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Tuesday, November 20, 2007

—
Chair

Mr. Norman Doyle

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•(1535)

[English]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): The meeting will come to order. We have quorum.

First on the agenda are the routine motions.

Ms. Olivia Chow (Trinity—Spadina, NDP): I'll move the extended routine motions in front of you, just to get them on the floor.

The Chair: Do you want adoption of the routine motions?

Ms. Olivia Chow: It is just to get them on the floor for discussion.

The Chair: There is a motion on the floor to move adoption of the routine motions.

Is there any discussion on that?

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Chair, one thing I want to bring to the attention of the clerk—I previously discussed this somewhat with him—is the routine motion with respect to the subcommittee on agenda and procedure. It references the names of people, but that actually was pursuant to a notice of motion that was passed at the October 5, 2006, meeting.

I would maybe like to distribute this to the opposite members. I'll just indicate why I think it should be corrected, if I may.

The Chair: That is the correction on....

Mr. Ed Komarnicki: It is on the routine motions that we have before us. I would ask for an amendment to correct this motion before the House.

The Chair: That the committee requests that the chair write to the chair of the Standing Committee on Human Resources...or, no, it was agreed that notwithstanding the motion adopted by the committee on Monday, May 8, the subcommittee on agenda and procedure be composed of two Conservative members, one being the chair and the other not the parliamentary secretary; two Liberal members; and one member from the Bloc and New Democratic parties.

Is there any discussion?

What is the parliamentary secretary asking?

Mr. Ed Komarnicki: Mr. Chair, can I just have a quick look at that motion?

The Chair: Has the parliamentary secretary distributed the proper paper?

Mr. Ed Komarnicki: Mr. Chair, if you look at the first page, at the bottom, that was the motion that actually was last passed. So the current routine motion should have that in there. Okay?

The Chair: Yes, okay.

We're on routine motions. Is it my understanding that the committee would want us to go individually through each routine motion that we have before us?

An hon. member: Yes.

The Chair: Okay.

We'll begin with the first motion:

That the Committee retain, as needed and at the discretion of the Chair, the services of one or more analysts from the Library of Parliament to assist it in its work.

Of course, we have that, if I'm not mistaken.

Madame Faillie.

[Translation]

Ms. Meili Faillie (Vaudreuil-Soulanges, BQ): Would it be possible to obtain the document in French? A document was distributed, but we do not have the French version.

[English]

The Chair: You're referring to the document that was distributed by the parliamentary secretary?

You don't have it in French?

Mr. Ed Komarnicki: No, I don't. Because we're dealing with the routine proceedings, and an amendment to the proceedings....

I mean, I can do it verbally. I'm just giving that for the information of the group. It's not a motion or anything like that.

The Chair: We should have it in both official languages, you're quite correct.

Mr. Ed Komarnicki: Here's the point: I can read the amendment verbally, if you like, and then you can do what you want with it. That was just for ease of reference because we're dealing with routine motions and it's an issue of amending the motion.

I can do it on the spot, verbally, if you like.

The Chair: That's the amendment to the first routine motion, that the committee retain the services of analysts from the Library of Parliament?

Mr. Ed Komarnicki: There is no amendment to that.

The Chair: There's no amendment to it. Ms. Chow has moved it already.

Number two currently reads,

That the Subcommittee on Agenda and Procedure be composed of Norman Doyle, Rahim Jaffer, Raymonde Folco, Andrew Telegdi, Meili Faille and Bill Siksay.

We have to change this, of course. We don't have Mr. Siksay, Ms. Folco, or Mr. Jaffer on the committee any more.

• (1540)

Mr. Ed Komarnicki: Mr. Chair, I'll just proceed directly to the first amendment I'd like to make. We'll see how that one goes, and then we'll do the second one.

I propose that it read: That the Subcommittee on Agenda and Procedure be composed of the Chair, the two Vice-Chairs, the Parliamentary Secretary, a second member from the Liberal Party, and a member from the other opposition Party, that the quorum of the subcommittee shall consist of at least three members, one of whom must be from the government, and that each member of the subcommittee shall be permitted to have one assistant attend at any meetings of the Subcommittee on Agenda and Procedure.

The Chair: You've heard the amendment. Let's move to the discussion.

Mr. Komarnicki.

Mr. Ed Komarnicki: The reason for the amendment is that—

An hon. member: Can we distribute copies?

Mr. Ed Komarnicki: Well, we could if you want to.

The Chair: We'd like to have copies of all these amendments, please.

Mr. Ed Komarnicki: What I'm trying to suggest is that because as parliamentary secretary you're involved with the department, the minister, and with your own members, you're quite familiar with the agenda and where it ought to go. Sometimes it makes sense...and I know that Mr. Telegdi at one time suggested I might want to sit on the subcommittee. We were dealing with lost Canadians, and it made some sense.

I mean, vote how you wish, but I simply indicate to you that it might be valuable, in some cases, to have the parliamentary secretary on that agenda-setting committee. If you feel otherwise, fair enough, but I would appeal to you to allow the motion to pass so that I can sit on it.

The Chair: Any further discussion before we go to a vote on this?

Mr. Karygiannis and Madam Beaumier.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Chair, I'm going to present the same arguments I presented the last time we went through this. Having been a parliamentary secretary in the past, when we were a minority government, the Conservatives at that time did not want the parliamentary secretary to sit on the subcommittee. I don't see why we should be changing that protocol and procedure.

The parliamentary secretary certainly is there to represent the minister and has the minister's wishes in mind and the minister's guidance. Certainly the subcommittee should be an individual committee that makes up its mind and has no influence whatsoever from the minister or the ministry itself.

The Chair: Are we ready for the vote on that one or should we go to more discussion?

Madam Beaumier and Ms. Chow.

Ms. Colleen Beaumier (Brampton West, Lib.): My concern isn't even that the minister is having control. I think we've seen in the past, and anyone who was on the immigration committee under the last government knows, that the parliamentary secretary comes to the meetings. She represents more or less the department's position. We are the elected members of this Parliament. We do not need to have interference in our agenda by department officials. They already have enough interference in what we do. I think we've seen this in the past with parliamentary secretaries. I don't like the idea that they're going to control our agenda as well.

The Chair: Thank you.

Ms. Chow.

