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Tuesday, October 24, 2006

—
Chair

The Honourable Diane Marleau

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•(1110)

[English]

The Chair (Hon. Diane Marleau (Sudbury, Lib.)): I call this meeting to order, seeing as we definitely have quorum.

I will remind you that about two weeks ago there was a motion passed at this committee that we have two meetings of hearings on the cuts that were announced. We had the President of the Treasury Board come before our committee last week. We were scheduled today to hear witnesses from Treasury Board of Canada Secretariat; Mr. Hawkes, chief financial officer of the Department of Public Works and Government Services Canada; and witnesses from the Department of Human Resources and Social Development.

Yesterday there were some developments, and I'm going to ask the clerk to explain exactly what happened.

By whom were you notified, and what exactly happened?

The Clerk of the Committee (Ms. Bibiane Ouellette): I was notified by all three departments. I only had time to have one letter from the Department of Human Resources translated explaining why they couldn't come.

I had a letter from the Department of Public Works, and then yesterday I received an e-mail saying they declined the invitation.

I also had an e-mail from Treasury Board saying that they would have another opportunity to come before the committee, that they had already been here last week, and they thought that was sufficient.

The Chair: I think that's the one I have. I don't have the others.

I have a copy of an e-mail we received from Treasury Board. It's not translated, so I won't distribute it. It's an e-mail to the clerk, so maybe I'll let you read it.

The Clerk: It says:

As per his Ministerial responsibilities, the President of the Treasury Board appeared with the Secretary and the Assistant Secretary, Expenditure Management Sector, at the Standing Committee on Government Operations and Estimates on Oct. 17, 2006 to answer questions on spending restraint. Committee Members had 2 hours to ask questions and the President of the Treasury Board and TBS officials believe they have fully answered questions on this matter. Therefore, TBS declines the invitation as they have already appeared.

Public Works replied:

The Minister and Officials will be appearing before the committee in November 2006. The Minister will be pleased to respond to questions with respect to the Expenditure Review Exercise at that time.

The Chair: What about Human Resources?

The Clerk: That's the letter I circulated.

The Chair: You circulated that letter, so we have it. Maybe we should read it into the record.

The Clerk: It says:

Thank you for inviting our officials to appear before the Standing Committee on Government Operations and Estimates on Tuesday, October 24, to discuss the issue of budget reductions.

Unfortunately, we will have to decline the invitation. We are currently hard at work preparing the Minister for his upcoming appearance before the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities on October 31, as well as before the Committee of the Whole on November 1. The 2006-07 Main Estimates will be the subject of rigorous review at that time, and all MPs will have the opportunity to join in the debate.

MPs will therefore be able to discuss these issues with the Minister on two separate occasions and will be able to ask him all their questions about budget reductions, the Main Estimates and the Report on Plans and Priorities. I am sure they will use these opportunities to good effect and that the dialogue will be productive.

The Chair: Thank you, Madam Clerk.

I want to tell you we got all of those late yesterday in the afternoon. They had known about this for some time.

I refused to cancel the meeting because I felt we should have a discussion concerning this.

I'll recognize Mr. Bains first, then Madam Thibault.

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Thank you very much, Madam Chair.

I have a couple of questions.

I appreciate the clerk enlightening us as to the rush now and the reasons why the various departmental officials have declined to come and attend the meeting. This is the first time I have ever encountered this or heard of departmental officials giving such late notice to decline coming, especially on a very important subject matter.

I see the rationale given here for the Minister of Human Resources and Social Development Canada is that they're preparing her for a meeting next week, Tuesday, and that two hours of time today would sufficiently cause problems for them in terms of their preparation. I find that difficult to believe. Nevertheless, I think it's important and I think the other parties do support the spirit of this basic discussion.

I want to present a procedural motion to summon the various departmental officials to come. The motion is as follows: That the Standing Committee on Government Operations and Estimates issue a summons to David Moloney, senior assistant secretary, Expenditure Management Sector; Wayne G. Wouters, secretary, Treasury Board Secretariat; Mike Hawkes, chief financial officer, Department of Public Works and Government Services; and senior officials from the Department of Human Resources and Skills Development; that they appear before this committee no later than October 31, 2006, in order to answer questions relating to the \$1 billion budget cuts that were announced on September 25, 2006.

I think it's very important that this particular motion be adopted by this committee for the following reasons.

There's a sense of disappointment and frustration among my colleagues and the members from the other parties. I think it is outrageous that we have departmental officials who decide in the last possible moment to decline to come.

Each week various themes develop. Last week we had an opportunity to speak to Minister Baird about the theme of cutting social programs, and then we started to at least get into the discussion of the fact that he's withholding funds now from projects as well, especially on infrastructure. Now there's a lack of accountability and transparency on their part whereby they're muzzling government officials. I don't know if that's the case. Again, I always give the government the benefit of the doubt. I always believe the minister has the best of intentions.

I think the onus now lies on the departmental officials to justify why. Some of the rationales and explanations given here I find a bit amusing, as I stated before. They need to prepare the minister for the meeting next week, October 31, next Tuesday. I find it difficult to believe that they are unable to take out two hours of their time to come to this committee to discuss a very important subject matter. These government cuts are still resonating with the Canadian public. People are still talking about these cuts to women, aboriginal people, youth, literacy programs, and people want additional information. They want to understand the government's rationale for why the most vulnerable people in society were targeted with these government cuts. I feel that government has a responsibility to be open, accountable, and transparent about this. Again, I don't understand why the government officials have decided at the last minute not to show up.

