



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

## **Standing Committee on National Defence**

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**EVIDENCE**

**Tuesday, June 21, 2011**

—  
**Chair**

**Mr. James Bezan**



## Standing Committee on National Defence

Tuesday, June 21, 2011

• (0850)

[English]

**The Clerk of the Committee (Mr. Jean-François Lafleur):** Honourable members of the committee, I see a quorum.

Before we begin, I must inform members that the clerk of the committee can only receive motions for the election of the chair. The clerk cannot receive other types of motion, cannot entertain points of order, nor participate in the debate, of course.

We can now proceed to the election of the chair. Pursuant to Standing Order 106(2), the chair must be a member of the government party. So I'm now ready to receive motions for the chair.

Mr. Chisu.

**Mr. Corneliu Chisu (Pickering—Scarborough East, CPC):** Mr. Clerk, I propose a motion to elect Mr. James Bezan of Selkirk—Interlake as chair.

**The Clerk:** Thank you.

It has been moved by Mr. Chisu that Mr. Bezan be elected as chair of the committee. Are there any further motions?

[Translation]

Is it the pleasure of the committee to adopt the motion?

[English]

(Motion agreed to)

**The Clerk:** I declare the motion carried and Mr. Bezan duly elected as chair of the committee.

Congratulations.

[Translation]

Before I invite Mr. Bezan to take the chair, if the committee wishes, we can now proceed to the election of the vice-chairs.

Pursuant to Standing Order 106(2), the first vice-chair must be a member of the official opposition.

I am now prepared to receive motions for the first vice-chair.

Mr. Brahmi, the floor is yours.

**Mr. Tarik Brahmi (Saint-Jean, NDP):** I move that Mr. Jack Harris be elected as first vice-chair of the committee.

**The Clerk:** Moved by Mr. Brahmi that Mr. Harris be elected as first vice-chair of the committee.

Are there any further motions?

[English]

Is it the pleasure of the committee to adopt the motion that Mr. Harris be elected first vice-chair of the committee?

(Motion agreed to)

**The Clerk:** I declare the motion carried and Mr. Harris duly elected first vice-chair of the committee.

[Translation]

Pursuant to Standing Order 106(2), the second vice-chair must be a member of an opposition party other than the official opposition.

I am now prepared to receive a motion for the second vice-chair.

Mr. Bezan, the floor is yours.

[English]

**Mr. James Bezan (Selkirk—Interlake, CPC):** I propose Mr. John McKay.

[Translation]

**The Clerk:** Thank you.

[English]

It has been moved by Mr. Bezan that Mr. McKay be elected second vice-chair of the committee. Is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

**The Clerk:** I declare the motion carried and Mr. McKay duly elected second vice-chair of the committee.

I will now invite Mr. Bezan to take the chair, please.

**The Chair (Mr. James Bezan (Selkirk—Interlake, CPC)):** Thanks a lot for the nomination and the election as your chair. I'm looking forward to working on the national defence committee. It's one I have a strong interest in.

Jean-François Lafleur and I worked together previously when I was chair of the agriculture committee in the 39th Parliament, and Guyanne Desforges and I worked together when I was chair of the environment committee in the last Parliament.

It's exciting to be on the national defence committee. I know that there are only a couple of returnees from the last committee, so we'll be leaning heavily on Cheryl and Jack for some of that corporate knowledge that you bring to the table.

Usually we like to go right into adopting the routine motions for this committee. Is there concurrence to proceed?

**Some hon. members:** Agreed.

**The Chair:** In the binders that were circulated to everybody, there was the list of the routine motions that were adopted at the 40th Parliament. We'll go through motion by motion and see what we need to amend or leave as is.

The first one was the services of analysts from the Library of Parliament. That routine motion was 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 in its work.

● (0855)

**Mr. Jack Harris (St. John's East, NDP):** I move we adopt it.

(Motion agreed to)

**The Chair:** I will introduce our analysts, Wolfgang Koerner and Melissa Radford, who will be working with us through this session.

The second motion in front of us is on the subcommittee on agenda and procedure.