Ms. Olivia Chow: I just want some clarification. I assume that a second member for the Liberal Party and a member from the other opposition party—i.e., New Democrats, or it could be the Bloc—means, then, that the NDP is not part of the subcommittee on agenda and procedure? If so, I would then object.

The Chair: No, the NDP will be certainly part of it—

Ms. Olivia Chow: Under “other opposition parties”?

The Chair: Right, yes, because I think the intent is that the NDP members would certainly be part of it.

I have Mr. Batters and Mr. Bevilacqua.

Mr. Batters.

Mr. Dave Batters (Palliser, CPC): I have just a quick comment, Mr. Chair, a question, if I might, to Mr. Karygiannis, because I don't know the answer to this.

When we were in the 38th Parliament and we sat on the transport committee together, did you not serve on the steering committee on transport? You did not?

Hon. Jim Karygiannis: No, sir. If I remember correctly—and we can certainly call up the blues—you were the one who was making a big fuss about it—

Mr. Dave Batters: No.

Hon. Jim Karygiannis: —that I shouldn't be sitting in the subcommittee.

The Chair: Through the chair, please, because these things always—

Mr. Dave Batters: No, no, honestly, Mr. Karygiannis, you do have that wrong. It was just an honest mistake.

Mr. Chair, through you, it was an honest question. I couldn't remember.

I thought perhaps you had sat on that steering committee, Mr. Karygiannis. On my honour, I made absolutely no comments that this would have been a bad thing.

I would like to say to this committee—because it's going to fall to me to be on the steering committee, from the Conservative Party, from the government—that you can expect a learning curve. You're going to have to be patient and bear with me as we go through the learning curve. Mr. Komarnicki is very familiar with all these files, so you'll just have to bear with me as we go through it, then.

• (1545)

The Chair: Thank you.

Mr. Bevilacqua.

Hon. Maurizio Bevilacqua (Vaughan, Lib.): Thank you very much, Mr. Chair.

We had a pretty confusing meeting last time, and I certainly don't want to participate in making this one the same way.

If I recall correctly, one of the things we did talk about last meeting was that in fact for routine motions—routine proceedings, actually—the last ones would be applied to this session. We can do that with simply one motion. We don't have to go through all these very specific items. If it's a simple sort of application of past rules, then it's just a simple motion of whether we want to apply them or not.

Mr. Ed Komarnicki: Except we need some amendments...
[Inaudible].

The Chair: Yes, we do have—

Hon. Maurizio Bevilacqua: Do you know which ones?

Mr. Ed Komarnicki: Well, this is one of them.

Hon. Maurizio Bevilacqua: How many do you have?

Mr. Ed Komarnicki: Six.

Hon. Maurizio Bevilacqua: But everything else would be approved—

Mr. Ed Komarnicki: Yes, right.

Hon. Maurizio Bevilacqua: —with the exception of the ones that you have. Is that okay?

Okay, perfect.

Mr. Ed Komarnicki: Do you want to see the six?

Hon. Maurizio Bevilacqua: Yes.

The Chair: Okay, yes, we'll have to—

Mr. Ed Komarnicki: This is the first one.

Just for the record, I'm prepared to say that the other opposition member would be the NDP member, given the configuration of the chair and vice-chair, because it's Liberal and Bloc.

The Chair: Okay, we'll go to Mr. Carrier, and I would imagine we could vote on that particular one and move along to the other four.

Mr. Carrier, Madame Faille, then Mr. Telegdi.

[Translation]

Mr. Robert Carrier (Alfred-Pellan, BQ): Mr. Batters mentioned the Standing Committee on Transport and the fact that the parliamentary secretary was a member of the steering committee and that this was not a problem. I have served on that committee. Policy direction is much more important to this committee and to

most other committees than it is to the transport committee, which tends to focus more on technical considerations. It's important for us to know what the government is planning in the coming days in terms of a technical agenda.

The Bloc Québécois fails to see the point of making the parliamentary secretary a de fact member of the steering committee where he can influence important decisions.

[English]

The Chair: Thank you.

Madame Faille.

[Translation]

Ms. Meili Faille: Thank you. I have been a member of the committee since 2004. In the past, when the department had concerns about certain issues that it wished to deal with on a priority basis, it could send a letter setting out the most important viewpoints. The steering committee would subsequently take note of the letters and set priorities, if it deemed that appropriate.

I fail to see the relevance of having the parliamentary secretary on the steering committee. However, if the department wants to share with us its priorities, then the minister can request an appearance before us.

[English]

The Chair: Thank you, Madame Faille.

Mr. Telegdi, and then we will vote on this particular amendment.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): In 1998, when I was parliamentary secretary, I really wanted to sit on the steering committee, and Mr. Leon Benoit made an impassioned speech from this side—we were over on that side—as to why it shouldn't happen. I have seen great cooperation between some parliamentary secretaries and committee chairs in moving committee business forward. That was in a Liberal majority—I think it was fisheries with George Baker, and the parliamentary secretary was Wayne Easter.

But in practical terms it might be useful, and I will tell you why. The way it's going to operate is that Mr. Batters is going to come to the meeting. We might come to a consensus at the meeting, but when it arrives at this committee, that consensus could be gone.

So in terms of trying to speed up the workload, in this case it might make some sense to have the PS on it. I understand some of the arguments against it, but we've got an awful lot to get done, and I think our time is relatively short. If we want to maximize the output, then it might be worthwhile trying it and seeing how it goes, seeing if it actually increases our ability to get through things speedily.

The way it goes right now, folks, let's not kid ourselves; this is not the last Parliament, where the Liberals were sitting over there, and we all had our individual positions. This is a Parliament where what happens, what comes down from Mr. Komarnicki, is the way that side of the table is going to go.

So unless you want to do one two-step versus “might as well go right to it”, I think it might be beneficial. We have a lot of work to do and a short time in which to do it. I'd like to get as much done as possible.

•(1550)

The Chair: Excellent point.

We've all heard the discussion on Mr. Komarnicki's amendment. Are we ready for the question? I think we are.

(Amendment agreed to)

The Chair: Congratulations, Mr. Komarnicki.

Does anyone have any amendments to witness expenses? No.

Do we need a motion to pass that? No.

Reduced quorum; any amendments to reduced quorum?

Mr. Komarnicki.

Mr. Ed Komarnicki: It now reads:

That the Chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least three members are present, including one member of the opposition.