In light of that, I believe that all parties, including the government, will understand the importance of this particular subject matter and will support this motion. I want to put this motion forward, Madam Chair. I think it is in order because it is a procedural motion. Therefore, I would ask that we vote on this motion, Madam Chair.

• (1115)

The Chair: Can we have you write out that motion? Then we'll have it translated.

He'll write it out in English, and we'll have it translated.

I do accept the motion, because it concerns the matter that was on the agenda today and we don't need any notice for that. I will open for debate.

Yes.

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): I have a point of order.

In order for there to be a vote on any motion there has to be a 48-hour notice period, Madam Chair.

The Chair: Not on a procedural motion.

The clerk can perhaps advise us.

The Clerk: It deals with the business of today, so we don't need 48 hours notice.

Mr. James Moore: Still on a point of order, I just want to make sure it was clear what we were debating. So Mr. Bains is tabling this motion, which, when he finishes writing it, we'll get a chance to read. We're debating that, and beyond this, that is the entire business of the day. We have these two motions, one by Madam Nash and one by Madame Thibault, that have been tabled, which we will vote on in the next committee meeting.

The Chair: Madam Nash has one and she's given us notice. This is about the senator for Public Works and his future appearance before the committee. So that's a separate one.

Mr. James Moore: Yes, and those have been tabled. So is the entire business of this meeting to debate Mr. Bains's motion, which he has yet to write?

The Chair: We would like to summon. This is what this is. It says we're summoning the officials.

Madame Thibault.

• (1120)

[Translation]

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, BQ): I want to clarify the following point, and to have it ratified by the Committee. The topic before the Committee—and the Clerk had no choice in the matter—is the review of spending cuts. I want it to be very clear that it does not in any way affect the second day, which must be dedicated to this review pursuant to the motion that I filed and that was accepted by the majority, if not unanimously.

That said, I will have the opportunity once again to speak about Mr. Bains' motion. I don't know if someone must speak before me.

The Chair: For the time being, I do not see who could speak before you.

Mr. Bains, were you able to draft your motion? We must have it translated.

[English]

Hon. Navdeep Bains: I am doing it, if you can just bear with me a moment, Madam Chair.

[Translation]

Ms. Louise Thibault: Can we talk about mine? Can we do that?

The Chair: We have to deal with one motion...

Ms. Louise Thibault: If I may say so, you received mine first. You received it last night.

The Chair: I have not read it, but I have read the other one. I do apologize.

Ms. Louise Thibault: I would rather not make an issue of it, but I did send mine very early this morning.

The Chair: Yours has been translated.

Ms. Nash.

[*English*]

Ms. Peggy Nash (Parkdale—High Park, NDP): I'm confused. We have a motion here that is tabled and translated and seems to get to the same point. Can we not just deal with that motion?

The Chair: Well, we could, but we have another motion. Essentially the motions are similar, so maybe what we can do is just marry the two.

Ms. Peggy Nash: Maybe Mr. Bains could agree that we would just deal with Madame Thibault's motion, because we all have a copy and it's translated. I'm just thinking in terms of moving the work of the committee along.

The Chair: Take a look at this one here, the names, if you would.

Hon. Navdeep Bains: I think the essence is more or less the same, but I do want to write mine out to make sure there's nothing missing. So if you could you bear with me, I want to make sure that we capture the essence of what I said before and to make sure that we're also complementing the motion presented by the Bloc.

[*Translation*]

The Chair: Mr. Bonin.

Mr. Raymond Bonin (Nickel Belt, Lib.): Madam Chair, may I suggest that we deal with Ms. Nash's Notice of Motion? We can at least settle that. It is a formality that can be settled fairly quickly.

[*English*]

The Chair: Okay.

While we're waiting for the translation of the other motion we can deal with Madam Nash's notice of motion, which is:

That the Committee report to the House the following:

That a Message be sent to the Senate inviting their Honours to give leave to the Minister and Senator Michael Fortier to appear before the Standing Committee on Government Operations and Estimates in the next two weeks to answer questions concerning procurement policy changes.

We need 48 hours for this one. If you wish to accept it, we can debate it now.

[*Translation*]

It must be unanimous.

[*English*]

Is it unanimous that we deal with this one now?

Mr. James Moore: On this, Madam Chair, Minister Fortier is more than prepared to come before the committee. In fact, if my colleagues will look at the schedule, he is in fact scheduled to come before the committee.

The Chair: On the 2nd of November.

Mr. James Moore: Correct.

So this is frankly.... Can I finish?

Minister Fortier—

The Chair: Are we accepting to debate this motion? If we're accepting to debate this motion, say yes.

Mr. James Moore: No.

The Chair: Mr. Bonin has a point of order.

Mr. Raymond Bonin: A notice of motion—

Mr. James Moore: Madam Chair, I have the floor.

Mr. Raymond Bonin: But I have a point of order that supercedes it.

