumptions as to why somebody would want to stop an investigation if they had nothing to hide.

**Mr. Majid Jowhari:** Thank you.

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

Mrs. Vignola, go ahead, please.

[*Translation*]

**Mrs. Julie Vignola:** Thank you, Mr. Chair.

Mr. Doan, I was thinking again about what you said earlier today. Am I mistaken in thinking that establishing strategies to meet needs and supervising the Canada Border Services Agency's systems and tools were the most interesting parts of your work, in personal terms, and this was what you preferred to do?

**Mr. Minh Doan:** Yes, that is something I like doing, me being a technologist.

To simplify things, for people who are not familiar with the technology, I would say that I like using my knowledge to solve business-related problems. I also like the operational aspect: trying to solve technical problems, such as problems that might relate to customs.

**Mrs. Julie Vignola:** Right.

Have you taken courses on process management or human resources management?

**Mr. Minh Doan:** Yes, I have taken some.

New employees have quite a few courses to take, and employees who become executives have more courses to take in order to receive a delegation of powers, whether in financial management or in human resources.

I noted a recommendation made in the report of the Office of the Auditor General of Canada regarding the management of the Canada Border Services Agency. The recommendation proposes that courses on procurement and contracting be made mandatory for everyone, even the people who had done it in the past.

• (1915)

**Mrs. Julie Vignola:** Am I mistaken when I say that if I gave you the opportunity to choose between managing and supervising teams and solving problems and finding strategies to meet needs, you would choose the second option instead?

Managing teams does not seem to be something that turns you on; am I mistaken about that? There is nothing wrong with it. We all have our own personalities.

**Mr. Minh Doan:** One leads to the other. At my level, you have to like managing people, mentoring, guiding the next generation of chief information officers or directors general.

However, in doing that, I may also touch on what I like: finding strategies and solutions. Of course, getting higher up in the organization chart, I am no longer the one doing the coding or directly awarding contracts; that is handled by the employees who report to me.

Nonetheless, I found a way to do those things. I like managing teams, I like talking to people about my own mistakes so they can learn from them, I like advancing their careers. I find that truly enriching, but I can do it at the same time as I meet the needs associated with my position.

[*English*]

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

Mr. Bachrach, go ahead, please.

**Mr. Taylor Bachrach:** Mr. Doan, have you read the Auditor General's report?

**Mr. Minh Doan:** Yes, I have.

**Mr. Taylor Bachrach:** Do you agree with her findings, when it comes to the ArriveCAN procurement?

**Mr. Minh Doan:** I agree with all of her findings as well as those of the OPO.

**Mr. Taylor Bachrach:** Mr. Chair, I wonder if I could use a couple of my minutes to dig into this question of how we're going to get these emails that seem to be a matter of some interest.

I understand there was a request for the IT ticket related to Mr. Doan's request for his emails to be restored, but that's separate from a request for the emails themselves.

I wonder if we might get some advice from the clerk or from someone on how we can go about that, if we could simply request the backup file of all the emails and if that's going to be prohibitively difficult, given the translation requirements.

**The Chair:** Are you looking for only emails regarding ArriveCAN or for every email, which I assume is going to be a fair amount, and for what period?

**Mr. Taylor Bachrach:** I think the emails pertinent to this study are the ones that we're after. I'm just not sure whether it's more efficient to get the entire email file or what the process could be.

Now that we know that the emails exist and that they're relevant to the study, it seems as if we should go through the step of asking for them, formally.

**The Chair:** I think we may have asked. We can look into it, and we can certainly take it up. There seems to be general will from the committee to seek those. We can finalize, for sure, what we've asked for and what is awaiting translation, and then bring it up first thing at our Monday meeting and ask for a production order for that.

**Mr. Taylor Bachrach:** At our Monday meeting, is that your preference?

**The Chair:** I'm not sure we're going to find out right now exactly what we've asked for because we've asked for so many things on this particular issue.

Mr. Barrett, if you recall, I'm happy to have you just interject.

**Mr. Michael Barrett:** Chair, the existence of the data is the subject of investigation. Of course, we fully support getting the emails, but it might expedite the process if we just ask if a backup exists. If the answer is yes, then we could send for the files. It would be tough to filter because we don't know the date range and the like. This is a specific backup file. We just don't have the specifics of it.

**The Chair:** Why don't we leave it with the clerk and myself, and we'll follow up with CBSA about what Mr. Barrett's commenting on. We'll double-check on what we've already asked for.

**Mr. Taylor Bachrach:** I can make a motion along those lines. It could be very simple, that the committee reach out to CBSA and Shared Services Canada and ask whether an intact backup of Mr. Doan's emails exists.

It is so moved.

• (1920)

**The Chair:** Are we fine with that, colleagues?

**An hon. member:** Agreed.

**Mr. Parm Bains:** If I can add, Mr. Doan indicated that it was one file that included all of these emails, so maybe add that piece to it.

**The Chair:** Sure. That's a good point.

Do you want to add to that, or can we move on?

**Mr. Taylor Bachrach:** I think we're getting into semantics around in what condition the files exist or in what format they exist.

**The Chair:** We'll leave it with the clerk to reach out to Shared Services and CBSA, and hopefully we'll have an answer Monday, and then we can move forward from there. That's perfect.