And I would want to add, after "opposition", the phrase "and one member of the government".

The Chair: Okay.

You've heard the amendment. Any discussion?

Mr. Telegdi.

Hon. Andrew Telegdi: Mr. Chair, I'm having a little difficulty with the government member having to be present. I say that because of the playbook that came out as to how to strike committees, coming from the government. I don't want to give the government the opportunity to boycott the meeting and kill any possibility of us having hearings.

Therefore, I'm not going to support that amendment.

The Chair: Mr. Calkins.

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Chair, I appreciate the intervention of my colleague Mr. Telegdi. In a tit-for-tat world, it would also mean that the opposition could therefore not all show up, en masse, with a witness and leave three government members sitting here unable to hear testimony.

The chair, I guess we could assume, is going to be here as a government member, but the chair, as we all know, doesn't have to be a government member, as well. I know we're talking about reduced quorum. We're not going to be doing anything in that committee meeting that's dilatory or whatever the case may be, we're simply trying to level the playing field.

If we can't add a government member, then maybe I would suppose—this is what I've seen work in other committees—that we could simply remove the line that says there has to be an opposition member, and simply have a chair and three members of the committee to receive the testimony, and get on with the business of the committee.

The Chair: Is there any further discussion? Seeing none, I will call the question.

All in favour of the amendment, please raise your hand.

(Amendment negated)

The Chair: On the distribution of documents—

Mr. Ed Komarnicki: One more point. It seems to me that in line with what Mr. Calkins was saying, it would be appropriate for me to move an amendment to delete the words "including one member of the opposition" from that motion, and I would so move.

•(1555)

Hon. Jim Karygiannis: Mr. Chair, with due respect, we did vote on this. It's done. Had the parliamentary secretary wanted to bring this up, he should—

The Chair: Well, this is what I'm saying. We've already voted on it now, and it has been defeated.

So at some point after we deal with the rest of these motions, can you—

Mr. Ed Komarnicki: In fairness, the point I want to make is that you defeated the motion that was going to add a government member to the group. That's gone. All I'm saying is now we're back to the routine motions, and I'm saying I want to amend it by taking away the reference to having at least one member being in the opposition.

The Chair: I'm informed by the clerk that Mr. Komarnicki has the right to go back, because there was a vote on the amendment to it.

Are you moving a subamendment to this particular one?

Mr. Ed Komarnicki: Put the motion.

The Chair: All in favour of Mr. Komarnicki's subamendment, please raise your hand.

(Amendment negated)

The Chair: On the distribution of documents, are there any amendments?

That one is passed.

Are there any amendments with regard to working meals?

Passed.

For staff at in camera meetings, any amendments?

We have an amendment.

Mr. Ed Komarnicki: I move that the routine motion be amended by adding, after the words "in camera meeting", the following:

, and that each party shall be permitted to have one additional party staff member attend in camera meetings.

The Chair: So it would now read:

That, unless otherwise ordered, each Committee member be allowed to be accompanied by one staff person at an in camera meeting, and that each party shall be permitted to have one additional party staff member attend.

Mr. Karygiannis.

Hon. Jim Karygiannis: Does the parliamentary secretary want to say that a party person, being a member of the Conservative Party, a member of the party of the NDP, the Bloc, or the Liberals, could come here?

In other words, Chair, I can have a member of the party, being my president, walk in here—

Mr. Ed Komarnicki: No.

Hon. Jim Karygiannis: But that's what you said—a party member.

Mr. Ed Komarnicki: A party *staff* member.

Hon. Jim Karygiannis: Well, party staff member could be....

I think we have to clarify that, be it the research, be it the leader's office, or be it the legislative branch.

The Chair: Please clarify, Mr. Komarnicki, before I call for discussion on it.

Mr. Ed Komarnicki: Hold on: just to clarify and maybe to answer Mr. Karygiannis' concern, we could say “one additional staff member from the whip's office of each party”.

An hon. member: And/or maybe research.

Mr. Ed Komarnicki: Or research, House leader, or whip's office; would that work?

Okay, here's what I would say: “that each party be permitted to have one additional staff member from the whip's, House leader's, or research office attend in camera meetings”.

The Chair: Mr. Telegdi, please.

Hon. Andrew Telegdi: I have a degree of discomfort with that, given the fact that we have had information being leaked from in camera meetings. The more people you have, the more that's going to happen. Then you could have the possibility that you would have more...well, never mind the possibility; you would have the probability that you would have more outside members than members at in camera meetings.

I don't think we need that.

The Chair: All right. If there isn't any further discussion, we'll vote on the amendment.

The amended motion would read: That, unless otherwise ordered, each Committee member be allowed to be accompanied by one staff person at an in camera meeting, and in addition to that, one person from either the whip's office, the House leader's office, or the research division of each party.

(Amendment agreed to)

• (1600)

The Chair: In camera meeting transcripts—are there any amendments to that? No?

Carried.

Notice of motions: That 48 hours' notice be required for any substantive motion to be considered by the Committee, unless the substantive motion relates directly to business then under consideration; and that the notice of motion be filed with the Clerk of the Committee and distributed to members in both official languages.

Are there any amendments?

Mr. Komarnicki.

Mr. Ed Komarnicki: It's a very technical amendment.

I know we get these notices of motions, and I've often wondered, when do you calculate the time of the 48 hours to commence? For the sake of certainty, I would like to include the following:

and that the period of notice be calculated from the time the motion has been distributed to the members of the committee by the Clerk of the Committee.

That would be the start of the 48 hours' notice.

The Chair: Are there any further comments?

Ms. Chow, and then Mr. Karygiannis.

Ms. Olivia Chow: I have a question to the clerk. If a substantive motion relates directly to business—for example, if we are supposed to deal with the supplementary estimates—then that does not require 48 hours' notice. Am I right in that assumption?

The Clerk of the Committee (Mr. Andrew Chaplin): If the committee is in a meeting where the orders of the day are the supplementary estimates, and someone moves a motion directly related to their consideration or following out of their consideration, that is in order and no notice is required.

Ms. Olivia Chow: I have one other question then. If I want the supplementary estimates to come here before they get to the House, say, on Thursday, the day after tomorrow, would I be able to make the motion today, or do I need to give 48 hours' notice? I'm just using that as an example, because that is something we will probably have to do.