Madam Chair—

Mr. James Moore: Mine was a point of order, Madam Chair.

The Chair: You are talking about the substance of the motion, which isn't the same.

Mr. James Moore: No. As a matter of fact, no, it was a point of clarification to Madam Nash that Minister Fortier is scheduled to come before this committee. In fact, he will be here in, I believe, a little more than two weeks—16 days, not 14 days—which makes this motion, I think, redundant and irrelevant.

The Chair: This is a discussion of this motion.

First of all, Monsieur Bonin, for a point of order, and then Madam Nash.

Mr. Raymond Bonin: On a notice of motion, Madam Chair, the chair accepts it, and we discuss it when we have a meeting. There's no debate and no discussion.

The Chair: There's no debate unless you agree to debate it.

Yes, Madam Nash.

Ms. Peggy Nash: If I may, by way of offering this motion to the committee, I have learned that in fact Minister Fortier has not agreed to come on November 2. In fact, he will only agree to come at the end of November—I believe the 28th is the date. Given that we do not have the opportunity to question Mr. Fortier in the House of Commons and we do not have the ability to learn what his plans are in terms of the major decisions he's planning with respect to procurement, if we heard correctly from the witnesses who were present here last Thursday, surely there is an obligation on our part to get the minister to our committee. That is the reason I have brought this motion forward. I'm offering it to the committee.

• (1125)

The Chair: I accept that this is your motion, but I had asked if there was unanimous consent, and I never got an answer.

Some hon. members: No, no.

The Chair: Okay. We'll have to wait until Thursday to debate this motion.

Now, Madame Thibault, are you ready with your motion? It is acceptable because it's about the business of the committee.

Hon. Navdeep Bains: With respect to my colleague Madame Thibault, there are a couple of things that I think we can make friendly amendments to and therefore incorporate both motions. As a base, we'll use the motion presented. Everyone has a copy of the one presented by Madame Thibault. I will make some friendly amendments and suggestions and see what the committee says.

For the first one, where it says "That pursuant to Standing Order 108(3)(c), as unanimously agreed by its members at its meeting of October 5, 2006, the committee hold a second meeting, as planned, examining in detail the budget cuts", I would like to insert "the \$1-billion dollar" before "budget cuts", so we specifically know what we are alluding to. That would be to specifically speak to the \$1 billion in budget cuts that was announced by Treasury Board on September 25, 2006.

Then, where it says "and consequently that senior officials from", I would insert who we want to attend the meeting. Specifically, that would be David Moloney, senior assistant secretary, expenditure management sector; and Wayne G. Wouters, secretary, Treasury Board Secretariat; Mike Hawkes, chief financial officer, Department of Public Works; and senior officials from the Department of Human Resources and Skills Development. So that would be to substitute the specific names that I presented where they have "officials from".

The Chair: You have no names for the Department of Human Resources?

Hon. Navdeep Bains: There are no names for Human Resources, just Treasury Board and Department of Public Works, as well as "senior officials" from the Department of Human Resources and Social Development.

Basically, with the last line, I would recommend that they comply no later than October 31. I would suggest they come in next week, on Tuesday. I know by then they would have prepped the minister, so she should be in a position to conduct herself in a meaningful fashion at our committee to address these budget cuts.

Those would be my friendly amendments, if the Bloc is okay with that.

[*Translation*]

Ms. Louise Thibault: I do not object to adding "\$1 billion" before the words "announced spending cuts", even if I find it somewhat redundant, since that is what was announced on September 25. However, I do not like the idea of naming people. They could very well suddenly say that they have to be at a meeting, claim that they have an engagement of some kind or a change in their schedule. In any event, we ask that they be senior officials, and I am entirely confident that the Deputy Minister will choose the right people. I don't think that he will send us the Assistant Deputy Minister of Information Technology, if we are talking about financial resources. I have faith in the probity of senior officials.

Incidentally, I chose November 2—and I have discussed this with my colleague, obviously—because a Bloc Québécois motion was scheduled on that date. I do not want to be told that it was a period reserved for accrual accounting and that I wanted to disrupt the process. I told my colleague that even if his second session were postponed to December, we would work with that situation because this had to be heard first. It is not that I do not want to accept my

colleague's suggestions; it is rather that I see more problems than anything else. I don't mind if the words "\$1 billion" are added, but I would like the rest of my motion to remain as is.

• (1130)

The Chair: You want to keep the date of November 2.

Ms. Louise Thibault: I wanted it to be November 2 at the latest. If it is October 31, we will let the Clerk discuss it with people from the departments. In any event, I have a number of remarks regarding these motions, Madam Chair.

The first point that I would like to address is the fact that all of the departments called to testify have suddenly stated that they are unable to do so. I can't say that this was orchestrated because I have no proof, although it appears very much to have been the case. The President of the Treasury Board, for his part, decided for the Committee. The same goes for his ministerial responsibility. In a letter regarding the matter, it was stated that the Treasury Board was refusing our invitation because people from that department have already appeared.

The fact is that we had agreed, when we debated the motion that the appearance would be made up of two parts: first a global approach, then a more detailed one. We were supposed to ask the Treasury Board Secretariat direct questions about their spending cuts, and not about those to be made jointly with the Department of Finance or those imposed on all agencies. It is very clear that either they have greatly misunderstood—and that would surprise me, coming from the Minister—or there is an appearance of collusion of some kind.

