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EVIDENCE

Monday, May 3, 2010

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Chair

Ms. Yasmin Ratansi

Standing Committee on Government Operations and Estimates

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• (1535)

[English]

The Vice-Chair (Mr. Chris Warkentin (Peace River, CPC)): I call this meeting back to order.

Colleagues, we are considering the future business of this committee.

I just want to run down the list in terms of where we are, in hopes that we can roll through this relatively quickly.

May 5 currently is free, as far as our committee schedule is concerned.

We have witnesses coming on May 10 and May 12. On May 10, it will be the Privy Council Office, on main estimates. The May 12 meeting is on the main estimates as well, and that is when we're going to hear from Public Works and Government Services Canada. Those two meetings are confirmed, so May 10 and 12 are confirmed.

The May 26 meeting is free. We don't have witnesses for that.

On May 31, we have confirmed witnesses with regard to maintenance contracts. Public Works and Government Services Canada are confirmed for that date, as well as SNC-Lavalin.

So on May 5, first and foremost, we have openings. We have May 26 open as well, and then we can go on, if people have suggestions for meetings beyond that.

But these are the meetings. In the interests of planning, these will be the dates. So May 5 and 26 are the ones that we're currently interested in.

Mr. Martin.

Mr. Pat Martin (Winnipeg Centre, NDP): For starters, Mr. Chair, I don't remember agreeing to studying the main estimates on May 10 and May 12, so I don't know who took the liberty to schedule those, and I don't think we should have to consider that as carved in stone. We'll decide when to consider the main estimates, if at all, and not be told when we'll do it.

I would like to suggest, as a matter of fact, that on May 12 we call Helena Guergis. It's a date that we had considered. In fact, I understand Ms. Guergis thinks she is invited to appear on that date. Again, that shouldn't be a reason that we should book her then either, but we have talked in those terms all along, and I was quite comfortable that we were heading in that direction and that we would have Helena Guergis.

While I have the floor I would like to leave with you some other proposed names. On May 5, we should have Brian Jean. I believe we should invite senior staff as well who were named in these e-mails, again keeping in mind that our mandate here is the administration of the green infrastructure fund and if there was any hanky-panky associated with people attempting to access money from the green infrastructure fund. It helps to focus and to narrow our field of study if we have that as the lens through which we look at things.

The names I believe should be listed here are: Sebastien Togneri, who was the director of parliamentary affairs to Christian Paradis, when he was Minister of Public Works and Government Services; David Pierce, who is the director of parliamentary affairs to the industry minister; Phillip Welford, chief of staff to the Minister of State for Science and Technology, Gary Goodyear; Pippa Hamilton, assistant policy adviser to the Minister of State for Science and Technology; and Catherine Godbout, communications adviser to the Honourable Diane Ablonczy.

I'm not finished. I'd like to get all these out, just for the clerk's sake.

We should have Doug Maley, the assistant deputy minister from Western Economic Diversification Canada, and golfing buddy, I believe, of Rahim Jaffer. We should have David Woynorowski, director general of WEDC.

I have a lot more names here, but I'm going to pass on these for now.

Finally, I would like to suggest that we hear from Mr. Wright, from Wright Tech, and the company owner, whose name escapes me, who was in the newspaper recently saying that Rahim Jaffer offered to arrange a \$5 million loan at 2% interest. We'll have to do some research to find the company name and the individual, but in a recent *Toronto Star* article we found what appears to be pretty much textbook influence peddling, in that this individual was told that Rahim Jaffer was in charge of a \$100 million green fund and he would get him a \$5 million loan at 2.4% interest, payable back only if the company reaches profitability. That guy I want here as a witness because he will be able to testify about what the expectations were and what was being sole-serviced—

• (1540)

Mr. Ed Holder (London West, CPC): On a point of order, Mr. Chair.

The Vice-Chair (Mr. Chris Warkentin): Mr. Holder.

Mr. Ed Holder: Through you to Mr. Martin, I just want to make one comment.

The Vice-Chair (Mr. Chris Warkentin): That's not a point of order.

Mr. Ed Holder: I'm sorry. I apologize to you, Mr. Chair. I will do a point of order, though.

As members around this table discuss witnesses and such that we intend, names are fine, but reaching conclusions about individuals before they even come here to testify does not feel appropriate or even parliamentary, so as a courtesy, I would expect members around this table to show that. If that's not a point of order, I'll withdraw it and perhaps just ask for courtesy.

Thank you.