The Chair: Mr. Clerk.

The Clerk: As this is committee business, and that relates directly to committee business, I would advise that this would be in order.

Ms. Olivia Chow: So it does not require 48 hours' notice.

Thank you very much.

The Chair: Mr. Karygiannis.

Hon. Jim Karygiannis: Mr. Chair, as long as the motion gets to the clerk 48 hours in advance of our meeting, I would say that's sufficient. This is the practice we had in the past. This is the practice that should continue. I don't see why we require any changes.

Mr. Ed Komarnicki: It's important not when the clerk gets it, it's important when we get it. That's the significant issue. So I'm saying if the clerk gets it, he should immediately send it to us—it's simultaneous—but if it gets stalled in the clerk's office, we may not get it in time. It should be 48 hours from the time that the notice was sent out.

Hon. Jim Karygiannis: Chair, in all due respect, I think it would be up to the clerk to make sure that once the clerk does get it, it should be distributed. So once you send it in, if it's in fair time.... If we're sitting here and a motion is passed to the clerk, the clerk has to go back to send that out. So it should be 48 hours from the time it gets to the hands of the clerk, and the clerk should do due diligence to make sure we get it in ample time.

The Chair: Are we all ready for the question?

(Amendment agreed to)

Mr. Ed Komarnicki: Mr. Chair, under motions I had one other amendment. Again, it's something that—

The Chair: Is it with regard to this particular motion, the one we just passed?

Mr. Ed Komarnicki: Right, but a different aspect of it.

Hon. Jim Karygiannis: Mr. Chair, why weren't they moved together?

Mr. Ed Komarnicki: Well, because there are two different subject areas. I thought I'd make it simple for you, Jim. No—I take that back.

One was to do with notice, and was a technical matter. This one has to do with the substantive issue. After the words “Clerk of the Committee”, we would add,

and that all motions shall be moved by their sponsor within two meetings of their first being listed on the agenda as committee business, failing which, the motion shall be deemed abandoned by the mover and shall be dispensed with and may no longer be subject to committee consideration.

What we have had happen is motions get filed and never get dealt with. They keep sitting in the basket, so to speak, and then they're hooped out of the basket whenever. We're saying if there's a motion that is put before this committee, it should be moved within two meetings of its being brought before this committee.

The Chair: Okay. Is there discussion?

Mr. Karygiannis, Ms. Chow, and Madame Faille.

Hon. Jim Karygiannis: Chair, we never had this in the past. All the motions that were moved were dealt with. I'm not sure where Mr. Komarnicki is getting his information that they were sitting in the basket. As far as I can remember, in this committee we never had that, and I don't see the use of having to say that if they're not moved, they'd be disposed of and not be able to be brought back.

I'm certain that any member of this committee can bring back a motion, even if he or she is not here.

• (1605)

Mr. Ed Komarnicki: But then they have to give the 48 hours' notice. What I've found in the past is that we have a motion brought before us, then for one reason or another it's not dealt with. But the 48 hours has been complied with. Then you come to a meeting and you have to deal with that motion, because the mover wants to move it.

I'm saying that if the mover wants to move it and gives us notice, he should move it within two meetings, and if he doesn't, then he needs to start again.

Hon. Jim Karygiannis: But Mr. Chair, wouldn't the mover need unanimous consent in order to move it?

Mr. Ed Komarnicki: No, because it's already been moved and it's in the basket, so to speak. This would prevent that from happening. If after two meetings you haven't moved it, it falls off and you have to start again. That's what the intent of the motion is.

The Chair: Okay.

I think I have Madame Faille and Ms. Chow.

[*Translation*]

Ms. Meili Faille: Thank you, Mr. Chairman.

Again, I think the committee must remain the master of its own destiny. This kind of motion makes our way of operating more cumbersome in that it will be tabled again and reviewed in the priorities. I feel that it is completely unnecessary. We have never operated in this manner.

[*English*]

The Chair: I see no more hands. We'll go to a vote on the amendment.

(Amendment negated)

The Chair: Are there any amendments to the motion on the designation of an acting chair?

Okay, passed.

We'll go to the motion on the main and supplementary estimates:

That, whenever the Main Estimates or the Supplementary Estimates are tabled in the House, the Committee invite the Minister and appropriate senior officials to appear at a televised meeting of the Committee, if possible.

There are no amendments.

Hon. Jim Karygiannis: Chair, I have a point of clarification. Should that be done, then before the amendments are moved, especially in the main estimates, the chair should exercise due caution and not railroad us as has been the practice in the past. I do remember a meeting, sir, when you just sort of railroaded, when there was a motion on the floor. You just didn't listen at all.

So that is just a caution.

The Chair: Was that during supplementary estimates?

Hon. Jim Karygiannis: Yes, sir.

The Chair: Well, if I recall correctly, there was a problem in that particular meeting. I'm not going to get into it, but it was one of keeping order. It was impossible to keep order at that meeting, so the chair adjourned the meeting.

I think that is what you're referring to.

Hon. Jim Karygiannis: [*Inaudible—Editor*]...if the chair had adjourned, as you're saying, sir, then the main estimates would have fallen off.

The Chair: Okay, well, that's a discussion for another time. We'll move along.

Are there any amendments to that? No.

Okay, passed.

We're on the motion entitled “Chapter of a Report of the Auditor General”. Are there any amendments?

Passed.

Now to questioning of witnesses. We've gone through three different scenarios, and this is the one that we settled on at one of our many meetings when this was brought up. Is there any need to go into this again?

Mr. Ed Komarnicki: I have one minor explanation, an amendment, I'd like to bring forward, just to bring it in line with our practice. Just to explain where I'm going with this amendment, the motion now reads, “after which, this schedule will repeat with a (5) five time limit for each round, and that no individual member be allowed to participate more than once in each round”.

That is the way we normally proceed, excepting that another individual can give up his time so the other person can continue. This would prohibit that, but we've done it time after time.

So I would like to amend this by adding, at the end of that phrase, "unless another member gives up his allotted speaking time".

The Chair: Okay, it is that no individual member be allowed to participate more than once in each round unless another member gives up his allotted speaking time.

Is there any discussion on that? Does that sound fair?

[*Translation*]

Ms. Meili Faille: Could you repeat the amendment?