Indeed, we were told that it would be our unelected Minister's pleasure to answer questions on budgetary forecasts when he appeared. We now know how thick will be the supplementary budgets that we will be receiving. We are aware of the grand task before us. In fact, practically the entire budget is involved, since there was an election. Members of a Committee are being told how to do their job, when and why they should receive their witnesses. Further, this Senator, acting as Minister, who we are unable to question in the House, sends us little messages like this. I find this totally unacceptable.

Moreover, we received this absolutely incredible letter of grievance from the official informing us that they have to prepare their Minister. I think that if this was so much work, considering the date that the Minister will be appearing before the Human Resources Committee, they could have, for example, told us that the senior official could not attend for two hours and asked to reserve a half-hour, during which time we could ask the official all of our questions. We would never have refused such a proposal, but these people assume that their way of seeing things is the only way.

What I also find extremely surprising, with regard to the fact that these agencies and departments backed out in this way, is that a spokesperson for their government, namely Mr. Kramp, said the following about the debated motion. This is the official text:

In response to the motion presented by Madam Thibault, we, as a government, welcome this intervention. And we think it should be a necessary means by which to further explain how and why the decisions have been made in government and to listen to deputations that have been affected, positively or negatively.

He did not even limit it to government witnesses: he seemed to want to receive groups. I continue:

We think that is the duty and responsibility of the committee[...]

Here I acknowledge that my Conservative colleague's observations were correct.

So we welcome this motion.

To conclude, I will now skip a paragraph.

And we're suggesting that at the first steering committee meeting we'll be able to work out an acceptable arrangement whereby witnesses and scheduling of this would be available for everybody to examine with the proper diligence.

Madam Chair, these statements were eloquent and correct. Yet we know that last Thursday this very colleague suddenly attempted—as was his right—to persuade us that everything had been done in two hours and that it was unnecessary to hold a second meeting on this motion. We then voted and a majority carried it. The second meeting was then supposed to take place. Those who contacted the Clerk yesterday between 3:30 p.m. and 4:30 p.m. know that the documents and e-mail withdrawing began to pour in. I call it insidious, Madam Chair. If it isn't a deliberate act, I do not understand why when they had from Thursday until Tuesday, they waited until Monday night to tell us.

I find this situation disgraceful. It is not up to the officials—however senior they may be—if they did make or carry out the decision, something I cannot prove but that must be cleared up when they are here — to tell parliamentarians representing the taxpayers what to do. I find it very disturbing that these officials, whose role is to serve those very taxpayers, are more preoccupied with serving their Minister.

I took the trouble to review the government documents last night, as though I had nothing better to do with my time. So I reread the throne speeches, the documents on the budget and the supporting documents, which are accessible to the public and not just to members of Parliament. The words “transparency” and “openness” are used practically hundreds of times. Their attempt to silence us makes me seriously question this transparency. When I think of the e-mail that we received, I know that I would never tolerate having parliamentarians being told how to do their work in the committees.

I have spoken for a long time, but I wanted to express my entire point of view. Thank you for giving me all of this time.

● (1135)

[English]

The Chair: I want to ask Mr. Bains, because it's your motion we're debating, are you in accordance with Madame Thibault about removing the actual names, in case those particular ones can't come, so that the deputy ministers could send people they think could properly speak to the committee?

Hon. Navdeep Bains: I think it's a very fair comment, but this is my concern. First of all, with respect, I want to thank the member for accepting the \$1 billion amendment. Secondly, the notion with respect to specific means, we've made our request before, and they have pushed back, right? And they've given us rationales why they

can't attend. I thought the names would be important to highlight that we want senior officials, because somehow they don't think this committee request was important and they've neglected to come or show up at this committee meeting. As a result, we're making it very clear that we want people in senior positions, people who actually understand the process, who were there when the decisions were being made, to provide answers to us.

That's why I specifically mentioned the names and that's the rationale behind it. I'm open to changes to that, but that's what my rationale was and I'm still sticking to that. I think it makes sense.

I also want to mention that I do agree with the date change. I had requested October 31, but I'm comfortable with November 2 as well.

Those are the three things I felt I should talk about. The \$1 billion I think should be included, and I appreciate the consensus in support of that. I still believe we should have specific names, given the fact that they've decided not to show up at this meeting. Third, I think the date change to November 2, 2006, is sufficient as is and I remove my initial request of October 31.

The Chair: Mr. Moore.

Mr. James Moore: I want to be clear about the process here. Ms. Nash's motion will be debated on Thursday. Madame Thibault's motion will be debated on Thursday, is that correct?

The Chair: It's being debated now. It's been amended—

Mr. James Moore: I know about that. Navdeep has his own motion and they're tweaking it. Okay, so we're dealing with the one. So this is an attempt at a friendly amendment. Okay.

How are we going with this? Are we going to deal with Madame Thibault's motion, or is she accepting the friendly amendments? Can we have some clarification?

The Chair: We are melding the two.

I want to ask Madame Thibault if she is agreeable to leaving some of the names in.