The Vice-Chair (Mr. Chris Warkentin): Yes, I appreciate the point, Mr. Holder. I think there's general agreement, and hopefully your point is taken.

Mr. Martin.

Mr. Pat Martin: In a scattergun kind of approach, I'm really only giving the clerk a list of names that I think would be suitable witnesses. I don't expect us to schedule all of them. I think we should all put forward our wish lists, perhaps, and then the clerk can try to choose a representative group selected from that main list. That's the way I have seen it done.

The only reason I'm outlining the details of this particular newspaper article is because I can't remember the company name that is associated with it, but I think the clerk would be able to track that down.

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): I think you're looking for Ian Harvey.

Mr. Pat Martin: Very good. Thank you. That would be it.

In closing, then, I've said all along that we should invite the three clients Mr. Jaffer and his partner made reference to during their testimony here. Green Rite is one of them, and there are two others, the solar photovoltaic electricity-generating proposal and the DPS Kinetic renewable energy generation proposal.

I think it's useful for us to hear from the clients of Mr. Jaffer, to have them testify whether or not there were expectations that he could deliver on or have undue influence over the success of applications for government grants.

That's the list that I propose we choose from.

The Vice-Chair (Mr. Chris Warkentin): Thank you, Mr. Martin.

There are two things. The clerk assures me, and I do recall this as well, that May 10 and May 12 have been set aside for over a month for consideration of main estimates, so those have been confirmed, and the witnesses...and that was passed by a motion of this committee over a month ago.

In terms of the witness list, Mr. Martin, the clerk also advises me that it's important that we stay to the mandate under which we have started this study, and it is specific to the green fund. I know that the story and the scope of the story maybe sometimes go outside of the green fund, but many of the ministries you spoke of actually don't have a correlation to the green fund. So we need to build that

connection to the green fund in order to be within the mandate of the study.

• (1545)

Mr. Pat Martin: I understand that, and it's why I prefaced my remarks by saying we do have to remember that our mandate is to study the application and administration of the green infrastructure fund moneys and the possibility that there was undue influence of lobbyists associated with it.

The last witness, though, who is key and paramount, and who I forgot to mention...we need to recall Rahim Jaffer, and I suggest June 9.

The Vice-Chair (Mr. Chris Warkentin): Ms. Coady.

Ms. Siobhan Coady: Thank you very much, and thank you, Mr. Martin.

I concur with a lot of what you have requested, but I do have a question. In our original motion we called on Minister Raitt and Minister Paradis. I'm wondering what's occurring. Have they been invited for May 5 or not? I'm seeking clarity on that before I go to my witness list, because they were part of the original motion.

The Vice-Chair (Mr. Chris Warkentin): As you know, I'm the vice-chair, not the chair, so I need to seek clarity on some of these things.

As to the main motion that was passed, you know there was no decision as of the last meeting as to what would happen. The clerk has been requested to find out if they would be available, but he hasn't had a response. So the chair of the committee has asked the clerk to find out about their availability.

Ms. Siobhan Coady: For clarity, then, the clerk is investigating whether Minister Raitt and Minister Paradis are available for Wednesday, May 5.

The Vice-Chair (Mr. Chris Warkentin): He has sought to find out, but he hasn't heard back.

Ms. Siobhan Coady: I think that's kind of critical, because we want to make sure we have witnesses for Wednesday, May 5. I'm in agreement that if it's not Minister Raitt and Minister Paradis, if that doesn't suit their timelines, I would like to keep them on the list. I'm fine with Mr. Jean, and I'd like to add one more person to Mr. Martin's list that he said upfront was... Derek Snowdy has some information that I think needs to be brought before committee. So I would add Mr. Snowdy to Mr. Martin's list. I also think we should have John Baird. I think he was in the original motion as well, so we want to make sure we have him at some point. I'm in concurrence with everyone else that my colleague, Mr. Martin, has set out to be called.

My suggestion is if Minister Raitt and Minister Paradis are not available for May 5, then I would be supportive of Brian Jean and possibly Derek Snowdy, and if not those, then going to the staff Mr. Martin outlined. I think you did mention Sebastien Togneri; yes, you did. I'm sure I heard that name. I only want to make sure the list is complete.

The Vice-Chair (Mr. Chris Warkentin): Thank you.

Patrick Brown, I believe, had some comments.

Mr. Patrick Brown (Barrie, CPC): Thank you, Mr. Chair.