Mr. Alexander.

**Mr. Chris Alexander (Ajax—Pickering, CPC):** I would move that the existing routine motion be replaced with the following:

That the Subcommittee on Agenda and Procedure be composed of five members, including the chair, the two vice-chairs, the parliamentary secretary, and a member of the Conservative Party.

Quorum of the subcommittee should consist of at least three members.

Each member of the subcommittee shall be permitted to have one assistant attend any meetings of the Subcommittee on Agenda and Procedure. In addition, each party should be permitted to have one staff member from a House officer attend any meeting.

**The Chair:** We have a new motion on the floor.

Mr. Harris, we're debating the motion that Mr. Alexander put on the floor.

**Mr. Jack Harris:** I think anyone reading the existing motion would note the significant difference, in that the previous committee specifically provided that the parliamentary secretary not be a member of the subcommittee on agenda and procedure.

Mr. Alexander of course would appreciate that this is nothing personal to him, but has to do with the fact of the longstanding effort by the parliamentary committees in this House, who are going back probably 15 or 20 years, to have an independent role. In fact, there was a committee of the House of Commons known as the McGrath committee, and there were various other committees for the reform of the House of Commons. The purpose of reform, as noted by the third report of this committee back in 1985, was "to restore to private members an effective legislative function, to give them a meaningful role in the formation of public policy and, in so doing, to restore the House of Commons to its rightful place in the Canadian political process." That's a quotation from the Special Committee on the Reform of House of Commons, June 1985, page 1.

This has been followed, of course, by a lot of reforms in the House, including private members' business. But I will remind members opposite that it was their party in opposition that strongly

opposed even the presence of parliamentary secretaries on parliamentary committees. That was their position in opposition. It was not their position in the last government, but of course parliamentary secretaries, as you see here, were excluded from the subcommittee on agenda and procedure.

The independent role of parliamentary committees is probably even more important in a majority House, the independence of members and the independence of committees to provide that the committees themselves decide what their agenda will be. The committees are masters of their own rules, as we're doing right now, and their own destiny. And we know that the parliamentary secretaries, although they work for the minister, in fact are appointed by the Prime Minister. So it effectively involves an insertion of the PMO into the work of the committee and into the agenda of the committee, and we're opposed to that. I want that on the record.

I would urge us to stick to the procedures in the last Parliament and urge that we exclude the parliamentary secretary from the subcommittee on agenda and procedure.

● (0900)

**The Chair:** Mr. McKay.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** I would endorse Jack's reasoning.

The core reason the parliamentary secretary is excluded from the subcommittee on agenda on some committees has to do with the independence of the committee. The committee is independent from the government. It is independent from PMO and PCO, that whole government apparatus. In a majority situation, if you want a committee to have credibility, if you want a committee actually to investigate concerns in the Department of National Defence that are independent of what the government might like to see investigated, you will keep the committee as independent as possible.

Having the parliamentary secretary, with the greatest respect to Chris, on a subcommittee, particularly where we are setting agendas, deciding where and what we will investigate and who we will invite to committee, flies in the face of the independence of Parliament and the independence of its committees.

In some respects, the arguments in a minority government for not having a parliamentary secretary on a subcommittee are even stronger in a majority government. I would urge colleagues who like to recite this mandate business that if they wish to have credibility, if they want this committee to have credibility, it will be as independent as possible, and it starts with the subcommittee.

**The Chair:** Okay, are there other comments?

Mrs. Gallant.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Parliament has changed and we are no longer in a minority position. I think that the steering committee should be reflective of the numbers and the dynamics of a majority government.

The parliamentary secretary is brand-new. He may be helpful in our discussions in deciding what it is we are going to work on. I'm looking forward to having him as part of that steering committee and providing the insight that he has.

**The Chair:** Mr. Brahmi.

[*Translation*]

**Mr. Tarik Brahmī:** I would like to add something. If we want to establish the credibility of this committee, there are two issues to consider.

As my colleague Mr. McKay was saying, independence is one issue and credibility is another. We shouldn't give the impression that the rules that have been in place for a number of years were changed just to allow one particular individual to be on the steering committee.