Mr. Genuis, go ahead, please.

**Mr. Garnett Genuis:** Thank you, Chair.

My colleague Mr. Brock and others have spoken about a series of text messages between Mr. Doan and Mr. MacDonald. These are two central figures in this issue, and Mr. Doan seems to be disputing the potential veracity of these text messages.

I wonder, Mr. Doan, if you would be willing to share with the committee all of your text messages with Mr. MacDonald. I think that would be quite revealing and would help us to probably identify other key facts of what has gone on. Would you be able to provide that to the committee?

**Mr. Minh Doan:** I'll go through my phones and work with Shared Services and with Treasury Board to see what I can recover. Yes.

**Mr. Garnett Genuis:** That was a bit of an imprecise answer. Will you provide the text messages? Are the text messages available, or have they been corrupted through file transfer and DIYs on your phone as well?

**Mr. Minh Doan:** No. There was no corruption, but when you change departments and when you take your phone with you, the common practice is that the new department wipes your phone and configures it for the new department.

**Mr. Garnett Genuis:** Okay. I think it might be simpler if the committee just agreed to send for those text messages from you, as well as from Mr. MacDonald, as well as from the government and the service provider. We're essentially soliciting that information from everyone who has them. Is there any objection from the committee to that?

**The Chair:** Can you set a date, starting when? From August 20....

**Mr. Garnett Genuis:** Compared to what else we've asked for, I don't think all of the text messages between these two individuals would be too exhaustive, and I suspect it would be useful information.

**The Chair:** Right. What I'm asking for is from what date. August 1990, August 2021....

**Mr. Garnett Genuis:** When did people start using cellphones? Sure, 1990....

**The Chair:** No. You know what I mean. Starting in January 2020, or starting from the beginning of the pandemic....

**Mr. Garnett Genuis:** Okay, let's say from 2018 until present.

**The Chair:** Sure. Are you fine with that, everyone?

**Some hon. members:** Agreed.

**The Chair:** Perfect, then so be it.

**Mr. Garnett Genuis:** In terms of these text messages, you said, according to these messages, "My issue is what I want to say vs what I can say", "[Can't] throw phac under the bus", "[Can't] throw Ministers under the bus". Is there information you would have said, which you can't say, that would cast ministers in a negative light? We've been told that ministers haven't been involved in these discussions at all, yet you seem to imply, in these text messages, that you know something about ministers that they wouldn't want shared at committee.

**Mr. Minh Doan:** No, there isn't.

**Mr. Garnett Genuis:** There isn't. So would you have said something like that or implied that there was something in the conversation with Mr. MacDonald?

[Translation]

**Mr. Minh Doan:** I believe I answered that question earlier. If I am asked why there were so many changes to the application and why the cost was so high, it was because we were meeting the needs of other departments.

[English]

**Mr. Garnett Genuis:** Mr. Doan, that's not the question. The question is about ministers.

We have text messages between Mr. MacDonald and you that say you “[Can't] throw Ministers under the bus”, and your issue is what you want to say versus what you can say. That would imply that you would like to say something that would cast ministers in a negative light and you feel that you can't say it. But you're telling us now that you would have nothing to say regarding ministers one way or the other.

So which is it? Were ministers involved or not? If they weren't, what are we to make of these text messages?

**Mr. Minh Doan:** Ministers were not involved, and I can't throw people under the bus. That goes against my integrity and my approach. I didn't throw Mr. MacDonald under the bus last time I was at committee under oath for two and a half hours—

• (1925)

**Mr. Garnett Genuis:** Sir, you're just not answering the question.

**Mr. Minh Doan:** I am answering the question.

**Mr. Garnett Genuis:** Witnesses have to answer the question. That's how this works here.

You said, “My issue is what I want to say vs what I can say”.

What is it you want to say that you can't say to this committee, sir?

**Mr. Minh Doan:** I can only imagine what I wanted to say.

**Mr. Garnett Genuis:** Fire away.

**Mr. Minh Doan:** I could say that I was very frustrated. I was very tired. I was working seven days a week. I was frustrated that after what I thought was something that met the needs at the time was now being questioned—my integrity and the cost and how we went about it.

That's what I wanted to say. We were working around the clock. We thought we—

**Mr. Garnett Genuis:** You're still not answering the question.

**Mr. Minh Doan:** I am answering the question.

**Mr. Garnett Genuis:** What is it you want to say regarding PHAC and ministers?

**Mr. Minh Doan:** Can you reread this text to me that I would have written?

**Mr. Garnett Genuis:** Chair, can we stop the clock?

**The Chair:** We'll have to wait for the next round for that. We're at our time.

We have Mr. Bains, and then we'll do our last five-minute suspension.

Mr. Bains.

**Mr. Parm Bains:** Mr. Doan, you've indicated that you're being forthright and co-operating with all and every investigation that's taking place. Can you walk us through what you've been co-operat-

ing with? Who's been contacting you? Which investigations and which departments have been talking to you?

[Translation]

**Mr. Minh Doan:** Yes, I will be happy to answer that question.

[English]

Of the groups I have met with, I met with the Office of the Auditor General for the report that was eventually tabled. I met with not the Auditor General herself but her team. I also met with the internal investigators at CBSA, both on the ArriveCAN investigation and then more pointedly, in the same meeting with the investigators, I was asked questions about the alleged email deletions.