We referenced earlier the main estimates, that we hadn't actually discussed May 10 or 12. Maybe the clerk could check for us. Maybe my memory is failing me, but I thought that about a month ago we did. When Ms. Ratansi was here, I thought we actually agreed to May 10 and 12.

The Vice-Chair (Mr. Chris Warkentin): I was able to confirm that, and that is correct. Yes, we have them confirmed for the meetings on May 10 and 12.

I think we're seeking, at this point, clarity on the May 5 meeting. We haven't any witnesses confirmed. That's this coming Wednesday. I think that's the largest concern we have at this moment.

In terms of how we should proceed, a number of witnesses have been suggested. I don't know if we want to task the clerk with figuring out who's available for that meeting, because clearly there's limited time.

Ms. Coady.

Ms. Siobhan Coady: This doesn't have to do with this particular study, but we don't want to lose sight of the PBO and Correctional Service of Canada. I don't know if we can possibly move the main estimates. We did talk about having the PBO's corrections report on May 10. So I'll raise that and see if anyone has interest in moving one of those dates.

The Vice-Chair (Mr. Chris Warkentin): Okay. There are actually a number of witnesses who we as a committee have pushed off, and the PBO is one of them. So we need to find time for him and the Correctional Service of Canada, which I suspect will come in a combination of a single meeting.

We also have the Office of the Information Commissioner, which we have sought for the study on the budget freezes, and we have Public Works and Government Services Canada as it relates to that study as well. These are all witnesses who have been pushed off.

Just to give members some general clarity of the backlog we're creating in our committee, we sometimes wish summer was sooner, but the fact is that we probably don't have time to conclude everything.

We have also, of course, the issue of the maintenance contracts, and my hope is to be able to complete that on May 31 with those witnesses.

We also have the private member's bill from the Bloc, about the use of wood, which is referred to our committee. So if there's any interest in getting that through committee or even beginning that before the summer, we may want to work that into the schedule as well.

•(1550)

Ms. Siobhan Coady: We do have until October to review that bill, as I understand it—I'm getting nods—so we're not in any rush. I think what we talked about at this committee before was continuing on with the business that we have been doing, on the Monday, and leaving the Wednesdays free to discuss the green energy fund. I think that's what we had discussed briefly.

The Vice-Chair (Mr. Chris Warkentin): I think we solidified in the last meeting that it wouldn't always be the case, because we'd have to work on the availability of the witnesses. I think we have to

continue certainly in that effort, but we don't want to task ourselves to one day or the other, because it depends on the availability of the witnesses.

Mr. Holder.

Mr. Ed Holder: Thank you, Mr. Chair.

In the words of my Cape Breton mother—what she would say about politics and politicians—after it's all said and done, there's a lot more said than done.

My practical question is that we have a lot of topics on the go, all important in their way, but strategically—and this is the question I'd like to ask around the table—what's our hope in terms of what we would like to accomplish before the House recesses in June? If we can agree on that, I think that fills in the blanks in some fashion.

It would be great, from my standpoint, and I believe from all of us, to actually finish some of the things we have started, that we need to get done. So I'd like to get either a little dialogue or at least some conclusions on what we hope to have accomplished by June's end, please.

The Vice-Chair (Mr. Chris Warkentin): Mr. Holder, I appreciate that suggestion. I guess, for our staff, it's important that we get a full plan as to what the next meeting is going to look like. If there's a general sense that we'll take the witness list that has been suggested and allow them to determine who's available or not, we can proceed on that—if there's general support for that idea.

Mr. Ed Holder: If I can just respond to that, if I might, since I brought it up, frankly, I'm kind of past the next meeting. I appreciate that we charged the clerk with the responsibility to figure that out, and I'm good with that, but I'm just trying to get a sense of what we as a committee would like to have accomplished before the House rises for the summer.

The Vice-Chair (Mr. Chris Warkentin): I appreciate that Mr. Holder. I wasn't as clear about that—and there are heads nodding—so I think that's what we'll task the clerk to do.

Mr. Ed Holder: Which is?

The Vice-Chair (Mr. Chris Warkentin): It is to get that long list and ensure that we have some witnesses for Wednesday, if they would be any of the ones mentioned. But I guess we need to—

Ms. Siobhan Coady: I think there's clarity in whom we're asking for Wednesday. Raitt and Paradis have already been asked. If they are not available, then it would be Brian Jean, who should be on the premises, and either... I suggested Mr. Snowdy. I think Mr. Martin suggested Mr. Wright or possibly some of the staff... I think you mentioned Sebastien Togneri, Andrew House, and Scott Wenger. There were a number of—

The Vice-Chair (Mr. Chris Warkentin): Mr. Martin actually had several witnesses prior to the suggestions you brought forward, probably a dozen, if not more. So there's a full complement of folks that the clerk, if he is interested in this task.... We're talking about a short period of time and quite a range of suggested witnesses.