• (1610)

[*English*]

The Chair: Well, if you go to the very end, there's a five-minute time limit for each round, and no individual member is allowed to participate more than once in each round, unless—and this is the addition—a particular member should wish to relinquish his speaking time to another individual.

Okay?

(Amendment agreed to)

The Chair: Mr. Komarnicki.

Mr. Ed Komarnicki: There are two other amendments I want to make to this by adding another two subheadings. One is dealing with priority of legislation.

It doesn't say it here, but I would like to move an amendment that would add a subsection called "Priority of Legislation":

That the consideration and examination of any Bill (Government or Private Member's Bill) which falls within the express mandate of the committee shall take precedence over any study or non-legislative examination, and in such circumstances the non-legislative study shall be deferred until such time as the Bill is reported back to the House.

The Chair: Do you have a copy of that?

Mr. Ed Komarnicki: I do.

The Chair: Would you distribute it, please.

Is there any discussion on this from the mover? If not, I'll go to Ms. Chow.

Is there any discussion on it, or have you made it clear?

Mr. Ed Komarnicki: I would just add the fact that if there is a government bill or a private member's bill, we should deal with it when it comes to this committee, defer everything else until it's done, and then continue with our agenda.

The Chair: I would ask members to make every effort from now on to have it distributed in both official languages. It's not fair to the French members.

I think we've had a lot of amendments that have gone through and been discussed, so I think we'll discuss this one as well.

I'll repeat the amendment:

That the consideration and examination of any Bill (Government or Private Member's Bill) which falls within the express mandate of the committee shall take precedence over any study or non-legislative examination, and in such circumstances

the non-legislative study shall be deferred until such time as the Bill is reported back to the House.

So I would imagine what it does is give priority to a bill.

I have Mr. Telegdi and Madam Chow.

Hon. Andrew Telegdi: Mr. Chair, I do not agree with that, for various reasons. The committee is master of its own agenda. The committee has acted very responsibly. We have actually wanted legislation that hasn't been forthcoming. So I don't see where the issue lies here.

Ultimately it's going to have to be a decision made by the steering committee and the committee itself as to what our agenda is going to be. I don't want to tie the committee's hands in any way to make that happen.

The Chair: Madam Chow? No?

Mr. Calkins.

Mr. Blaine Calkins: Are we still speaking to the—

The Chair: Yes, to the amendment.

Mr. Blaine Calkins: Thank you, Mr. Chair.

As a fill-in member today, I don't know what the history of this particular committee is, but given my parliamentary experience so far, I agree wholeheartedly with the sentiment that the committee must be the master of its own destiny. It certainly has to be.

But according to our parliamentary operations, every bill must be sent to committee and reported back from committee, so the committee does have an obligation, in my opinion, to deal with legislation as it comes through. If the legislation could bypass the committee and not hold up Parliament...otherwise, I think the committee is in a position where it could be in contempt of what Parliament is trying to do. And ultimately all parliamentarians are there to pass legislation and speak to the matters at the national level.

It would seem out of context for a committee, for example, to stall legislation. I fully support this addition to the routine proceedings.

• (1615)

The Chair: Thank you.

Madame Faille, and Mr. Karygiannis.

[*Translation*]

Ms. Meili Faille: Thank you, Mr. Chairman.

My comments are along the same lines as those of my colleague Mr. Telegdi. As for the different bills that have been tabled by the government, the committee has always carefully considered each proposal and piece of draft legislation put forward. Only rarely has an extension been requested. In some cases, the committee has even given priority to the study to allow more people to benefit from legislative changes.

Consequently, as far as the smooth running of this committee goes, we feel this motion is unnecessary.

[*English*]

The Chair: Thank you, Madame Faille.

Mr. Karygiannis.

Hon. Jim Karygiannis: I agree with Madame Faille. This committee has acted with due diligence. We looked at the legislation that has come through the House, and certainly if we need to work on it, additional meetings could be held.

I don't think this is needed. This is pretty much telling grown-up individuals how to act and how to behave and how to move things forward, when this committee has collegially worked together and functioned pretty well.

The Chair: Are you ready for the question on the amendment by Mr. Komarnicki?

(Amendment negatived)

The Chair: You have one more amendment, Mr. Komarnicki?

Mr. Ed Komarnicki: Yes, one more. I want to speak just a bit to this one. It has to do with minority reports.

My sense is that it would be good to set rules relating to dissenting reports that are reasonable today, because at some points the committee imposes unreasonable time limits.

I recall that at one point I had to do a dissenting report before nine o'clock in the morning and had to have it translated in two languages through the night and had somebody working through the night to get it done. It certainly wasn't reasonable.

There must be some kind of reasonable standard, whatever it is, that we can all comply with, if we want a minority report.

The Chair: So the amendment is...?

Mr. Ed Komarnicki: The amendment is as follows:

that every party shall have the right to attach as an annex a dissenting opinion on any report to be presented to the House of Commons by the Committee, and that this dissenting opinion shall be submitted to the Clerk of the Committee within 72 hours of passing of the report by the committee.

That's three days. Now, you could argue whether three days is too long.

The Chair: What is the current practice? Is it 48 hours?

Mr. Ed Komarnicki: The current practice varies across the board. I had to do one through the night by nine o'clock in the morning, and that was unreasonable.

At least two to three days would be reasonable, but one night is not, because of the fact that you have to translate it. I think three days is not unreasonable; two days is not unreasonable.

The Chair: Thank you, Mr. Komarnicki.

Madame Faille.

[*Translation*]

Ms. Meili Faille: We totally disagree with the proposed amendment. If more time is needed to draft the reports, maybe the parliamentary secretary could suggest that dissenting reports be shorter in length. That would free up the time needed to draft minority reports.

All kidding aside, when we draft a dissenting report, we already know what the subject matter will be. We have given the matter considerable thought. The committee needs to remain flexible and to examine situations on a case by case basis. This approach has served us very well.

Mr. Chairman, you have shown due diligence in negotiating the length of documents and the time required. Therefore, things are fine as they are.

[*English*]

The Chair: Thank you.

You may have one more point, Mr. Komarnicki, before I go to a vote.

Mr. Ed Komarnicki: It wouldn't be quite fair to say that you've thought long and hard about some of the reports. Some of them have been moved by way of a motion, and there really hasn't been a lot of time to reflect on it.