Those are the individuals I've met with and co-operated with so far.

**Mr. Parm Bains:** The IT employee complaint that came from CBSA said that you permanently destroyed emails and other documents—that's untrue? You've indicated today that they never get destroyed.

**Mr. Minh Doan:** The specific allegation was that I moved files that resulted in the loss of emails. I also find interesting the timing of this allegation that comes out. My dates are not specific, but it was at least eight, nine months after the event. They felt so strongly about wrongdoing that they waited eight, nine months, once all of this was unfolding in the news and in the media, to then flag that they had concerns of something that happened eight, nine months ago.

**Mr. Parm Bains:** The Auditor General's criticism of a lack of record-keeping regarding ArriveCAN was that improper documentation persisted over a long period of time. Can you identify how long that's been going on?

**Mr. Minh Doan:** I believe the scope of the audit and review in the report was since the pandemic began. Unfortunately, I would agree with it wholeheartedly. The documentation and processes that we did during the pandemic were insufficient. Technologists in general are not great at documenting their code and others in normal times. In the time of a pandemic, unfortunately, we did not document these key decisions well enough.

In hindsight, a lesson I learned is that, as counterintuitive as it may be, during a crisis when the house is on fire is exactly the time you want to document every single decision that is made to avoid situations like the one we find ourselves in now. The documentation wasn't as rigorous around the decisions and others as it should have been.

**Mr. Parm Bains:** We heard testimony from Mr. Firth and his partner that the processes haven't changed for over 20 years. Is that accurate?

**Mr. Minh Doan:** I couldn't comment on Mr. Firth's opinion of processes.

**Mr. Parm Bains:** You know the processes. You've been there, you said, for 25 years yourself. Have they changed over the time?

**Mr. Minh Doan:** The tools available to the public service for record-keeping repositories have evolved absolutely over time. They've gotten better. Tools around collaboration for things like Office 365 and the cloud have improved.

The processes themselves have been modernized through directives, like the directive on service and digital from the Treasury Board. They evolve, perhaps not at the speed that we need them to, but they have evolved. I believe your question was over 20 years.... They have evolved and changed over 20 years.

• (1930)

**Mr. Parm Bains:** Has that modernization allowed for misfiling or these kinds of intricate recordings to be found? That this is missing, certain things are missing and they're not there...?

**Mr. Minh Doan:** There is always room for improvement. It doesn't matter if it's process or technology or both.

There's always room for improvement and unfortunately there's a trust and verify...as well: You are supposed to use certain processes—it doesn't matter if it's contracting or procurement, but if somebody nefarious, for whatever reason, doesn't want to, there are sometimes ways to circumvent them.

As technology evolves, there are fewer and fewer ways...and there are more controls in place. I believe that CBSA has started putting in place controls and checks and balances that perhaps should have been there during the pandemic.

Yes, the controls, and the technology and processes, are improving as we learn from these events.

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

That brings us to the end of this round. We'll take a five-minute suspension.

We'll be back for the final round.

• (1930)

(Pause)

• (1935)

**The Chair:** We are back in session, everyone.

Thank you very much for your continued patience.

We're back to the final round.

We have Mr. Brock for five minutes.

Go ahead, sir.

**Mr. Larry Brock:** Thanks, Chair.

Some loose ends, Mr. Doan.... The issue regarding your legal fees: Has that been paid by CBSA?

**Mr. Minh Doan:** Yes, it has.

**Mr. Larry Brock:** Thank you. That's fine.

Now, earlier today, sir, you referenced some affidavits. I think you were referencing affidavits pertaining to both Cameron MacDonald and Antonio Utano.

Is that correct?

[Translation]

**Mr. Minh Doan:** Yes, that is correct.

[English]

**Mr. Larry Brock:** You specifically raised those affidavits because you claim...or at least your evidence today was that there was evidence in those affidavits to suggest that it wasn't you who selected GC Strategies, but rather either Mr. MacDonald or Mr. Utano. Did I get that right?

**Mr. Minh Doan:** Yes, you did.

**Mr. Larry Brock:** Do you have those affidavits before you, sir, in that room?

**Mr. Minh Doan:** I have excerpts of them. I obtained them through my legal counsel.

**Mr. Larry Brock:** Okay.

On the record, can you specifically identify what paragraph relates to any evidence to suggest that it was Mr. MacDonald or Mr. Utano who selected GC Strategies? Just the paragraph, please.

**Mr. Minh Doan:** Paragraph 12 from Mr. Utano's affidavit: "I was involved in exploring options to be presented—"

**Mr. Larry Brock:** I don't need you to read it out, sir.

Just paragraph 12 for Mr. Utano: Is that correct?

**Mr. Minh Doan:** Paragraph 15, where Mr. Utano speaks to Deloitte.

**Mr. Larry Brock:** Paragraph 15? Okay. Is there any other paragraph that speaks to that?

**Mr. Minh Doan:** As well as paragraphs 14 and 15 from Mr. MacDonald's affidavit....

**Mr. Larry Brock:** Okay.

I'm going to be asking you, sir, to forward the full affidavits to this committee and we'll specify what sort of time frame. You have no problem doing that?