So do we want to give him any additional clarity?

Ms. Mendes, I'll get to you right after Mr. Martin.

Mr. Martin.

Mr. Pat Martin: I was hoping we'd all brainstorm our wish list to the clerk, and then perhaps go around once more and prioritize the list a little bit. That seems to be what works best in the committees I've been on. We might throw five names each into the mix. We know we're not going to invite 25 witnesses; we'll render that down to a reasonable number.

I would suggest that in the scattergun approach I use, certainly we need to hear from Helena Guergis and Rahim Jaffer. Absolutely they should be at the top of the list. But early on, we need to hear from Rahim Jaffer's clients, whether it's Mr. Wright, because he's been one of the ones we can find and he has been willing to tell his story, or... I think he'd be a very useful witness, and he may be available as early as the 5th. So for plugging that hole on the 5th, I think Brian Jean and Mr. Wright from Wright Tech—that's the name of his company, or Green Tech—would be good witnesses.

• (1555)

The Vice-Chair (Mr. Chris Warkentin): Ms. Mendes.

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): Considering that we are studying the green fund, Minister Prentice is a person who would be needed to be brought forth—and we had spoken about him as Minister of the Environment—as well as Andrew House, who spoke with Mr. Glémaud about specific funds. Mr. House wasn't mentioned in the list we gave.

The Vice-Chair (Mr. Chris Warkentin): Let's not have conversations across the table.

Ms. Mendes, for your clarity—

Mrs. Alexandra Mendes: But I do think Minister Prentice—

The Vice-Chair (Mr. Chris Warkentin): Minister Prentice is not responsible for the green fund, as far as I—

Mrs. Alexandra Mendes: No, but he was approached as environment minister because it was thought he was responsible for the green fund.

The Vice-Chair (Mr. Chris Warkentin): So those are your two suggestions for Wednesday's meeting.

Mrs. Alexandra Mendes: Well, Andrew House was already mentioned. No, not necessarily for the Wednesday—

The Vice-Chair (Mr. Chris Warkentin): I think at this point we're looking for clarity for the May 5 meeting.

Mr. Paul Szabo (Mississauga South, Lib.): You've got it.

The Vice-Chair (Mr. Chris Warkentin): So what you've communicated you're hoping is—

Mrs. Alexandra Mendes: Mr. Jean.

The Vice-Chair (Mr. Chris Warkentin): —clear enough for the clerk to proceed.

Mrs. Alexandra Mendes: Raitt and Paradis, and if they're not available....

Ms. Siobhan Coady: Jean and Wright.

Mr. Paul Szabo: And if you still haven't got anybody, I think Snowdy.

The Vice-Chair (Mr. Chris Warkentin): Is that clear enough? Okay, let's carry on.

The next meeting that is open and that hasn't yet been designated is the May 26 meeting. Is this the meeting where there would be full agreement to bring the PBO forward? The study should be out by this coming week.

Mr. Martin.

Mr. Pat Martin: I don't think we should be committing those dates.

In the interest of finishing what we start—I think Ed had a good point—we need to finish this report, and hopefully we can do that today. It's embarrassing to take nine months to do a report from this committee, and it's only about eight pages long.

Secondly, I think we really need to conclude this study of the possibility of undue lobbying or undue influence of lobbyists over the administration of the green infrastructure fund. I'd like to be able to conclude it to the point where we as a committee might even issue a report to Parliament. So whatever vacancies we have.... Personally, I'm disappointed we can't get out of the main estimates on the 10th and the 12th, but I don't believe in giving up the 26th or the 2nd or the 7th for that purpose.

The Vice-Chair (Mr. Chris Warkentin): Just for committee members' clarity, it is a requirement that we deal with the main estimates before May 31.

Mr. Pat Martin: Or they're deemed. Let's not say that we have to—

The Vice-Chair (Mr. Chris Warkentin): Or they're deemed, that is correct. If the government operations and estimates committee doesn't review these, then....

Mr. Pat Martin: It would be good if we opened them, at least, and had a little look.

Some hon. members: Oh, oh!

The Vice-Chair (Mr. Chris Warkentin): I think in terms of our committee's business, this would be a priority, or it should be a priority.