Secondly, in a democracy where you have a choice to debate and to go back and forth, one should not be afraid to give the other side the opportunity to put forward a reasoned opinion. Whether you agree with it or not, whether I write the dissenting report or whether you write it, I think you should have a reasonable opportunity to express yourself in a democracy.

And I can tell you, one day is not reasonable. It puts extreme pressure on, unnecessarily. If there were an emergency, I would be prepared to say "except in an emergency", but if there is no emergency, two days or three days is not unreasonable. I would give you that opportunity.

I think anybody writing a dissenting report should have the privilege to express himself or herself in a reasonable period of time.

• (1620)

The Chair: You have heard the amendment on 72 hours for minority reports.

All in favour?

(Amendment negatived)

The Chair: Does that cover all the—

Hon. Jim Karygiannis: I'd like to make an amendment to the routine motions.

I would like to see, Chair, every time the minister and/or any officials are coming to speak to us, that if they are speaking from notes, a copy of that speech and/or the notes be given to us as soon as the minister starts speaking, so that we can follow it. It's the practice of ministers—be it on the Liberal, or the Conservative, or any side—that they come in and go through it, and you don't have a copy of the text in order to follow it.

I think this should be part of our routine proceedings: that when the minister or officials who come in have speaking notes they have prepared in advance, we should get copies of them in both official languages.

The Chair: The amendment is in order, but I think we'd like to see it condensed a little bit so we can put it in to the clerk to have it published.

Is there discussion?

[*Translation*]

Ms. Meili Faille: The motion as such appears quite restrictive in that it pertains solely to documents from the minister and officials.

May I remind the committee that at the last meeting, the department had called a meeting to discuss persons without status and was supposed to give us some statistics. The binders in question have not yet been made public.

Having copies of the speeches in advance obviously helps the committee to operate more smoothly. We often work with the translation. In the past, we have put questions that have not been interpreted as such, which had led to some misunderstandings. Having the text in advance makes it easier for us and allows us to make a more positive contribution to the committee.

Therefore, we support this motion.

[*English*]

The Chair: Is there any further discussion? Seeing none, I will call the question on speaking notes being distributed.

How would we word it? The amendment is that speaking notes of the minister, or officials, who appear before the committee be distributed to members on a timely basis, or...?

Hon. Jim Karygiannis: It's on a timely basis, Mr. Chair, and that we be given copies as soon as the speaker starts speaking.

The Chair: We'll have the clerk write that up and put it in our routine motions—if it should pass.

All in favour?

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

The Chair: That looks after routine motions.

Next on the agenda would be...

No, we went a little bit ahead of ourselves. There should be a motion to adopt these routine motions—I think Ms. Chow already moved that, seconded by Mr. Karygiannis—as amended.

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

The Chair: Before I go to Ms. Chow, did you have a point, Mr. Karygiannis?

Hon. Jim Karygiannis: I have a point of privilege on a letter that I have sent to you, sir, that I would like to discuss.

The Chair: Yes, I think we have that, but I think that's down below the notice of motion, so we'll go to Ms. Chow first and then we'll go to that.

Go ahead, Ms. Chow.

Ms. Olivia Chow: Mr. Chair, on this motion, just to expedite the matter, I think we would...

What you have is two motions in front of you. I've spoken to some committee members, and we are just now in receipt of the parliamentary information research, so there's a very good document in front of us.

I'm comfortable discussing it today; however, I've heard that some members would like to defer consideration of this motion for one or two meetings, so that they could hear directly from the people whose lives we're going to impact—i.e., war resisters. I thought that would be an appropriate motion, so I thought I would actually move a deferral of my motion for two meetings. In these two meetings we

would have hearings from the people we are debating on this issue. If folks want to have three meetings or one meeting, I'm completely flexible on that. I'm willing to accommodate whatever time we need to discuss this issue in a way that is appropriate, and in a way that people feel comfortable with, so I'm moving that and putting it in front of the committee.

• (1625)

The Chair: Okay.

Go ahead, Mr. Bevilacqua.

Hon. Maurizio Bevilacqua: I think that's a reasonable approach. Discussions that have taken place between some members of the committee suggest that the individuals affected by the motion be given a fair opportunity to be listened to so that we can arrive at a resolution of the motions presented at our last meeting by Mr. Karygiannis as well as Ms. Chow.

The Chair: Thank you.

Madame Faillie.

[*Translation*]

Ms. Meili Faillie: I would simply like to make a comment to assist the committee in its work. We need to make a decision sometime in the next two meetings, but the committee's agenda has yet to be set. I was wondering if we could prepare some specific questions so that the government could advise us of its position.

I have nothing against hearing from witnesses and persons concerned, given that the situation is serious enough. However, details of the war in Iraq, which countries were involved and the broad implications of a political decision down the road are also serious considerations. I'm wondering if it would be possible to have questions, or legal opinions of sorts, that could be explained to us by representatives and officials.

Mr. Chairman, several different concepts have been floated, including that of an illegal, illegitimate war. A series of events occurred resulting in Canada's decision not to take part and in the United States deciding unilaterally to send troops to participate in the conflict. This is what I'm alluding to. There is also the issue of the presence of troops in Iraq. We know that approximately 168,000 American soldiers took part in the war in Iraq, along with troops from Great Britain, Poland, Australia and South Korea. If we are to develop a policy, we need to take into account all of the countries that were involved in the conflict in Iraq.

[*English*]

The Chair: The point I was going to make is that the committee is the master of its own agenda. We do have a steering committee meeting coming up right after this meeting, so I don't know if it would be right for me to say, yes, we should do that, or whether we should refer it to the steering committee, or if you want to deal with it right here. I mean, we're master of our own agenda.

I'll go to Ms. Chow, and then Mr. Bevilacqua.

Ms. Olivia Chow: May I clarify? I know this committee will need to deal with the estimates. When I said to defer motions for two meetings, it does not necessarily have to be that it would come back next Tuesday. If we have to do the estimates, then we will have to do the estimates, because it's coming to the House of Commons.

The Chair: You say to defer the motion for two meetings—

Ms. Olivia Chow: In order to obtain hearings from witnesses, I did not say that it has to come back on November 27. I assume that we'll have to do the estimates, after which we will have the hearings.

The Chair: Okay.

Mr. Bevilacqua, Mr. Karygiannis, and then Mr. Komarnicki.