[Translation]

Ms. Louise Thibault: If Mr. Bains and the Liberal members think it preferable to name people, let's do it. If the government people are in good faith, they will not tell us that they are not available.

I accept both amendments, namely the billion and the names. As Mr. Bains stated, given that October 31st is included in the period preceding November 2, we will keep November 2. This motion is therefore amended by agreement. I imagine that Mr. Bains will now ask for a vote.

[English]

The Chair: So you're going to move the motion, as amended. Basically, it's Madame Thibault's motion that you have amended with your own. And—

[Translation]

Ms. Louise Thibault: I proposed that the motion be amended by agreement. Will someone second this motion? Okay? Very well.

• (1140)

[English]

The Chair: Okay.

First of all, we're going to ask for a vote on the amendments.

Yes, Mr. Moore.

Mr. James Moore: On a point of order, Madam Chair, it's just like making sausage here. Can we have a clear explanation of exactly how the motion reads now, as it's been amended multiple times?

The Chair: It's not very difficult.

Mr. James Moore: Really, that's not the case.

The Chair: I can read it:

That, pursuant to Standing Order 108(3)(c), as unanimously agreed by its members at its meeting of October 5, 2006, the Committee hold a second meeting, as planned, examining in detail the one billion dollar budget cuts announced by Treasury Board on September 25, 2006, and consequently that David Moloney, Senior Assistant Secretary and Wayne G. Wouters, Secretary from the Treasury Board of Canada Secretariat, Mike Hawkes, Chief Financial Officer from the Department of Public Works and Government Services and senior officials from the Department of Human Resources and Social Development, who previously refused to appear following an invitation by the Committee, be summoned to appear before the Committee, that they comply and this, no later than November 2, 2006.

Now, members, I'm asking, on the amendment, all those in favour?

(Amendment agreed to)

The Chair: And now, on the main motion—

Mr. James Moore: Whoa.

The Chair: Opposed? Are you opposed to the amendment?

Mr. James Moore: Yes we're opposed to the amendment. And now that the amendment is done, there is debate on the main motion.

The Chair: That's what I'm saying, that now we're on the main motion, as amended.

Mr. James Moore: Now we have debate.

The Chair: Yes.

Mr. James Moore: And who has the floor? Do I have the floor, Madam Chair?

The Chair: Would you like to have the floor? Then yes.

Mr. James Moore: All right.

With regard to the main motion, we are obviously more than prepared to have people from every one of the affected departments that the opposition describes come before the committee to discuss these cuts. We are more than glad to have them here, obviously.

The Treasury Board president, Mr. Baird, was here discussing expenditure review and the \$1 billion in cuts, and quite proudly. In fact, the opposition ran out of time for questions. If the opposition has more questions, we'd be more than glad to have ministers come before the committee. Minister Fortier has agreed to be here in the near future.

In our parliamentary process, one of the reasons why we don't have officials come ahead of ministers is generally because officials implement the policy, but the government sets the policy. When John

Baird comes here, if there afterwards are supplementary questions about how the expenditure review is being enforced by the Treasury Board, it is entirely perfect for any member of this committee and any member of the House to ask those officials how the expenditure reviews are being implemented. But if the question is policy—in other words, why was this cut and not that—then you ask the minister first, because it's the minister who made the call.

So the minister comes first, and often with their officials. If a committee wants to know why the court challenges program was cut, you ask the minister. If you want to ask how the cut is being implemented, you ask the officials. The officials are often there with the minister, or can come after the minister.

Within our parliamentary process, having deputy ministers and people from regional offices come before the committee gets it exactly backwards. The purpose of committees is to scrutinize government decisions, not to scrutinize bureaucrats who are putting in place the decisions made by cabinet and by the ministers responsible.

Every minister that this committee has asked to come before it has agreed to come. We have a set schedule here.

Frankly, this motion is redundant. It gets parliamentary procedure precisely backwards, in that ministers, not officials, are responsible for the decisions. Therefore, we will be voting against this motion.

But we are entirely prepared to defend our cuts. As a matter of fact, we're quite proud of our budget. We were very pleased to see it pass the House of Commons with the full support of all the opposition parties.

The Chair: Madam Nash, I have you down on the list, but you did speak on your motion. Or did you want to speak to this one?

Ms. Peggy Nash: Regarding this motion, I just want to get on the record that we did have Minister Baird here, and I felt that the answers we received were not adequate. They did not answer the questions that we posed. We need to really understand what specifically is going to be cut, and we need to know what the impact is going to be for Canadians. We didn't get that specific information from the minister, and I believe Canadians expect us to do our job and to find out this information.

I know I've had a huge concern in my community about these cuts. I've had many people contact me about all areas of the cuts. We need to get more specific information, and I believe it is the senior government staff who can give that to us, so I intend to vote in favour of this motion.

• (1145)

The Chair: Thank you.

Mr. Alghabra, go ahead, please.

Mr. Omar Alghabra (Mississauga—Erindale, Lib.): Thank you, Madam Chair.

First, I'm really bewildered. We have so far been given three different answers as to why the officials are unable to make it. One answer is that they're busy. The second answer is that the minister has already answered the question. The third answer, which we've just heard now, is that the officials are not really supposed to answer policy questions; the minister is supposed to.

