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Tuesday, November 13, 2007

—
Chair

Mr. Rick Casson

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•(1105)

[English]

The Clerk of the Committee (Mr. Samy Agha): Honourable members of the committee, I see we have a quorum, so we can proceed to the election of the chair.

I'm now ready to receive motions to that effect.

Ms. Dawn Black (New Westminster—Coquitlam, NDP): I nominate Rick Casson.

(Motion agreed to)

The Clerk: Mr. Casson is the duly elected chair of the committee.

Before Mr. Casson presides over the meeting, I'll proceed to the election of the vice-chairs.

[Translation]

Hon. Denis Coderre (Bourassa, Lib.): I nominate John Cannis.

[English]

The Clerk: Are there any further motions?

(Motion agreed to)

The Clerk: I declare Mr. Cannis duly elected first vice-chair.

For the second vice-chair—

[Translation]

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): I nominate Mr. Claude Bachand.

[English]

The Clerk: Are there any further motions?

(Motion agreed to)

The Clerk: I declare Mr. Bachand duly elected second vice-chair of the committee.

The Chair (Mr. Rick Casson (Lethbridge, CPC): Is that it? Is it my turn?

Well, thank you very much, committee, for that vote of confidence. You had to deal with me in the last session, and you're going to have to deal with me again. But I do look forward to it.

I think that of all the committees in the House of Commons at this present time in the history of this country, this is a very important committee to be involved in. We have a lot of issues facing our good, brave men and women, and I think it's great.

I look around the table, and I welcome back the ones that were here before and welcome new ones. Anthony, it's good to have you back, and James, welcome. I guess the other two on your... It's Cannis and McGuire, is it? Okay.

We welcome the researchers back. How do you guys get nominated for this job?

A voice: It's a prize.

The Chair: And of course we have a new clerk, Mr. Agha. Welcome. Hopefully we will work well together and get some things accomplished.

Those are the only two items we had on the agenda. Should we adjourn, or do you guys want to do some more work while we're all here?

Let's go to routine motions, then.

Go ahead, Mr. Coderre.

[Translation]

Hon. Denis Coderre: Perhaps for the next meeting, we could discuss amongst ourselves. A lot of work was done beforehand and I think that there are still things to finish, specifically the matter of procurements etc. So we could have that on the agenda for the next meeting, so that we can discuss it at the committee in the days to come.

[English]

The Chair: Good. I appreciate that.

I believe that the next meeting will be a meeting of the steering committee to establish the agenda. So I think we can certainly deal with all the issues we have ahead of us.

Okay, is it all right if we move into routine proceedings? All right, we'll do that.

Now, the first item is on the services of an analyst from the Library of Parliament. It is that the committee retain, as needed, at the discretion of the chair, the services of one or more analysts from the Library of Parliament to assist in its work. Is there a discussion on that?

Some hon. members: Agreed.

The Chair: Second is that the subcommittee on agenda and procedure be established and be composed of the chair, the two vice-chairs, and a member of the other opposition party.

Is there any discussion?

Go ahead, Mr. Hawn.

• (1110)

Mr. Laurie Hawn (Edmonton Centre, CPC): Mr. Chair, I do have a suggestion for an amendment to that: that the subcommittee on agenda and procedure be composed of the chair, the two vice-chairs, the parliamentary secretary, the second member for the Liberal Party, and a member from the other opposition party.

The Chair: Okay, so that's an amendment.

Mr. Laurie Hawn: It's an amendment effectively adding the parliamentary secretary and another member from the Liberal Party to the subcommittee.

The Chair: Okay, you've heard that amendment. Is there any discussion?

Yes, Ms. Black.

Ms. Dawn Black: Well, we went through this last time around, when the parliamentary secretary was asking to become part of the subcommittee on agenda, and it was turned down because they felt, and I continue to feel, that the government side has good representation on the committee, and it's not necessary to add the parliamentary secretary to that subcommittee.

Mr. Laurie Hawn: I understand that, and of course I was here for it.

Part of the rationale behind this is so that we don't put the chair into a particular situation where.... He can participate in the subcommittee in a less directorial, less partisan way than he possibly might be able to do now. It just broadens the subcommittee to allow a little more non-partisan representation on the part of the chair.

The Chair: Mr. Coderre.

[Translation]

Hon. Denis Coderre: It is my understanding that it was exactly the same before prorogation. That was exactly how it worked at the last committee. Since it worked then, I do not see why we would change it.

The only thing I wonder about is when the vice-chairs or their representatives are not present. So, if Claude were not there, Robert would replace him, and if John Cannis were not there, one of the Liberal representatives would replace him. That would all ensure that the committee's work was not held up. If a vice-chair could not attend, a representative of the same party could replace him. This is a point of information.