**Mr. Minh Doan:** No.

**Mr. Larry Brock:** Okay.

Moving on to the allegations regarding deleted emails, I understand that for the complaint from a whistle-blower, the IT whistle-blower submitted that complaint to Michel Lafleur, CBSA's executive director of professional integrity.

Is that your understanding, sir?

**Mr. Minh Doan:** That's what I read in The Globe and Mail.

**Mr. Larry Brock:** That was sent in December 2023.

**Mr. Minh Doan:** My recollection—

**Mr. Larry Brock:** Has Mr. Lafleur spoken to you?

**Mr. Minh Doan:** Yes, he has.

**Mr. Larry Brock:** Okay. In relation to that complaint?

**Mr. Minh Doan:** Yes, he has.

**Mr. Larry Brock:** Have you received a copy of that complaint?

**Mr. Minh Doan:** I have not.

**Mr. Larry Brock:** Have you requested a copy of that complaint and it has not been received?

**Mr. Minh Doan:** I have not requested a copy.

**Mr. Larry Brock:** Why not?

**Mr. Minh Doan:** Because I know the allegations are false.

**Mr. Larry Brock:** That makes zero sense. You're under investigation. A complaint is levied against you with very serious damning facts that you willfully intentionally deleted relevant emails in relation to the selection of GC Strategies, and your evidence is, "I know it to be false, but I didn't even bother to ask for the misconduct report".

That is incapable of belief, sir.

• (1940)

**Mr. Minh Doan:** I would refer you to CBSA, then.

**Mr. Larry Brock:** Sorry?

**Mr. Minh Doan:** I would refer you to CBSA. Then I'll make the request for it.

**Mr. Larry Brock:** That is mind-boggling, sir, that truly is. Do you understand the content of the allegations, sir?

**Mr. Minh Doan:** I—

**Mr. Larry Brock:** Let me help you with that.

**Mr. Minh Doan:** I would like to remind the chair—

**Mr. Larry Brock:** Sir, it is my time.

The complaint states as follows: that you approached this IT employee "directly, going around proper protocol for requesting technical support." You said that some files were lost when you attempted to "move files between" your "laptop and the network drive in preparation for a new computer."

The complaint states: What Mr. Doan "was telling me or saying...made no sense. I have never heard of a VP or an individual who receives VIP treatment in regards to [an] IT related task...taking it upon themselves to move files or organize information in the way he suggested".

Also: "The complainant said that Mr. Doan said he was acting on the advice of the CBSA's IT team, but the IT employee expressed skepticism."

Who on the team gave you that advice? Identify names, please.

**Mr. Minh Doan:** I don't know. I can find the name.

**Mr. Larry Brock:** Is it one name or is it several names?

**Mr. Minh Doan:** The initial person identified that my battery would have been giving up soon or I would have an issue. I can identify that name.

Perhaps one of the reasons I didn't ask for anything is that I have been on medical leave for the past six months. On a doctor's advice I'm supposed to avoid stress would be probably a reason why I have not wanted to engage any further on an investigation about myself.

**Mr. Larry Brock:** Will you supply the committee with a name or names?

**Mr. Minh Doan:** I will supply the committee with a name.

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

Mrs. Atwin, go ahead, please.

**Mrs. Jenica Atwin:** Thank you, Chair.

Mr. Doan, just for context around these text messages, they were given to us by Mr. MacDonald, and he has also sent an email that was to Lucie Despres and Sami Hannoush. In this, he alleges that you and Kelly Belanger worked to set him up.

Who is Kelly Belanger, and is that a fair characterization?

[*Translation*]

**Mr. Minh Doan:** I do not understand in what situation we would have wanted to set Mr. MacDonald up.

As I said, at that time, he was a colleague, a counterpart with whom I still had a good relationship. Kelly Belanger held a director general position during the COVID-19 pandemic. She was then promoted to another position.

[*English*]

She became an associate vice-president and deputy CIO, later on.

**Mrs. Jenica Atwin:** Thank you.

Just moving on from there, the speculation about this lost data or emails is that it would perhaps detail maybe an intimate relationship or involvement with GC Strategies and perhaps hold the key to who made the selection for the CBSA contract for ArriveCAN.

Is that what we're going to find if we get access to these emails?

**Mr. Minh Doan:** I think the evidence and testimony that keeps coming out is pretty clear. I have no relationship with GC Strategies.

I heard Mr. Firth confirm that he had never met me outside of the office, yet he had met Mr. MacDonald and other witnesses here, so for Mr. Firth himself, we do not have a relationship.

The same was part of Botler's messages. There was no relationship in one of the social media tweets I saw from Botler. Mr. Firth couldn't even pronounce my four-letter last name.

In terms of some of the findings of who is accountable, I already talked about the court decision.

I do refer you to paragraphs 1.41 and 1.43 of the OAG report that says—and she also testified—that individuals at the "executive director" level who exercise their "delegated authority" in entering contracts and that in exercising their "delegated authority", they bear the "responsibility and accountability" for their decisions and actions. Therefore, no, you will not find anything that contradicts what I've said today, in terms of my relationship with GC Strategies or in the context of ArriveCAN.