I think we have to look at independence and also not give the impression that the rules have been amended to make one particular individual happy.

[*English*]

**The Chair:** Mr. Norlock.

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Mr. Chair, while I'm new to the committee, I'm not necessarily new to the committee format, and different committees have different formulations when it comes to subcommittees. Generally speaking, I don't think anyone in this room would argue with the fact that committees reflect the percentages of different parties in Parliament. That is the way this committee is set up. That's the way most—not all, but most—of the committees are set up. That's why the chair comes from the governing party.

If you want to run a parallel government on a different dimension, that's when you can change the democratic will of the people. Quite frankly, when I hear people say that the committee for legitimacy or otherwise and to be taken seriously can't have too much government influence, that seems to be counter to the democratic will of the people. That's the basis upon which this whole institution is built. Therefore, it seems to me rather strange that you wouldn't have a person like the parliamentary secretary on the subcommittee. It makes a lot of sense. To the average person it would be somewhat humorous if you had committees arguing with the government of the day on a totally different wavelength.

However, there is an independence of committees; that's why we have them. They're supposed to take part of the load off. If you look at municipal and provincial governments, committees take the load off and study in-depth issues that come before the general assembly, which in this case is the House of Commons. We take the load off. We go into the minutiae, into the in-depth study not only of current government legislation or proposed government legislation, but we can as a committee take on different studies. That is well within the mandate, well within the history of this place. To preclude the parliamentary secretary or anyone else from being on the subcommittee would seem to me to be rather strange.

• (0905)

**The Chair:** Mr. McKay, then Mr. Harris.

**Hon. John McKay:** I hate to say that I've been here a long time, but I've been here a long time, and I've gone from that position, to that position, to that position, to the position I find myself in right now. I've completed an entire circuit of the House of Commons.

When we were in that position, the equality of parties was the principle on which this committee operated. Each party was treated

with equality, and that equality in and of itself created an independence.

When the current coalition was fractured between Reform and Alliance and Progressive Conservatives, etc., each of their incarnations was treated with equality. Now we find the situation reversed. I would think it's only reasonable to expect equality before this committee.

It is not simply a rubber stamp of government, regardless of the fact that you have the majority. All things in politics are temporary, both victory and defeat. That's why this institution exists, because it is the talking shop for the people. And the talking shop for the people expects some respect for minority parties. The last time we had a majority government, the last time this committee met when there was a majority government, the parties were treated with equality, and everyone got an equal amount of speaking time, regardless of the percentage.

Round one, with respect to the subcommittee.... When the Liberals were the majority, they treated all parties with equality, including the previous reincarnation of this particular party. Now the situation is reversed, interestingly, with not such great enthusiasm for treating parties with equality.

**The Chair:** On the speaking list, I have Harris, Opitz, Alexander, and then Gallant.

I would ask that everybody keep their interventions concise.

**Mr. Jack Harris:** I just want to respond to some of Mr. Norlock's comments. Without getting too deep into democratic theory, it's pretty clear the makeup of the House is different from the last House, and I have no problem with the subcommittee reflecting that. So the proposal to have five members, including two Conservatives, added to the chair and vice-chairs is reasonable.

The problem I see goes back to this issue of the parliamentary secretary, Mr. McKay's comments about the role of committees being the voice of members of Parliament. A parliamentary committee is not a subcommittee of government. It does not have to reflect the government's wishes.

That doesn't mean we're set up in opposition to the government. This is not an opposition party; this is a subcommittee of individual, private members of the House of Commons. The government has chosen to put the parliamentary secretary on this committee, and we can't stop that. We can argue about it for the reasons I stated in terms of deciding what this committee is going to study, the details of when we hold meetings, whether we hold meetings or not, at what time we hold meetings, what witnesses to call, and what objects to study, etc. The organizing of our business is something that should be up to the committee members themselves and not be a function of government or a subcommittee of government.