[English]

The Chair: I'm assuming that's exactly what it would be. If the vice-chair could not be at the steering committee, then his designated replacement would have the full voting rights and privileges of that person.

Mr. Hawn.

Mr. Laurie Hawn: I'll just point out one thing: this is not without precedent. The aboriginal affairs committee operates this way for reasons similar to those proposed—i.e., with the parliamentary secretary and an additional member from the Liberal Party—for what that's worth.

I'll also point out that as parliamentary secretary I can attend the meeting as an observer, a non-voting member, should this go the other way.

The Chair: Is there any further discussion?

We'll deal with the proposed amendment first, as it's been proposed by Mr. Hawn: that the position of parliamentary secretary plus one more Liberal position be added to the subcommittee on agenda and procedure.

(Amendment negated)

• (1115)

The Chair: The amendment is defeated.

On the question of the subcommittee on agenda and procedure as presented, all those in favour please signify.

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

The Chair: The motion for reduced quorum is 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.

Is there any discussion?

(Motion agreed to)

The Chair: On distribution of documents, the motion is that only the clerk of the committee be authorized to distribute documents to members of the committee, and only when such documents exist in both official languages.

Committee, this is critically important. I sometimes find myself that somebody will send you a letter, and you quickly want to do something with it. But be very cautious. Everything comes through the clerk, and if it's not in both official languages, it cannot be presented to the committee.

Is there any further discussion?

Are you in favour of that, Claude?

Mr. Claude Bachand (Saint-Jean, BQ): Yes, absolutely. Can I vote twice?

(Motion agreed to)

The Chair: I think you might have written that one.

Working meals is something we're going to have to deal with, because we're going to be meeting from eleven till one. The motion is that the clerk of the committee be authorized to make the necessary arrangement to provide working meals for the committee and its subcommittees.

Some hon. members: Agreed.

The Chair: For witnesses' expenses, the motion is that if requested, reasonable travel, accommodation, and living expenses be reimbursed to witnesses, not exceeding two representatives per organization; and that, in exceptional circumstances, payment for more representatives be made at the discretion of the chair.

(Motion agreed to)

The Chair: Did everybody get a copy of the little book I am holding?

In it is our budget for last time. We spent about half of what we had to spend. Our budget was \$245,000, and we spent \$128,000, and \$122,000 of that was to go to Afghanistan. So the committee was very frugal, as we would expect.

The next topic concerns staff at in camera meetings.

Go ahead, Mr. Coderre.

[*Translation*]

Hon. Denis Coderre: I think that we also have to be practical, Mr. Chair. I understand that, as members of Parliament, we need our representatives. But what I find a bit disappointing is that, in our parliamentary world, there are whips, and whips' representatives in each party. Too often, when there is work to do in a meeting in camera, especially if people of any party are missing, the whips' representatives are told that, since they are not staff representatives, they have to leave.

In our party, the whip's representatives even attend caucus meetings. I do not see that as a problem. So I would like us to say that the representatives of party whips can attend in camera meetings.

[*English*]

The Chair: It presently states that unless otherwise ordered, each committee member be allowed to be accompanied by one staff person at an in camera meeting.

What is the addition you're suggesting, Mr. Coderre?

Hon. Denis Coderre: It's that a representative of the whip's office or any party—I'm not talking about five, but if there's at least one—would be able to remain if they're here.

The Chair: Okay, so it would be one staff member at an in camera meeting, and one staff member from the whip's office of each party.

Mr. Hawn.

Mr. Laurie Hawn: May I suggest a friendly amendment that we not limit it to the whip's office, and instead say “one party staff member”? It wouldn't necessarily have to be from the whip's office; it might be from the House leader's office.

Hon. Denis Coderre: But you already have that. I said whip because most of the time the whip's office is all over the place, we have to fill the gaps, and they've been taken out. It's the function itself, I think.

Mr. Laurie Hawn: I understand that, but I'm saying it should say one staff member per party, in addition to the individual members.

Hon. Denis Coderre: That means it could be anyone. I want them to be specifically from the whip's office. In that motion we already have our own staff—you have yours and I have mine if they're coming—but for the whip's office I think it's kind of a pragmatic way of doing things. So I don't accept the friendly amendment.

The Chair: We have a speaking order going here now. Mr. Bachand is next, and then we'll come back to Mr. Hawn.

[*Translation*]

Mr. Claude Bachand: I have nothing against adding a member of the whip's office, but adding anyone from the party... I am not terribly fond of the Privy Council office, and I would not like someone from the Privy Council sitting here listening to what is going on. So, I prefer to keep the amendment the way it is.