**Mrs. Jenica Atwin:** Thank you.



In your opening statement and just now, you alluded to the fact that perhaps Cameron MacDonald or Antonio Utano did have relationships with GC Strategies, prior to the pandemic, which you referenced specifically.

Do you have any evidence to demonstrate that for our committee?

**Mr. Minh Doan:** I have no evidence, and I continue to, and that's why, the last time, I refused to blame Mr. MacDonald.

What I do have is just testimony and what I've seen from publicly available information.

I am still on medical leave. As I prepared for this committee, I did not reach into CBSA to access files or documents. I limited myself to what was publicly available—committee hearings, The Globe and Mail, and other things—while prioritizing my health.

However, from everything I've seen and heard so far, including meetings at Lansdowne and other places, the relationship wouldn't be there.

I think there was also recent testimony at PACP from KPMG that also made some allegations around relationships and who directed what business where.

- (1945)

**Mrs. Jenica Atwin:** Thank you.

Mr. MacDonald and Antonio Utano have also been referred to as whistle-blowers by some of my colleagues across the way. It made it clear to us that they feel personally attacked for having spoken out about what they saw as wrongdoing.

Is that a fair characterization that they're whistle-blowers, speaking truth to power in this situation?

**Mr. Minh Doan:** Given what I've suffered through, in terms of both my mental health and my career, I tend to go to what various members have called the original whistle-blowers there in Botler, and Botler was pretty clear in its opinion as to who the people were who had relationships with GC Strategies, dating back years.

I would characterize, as other members here have in the past, Botler as the whistle-blower. Others...I can't speak to how they're being characterized and why.

**Mrs. Jenica Atwin:** Okay.

Just to be clear, you mentioned this dinner after the conference with AWS, the cloud service provider for ArriveCAN.

I'll ask you really directly. Have you ever been given or offered, outside of salary, money or favours or gifts as a result of contractor relationships with regard to ArriveCAN?

[*Translation*]

**Mr. Minh Doan:** No, that has never happened.

[*English*]

**Mrs. Jenica Atwin:** Okay.

I would like to know this, too. Is it normal for you and other vice-presidents at CBSA to decide on a technical procurement ap-

proach without knowing the names or the backgrounds and competencies of all the vendors involved?

**Mr. Minh Doan:** It does happen, and it depends on the nature of the contract, the software or the service that is occurring. As I mentioned, I have 1,400 employees. We were managing 190 enterprise systems. If I had to get engaged in every single contract or every single discussion, I would completely bog down the process and the system.

**The Chair:** Thanks, Mrs. Atwin.

Mrs. Vignola, go ahead, please.

[*Translation*]

**Mrs. Julie Vignola:** Thank you, Mr. Chair.

Mr. Doan, to your knowledge, during the process of awarding and renewing contracts to develop the ArriveCAN app, did Shared Services Canada and Public Services and Procurement Canada ask questions about the application of that process by your teams?

**Mr. Minh Doan:** All I know is what I recently learned, from reading the report of the Office of the Auditor General of Canada and listening to the Auditor General's testimony. From what I understand, Public Services and Procurement Canada, in particular, had noted—

**Mrs. Julie Vignola:** I'm sorry to interrupt you.

Were you personally aware of it? Did no one inform you about the situation?

**Mr. Minh Doan:** No.

**Mrs. Julie Vignola:** Right. Thank you.

Are you familiar with Public Services and Procurement Canada's process for awarding contracts?

**Mr. Minh Doan:** I am familiar with the process, but it's been some time since I used it.

**Mrs. Julie Vignola:** Does the Canada Border Services Agency have particular rules, rules of its own, about awarding contracts?

**Mr. Minh Doan:** We apply the rules set for us by Treasury Board. From what I have heard, I think even more oversight has been put in place in response to the recommendations in the report of the Office of the Auditor General of Canada and the report of the Office of the Procurement Ombud.

**Mrs. Julie Vignola:** Thank you.

As a manager, how did you make sure that the people who reported to you were applying all the rules of the contracting process properly, as well as the ethical rules?

**Mr. Minh Doan:** That kind of comes back to the answer I gave to one of your previous questions. All executives, particularly directors general, have taken a course on the code of conduct. They have taken a huge number of courses. So they are familiar with the fundamental principle of ethics.

The question that was asked was whether they had any points to raise. I counted on them to inform me about things they were concerned about and to tell me if they needed my opinion or needed me to do something.

**Mrs. Julie Vignola:** Right.

Would your biggest weakness have been to trust people too much, so that someone could have exploited that weakness?

**Mr. Minh Doan:** Thinking back about everything that has happened to me—

[*English*]

**The Chair:** Mr. Doan, give a brief answer, please.

[*Translation*]

**Mr. Minh Doan:** It was one of my weaknesses during the pandemic.

[*English*]

**The Chair:** Thank you, Mrs. Vignola.

Mr. Bachrach.

**Mr. Taylor Bachrach:** Thank you, Mr. Chair.

Mr. Doan, you mentioned in a previous response that Mr. Firth, I believe, had difficulty with your four-letter last name. I notice that committee members have used three or four different versions this evening. At one point, the Liberals chose to lower their voices when they got to your name as a strategy.