I don't want to waste time trying to figure out which one is the right answer, but it's really quite confusing, and it really shows that they're not even sure how to defend that excuse.

Second, I'm even more bewildered by the reluctance of the government to allow officials to come and speak to us about those cuts. They're very proud of these cuts, and if the questions we're going to ask are about policy, the officials can tell us, "those are policy questions; we can't answer those questions", but we need to understand a lot more beyond policy. We need to understand what impact those cuts will have, how they came about, when they came about, and who is going to be affected. Those are operational questions. The minister could not answer them. We want officials to come and answer these questions.

Earlier my colleague Ms. Thibault and I were talking about the irony that when the Conservatives were in opposition they would have jumped all over this, and now that they claim to be championing accountability, they're shutting down officials from coming to this committee. It's complete disrespect for this committee, for Parliament. If the committee asks the officials inappropriate questions, the officials can easily say, "this is not within our mandate; we can't answer these questions".

But the committee has a role to play on behalf of Parliament and Canadians to examine these cuts, to talk about the operational side of these cuts, and to speak directly to officials, especially and particularly given the attitude that we saw from the President of the Treasury Board when he was here last week, when we didn't get a lot of these operational questions answered.

So I think, first, this motion is appropriate. I want to express how outraged I am and the rest of my colleagues are about the response they've given us. And I really hope they come and appear before this committee and answer these questions.

Thank you.

The Chair: Thank you.

Mr. Kramp, go ahead, please.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Thank you, Madam Chair.

Ordinarily, I wouldn't want to take up a fair bit of this committee's time, but I plan on doing it right now. I plan on doing so, although I didn't think this would have to be stated.

Naturally, knowing where we're going with this, I thought we should take a look at some longstanding traditions, some directives, and some methods by which this House operates, methods our chair alone, as a senior minister of the crown, has operated on for years, and the relationship between the public service and the PCO and the responsibilities they all have.

Madam Chair, you have abided by the responsibilities, the history, and the tradition that I'm basically going to be reading here. This is a directive that has been followed through on for ages in the relationship between the public service and the PCO, and their responsibility.

I suggest this would be good reading for every member of this committee to take a look at. It's the notes on the responsibilities of public servants in relation to parliamentary committees. It's good reading for all of us.

Mr. Alghabra, I mention this. You and I are relatively new members in comparison to a number of the senior members in the House. It opened my eyes a little bit. Quite honestly, we're learning something every day.

When I read through this, I realized that, my goodness, I really wasn't aware of it, and so I'm bringing this to our attention.

I'm going to read a little bit. I won't read the whole thing, and I'm certainly not going to paraphrase or cherry-pick, but these are some comments that I think we should all be mindful of. It starts off:

The following notes have been prepared for the guidance of officials appearing before Parliamentary committees. They set out the constitutional principles that underlie relationships among Ministers, officials and Parliament.

In our system of government, the powers of the Crown are exercised by Ministers

• (1150)

The Chair: Can I interrupt you for a second?

What document is it? Can you name the document and where it's from?

Mr. Daryl Kramp: The document comes from the Privy Council Office, December 1990, and it has been carried on, basically, in principle, by successive governments in the relationships they have between the House of Commons, and the Senate, and the public service, and the operation of committees.

It goes on. It says:

Responsible Government:

In our system of government, the powers of the Crown are exercised by Ministers who are in turn answerable to Parliament.

And they are answerable directly to Parliament

Ministers are individually and collectively responsible to the House of Commons for the policies, programs and activities of the Government. They are supported in the exercise of their responsibilities by the public service, whose duty it is to give loyal, professional and non-partisan support to the Government of the day. It is the responsibility of individual public servants to provide advice and information to Ministers, to carry out faithfully the directions given by Ministers, and in so doing to serve the people of Canada. Public servants are accountable to their superiors and ultimately to their Minister for the proper and competent execution of their duties.

Ours is a system of responsible government because the Government must retain the confidence of the House of Commons and because Ministers are responsible to the House for everything that is done under their authority. They are answerable to Parliament and its committees. It is Ministers who decide policy.

As was just stated by my honourable colleague Mr. Moore, it is ministers who will make policy and who are responsible for the administration of it, and they must defend it ultimately before the House, before the committees, and before the people of Canada.

“Accordingly, responsibility for providing information to Parliament and its committees rests with Ministers”—it states that exactly. I’ll get to it more in response, but “Officials have no constitutional responsibility to Parliament, nor do they share in that of Ministers”. And this gets right to the point that they definitely should appear before this committee: “They do, however, support Ministers in their relationship with Parliament and to this extent they may be said to assist in the answerability of Ministers to Parliament.”

So they should be here with ministers to answer questions.

Now, we were talking in this motion about subpoenaing the witnesses; you want to summon the witnesses here. Well,

Under the Standing Orders, committees of the House and Senate are entitled to exercise all or any of the powers delegated to them. These include the right not only to invite witnesses to appear but to summon them to appear, if necessary. They include the right to examine witnesses on oath.

We agree. But I caution you, on the summoning of public servants:

The House and Senate, and their committees, have the power to call (or summon) whomever they see fit and thus could in theory call officials even against the wishes of a Minister. (However, only the House and Senate themselves can compel witnesses to attend.)