[*English*]

The Chair: Okay.

Mr. Hawn is next and then Mr. Lunney.

Mr. Laurie Hawn: I would like to propose a formal subamendment. Then we can vote on it. I'd like it to say “one party staff member attend in camera meetings”, because it might be from the House leader's office, for example. I'd like to propose that as a subamendment, and we can deal with that.

The Chair: Mr. Hawn's subamendment would read “one party staff member”.

The amendment by Mr. Coderre is for “one representative from the whip's office from each party”.

Mr. Lunney.

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Chair, thank you.

I just want to clarify. I think the intent of Mr. Hawn's motion is to cover one person. We're not talking about PCO or PMO; we're talking about one party. It could be expanded beyond the whip's office to include somebody else from the House leader's office, as he's expressed, which is a little more inclusive than “the whip's office”. Perhaps members would want to give that consideration.

Thank you.

• (1120)

The Chair: Ms. Black.

Ms. Dawn Black: I'm not entirely sure how I feel about the motion, but there's one thing I would like to get on the record. If you're having an in camera meeting it's for specific reasons, and the more people who are in the room, the more you run the risk of the in camera nature of the meeting being difficult to maintain.

The Chair: Thanks for that.

We'll vote on the subamendment of Mr. Hawn that we add one party staff member.

(Subamendment negated)

The Chair: Next is the amendment proposed by Mr. Coderre that one member from the whip's office for each party be allowed into in camera meetings.

(Amendment agreed to)

(Motion as amended agreed to)

The Chair: Next is in camera meeting transcript: that one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee..

(Motion agreed to)

The Chair: Next is notice of motions. Traditionally that's been 48 hours, I believe, so it would read:

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.

I just have one question for the clerk on when the 48 hours starts. The motion is translated and brought to the meeting, and the 48 hours starts from that meeting, right?

The Clerk: The practice is 48 hours in total, but it's two sleeps, as is the practice in the House.

The Chair: Two sleeps.

Welcome, Mr. Blaney.

Is there any further discussion?

(Motion agreed to)

The Chair: On allocation of time for witness presentations and the questioning of witnesses, the motion is:

That, at the discretion of the chair, witnesses be given ten minutes to make their opening statement;

And that, at the discretion of the chair, during the questioning of witnesses the time allocated to each questioner be as follows: first round, seven minutes each, Liberal, Bloc Québécois, NDP, Conservative; second round, five minutes each, Liberal, Conservative, Bloc Québécois, Conservative, Liberal, Conservative, Liberal; third round, five minutes each, Liberal, Conservative, Bloc Québécois, Conservative, Liberal, Conservative, Liberal, NDP.

And that when a minister is in attendance the order and time allocation for questioning the witnesses be the same as above, with the exception that in the first round of questioning ten minutes be allocated to each questioner of each party.

(Motion agreed to)

The Chair: Thank you very much.

It seems to me we're done.

Oh, go ahead.

Mr. Laurie Hawn: Thank you, Mr. Chair.

I have some motions. One is on the priority of legislation, and I recognize we may have to discuss this or vote on it the next time. It reads:

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

An hon. member: [*Inaudible*].

Mr. Laurie Hawn: Any bill, government or private member's bill, that falls within the mandate of the defence committee would take precedence over any study or non-legislative examination.

In other words, the objective is to move government business, private member's or government bills, through the process and not have them held up in committee, with the intent of moving the legislative agenda—again, government or private member's—forward.

• (1125)

The Chair: Just for clarification—I hope the clerk can answer this for me—I understood this was the situation as it exists now, that bills had priority over other examinations.

The Clerk: That is the practice. It is up to a committee to decide. There's no time limit for the study of government bills; however, there is a time limit on private bills.

The Chair: Okay, thanks.

Ms. Black, and then Mr. Coderre.

Ms. Dawn Black: Does the government plan on introducing some legislation?

Mr. Laurie Hawn: It's hypothetical at this point, but the objective is, if there is legislation, to move legislation along over the study of whatever.

Ms. Dawn Black: I understand.

Mr. Laurie Hawn: No, I know of nothing in particular that's coming, but of course I would tell you.

The Chair: Mr. Coderre.

[*Translation*]

Hon. Denis Coderre: Mr. Chair, we must not forget that we already had things on the go last session. Anyway, we can talk about that at the steering committee. Of course we have our work as parliamentarians to do, but this meeting takes precedence. If we have things to decide because a situation is urgent, I do not think that we should neglect that either. We can keep working as we did before, but if situations arise that require decisions, we can, as we have already, pass appropriate motions just so that we are sure of our priorities, as usual.