We should have done this right at the beginning: How do you pronounce your last name? Which committee member got it closest?

• (1950)

**Mr. Minh Doan:** Thank you for that.

Listen, my name is—

**The Chair:** I'm afraid we're out of time there.

**Voices:** Oh, oh!

**The Chair:** Go ahead, Mr. Doan.

**Mr. Minh Doan:** I'm Vietnamese. My name's fairly simple. It's Minh. I've heard it every single way. Often I hear "Ming", and I ask myself where in Minh they would hear a G. I've kind of just developed a little bit of a shell on that.

My last name, Doan, is Vietnamese. Because of the French influence, we pronounce it "Do-ahn", but I'm used to being called Doan as well, similar to a hockey player, I believe. I don't watch hockey, but I believe there's a famous hockey player with the last name Doan.

I prefer "Do-ahn", but I totally accept Doan as well.

**Mr. Taylor Bachrach:** Thanks for answering our questions this evening, Mr. Do-ahn.

**Voices:** Oh, oh!

**The Chair:** Thanks, Mr. Bachrach. I appreciate the levity today. Well done.

We'll finish up with Mr. Genuis and then Mr. Sousa.

Go ahead, Mr. Genuis.

**Mr. Garnett Genuis:** Chair, that last round was light but revealing. My NDP colleague asked the witness how he pronounced his last name, and he consumed literally the entire round offering a very roundabout response to that. I will try again to get very precise answers to precise questions that are of a bit more serious nature. I hope the witness will shift his approach and be direct in his responses. We have taken additional steps to insist on answers from witnesses that have not been direct and responsive to important questions.

I don't really find remotely plausible your story about the DIY accident on your computer because the IT folks were too busy to assist a senior executive.

I want to go back to the text messages. These are text messages the committee received from Mr. MacDonald. You said you don't recall them, but you haven't denied them or said they sound out of character. The text messages we have received include you saying, "My issue is what I want to say vs what I can say", "[Can't] throw phac under the bus", and "[Can't] throw Ministers under the bus", implying that you might want to, but you can't.

Sir, do those sound like texts you might have sent, or do they seem implausible that you would have sent? Give a simple answer.

**Mr. Minh Doan:** They seem plausible. I don't believe in throwing people under the bus.

**Mr. Garnett Genuis:** Sorry; they do or they don't?

**Mr. Minh Doan:** They do.

**Mr. Garnett Genuis:** They do seem plausible.

**Mr. Minh Doan:** I do not believe in throwing people under the bus.

**Mr. Garnett Genuis:** Sorry; do they seem plausible or not?

**Mr. Minh Doan:** They do seem plausible.

**Mr. Garnett Genuis:** They do seem plausible.

**Mr. Minh Doan:** Yes.

**Mr. Garnett Genuis:** All right.

If they are plausible, then what would you have liked to say that would throw ministers under the bus?

[*Translation*]

**Mr. Minh Doan:** I do not think that follows from the answer I gave.

What I would like to say, and what I tried to say earlier, is to express my great frustration, after working so hard for two years, at having to testify here and be questioned about the how and why of the situation. It is frustrating to hear that the application is useless, after all the work that a number of people did.

[English]

**Mr. Garnett Genuis:** If you're frustrated, that makes two of us. I'm also frustrated. You just told us that it's plausible that you would have talked about how you would like to, but can't, throw ministers under the bus. I'm just wondering what information you had or have that you could have shared, and didn't feel you could share but could have shared, that would have effectively cast blame on ministers.

What is that information?

**Mr. Minh Doan:** Perhaps to clarify, I don't want to throw anybody under the bus. It doesn't matter if it's PHAC or ministers. That's not something I believe in doing.

**Mr. Garnett Genuis:** That's not the point. The point is that I want you to tell the committee the truth. Without fear or favour, I want you to tell the committee the truth.

What you implied very strongly in these text messages to Mr. MacDonald is that you had information that you could not say, that, if said, would have the effect of casting blame on ministers and on PHAC.

Now, you said it was plausible that you would have sent those text messages. So what is that information?

**Mr. Minh Doan:** That "implied"; it's implied by who?

**Mr. Garnett Genuis:** By you—in text messages that you sent to Mr. MacDonald that have been provided to this committee.

**Mr. Minh Doan:** That's not how I interpret those text messages. I've tried to explain that—

**Mr. Garnett Genuis:** This is what the text messages say, sir, and we're getting to time without you having provided any answer: "My issue is what I want to say vs what I can say", "[Can't] throw phac under the bus", and "[Can't] throw Ministers under the bus".

I've read these a dozen times so far. Could you explain to us—

• (1955)

**Mr. Minh Doan:** I agree with that. I can't throw people under the bus.

**Mr. Garnett Genuis:** Right. But you said before that, "My issue is what I want to say vs what I can say".

**Mr. Minh Doan:** Mr. Chair, I—

**Mr. Garnett Genuis:** You were saying that there are certain things you can't say that you want to say. What are the things—

**Mr. Minh Doan:** Mr. Chair, I—

**Mr. Garnett Genuis:** —you can't say that you want to say, that, if said, would cast blame on ministers of the Crown?

**Mr. Minh Doan:** Hang on. Let me try to follow that one.

Mr. Chair, I'm trying to answer. What I can say is to express my frustration to the committee, because we're here to talk about facts and evidence. I can't express how tired I was at the time. I can't express how frustrated I am that my entire team worked so hard, and to then have this application—

**Mr. Garnett Genuis:** You know, the problem is that this isn't a question about your feelings or your frustration.

**Mr. Minh Doan:** That's what I can't say?

**Mr. Garnett Genuis:** This is an important issue of the public interest. I'm trying to get an answer from you about what you said in these text messages.