So I think there's general consensus that May 5 is now named. May 26 we'll leave free, and there will be time to develop that. Is that what I'm hearing?

Then we'll maybe proceed to deal with our in camera business.

Ms. Siobhan Coady: Can I just ask something? I'm confused. I'm new to this committee, as Mr. Holder is, but can't the committee decide that we would move around some of these dates? We have to deal with the PBO's corrections.... We do have this report that we're trying to move through, and that's on the green energy, on the green funds.

So I would like to suggest that we try to move May 10 and May 12, if that's at all possible.

•(1600)

The Vice-Chair (Mr. Chris Warkentin): The difficulty with that is these have to be reported back on May 31. The government operations and estimates committee is the committee responsible for main estimates. This is why the committee was set up. So the only date we could push it off to is the May 26 meeting, but the difficulty is we've confirmed the witnesses, and you know how it is confirming witnesses around this place. We finally have something set in stone, so I'd be reluctant to move those dates because we do have confirmation of witnesses.

Let's have Wednesday's meeting and see where we leave off. If it's in our interest, we can maybe leave some time towards the end of the meeting, on one of the dates that we deal with main estimates, to bring forward future business so we can discuss witnesses for the May 26 meeting.

Mr. Szabo.

Mr. Paul Szabo: Thank you, Mr. Chairman.

The committee has a very aggressive plan here for witnesses. I think there should be some agreement as to prioritizing for the next meetings after May 5. It would appear that the main people here, based on my knowledge, are Mr. Jean, Helena Guergis, Derrick Snowdy, the three clients, including Mr. Wright, and four ministers. They are the principal persons.

As you said, Mr. Chair, and others have indicated, people have time restrictions, and in terms of coordinating the scheduling of these people, I think the sooner they are contacted to find out their availability, the better picture the clerk will get.

Following that, I think all of these other people, from Togneri right down to Ian Harvey, should also be contacted now to advise that the committee has indicated that they would like to have them appear, and we would like to find out their blackout dates; we'd like to find out their availability. Then I think the committee should consider probably two or three panels of three or four witnesses, rather than one at a time. Some witnesses will obviously be better witnesses for the purpose of the committee. Others will be duds. I don't think you can afford to take a whole round of questioning even. So availability and then panelling, but you will have some time as you see that unfold.

I assume the committee has agreed that Mr. Jaffer should be the last witness.

Some hon. members: Yes.

The Vice-Chair (Mr. Chris Warkentin): As soon as possible, but no later than the end of Wednesday, we should provide the clerk with, first of all, the list of everybody who members are interested in, and then the prioritization. If you could provide it earlier, then he could begin this sooner, and maybe even advise us of something on Wednesday. But if we can, let's have all members provide the list of witnesses, and prioritized. Then, also, if you do have contact information, let's assist the clerk in any way possible.

Mr. Szabo.

Mr. Paul Szabo: Mr. Chairman, time obviously is of the essence, so I would suggest that committee members indicate right now if there are any other witnesses they would like to propose so we can

all have the complete list now. I'm not aware of any others if there are any, so I think we can give you the prioritization right now, because the names are here.

The Vice-Chair (Mr. Chris Warkentin): Mr. Holder.

Mr. Ed Holder: I think the list sounds fairly comprehensive, so I don't have a comment on that. But I just imagine, having heard our dialogue so far—and I would hope that members around the table would agree—that it's important for everyone who's involved, all the authorities, including the Commissioner of Lobbying, to complete their work. I think we would all accept that they should be able to do that independently without interference.

When we talk about everyone we want to bring into this process, I'm mindful of—and it begs the question from a timing standpoint—the extent to which this might interfere with the Commissioner of Lobbying and others who are doing the work they need to do. I suggest that members of the committee reflect on that with regard to the witnesses we ask.

We have a big laundry list, and I get that. I can't imagine who else you'd add—I really do know that—but I am mindful of the impact when the others are trying to do the work they do.

•(1605)

The Vice-Chair (Mr. Chris Warkentin): Okay. I think generally there's an understanding. I think lists are already being submitted. If anybody else has one, of course provide that to the clerk.

Mr. Paul Szabo: I think there was one other name of interest. Was it Wenger?

The Vice-Chair (Mr. Chris Warkentin): The name was mentioned.

Mr. Paul Szabo: Mr. Chairman, I think Ms. Coady will be submitting, based on all of the input of all of the members, a consolidated list of all of these names, prioritized, by the end of the day.