With respect, Mr. Norlock, I think the analogy to municipal government subcommittees is not a good one. This is the legislative body. Mr. Alexander is part of the executive and this is not a subcommittee of the executive of government. It has nothing to do with Mr. Alexander as Mr. Alexander but with the theory of government that we're talking about. We have very strong objections to this, and we think the committee.... As Mr. McKay said, each committee has its own history and its own culture, in a way. I think, Mr. Bezan, you recognize that from other committees you were on. I haven't been around as long as Mr. McKay, but I do know that in this committee there was a great deal of mutual respect across the way. I was in the position that Mr. McKay was in, as a sole member. There were two other parties on this side of the House, and the only witnesses are Ms. Gallant and the clerk, but I had to say that I was treated with respect by the chair and as part of the committee. I got to play a fulsome role. I think that has been the nature of this committee and I hope it will continue.

We got along very well without having the parliamentary secretary on the committee, and I don't think the committee, even with a majority in the opposition, was one that sought to play a role in opposition to the government. We studied issues that were of importance to members of the committee and presented reports. We listened to briefings and did some travel. We were working on a number of topics, all without the need for a parliamentary secretary to be on the steering committee, and we felt that was important to our independence.

So I think this is an important point for our committee. If we're going to continue to have this collegiality while doing important work for Parliament and for the people, then it can be done better, frankly, without having a parliamentary secretary there on behalf of the government.

● (0910)

**The Chair:** Mr. Opitz.

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Mr. Harris, I think your objectives are going to be met. This will be a collegial place, respect will be shared, but it's all about capabilities and appointments. I haven't been on any committee; this is my first time here and I've been elected for the first time.

From my perspective, I think we have to show some flexibility. It's about capabilities and not appointments. I don't think anybody is going to argue with me the immense depth and experience of Mr. Alexander, and his experience is directly related to this committee and the roles we are going to study. He has a tremendous value in being able to add to that. So I see this as more of an efficient allocation of human resources. I believe his inclusion can only enhance our ability to study issues and come out with the best possible reports this committee is capable of producing.

**The Chair:** Mr. Alexander.

**Mr. Chris Alexander:** Thanks very much.

I must say, I'm impressed by the ability of Mr. Harris to argue that a measure to exclude someone from a subcommittee would result in greater collegiality. I just have a difficult time seeing the logic of that argument.

The role of a parliamentary secretary is not to be part of the executive. Quite the contrary: parliamentary secretaries are not part of the ministry. Yes, they serve the government in Parliament, but they are servants of Parliament. It is in their title, "parliamentary secretary".

Indeed, Mr. McKay and Mr. Harris I think would do better, as experienced members of Parliament, to remember that we have a parliamentary system of government. Our government is embedded in our Parliament. The independence and credibility of committees will be served not only by their minimizing their contact with the government, by their lack of exposure to the government's agenda, by their working on an independent set of issues from the government...which seems to be the initial line, at least, that these two are taking. It will be served also, and I think principally, by our ability to generate results, to achieve results in the field of national defence that matter for the people of Canada, that are relevant for this population, for this society, for our interests in defence nationally, in North America, and around the world.

With all due respect to their comments and their experience, I would submit that they are underestimating the ability of a parliamentary secretary—others of my colleagues in other portfolios may well be playing this role in subcommittees, but certainly it includes this parliamentary secretary—to contribute to the independent role of a committee.

As for representativeness and the equality of parties, I think it is quite generous of both the government and the official opposition to see without hesitation a member of the Liberal Party as vice-chair of this committee: 20% of the weight in that committee vice-chair role, for a party that has roughly 11% or 12% of the seats in the House of Commons.

So let's not cut off our noses to spite our faces. This is a new Parliament. We will be judged, I think all of us, as individual parliamentarians, as individual MPs, but also collectively as a team trying to achieve results, first and foremost by our ability to be relevant and to be productive. Honestly, I think the format put forward here today is going to help us on both fronts.

● (0915)

**The Chair:** Thank you.

Ms. Gallant.