So, unless my colleague tells me that he is going to table a bill, we already have work to do and we should continue to do it according to the agenda. It is my understanding that the steering committee is going to meet on Thursday. That is when we can look at the issues we will be discussing, because there are a lot of them. We have a lot on our plate.

[*English*]

The Chair: Mr. Hawn, do you have any comment on that?

Mr. Laurie Hawn: The suggestion is to give priority to legislative agendas, whatever they happen to be.

[*Translation*]

Hon. Denis Coderre: The parliamentary secretary has to do that once, Mr. Chair. It is fine, it justifies his position.

[*English*]

The Chair: I'm sorry. I missed that.

Mr. Coderre.

[*Translation*]

Hon. Denis Coderre: I said that all parliamentary secretaries have to do that once in their life. It is fine, it is done.

[*English*]

The Chair: Okay.

Mr. Hawn, were you proposing that as a...?

Mr. Laurie Hawn: I was proposing that as a routine motion.

The Chair: Okay.

Mr. Blaney.

Ms. Dawn Black: Forty-eight hours' notice...?

The Chair: It does deal with the subject at hand, if you'll allow it. It doesn't look like it's going to be a problem.

Mr. Blaney, welcome, sir.

[*Translation*]

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Thank you very much, Mr. Chair. Congratulations on having your mandate renewed; it shows the confidence that members of the committee have in your excellent work.

I would just like to second the motion made by my colleague Mr. Hawn, the parliamentary secretary. The motion is an obvious one because, of course, a parliamentary committee's role is to study bills. I find that it is appropriate for it to appear in our routine motions. If bills are proposed by the government, we can discuss them constructively, as we have done for the matters that we needed to deal with.

Thank you.

[*English*]

The Chair: Mr. Bachand.

[*Translation*]

Mr. Claude Bachand: I would like to say to Mr. Blaney that I feel that his congratulations to the chair apply equally to the two vice-chairs, since the democratic process was in full operation before you arrived.

Now, as to procedure, are we going to discuss the motion presented by our colleague in 48 hours, or are we going to discuss it now?

[*English*]

The Chair: Because it falls in line directly with what we're dealing with, I thought we could deal with it now. But I guess I could ask for unanimous consent to do that.

Is there any objection to our dealing with it at the moment?

An hon. member: No.

The Chair: Okay.

[*Translation*]

Mr. Claude Bachand: I would like to finish. If I understand this correctly, it is going overboard. If it is already in the procedure, I see no point in making a committee motion to the same effect. I have always understood that if a bill is referred to a committee after second reading, studying it is always the priority. I do not see why we would handle things differently when the procedure is clear. That is all.

•(1130)

[*English*]

The Chair: Thank you.

Anybody else?

Mr. Laurie Hawn: I just have a question.

Is that written into the Standing Orders?

The Clerk: Not that I'm aware of. It's the practice of committees.

Mr. Laurie Hawn: I would like to clarify that.

The Chair: So it's not a standing order; it's just a practice that committees have traditionally taken on.

(Motion negated)

The Chair: I'm sure, Mr. Hawn, that will not deter you from moving forward in the future days.

Mr. Laurie Hawn: Again, I think this is relevant to what we're talking about today, which is motions deemed to be abandoned. Again, this may be something that is in practice—I'm not sure—and I can be educated on that.

That all motions shall be dealt with by the committee 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.

Ms. Dawn Black: What's the rationale?

Mr. Laurie Hawn: The rationale is to get on with business and not have things split. If things come up, let's deal with them.

The Chair: Okay, Mr. Hawn, if I understand this—

Mr. Laurie Hawn: If I get the sense of these snorts across the table, I'm thinking this one is not going to go very far.

Some hon. members: Oh, oh!

The Chair: I haven't got that sense just yet.

An hon. member: It's coming.

The Chair: So what you're saying is that if we pass a motion, let's say at the steering committee, where we propose something and it comes back and the motion is accepted that we do our first study on X, that has to be acted on in two days?

Mr. Laurie Hawn: We need to deal with it in some manner.

The Chair: Okay.

What other scenarios do you see where this would be applicable?

Mr. Laurie Hawn: I'm just looking at it, and, again, it's obviously all hypothetical, but we talk about a lot of things in the subcommittee, and if things are going to be seriously dealt with in a timely manner, then we need to get on with things in a timely manner. If we can't, then push it to the back, and get on with things that we can now.

The Chair: From what I understand of some of the other committees and some of the shenanigans that go on—filibustering, and the things that happen—is that what you're...?