The Vice-Chair (Mr. Chris Warkentin): Thank you.

The clerk will thank you.

Ms. Coady.

Ms. Siobhan Coady: Thank you.

Before we move on, you've had my motions before you for quite some time, and I'd like to make sure that we move through them. Are you going to call for my motions?

The Vice-Chair (Mr. Chris Warkentin): You can move your motions.

Ms. Siobhan Coady: I'm going to move my motions—

The Vice-Chair (Mr. Chris Warkentin): Yes, in terms of the housekeeping of this committee, one thing we need to do is compile a budget for the study, because we don't have enough money to do this yet. We should task the clerk with bringing forward a budget, and then Wednesday we'll consider the budget—at least a preliminary budget—if everyone's in agreement with that.

Some hon. members: Agreed.

The Vice-Chair (Mr. Chris Warkentin): Okay, thank you.

Ms. Coady.

Ms. Siobhan Coady: Thank you very much for the opportunity to move today.... I gave substantive notice of eight motions. They're all kind of the same motion, but they're mostly to do with getting the information. I'll move to a priority list if I could.

I'd like to move number 5, which talks about natural resources, both the former Minister of Natural Resources and the current Minister of Natural Resources producing all papers and records.

Mr. Paul Szabo: Mr. Chair, I think with the concurrence of the committee...I get a sense that the committee does not have a problem with getting the documents that have been offered and made available to other parties. If it'll help the committee, the committee has the facility to deal with all eight motions as one motion, so that you can move on with your report.

The Vice-Chair (Mr. Chris Warkentin): That's right. We can have them all moved together if there's unanimous consent to do that, with the understanding that these are all substantive motions and all can be amended. So if there's even a single one of them...a person may refuse to move them all in conjunction.

Mr. Paul Szabo: I understand.

The Vice-Chair (Mr. Christ Warkentin): Just so that everyone understands, if people want to speak to or amend individual motions, then they should be moved individually.

Mr. Paul Szabo: I move that the eight motions be dealt with as one consolidated motion.

The Vice-Chair (Mr. Chris Warkentin): Mr. Szabo is moving that they all be moved as a single motion. Is there agreement to move them all in conjunction?

(Motion agreed to)

The Vice-Chair (Mr. Chris Warkentin): I guess it's open to debate now if there's anybody who wants to speak to these motions.

Mr. Martin.

Mr. Pat Martin: Well, I don't want to debate the merits of the motion so much because I think it's pretty self-evident that we'd like all these papers. I'm a little concerned, from a practical point of view, about the logistics of getting all that material to us. Getting it translated and circulated...it may be sometime next fall by the time we actually see it for any practical purposes.

I'm wondering about the wisdom about asking for it all at once. I'm just thinking it through as I'm talking, but even if you did hive off just one of these, it could still be quite a wait. We all know how long it takes to get an access to information request through in this day and age. That's sort of what we're doing here, asking for the production of all papers, all correspondence associated with any contact by Green Power Corporation and its partners, etc., with any one of these government agencies.

I hope it'll happen quickly, and maybe it's more of a question than a comment, but from a realistic point of view, when could we expect to see these papers? Would they be of any use to us in the context of this study if it's even the end of the month by the time we see them?

• (1610)

The Vice-Chair (Mr. Chris Warkentin): Mr. Martin, there is no provision within this to deal with the linguistic requirements outside of our Standing Orders. If members did want to make exceptions to our Standing Orders, they might want to include that or amend this motion to address that.

Ms. Coady.

Ms. Siobhan Coady: This is a question.

We just talked about a budget. Couldn't we ask within that budget to get some outside assistance in translation, because most of these documents are being provided to the committee in one language only? I know we've already gotten a tremendous amount of papers; I think 68 pages or more. I'm wondering if we could ask for outside assistance in the translation so we can get it more expeditiously.

The Vice-Chair (Mr. Chris Warkentin): Apparently there's not a necessity, or the clerk doesn't believe there's a necessity, to have an outside resource for the translation. There is the Public Works bureau that will be doing the translation. That's one point.

The other point is that there's a good chance some of these will come translated, based on where they're coming from.

Ms. Siobhan Coady: But do we have the opportunity, if the committee decides, to be able to put in a budget for...?

The Vice-Chair (Mr. Chris Warkentin): My recollection is that we did have a situation at another time where we considered the use of an outside translator and it was very expensive. When we move on this, once we see what comes in, we can make a determination, I suspect, as a committee.

Mr. Nadeau.