Chair, I would like to ask that the committee instruct the clerk and analysts to prepare a report to the House, which the chair shall table forthwith, outlining the potential breach of privilege concerning Minh Doan's refusal to answer those questions which the committee agreed to put to him, and his prevarication in answering others.

I think it's clear why this is necessary.

**Mr. Larry Brock:** I agree.

**The Chair:** This is a debatable motion put forward. I'll start a speaking list.

We'll go to Mrs. Atwin.

**Mrs. Jenica Atwin:** Thank you, Mr. Chair.

I can appreciate what Mr. Genuis is trying to do here, but I do feel that the witness was trying to be as forthcoming as possible. Some of the questions he very clearly answered several times, and then was told that he actually wasn't answering the question as directly as he had been.

I really don't want to see us in another situation where we're calling someone to the bar for admonishment in the House. I think it's quite an embarrassing affair, and I don't think we need to go down that road again. I do think Mr. Doan is being as truthful as he can with us. I actually don't think he has been trying to mislead this committee in any way.

So I wouldn't agree to that. I think he has tried his best in the opportunity that we gave him, which was three hours of grilling.

I wouldn't agree with this motion.

**The Chair:** Mr. Kusmierczyk.

**Mr. Irek Kusmierczyk:** Thank you, Mr. Chair.

We listened today as Mr. Doan provided three hours of gruelling testimony. He received tough questions from all members around this committee.

Mr. Doan has appeared here under difficult circumstances. He has shared with us some very personal information regarding his health condition. That should not be taken lightly. He was here for three hours fielding very tough questions from all the members of this committee. I commend him for that. He answered every question to the best of his ability, and forthright. Not only that, he has offered to provide additional evidence and information. Again, he tried and at every occasion was forthright with his answers.

What he didn't provide was that he didn't verbatim repeat...answer questions that the Conservative MPs tried to put in his mouth. That's what we just saw over the last number of rounds of questions. The Conservative MPs were trying to put answers and words in the mouth of Mr. Doan. This motion that's being brought forward is based on the fact that Mr. Doan simply provided his own answer in his own words. For that reason, my colleague from the Conservative side is now taking this next step.

Again, Mr. Doan has been here for three hours answering questions, even though he has been doing this under a very difficult situation.

Furthermore, I think it's important to note as well that to add to the difficulty of how challenging this situation is, there are investigations currently being undertaken right now. We know that the RCMP is active. A number of other investigations are being conducted, internally by CBSA and by other agencies. Again, these are very difficult conditions. Mr. Doan answered every question that came before him during three hours of testimony.

I share my colleague's concern with this next step. I do disagree wholeheartedly with the mis-characterization by my colleague from the Conservative Party that Mr. Doan has been avoiding answering questions here. He's been here for three hours answering those questions.

● (2000)

**The Chair:** Mr. Sousa, go ahead, please.

**Mr. Charles Sousa:** Chair, I just want to reaffirm that we may not necessarily appreciate the responses, but that doesn't mean he's not forthcoming with his response. We may not like to hear and interpret the response, but he is responding and he is making every effort to do so.

I had another five minutes where I was going to continue to pursue it, but I say we put it to a vote. Let's continue.

**The Chair:** Well, we can't go to a vote while we still have a voting list. I have Mr. Brock, Mrs. Vignola, Mr. Jowhari and Mr. Barrett.

We can go to a vote if everyone wants to give up their time. Otherwise, I will go to Mr. Brock.

**Mr. Larry Brock:** I'm withdrawing.

**The Chair:** Okay.

Mrs. Vignola.

[*Translation*]

**Mrs. Julie Vignola:** I'm withdrawing too. My opinion has already been stated by other members.

I would like to briefly say one thing: The fact that someone does not like the answers does not mean that the person did not answer the questions. They answered. I have pages and pages of notes. We are light years away from what we experienced previously with other witnesses.

That is all I have to say.

[*English*]

**The Chair:** Mr. Jowhari.

**Mr. Majid Jowhari:** I'm going to withdraw.

**The Chair:** Mr. Barrett.

**Mr. Michael Barrett:** I would say a couple of things very quickly with respect to colleagues' comments on Mr. Genuis's motion.

Mr. Doan lied. I don't know if he was lying then or if he's lying now, but there are several examples. I see that everyone's withdrawing so we can bring this to a vote. Let's bring it to a vote.

I read the evidence from a previous appearance by him where he said one thing and then today said the exact opposite thing with respect to saying then that he was in the middle of a competitive process with Treasury Board and today saying he was not. Also, varying answers: He went through a range of answers on whether companies were associated with the presentations in the slide decks: There were no logos, there were no companies associated, they changed over time, they disappeared at some point. Well, which is the answer? We got multiple different answers. This is a problem that we have—

Pardon me?