Mr. Laurie Hawn: We have not had that situation in this committee to the largest extent. So....

The Chair: No, we have not. And we're not expecting it in the future, either.

It's a pretty good motion, I think.

Some hon. members: Oh, oh!

The Chair: I'm being completely impartial here.

Ms. Black.

Ms. Dawn Black: In terms of the committee, my understanding is that the committee itself is the master of all these decisions, so I don't see the point in writing in all these motions that really, in some ways, would restrict the direction the committee wants to present in the future. So I'm opposed to it.

The Chair: Okay.

Mr. Blaney, did you have your hand up?

[*Translation*]

Mr. Steven Blaney: There are often rules, both written and unwritten, but I think that writing them down is a good idea, because sometimes they turn out to be very useful in practice. Take the example of a common rule that is not relevant, giving 48 hours notice before tabling a motion. In the House, we can table a motion within 48 hours. Practically speaking, if there is a meeting on Thursday, we can table the notice of motion on Tuesday before 6:00 p.m., and it is considered acceptable.

So, in some cases, it can be very interesting to write down and clarify internal procedures. This motion is about efficiency, it seems to me. It does not matter which side of the House motions come from, it is the will of the committee to deal with them quickly. So, once again, I congratulate the parliamentary secretary for his initiative.

Hon. Denis Coderre: A motion of congratulations, Mr. Chair, and he did it with a straight face. Extraordinary. I move congratulations to my colleague Steven. He said all that with a straight face this morning. Great job.

Can we vote?

[*English*]

The Chair: Well, he's smiling, and that's good.

Mr. Bachand.

[*Translation*]

Mr. Claude Bachand: I would actually move to congratulate the Prime Minister because I find his parliamentary secretary here to be excellent.

On the other hand, the Prime Minister must understand that he has no say with the opposition. This is a minority government. So the opposition normally makes the decisions. We cannot be bound by motions that force us to conform to this, that or the other. Whether the government is in a majority or a minority situation, committees always determine their own destiny. That is why we are a little reluctant to accept things that restrict us.

So I am not terribly supportive of this motion.

• (1135)

[*English*]

The Chair: Mr. Hawn.

Mr. Laurie Hawn: I would just point out that business can of course be reintroduced at the subcommittee level and brought forward again. So it's not in fact that it's gone forever, but it's a point of reconsideration. So we can't get to it; let's deem it abandoned. If it comes back up in the subcommittee as business, then that's fine, but

it gives people a chance to reflect on that and ask, "Is this really a priority or not?"

The Chair: Not referring to your motion but referring to the motions you're referring to....

Mr. Laurie Hawn: Yes, exactly.

The Chair: Good.

Mr. Blaney.

[*Translation*]

Mr. Steven Blaney: In reply to the new vice-chair—my congratulations indeed—the idea is not to impose restrictions but for us to be guided by rules that we all know and share, since they apply to all committee members. The value in putting them into words is that then our work rests on a solid foundation, and there is no uproar or friction because we have no clear interpretation of the rules. This is why the motion seems to me to be helpful in the sense that it provides the solid foundation. The only motivation behind it is for the committee to be efficient.

[*English*]

The Chair: Thank you for that.

Anthony, did you have something you wanted to say?

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): I was just going to say I've served on this committee before, and I'm back. I don't see that much of a change in the faces. There has been goodwill in the past, and I think just chaining us down is not going to help things ahead any better. It will probably just make things worse, if anything.

I think just putting the extra restraints is not going to help things proceed. It will just cause more resentment, if nothing else.

That's my two cents, for what it's worth.

An hon. member: Wisdom. *C'est la sagesse.*

The Chair: Is there any further discussion?

(Motion negated)

Mr. Laurie Hawn: I have one more that I believe might have been missing from the list we got, and that was minority reports. Again, I can be corrected if that is just a standard procedure in terms of each party having the right to attach as an annex a dissenting opinion in a report, submitted to the clerk within 72 hours of the passing of the report.

Is that already covered off in the Standing Orders?

The Chair: Mr. Clerk, do you know if that's a standing order?

The Clerk: Standing Order 108 refers to the right of committees to append to their reports dissenting or supplementary opinions.

Mr. Laurie Hawn: Within 72 hours?

The Clerk: The decision as to the deadline after the report is adopted is in the hands of the committee.

Mr. Laurie Hawn: At the time of...?

A voice: Whatever time they adopt the report.

The Chair: Is there anything else?

Thank you very much.

The meeting is adjourned.

It has been a very productive and collegial first meeting, except for Mr. Hawn. He's batting a thousand in the wrong direction.

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