[Translation]

Mr. Richard Nadeau (Gatineau, BQ): The important thing is to make sure that the documents are circulated to us as soon as the translation is received. There is no way around that. It is a basic principle and we all have to live with it. As soon as the documents are translated, we get them.

[English]

The Vice-Chair (Mr. Chris Warkentin): Mr. Brown.

Mr. Patrick Brown: Thank you, Mr. Chair.

I read these motions, and I just worry that some of them are redundant. Maybe Ms. Coady can enlighten us, but don't we already have all the paperwork from the ministers that was requested? Don't we already have the paperwork from Minister Ambrose, from Minister Goodyear, from Minister Baird? Are we not asking for something that we already have?

I'm not a big fan of having motions that are unnecessary. We could pass a motion saying that we want it to be spring right now and it already is. What is the point of these motions?

The Vice-Chair (Mr. Chris Warkentin): Ms. Coady.

Ms. Siobhan Coady: I'd vote for spring. I had snow on Saturday; I'm just voting for spring.

Having said that, I don't know whether we have all the documents. I know we've had documents submitted to committee, but I don't know if they're all the documents. I don't know if there are more documents to come—I have no idea—from that department.

For example, if I were to prioritize, we haven't really heard from the office of the Minister of Natural Resources, which has a tremendous amount of money going towards the green funds. So I'd like to hear from that office in particular, and others.

I think if they are forthcoming, then we'll receive them. I don't think there should be a concern to my colleagues around the table. If you're saying we received them, then there shouldn't be a concern that we'll be missing more.

I would like to see the motion go forward, and then, if there's more to be had, we'll get more. If there's not, then I guess, Mr. Brown, you're correct in saying that there was no more to be had. But we don't know that for a fact.

The Chair: Mr. Holder.

•(1615)

Mr. Ed Holder: Thank you very much, Chair.

I have a question, through you, to the clerk because I just need some clarification. I keep putting my business hat back on in terms of all the things we're dealing with. It strikes me, as I look through Siobhan's motions, that we name a couple of companies' information very specifically in terms of lists of clients and certain information there. It just hearkens me back to my former life.

So, Clerk, to you, we're dealing with commercially sensitive documents. I know you're busy, but when you're free, I'll finish the thoughts.

The Vice-Chair (Mr. Chris Warkentin): Please keep going.

Mr. Ed Holder: Thank you. Again, through you, to the clerk, we're dealing with commercially sensitive documents and information. I recall in Mr. Gillani's testimony not so long ago that he talked about the devastating impact this whole situation had on his business.

My question to you, Clerk, is this, if I could, please, when it comes to receiving information on commercially sensitive documents, how have other committees handled that? I'm very mindful of the impact that can have on business, and I think we all need to show that kind of regard. Could you help me understand that a bit, please?

The Vice-Chair (Mr. Chris Warkentin): I'll turn it over to the clerk to give an answer to that.

Mr. Ed Holder: Thank you.

The Clerk of the Committee (Mr. Marc-Olivier Girard): The committee can request these documents, but if the person or the authority responsible for these documents has concerns about the security issues with regard to the committee, it's going to be up to the committee to decide what it wants to do, exactly what you guys want to do with this concern.

There are several options out there that are available to the committee. There's the possibility of considering these documents in an in camera session, for instance, or maybe specific distribution to

the committee, with numbered copies, and at the end of the meeting the clerk would gather all the documents once again. The committee also can decide to treat the documents as confidential pieces of information, which means that at the end of the session they will be kept confidential for 30 years before someone will access it.

Basically, it's going to be up to the committee to decide what it wants to do with the concern that has been communicated to the committee.

Mr. Ed Holder: Chair, through you again, please, how do we make that distinction in advance when we don't necessarily know the information that is within the documents? Again, I'm coming back to the precedents of other committees or how they've dealt with it. Some people might feel that some information might be more interesting publicly versus not. Is it decided in advance? I can't imagine you can decide it as you go.

I just need some help in understanding how that works. I don't know.

The Vice-Chair (Mr. Chris Warkentin): Mr. Holder, my understanding is that the person being requested actually says, "Please do not distribute this because it's commercially...", or "This is confidential."

Mr. Ed Holder: Chair, I'm not debating, but how would they know that? I say that because when we have guests here and we ask them—it can be a fairly intimidating thing to be in front of a committee, and they don't know.... I would guess, if I were asked to be in front of a committee, without any experience, I wouldn't necessarily know what my rights and responsibilities were.