**Mrs. Cheryl Gallant:** Mr. Chair, am I the last one on the list?

**The Chair:** No, Mr. McKay will be back on.

**Mrs. Cheryl Gallant:** Actually, my colleague made the points I wished to make, so I'll pass.

**The Chair:** Okay.

Mr. McKay.

**Hon. John McKay:** Well, I was going to say I welcome Mr. Alexander to his naïveté.

I've been in that position. You are a mouthpiece for the government. That's the idea. That's the point of being a parliamentary secretary. You're sitting here as the representative of the minister at this committee. That's the point.

You may wish to style yourself as a servant of Parliament, that you are a parliamentary secretary and that you have the integrity to separate your role. If you succeed in that, you'll be the first parliamentary secretary I've ever seen succeed, and I've sat on a lot of committees: justice, finance, government operations, etc. So with the greatest of respect, I think your argument is not based in any experience I've ever seen in 14 years being here.

Last week I went over and congratulated Minister MacKay on his vote. The reason I congratulated him—it was 294 to one, which shows enormous support on the part of Parliament—was that he worked at it. He worked at it and he got that support. He got it because he didn't try to skewer the debate by overloading this way or overloading that way.

That is what you, as government, want out of this committee—ultimately support, and independent support, for the government's agenda. We are here to critique. We might even criticize, but we're here to critique. Ultimately you'll get your way because you have the mandate. There are, how shall we say, “symbols” of independence such as this, which will go a long way towards creating the credibility of this committee, which I think is very important. Certainly it's important over four years.

[*Translation*]

**The Chair:** Mr. Brahmi, the floor is yours.

**Mr. Tarik Brahmi:** I would first like to tell Mr. Alexandre that this is not about a personal stand. I think Mr. Alexander has shown us in question period in the House that he is quite competent in this area. I was very impressed with the quality of his answers. There is nothing personal about this; it is a matter of principle.

I understand the argument made by Mr. Alexander, who says that Parliament has changed, that the make up of Parliament has changed. But, at the same time, we have to remember that the Canadian population has also changed. There are more and more immigrants. Many immigrants are from countries that are republics, not parliamentary monarchies. Personally, I come from France and more and more immigrants are from republican systems.

There is a very clear distinction between the legislative and executive branches. It is true that, in the British parliamentary system, there is an osmosis between the two. But I feel that the fact that a parliamentary secretary cannot be a part of a subcommittee speaks to that.

Changing an existing rule to move towards a system that confuses executive power with legislative power even further would go against what more and more new Canadians think, since they are used to having a clear distinction between legislative and executive powers; they are used to true independence.

• (0920)

[*English*]

**The Chair:** Merci.

Mr. Alexander.

I hope this is the last intervention.

[*Translation*]

**Mr. Chris Alexander:** I would like to thank Mr. Brahmi for his comments. Of course, in people's minds, even in Canada, we tend to think in terms of legislative power and executive power. You are right to say that the principles of a republic are well known here in Canada—we study them—but we have our system and it remains what it is.

I would like to underline that the best proof of independence is to implement good ideas and for everyone to work hard in their areas to achieve the objectives of a committee like this one. That's something the government, the ministers and the departments cannot do independently. That's what we are going to try to do here.

If a member of this committee thinks this shows naiveté, I can accept that, but I ask this person to be aware because being cynical like that about the tradition of our parliamentary committee will neither strengthen our independence nor our productivity.

[*English*]

**The Chair:** Mr. Norlock.

**Mr. Rick Norlock:** When we get into these situations, I usually like to preface my remarks by saying that these remarks are not necessarily for anyone around the table but rather for people at home who might be interested in how our democracy works.

You see, democracy is, for all intents and purposes, the exercise of power, despite what all the nice, fancy words come down to. And of course the exercise of power in a Parliament goes by the numerics of that Parliament. So the weakest in the chain likes to exercise as much power as the number that can possibly be permitted by the rules and regulations of the institution itself to take place, or more appropriately, usually, the ability of that individual or group of individuals to be able to use—some people would use the word “manipulate”—the tools at their disposal.