This is very important, this statement here:

Committees, mindful of the principle of ministerial responsibility, usually solicit the testimony of officials by informal invitation rather than by formal summons and do not generally insist on the appearance of particular individuals, leaving it instead to Ministers to determine which officials will speak on their behalf at committee. In the same vein, it is for Ministers to decide which questions they will answer and which questions properly can be answered by officials.

Now, Madam Chair, you have operated as a senior minister under these guidelines of operations, and this has been the standard operation from this House and for committees to follow. All of a sudden, now we want to deviate from that. I’m suggesting....

Madam Chair, we have ministers and senior public servants appearing before not just this committee, but every committee in most cases. They can’t just go here, go here, go here, go there; they also have responsibilities and timelines. Our ministers have never refused to appear before this committee. They have willingly appeared before this committee and they are willing to come back before this committee, the ministers and their officials.

So might I suggest—

• (1155)

The Chair: A point of order?

Hon. Navdeep Bains: Madam Chair, a point of order.

I just want to clarify that this is relevant to the motion we’re discussing. The motion clearly outlines that we are referring to government officials and not to ministers, so I’d request my colleague to stay on the subject matter and specifically talk about government officials. He’s talking about ministers, and that’s not something that is part of the motion.

Mr. Daryl Kramp: That’s fine. I deviated a little bit. I’ll go back to my point. I will accept that point of order, Madam Chair.

I’ll return to my point, Madam Chair:

Witnesses testifying before Parliamentary committees are expected to answer all questions put by the committee. However, additional considerations come to bear in the case of public servants, since they appear on behalf of the Minister.

They appear on behalf of the minister. I want to make that clear.

Public servants have a general duty, as well as a specific legal responsibility, to hold in confidence the information that may come into their possession in the course of their duties. This duty and responsibility are exercised within the framework of the law, including in particular any obligations of the Government to disclose information to the public under the Access to Information Act or to protect it from disclosure under other statutes such as the Privacy Act.

These are the directives of your House. They have been honoured by successive governments over time.

I could go on and on; I could go into the swearing, but everyone can read here.

I would suggest that you take a serious look at this document. In closing, what I will do is cut out a number of pages and just simply go to a section called “Guidance to Officials”, about who will appear before this committee.

Hon. Navdeep Bains: On a point of order, is this document in both official languages?

The Chair: Yes. That is your own copy, but we have some here. We have it in both official languages here.

Mr. Daryl Kramp: It is good reading.

Next is “Guidance to Officials”. Let us bear this section in mind when we have people here. We have no objection to senior public servants coming in with ministers; I think that is a full and fair response to what you’re requesting.

Officials may give explanations in response to questions having to do with complex policy matters, but they do not defend policy or engage in debate as to policy alternatives.

It is exactly the point my honourable colleague Mr. Moore made here earlier. The government has made the policy. If you have a problem with that policy and/or an objection to that policy and/or want clarification of that policy, that is why we have had ministers here and that is why it is your choice to have a minister back, with senior public servants if you wish.

We willingly stated that we would do that, but might I suggest in closing that there is to me a very obvious conclusion? It is aptly titled; it is in the document that is available to all of us here and it has been a guideline for all ministerial staff, all committees, to follow.

The relationship between the Government and Parliament expresses the fundamental principle of responsible government, namely that those who exercise constitutional authority must be part of and responsible to Parliament. It is Ministers, and not officials, who exercise the constitutional authority of the Crown; and it is Ministers, and not their officials, who are responsible to Parliament. Officials are accountable to Ministers. They may assist Ministers by answering directly before Parliamentary committees; but there should be no doubt that Ministers, and not officials, are constitutionally responsible for the exercise of the power of the state. Thus the cornerstone of responsible government, as manifested in ministerial responsibility, ensures the supremacy of Parliament.

I might suggest to all of my honourable colleagues that they take a very serious look at this document, which has been standard operating procedure for decades for this Parliament, for committees, and for responsible members.

We are talking about bringing in the public works minister. That is wonderful. On the record, I hope my honourable colleague recognizes that the spending in that area accounts for maybe 5% to 7% of the entire savings, or cuts, as someone would classify them. It is important, yes. I don't wish to demean the 5% to 7%, because it means a lot to a lot of people, but let's try to keep everything in perspective while we're going through here. Let's not just be using this committee to score political points. Let's get solid answers.

Madame Thibault has raised some very good points. She wants some solid answers on this. I am suggesting that we bring in the officials with the ministers and ask those questions.

We had senior ministers here. We had Mr. Moloney as a senior public servant with Minister Baird, and the meeting was curtailed early, because there were no more questions.

That is a whole different kettle of fish, but I read it into the record, Madam Chair, because I think it is responsible that we act in a manner that is consistent with past history and tradition and not go out and embarrass the purpose of this committee.

We are very close to moving beyond the normal realm of responsible activities. I think we all share a common goal. You want accountability; you want answers. So do we. We've made decisions. If you don't like them and want to discuss them, or if you're in favour of them, then that's fine; that's fair ball. Let's get to the bottom of that.

• (1200)

The Chair: Thank you.

Mr. Bonin.