How do you strike that balance where they know they would have the right to say to this all-powerful, this very important committee...? Is it just a best guess or best luck that they ask the question, or do we advise them? Is there a protocol to that? I keep coming back to protocol because I think there has to be something where we advise them. Or do we just hope they'll ask the question?

The Clerk: Usually if the committee requests the documents, then the person will say, "Okay, I'm willing to share this information, but this one I have concerns about." There are issues with regard to, maybe, commercial security, etc. So then it's the—

Mr. Ed Holder: Sir, I'm not trying to prolong this at all, but all I'm saying is, do we advise the person? I'm not trying to set them up, but if they don't have either the fortitude or the comfort level to challenge what the committee asked for, so they don't know the difference, then we hurt them as a company.

Mr. Pat Martin: They either have an objection or they have no objection, Ed.

Mr. Ed Holder: So we rely on "let the buyer beware". I just want to be clear.

The Clerk: Usually they will contact me and tell me about their concerns, and then I bring them here to the committee and the committee decides.

Mr. Ed Holder: All right.

The Vice-Chair (Mr. Chris Warkentin): Let's move along. We actually have an issue that relates to this that we have to deal with.

Ms. Coady.

Ms. Siobhan Coady: Just very quickly, I empathize with the point, but I think it's been clarified, and a businessperson would be able to make their views known. Minister Baird released information, project offerings and things of that nature, publicly last week. A lot of this information is already out there in a lot of ways.

• (1620)

The Vice-Chair (Mr. Chris Warkentin): Mr. Szabo.

Mr. Paul Szabo: Mr. Holder raises an important question. On the parliamentary practice and procedure with regard to obtaining documents or witnesses answering a question, if they can give a reasoned explanation as to why it is improper for them to do it, you won't get the documents if you accept the reason or explanation as to why they can't answer the question.

We won't know whether what we've asked for is sensitive unless they raise a concern. Our request does not mandate them to get it. If they can give an explanation to the committee that it's commercially sensitive and they would prefer not to release it, the committee can accept that. That's the practice.

The Vice-Chair (Mr. Chris Warkentin): Mr. Brown.

Mr. Patrick Brown: Why don't we vote on the motion?

What will happen is we'll get a response back from the ministers saying they've already provided all information. I don't think there's any concern about documents not being available. The ministers have already said that when they released these documents, they provided everything. It will be a formal response that says they've already done so. Then we've done it. There's no harm in doing it. It's repetitive. Let's deal with it.

The Vice-Chair (Mr. Chris Warkentin): There are two points the clerk would like clarification on. I hope it doesn't end in a half-hour debate.

One point is that it's written that the information is requested within five days. The clerk would like to know whether that's five days or whether we should specify five working days

Ms. Siobhan Coady: It's working days. That was the intent.

The Vice-Chair (Mr. Chris Warkentin): The intent was that it's working days. We'll make the friendly amendment. That was the one question.

In terms of the wording, the committee requests this documentation. Is it a request, or would you prefer it to be an order? It is

different. I'm sure Mr. Szabo can explain the difference, but my understanding is that it's similar to when we request that people show up or when we subpoena them.

Is it a request for the information?

Ms. Siobhan Coady: You need clarity. It's an order.

Mr. Paul Szabo: You need it to do the work.

The Vice-Chair (Mr. Chris Warkentin): Okay.

Mr. Paul Szabo: That is, unless they have a reason that the committee would accept as to why they can't do it.

The Vice-Chair (Mr. Chris Warkentin): Okay. I guess the intent is an order.

Mr. Paul Szabo: Yes, it's an order.

The Vice-Chair (Mr. Chris Warkentin): Okay. Let's call the question.

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

The Vice-Chair (Mr. Chris Warkentin): It's a combined single motion. It's one motion for eight points, eight requests, and eight orders.

If there's nothing further, committee members, there's one issue we have to address. I think it might be best to address it in camera. It actually relates to a request. Information has been provided to the committee and there are commercial issues related to that. Do you want to deal with it in camera, or do you want to deal with it now, before we move in camera?

Let's do it now. There has been a request.

An hon. member: Are we in camera or not?

The Vice-Chair (Mr. Chris Warkentin): We are not in camera.

The clerk advises me that it's best to deal with this specific issue in camera. Can we move in camera?

The Clerk: You'll be moving in camera for the draft report discussions anyway.

The Vice-Chair (Mr. Chris Warkentin): Okay. We're moving in camera.

[*Proceedings continue in camera*]

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