Mr. Harris is exactly and very much wrong when he says that this committee is very much different from municipal or other provincial legislative committees. This committee's job is to take a look at the minutiae and the finer details and to examine very closely, of course, not only the legislation passed down to it from Parliament but also anything else the committee chooses to entertain in its area of responsibility. Parliament as a whole, as a body of 308 individuals, very structured, very time-sensitive, cannot do that, whereas committees are very flexible and do not have the kinds of time constraints the House does. So this is exactly the same sort of reason that there are committees municipally, provincially, and of course federally.

When we talk about new Canadians perceiving the committee work, I would suggest that many new Canadians, if they come from a democracy, do come, usually, from democracies that have a republican system. But many come from countries governed by dictators and autocrats. This country is a constitutional monarchy. When you come to this country, you know that it is a constitutional monarchy, which means it's a democracy. And the crown is simply a symbol of the governing party or the government at the time.

So I think new Canadians would readily adapt to this system, because they know it's founded on democratic principles. Actually, if I may be so bold as to suggest, we get things done much faster than do most republican systems because of that, because of the Westminster style of governance. So I think new Canadians would readily adapt and appreciate the workings of this committee under the whole parliamentary system.

This committee is reflective of Parliament. The one thing, though, that is constant is this. They used to say there are two constants: death and taxes. Actually, there are three. And one of them is change. Change does not mean less or more respect. Change is just that. Things change. When we don't want to change, that's when we run into disrespect and many problems.

Thank you, Mr. Chair.

● (0925)

**The Chair:** Thank you.

Madame Moore, and then Mr. Harris.

[Translation]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** I would just like to give a practical example so that we understand what this is all about. In this case, Mr. Alexander has to deal with it. Let's suppose, for example that the subcommittee decides to choose one study over another, that is delaying one of them, just because that's what makes most sense based on the agenda. If the study that was delayed reports on major errors or on some kind of dramatic situation, the public can get the impression that things have been deliberately set up this way. I think that, if we were to get someone other than the parliamentary secretary to sit on this subcommittee, we would keep our independence and our integrity before Canadians. That's very important.

I would also like us to avoid situations like the one Mr. Alexander has experienced. Even though, at the outset, he had no idea there were errors, that type of situation can seem odd. To avoid that, it makes sense to me to have a member of the party other than the parliamentary secretary to do this work. I am sure that many people in the Conservative Party can do it. In addition, that would make it possible to preserve the integrity of the parliamentary secretary and to ensure that he is not caught between a rock and a hard place.

[English]

**The Chair:** Mr. Harris.

**Mr. Jack Harris:** Thank you. I'll be brief.

I have a concern about Mr. Norlock's comments about democracy being the exercise of power. It is in fact the exercise of power by the people through their institutions, and one of those institutions is Parliament.

The fact of the matter is that the parliamentary secretary is a representative of government, and the executive answers for the government in the House of Commons when the minister is not there.

There has been a trend and a concern, by all parties, over the years of ensuring that the committees are independent and that they be independent of the executive. I didn't get a chance to do enough

research, but I'm very sure, given the kinds of comments that Chuck Strahl has made in the House, that if I looked hard enough, I'd probably find a comment from him on parliamentary secretaries on committees, because that was a strong view of the party at the time in opposition.

The fact is, what we're going to see very shortly is an exercise of power, in the sense that the majority on this committee will wish to put the representative of government on the subcommittee on agenda and procedure, and frankly they have the power to do that. The fact of the matter is, this committee would operate with or without that.

I will, however, take Mr. Alexander at his word. I think he said on the record here this morning that he will take action to ensure that this committee is independent. So we will be calling you on that, sir, whenever the occasion arises. But it's not something that we relish, because it is in fact a backward step for this committee to be closer to the executive and to have that influence on the subcommittee on agenda and procedure.

● (0930)

**The Chair:** Before I allow any more debate, and I'm hoping we can get to the question, I want to remind members, first of all, the new members, to make sure you get familiar with *House of Commons Procedure and Practice*, O'Brien and Bosc, the last edition that we have. Chapter 20 deals with committees.