**Mr. Majid Jowhari:** My apologies. Go ahead.

**Mr. Michael Barrett:** This is a problem that we have. As parliamentarians, we have come to just accept that people can come before us and they can lie and refuse to answer questions and there's no consequence. Why would anyone come here and tell the truth if there's no consequence for it?

I was absolutely not embarrassed by the questioning of Mr. Firth when he was admonished at the bar. He was found by the House of Commons, Canada's Parliament, to be in contempt. That wasn't a Conservative smear job. That was a failure by that individual. It was a failure of his character. It was a failure of his integrity. He was rightly admonished. The only thing that's a shame is that there weren't more severe consequences for the contempt that individual showed for Canadians, who elected us to come here and to get answers for them.

When we hold people to no standard, then we get no quality from people who are looking to protect themselves instead of being accountable to the people who were sent here by Canadians. We each represent about 100,000 people, and they expect us to be honest and forthright. The same is true for witnesses who come before committee.

The witness today swore an oath and it is black and white: He lied.

He lied. If it's uncomfortable for members of the other parties, if it's uncomfortable for Liberals.... I know that Mr. Kusmierczyk said that it's because Conservatives want to put words in in Mr. Doan's mouth. Well, let's just look at his words, where he said one thing at one meeting and something different at today's meeting: Were you lying then or are you lying now?

That's the binary we're left with, to say nothing of the fact that it's absolutely preposterous, his claim that the data was corrupted on his laptop. It's ridiculous. It's absolutely ridiculous. If members of the committee don't feel like it was an attempt to insult their intelligence, take another listen to what he offered.

We should, as a committee, bring someone here from the computer shop down on Rideau Street to tell us why it's absolutely absurd. I'm not going to involve the professionals who work in IT in this building, who would tell you that it's absurd: Control+C, Control+V? You've got to be kidding me—more like “Control+X” and “Delete”.

It's behaviour unbecoming of a public servant, and it's absolutely unacceptable behaviour by a witness coming before a standing committee of a House of Parliament. Does it warrant a conversation by the full House when the privileges of parliamentarians are breached? Absolutely it does, and the remedy is something that should be decided on by the House

I'm absolutely not in the least bit disappointed or ashamed, as other colleagues suggested, about how someone who lied to Canadians was simply asked to answer questions at the bar truthfully and to accept a verbal admonishment.

Also, with respect to the quote-unquote gruelling conditions today: kid gloves, five- and ten-minute breaks and appearing virtually with counsel and he still couldn't even tell the truth.

I'm not sure what Mr. Sousa's comment was. Maybe he wanted to offer us something about his experience with deleted emails in the Ontario legislature, but we can look at court records for that.

I have nothing further to add.

• (2005)

**The Chair:** We will go to a recorded vote.

(Motion negatived: nays 7; yeas 3 [*See Minutes of Proceedings*])

**The Chair:** Mr. Sousa, please go ahead.

**Mr. Charles Sousa:** Minh Doan, are you still there?

• (2010)

**Mr. Minh Doan:** Yes, I am.

**Mr. Charles Sousa:** Do you have any concerns about Mr. MacDonald's or Mr. Utano's conduct with contractors during the early days of the pandemic and during the development of the Arrive-CAN app?

**Mr. Minh Doan:** No, I didn't, in the early days of the pandemic or during the development of the ArriveCAN app.

**Mr. Charles Sousa:** Did you have any dealings with Mr. [*Inaudible—Editor*], a card-carrying Conservative from Dalian Enterprises at all?

**Mr. Minh Doan:** I don't recall having any meetings with them, but I don't have access to my calendar.

**Mr. Charles Sousa:** Mr. Doan, would you co-operate with the Public Sector Integrity Commissioner if an investigation was asked for?

**Mr. Minh Doan:** Yes, of course I would.

**Mr. Charles Sousa:** Do you know why you're being targeted? What do you think is happening to you right now?

**Mr. Minh Doan:** I can't speak to the motivations of others, but I held them in high esteem. I had high regard for them. If they had nothing to hide, they would not have to shift blame to others or would not try to stop investigations.

**Mr. Charles Sousa:** I know you were trying to read the affidavits about claims against you. You don't have to read them in their entirety. To my point, to my colleague across, Mr. Barrett, what I was suggesting is that I commend your ability to answer these questions, both in English and in French. That was my comment to you in regard to that. If you have anything more to add in regard to the affidavits or anything else that's happening here today, please do add them.

**Mr. Minh Doan:** I thank the chair and the honourable members for the accommodations that were given to me today, including the breaks. As I said at the outset, I have cardiac disease. I'm still on sick leave. My doctor's advice was to avoid stressful situations because it can cause angina or heart attacks. I have family that I provide for. I have young kids. I'd rather avoid going back to the ICU or even worse. I want to thank the members and the chair for the accommodations. This has been extremely difficult. Somebody, I think, misspoke that it was three years and not three hours. It certainly felt more like three years than three hours, but I tried to answer with facts, and I will continue to do so.

**Mr. Charles Sousa:** Thank you, Mr. Doan.

That's it, Mr. Chair.

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

Thank you very much, Mr. Doan. You are dismissed.

We are adjourned.





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