Mr. Raymond Bonin: Madam Chair, the committee can invite who they want. They can invite the janitor. We would probably get better answers than we got last week from the minister. There is no doubt about that. The fact that we can summon the officials, if they don't come, is proof that we can invite them. There is no doubt about that.

I've been here 13 years tomorrow—as well as Mr. Mark—and never, never had officials refuse to come to a committee, never. They wouldn't have dared. Everything that was read has nothing to do with what we're talking about here.

I take serious offence to Marie-Claude Tremblay, chief of parliamentary affairs, who is telling this committee: “The 2006-07 Main Estimates will be the subject of rigorous review at that time”—it's not up to her to decide that—“and all MPs will have the opportunity”—it's not up to her to decide that—“to join in the debate. MPs will therefore be able to discuss these issues with the Minister on two separate occasions.... I am sure they will use these opportunities to good effect and that the dialogue will be productive.”

I don't need an employee of the government telling this committee how to do our job, and I think this is insubordination. If I were chair of this committee, she would be invited to account for these remarks.

Now, the way it works, the committee invites the bureaucrats. For the first time that any of us know of, they refused. The committee summons. They refuse again, then the House deals with it. That's the way it works. We can call anybody we want. We can do anything we want, and the Speaker of the House will rule that the committee is master of its own affairs. That is the history of committee work on the Hill. Everything that was read has nothing to do with what we're doing here.

I think we should call the question very soon.

[*Translation*]

The Chair: Ms. Thibault, the floor is yours.

Ms. Louise Thibault: I will be brief, Madam Chair.

With respect what my colleague just read, it is quite remarkable that this was not the reason why he did not come. One day, we are told one thing, the next day we are told something else and last Friday, we were told yet something else again.

I was an official for 23 years and I am very familiar with the work of Ministers and senior officials. I know full well that it is the government that decides. Last week, I asked Mr. Maloney several times what the government intended to do about the specifications that I mentioned. Will he ask his officials to interpret this as “improved efficiency”, i.e. set aside and transfer the unused funds into this \$Billion envelope? I asked if the Treasury Board gave the order. Indeed, I asked very directly.

What was going on with the officials...? They have to find \$1 billion. Public Works has to take some money here and another Department takes it from there. The Ministers and the government make decisions, and the officials implement the decisions. Or did the officials have more room to manoeuvre to review their respective activities and then make their suggestions? The government and the Ministers will certainly decide, but this can be done in several ways. The general public and all of us here know who has the power when all is said and done. Nobody needs clarification on that point. The government must be in control.

During the sponsorship scandal, if officials had failed to testify before the Standing Committee on Public Accounts, there probably would have been consequences... They did it and we actually protected them. We ensured that their testimony would be kept confidential. It is done, and that's why this Committee, like all committees, can go so far as to summon witnesses to appear, even though we prefer not to proceed that way.

We saw fit to first invite Mr. Ouellet and Mr. Dingwall, and then proceed accordingly. We tried to be reasonable. If they had not wanted to testify, we could have sent them a summons to appear. Parliamentarians do not take things lightly. Refer to the document from 1990 or from last night... Don't think we know nothing, newly elected or not. In any case, I would shelve it.

If the Ministers want to accompany their senior officials when they are called to appear, well, they can. The questions that are directed at senior officials are meant for senior officials, not for Ministers. We won't embarrass them. We won't ask them any questions that they cannot answer. We'll ask them questions dealing with their respective fields of responsibility. They should trust us, because the members of this Committee have always operated this way. I do not see why we would change the way we do things.

I now ask for the vote.

● (1205)

[English]

The Chair: I call the question.

(Motion agreed to) [See *Minutes of Proceedings*]

[Translation]

Ms. Louise Thibault: Can we have a recorded vote? I forgot to request it.

The Chair: On the main motion? It isn't too late.

Ms. Thibault requested a recorded vote. We ask the Clerk to proceed with this vote.

The Clerk: It is the motion by...

[English]

Mr. Daryl Kramp: I'd just like to put a footnote comment on that. If I understand the purpose of—

The Chair: We're in a vote. We're not quite finished yet. She wanted a recorded vote.

[Translation]

Ms. Diane Marleau: It is a motion by Ms. Thibault, which was amended.

[English]

Mr. James Moore: On a point of order, Madam Chair, the vote has already in fact taken place. It has gained consent of the majority of the committee.

The Chair: She asked that we do it, which is fine.

Mr. James Moore: The question should have been asked before we had the vote.

The Chair: That's fine. As a committee we will try to serve the members, and she asked that. It doesn't change anything.

[Translation]

Madam Clerk, go ahead.

The Clerk: The vote is on the main motion by Ms. Thibault, as amended.

(Motion agreed to; Yeas 6, nays 5.)

● (1210)

[English]

Mr. Daryl Kramp: Madam Chair, I'd like to put a motion.

I'd like to go on the record. Madame Thibault has asked for a recorded vote on this, and I want to ensure that our recorded vote "no" is taken in the spirit of wanting to hear from witnesses; wanting to hear from ministers and their responsible ministers, in accordance with the traditional rules of Parliament—

The Chair: This is debate, Mr. Kramp. We've already had our debate.

Mr. Daryl Kramp: I want to go on record as explaining—

The Chair: You can't change your vote.

The committee is adjourned until Thursday.

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