As committees, we are masters of our own domain—or, if you want, masters of our own demise. Essentially, we're here to set up the rules that govern us the way we see best. There's no question that every committee has different subcommittees. Every committee that I've ever served on always had a parliamentary secretary, even when I was in opposition. The parliamentary secretary served on the subcommittee on agenda and procedure. Just so you know, the subcommittee is still at the service of this main standing committee.

This is on page 969 of O'Brien and Bosc:

Once established, subcommittees carry out their own work within the mandate entrusted to them. They are free to adopt rules to govern their activities, provided these are consistent with the framework established by the main committee. Subcommittees report to their main committee with respect to resolutions, motions or reports they wish the main committee to concur in.

So even as we set an agenda, we have to report that back to the main committee, and the main committee has to adopt it.

Proposals by a steering committee as to how the main committee's work is to be organized must be approved by the committee itself. In every case, this is achieved by having the subcommittee adopt a report for presentation to the main committee. Unless the House or the committees decide otherwise, main committees may amend the reports of their subcommittees before concurring in them.

The way I've always carried out business under subcommittees is I tried to work on consensus, because we have to get it approved anyway by the main committee. When I was on the environment committee, the parliamentary secretary served on a subcommittee. When I was on the agriculture committee in both opposition and in government, the parliamentary secretary served on those subcommittees. Although that may not have been the practice of the national defence committee, every committee has the power to set their own agenda.

Seeing that there are no more speakers, Mr. Alexander, can you read that motion into the record one more time?



**Mr. Chris Alexander:** I move that the subcommittee on agenda and procedure be composed of five members, including the chair, the two vice-chairs, the parliamentary secretary, and a member of the Conservative Party; that quorum of the subcommittee shall consist of at least three members; that each member of the subcommittee shall be permitted to have one assistant attend any meetings of the subcommittee on agenda and procedure; and in addition, that each party shall be permitted to have one staff member from a House officer attend any meeting.

**The Chair:** Is that what you mean when you say "House officer"?

**Mr. Jack Harris:** One staff member of what?

**Mr. Chris Alexander:** One staff member from a House officer. I think that means....

**The Chair:** Every House officer, or would you just say party whip?

**Hon. John McKay:** Why don't we just make the party whip a member of the subcommittee?

**The Chair:** Because House officers are whips and House leaders.

**Mr. Chris Alexander:** Right, so let's say "whip", then.

**Mr. Jack Harris:** Do we have a written version of that? This subtlety makes it.... Do we have a written version?

**The Chair:** Ms. Gallant.

**Mrs. Cheryl Gallant:** Point of order: do we have a written version in English and French?

**Mr. Chris Alexander:** I don't have it in French.

**The Chair:** This is the business at hand, and we can deal with motions without their being translated. Translations can be circulated later.

**Mr. Chris Alexander:** So we could say that one staff member from a whip's office can attend any meeting.

**The Chair:** Yes, that would be better.

Is everybody clear on that? That's the question we're going to vote on.

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

**The Chair:** The next one concerns reduced quorum. You guys have it in front of you.

Mr. Alexander.

**Mr. Chris Alexander:** I would move that the language we have be adjusted to read as follows:

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 four members are present, including one member from each recognized party.

I would recommend adding another paragraph that would simply cover the issues regarding quorum for meetings that take place outside the parliamentary precinct. We would add:

In the case of previously scheduled meetings taking place outside the parliamentary precinct, the committee members in attendance shall only be required to wait for 15 minutes following the designated start of the meeting before they may proceed to hear witnesses and receive evidence, regardless of whether opposition or government members are present.

● (0935)

**The Chair:** Mr. Harris.

**Mr. Jack Harris:** I believe I have a point of order on this motion.

I think we agreed to discuss these motions. We don't have them written in front of us, we don't have them in English and French, and we haven't had time to give any consideration to them. I had no idea we were moving so far afield. I don't know what's coming next. This meeting is really to elect the chairs, and we can do other things only by agreement.