•(1630)

Hon. Maurizio Bevilacqua: In reference to the process, you're hearing this, and then, as soon as we finish this meeting, you will bring those items and sort it out.

So in regard to peoples' names and the organizations, we will be forwarding those to you, right?

The Chair: Okay.

Mr. Karygiannis, did you have a point? Your motion that's coming up next is very much like this one.

Hon. Jim Karygiannis: My motion is certainly in the same vein and on the same page, and as I've heard from Madame Faillie, not only do we have in question the individuals from the United States, but there are other countries that we must consider.

If a country has mandatory service and that country tomorrow were to decide to go into Iraq, and the people from that country decided, for whatever reason, enough is enough, they're not going to stick around to go there, as we had the draft dodgers from the Vietnam war, and they're going to go to Canada and seek refuge, we also have to consider that perspective.

So I would agree that we should consult stakeholders, individuals and groups—the Quakers, for example. I've had a lot of representations, and I've had a lot of representations from individuals. So the steering committee should certainly consider this, but by the same token, there are other issues that we were dealing with in the past that cannot afford to be put on the back burner.

There's a letter I've sent to you that I would like to address.

The Chair: Yes, I have it.

Mr. Telegdi.

Hon. Andrew Telegdi: Mr. Chair, given the timeframe we have for committee meetings and quite a number of agenda items to get through, and even though we normally end our committees at 5:30, it would be possible for us to attach another couple of hours to that and get an extra meeting in to clear up some of the issues—particularly on a Tuesday night, since we're here on Tuesday.

Now, Thursday might be a problem, because some members are departing on Thursday evening. In those cases, when we do that, we can perhaps have supper, because we know that the parliamentary secretary is much better to deal with when he gets to eat.

The Chair: When he has a full tummy.

Mr. Komarnicki.

Mr. Ed Komarnicki: If I'm hearing this right, the idea is to defer the motion to a later date and refer the issue of calling witnesses on

the motion to the subcommittee to deal with in light of the total agenda they have to deal with.

Is that right?

The Chair: We will be dealing with it in the next 10 minutes, hopefully. Okay?

Is that it?

Hon. Maurizio Bevilacqua: But also, in fairness to the individuals involved, some are potentially facing removal from Canada, so that has to be factored in as well.

Mr. Ed Komarnicki: The committee will have to make a decision whether or not to proceed and when, based on everything else before them.

Hon. Jim Karygiannis: Chair, I think the steering committee has certainly heard clearly our wish to hear it, and certainly we'll be dealing with this.

The Chair: Ms. Chow, are you happy with that?

Ms. Olivia Chow: Can I hear the actual end wording? I'm hearing that we are deferring the motion for two meetings, for hearings from witnesses and stakeholders....

No? Was there an amendment?

So we're deferring the motion for two meetings, and the question of whether we are hearing from witnesses or stakeholders will come up later.

The Chair: It will be taken up at the subcommittee meeting immediately following this meeting; there seems to be a desire to do just that.

Hon. Maurizio Bevilacqua: I would imagine, Ms. Chow, that you would probably agree with me that the motion, obviously, should be dealt with after we have the hearings, right?

Ms. Olivia Chow: Yes, I would make that assumption.

The Chair: So it depends on how we technically work that out at our subcommittee meeting when we meet in a few minutes.

In effect, the motion will be deferred to a later date, pending, of course, hearings bringing forth witnesses, with the technical part of it to be worked out at our subcommittee meetings.

Is that fair?

•(1635)

Ms. Olivia Chow: I have a friendly amendment, just to clarify this. How about deferring the motion to no later than December 13, or before the end of this session? If not, we can be back here because then we are looking at next year or a year later, when all of them could have been deported by the time we come to it.

So can we say that it would come prior to the Christmas break? That would be fair because that would give us a total of a month and a half.

The Chair: Okay. Well, I think there is consensus to do just that.

Mr. Ed Komarnicki: So we would defer the motion to after the hearings, but you don't want the motion deferred later than December 12?

An hon. member: Yes.

Mr. Ed Komarnicki: But if and when the hearings are held would be up to the subcommittee, which may or may not necessarily happen by the end of the year, depending on what the subcommittee decides.

Hon. Maurizio Bevilacqua: No, no, the hearings have to occur before the end of the year. We could also place a condition on the subcommittee right now.

Mr. Ed Komarnicki: Okay, perhaps we should understand that and debate that, because while we may agree with the concept of it, we may not want to usurp the subcommittee's agenda by putting a limitation on that saying those hearings must take place before December 31.

An hon. member: Why don't you let the subcommittee do its work?

The Chair: Mr. Telegdi.

Hon. Andrew Telegdi: [*Inaudible—Editor*]...because the subcommittee is going to meet and recommendations of the subcommittee have to be approved by the committee anyway. So let's not—

The Chair: Let's not get bogged down.

Mr. Karygiannis, your motion, which was next, was pretty much like Ms. Chow's. You're okay with that?

Hon. Jim Karygiannis: I would like to address the letter, Chair.

The Chair: The letter to the clerk, dealing with.... I don't have it.

What did I do with the letter? Does anyone have a copy they can give me?

Ms. Olivia Chow: Mr. Chair, before you move on to the next item, I assume you've called the vote and that the motion I have put in front of you, to defer the motion until December 13 subject to hearings, etc., is approved.

The Chair: Yes.

Ms. Olivia Chow: Thank you.

The Chair: So the letter that came from Mr. Karygiannis had to do with routine motions and the future business of the committee, both of which have been dealt with, I suppose.

Hon. Jim Karygiannis: I would say, Chair, if I may speak to the letter—and it's very unfortunate that you don't have copies to distribute to members—if you want to call it my complaint or my point of order or my point of privilege, whichever it falls under, there's the fact that there was stuff on the agenda that we had before that is there right now. There are people out there who want to know if we're going to be proceeding on this or not.

Yesterday morning the minister made an announcement about the Iraqi refugees. She made the announcement well in advance and counted on a knee-jerk reaction because Anna Maria Tremonti of the CBC certainly put the question to her. Since then, Chair, I have canvassed some of our witnesses who wanted to come here and speak to the Iraqi issue. I can certainly give you some of the stuff I have received to table it for the committee and certainly I will go through it with you.

An individual, who is also the president of the Iraqi society in Toronto, when the question is asked if she feels the announcement made by the minister goes far enough on this issue—

Mr. Ed Komarnicki: Just on a point of order, Mr. Chair, the member is referring to something that has not been distributed in either language. Should we not know what he's talking about? I haven't seen the letter.

Hon. Jim Karygiannis: Maybe you want me to read the letter. I could read the letter.

Mr. Ed Komarnicki: I suppose you could.

The Chair: Maybe I can clarify here without going into the letter. The motion of Mr. Karygiannis, after division, was that the committee readopt all the routine motions—there's no need to get into that, because all that's been done already—that the committee resume all studies under way at the time of prorogation, and that the steering committee engage to produce a program to complete them.

That was the motion. So the steering committee is going to deal with the latter part of that motion, the studies of the standing committee and what have you, to be adopted again.

• (1640)

Hon. Jim Karygiannis: Mr. Chair, am I taking it that you're recommending that the agenda as we had it is brought forth and does not get dropped from the radar screen?

The Chair: I don't think I can do that, but I got a consensus from just talking to individual members that some of these, if not all of the things we had on the agenda, were very important, and that we should go to these again and complete them, like lost citizenship and what have you. We did have motions on undocumented and temporary foreign workers, Iraqi refugees, immigration consultations, and a draft report on Canadian citizenship.

Hon. Jim Karygiannis: Mr. Chair, may I seek unanimous consent, through you, that we recommend, that we ask the steering committee, or that we suggest to the steering committee, or that we order the steering committee not to drop these items from the agenda? I'm sure everybody in this room will be in agreement with that.

An hon. member: Absolutely.

An hon. member: I'd take out the word...[*Inaudible—Editor*]

Hon. Jim Karygiannis: Fine. I mean, the agenda as it was...we ask the steering committee, the agenda as it was, that the agenda gets brought back. And none of these items that are important to our stakeholders, that are important to the people who have put their names forward, are dismissed.

The Chair: Yes. I mean, it's very important, I think, that we continue with these agenda items.

Okay?

Mr. Batters—

Hon. Jim Karygiannis: Chair, as a point of clarification, I did refer to some e-mails. I will table them for the committee.

The Chair: Good. Thank you.

Mr. Batters.

Mr. Dave Batters: I have a point clarification, Mr. Chair, and I think it's an important one.

While you were occupied with the clerk, Ms. Chow made a point of clarification about her motion. She said she could assume that her motion that was brought forward, the matter of the Iraq war refugees, would be heard before we broke for Christmas, December 13. And really, that wasn't...we didn't ever vote on it.

You indicated quickly that, yes, we did. Mr. Telegdi actually made comments that, no, we're getting into semantics; that's all going to be dealt with by the steering committee. That was my understanding as well, that all of that would be dealt with by the steering committee, understanding that there was a tight timeframe involved and we want to hear from these individuals as soon as possible, before voting on that motion.

So I just want to correct you, Mr. Chair, for the blues. Ms. Chow asked a question as to whether her motion of December 13 being a deadline had passed, and you said yes. I don't think that's the case. It was deferred to the steering committee, for the steering committee to decide.

I think that more accurately reflects what happened in this room.

The Chair: Yes, I think that's true.

Ms. Olivia Chow: Mr. Chair, then I will move this motion and have this motion come back at the next meeting, on the odd chance that at the subcommittee—I'm just being a bit cautious—this item will not come up for several months.

I certainly do not want that to happen. I'm judging on good faith that it would be fine, and it would come back before December 13, after we work out all the agenda—

The Chair: I get the impression from the committee that they would want to deal with it.

Ms. Olivia Chow: Well, then, I see absolutely no reason why we wouldn't actually get a vote, a precise vote, to say that we would defer this motion until December 13 and have it come back for discussion.

Now, mind you, if we end up having a long debate and there are many other items, we can come back and say, hey, we'll defer it again until February or March. But certainly, given that there is a motion on the floor, I think I need to have an assurance that at least after today's subcommittee meeting, we will have a very clear signal that we're not going to defer this for a long time and nothing happens.

So if you do not want to call a vote on this matter—

The Chair: Well, I just can't tell you what the subcommittee is going to decide upon. The subcommittee is—

•(1645)

Ms. Olivia Chow: So my motion is still on the order paper. If it's a problem, I will bring it back next Tuesday, just for—

The Chair: Let's just wait and see what the subcommittee comes up with today.

Hon. Jim Karygiannis: If I may make one clarification—I want to speak to this—I appreciate the fact that the individuals whom we're dealing with need to be dealt with in an appropriate and fast fashion, but I think there's other stuff on the agenda. For example, with respect to the Iraqi refugees, we have people over there who are getting killed, people who are stuck at the border, and they're forced back out of Syria and Jordan to go back into Iraq.

I'm just wondering if Ms. Chow doesn't feel that this also is important and we have to deal with that by December 13.

If that's not the case, please clarify.

The Chair: I think we need to leave this to the subcommittee to deal with in a few minutes from now. We'll be able to give you a better read afterwards.

Is that satisfactory, Ms. Chow, that we let the subcommittee deal with it, on good faith?

Ms. Olivia Chow: Just to be precise, the clerk would understand that this motion is not dealt with at this point and we will see where it goes, and I may or may not bring it back at the next meeting.

The Chair: You can always reintroduce it.

Ms. Olivia Chow: Absolutely.

The Chair: Okay.

Hon. Jim Karygiannis: Chair, if I may, I was wondering if Ms. Chow can answer my question, the one that I posed to her.

Ms. Olivia Chow: There's absolutely no reason to.

The Chair: Well, let's not get into—

Hon. Jim Karygiannis: Sorry, what was that? No reason to what?

The Chair: Order.

Let's not get into this—

Ms. Olivia Chow: Mr. Chair, I have a point of order.

If you want actually a speech on what's happening in Iraq, I could do so. I didn't think that this was the item in front of us, talking about the war in Iraq. Yes, absolutely, we need to bring all the refugees from Iraq to Canada as quickly as possible. We need to expedite it. I've said so publicly several times.

And yes, I've listened to *The Current*. It is heartbreaking, what's happening.

And yes, I would work with Mr. Karygiannis—

The Chair: Order.

We're going to go into a subcommittee meeting, so I would ask the members of the subcommittee to stay behind.

Thank you.

The meeting is adjourned.

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