If we're talking about a minor adjustment of a word here or there, or a clarification, that's one thing, and I don't have a problem with it. But this seems to me to be going far afield. Are we meeting on Thursday of this week? If we are, and if there is anything to be changed, perhaps we can go through this list and do the ones that are staying the same. If there are adjustments being proposed, we will have written copies of the proposed amendments in both official languages, and we can consider them on Thursday.

I don't know what else is coming, but it seems to me there are plans afoot, not coincidentally, on the part of the parliamentary secretary to change the rules of this committee. I'd like to have some advance notice of what these proposals are before we have to consider them and vote on them.

**The Chair:** Mr. McKay.

**Hon. John McKay:** I agree with Mr. Harris. There are actually two proposals by the parliamentary secretary, and one is substantively different from what was presented here. In principle I don't know that I have much objection to it.

If there are other changes, which I suspect there will be towards the end, and if we have them all in front of us, this meeting might go much more quickly next Thursday. Assuming there was a circulation of the proposals by the majority party, we could have some workout prior to the next committee.

**The Chair:** Speaking to the point of order, I have Ms. Gallant.

**Mrs. Cheryl Gallant:** With respect to Jack's notion of coming back with pre-written amendments, is that required when we have a meeting like this? Can we not just work through it, motion by motion, according to what's necessary? Is there a requirement to provide changes in advance, if there are any more?

**The Chair:** Mr. Norlock.

**Mr. Rick Norlock:** I've come from last week's public safety and national security committee, where we dealt with the election of chairs and the routine motions. We were able to deal with that. There were changes to several sections.

If we're embarking upon a new way of doing things at this committee.... Of course I know that every committee is different and is master of its own house, as it were, but if every time someone comes up with a motion we have to circulate it and deal with it at the next meeting, we're not going to get too much done at these meetings if we are not able to deal with things in an expeditious way, after having fully fleshed them out and discussed them, as is appropriate to do at meetings such as this.

I just hope that we're not going to be involved in esoteric discussions every time we have slight changes to the way it has always been done at this committee. Change is inevitable. Change will happen. It's how we adapt to that change and how quickly we do that...we'll have a moniker of success or otherwise.

● (0940)

**The Chair:** Mr. Harris, for your second intervention, please keep it brief and make sure it relates to the point of order.

Then I have Mr. McKay and Monsieur Brahma.

**Mr. Jack Harris:** Obviously, change happens and all of that sort of stuff, but here the government is proposing changes to the rules of this committee. They're not talking about national defence or some substantive matter that we're dealing with. The government is proposing changes to the rules and we are asking that we see copies of those changes in both official languages. All the members on the committee are new except for Ms. Gallant and me, and I just don't think it's right that we be asked to deal with this without seeing those changes.

The purpose of this reduced quorum is to allow evidence to be heard so that people can't manipulate the committee by walking out of the room and various other things like that. Let's not just assume that these are minor changes that occur, that these are just inconsequential and we don't need to see copies or we don't need to think about them. This is being done by consensus. If you're going to insist on roaring through all this, then that consensus will not be offered by our side—or at least not by me—in terms of proceeding in this manner. We agreed to do this in a collegial way.

It's only the motions that people are prepared to have consensus on that can be dealt with. Other committees have met and have not dealt with every issue because there wasn't sufficient opportunity to consider it or have copies of it, so I don't think it's untoward to suggest.... We're meeting again on Thursday anyway, I presume, as it's part of the schedule. If people aren't prepared to do that, then I'm going to withdraw my consent to proceeding, but I think we can proceed with things like distribution of documents, working meals, witness expenses, etc. These are uncontroversial things here, unless there are suggested significant changes. Let's get the ones that we agree upon.

For the ones that might require further discussion or a proposal.... I can see something coming here on allocation of time for witnesses. I have no doubt that there's a new proposal on this, and so there should be, but let's see what the proposal is so that we can either agree on it or perhaps negotiate a change or suggest changes. For the ones that require that consideration, let's do them on Thursday.

**The Chair:** Mr. McKay...?

No, I'll tell you what: I'm ready to make a ruling on the point of order raised. I don't think I need to have any more interventions.

Just so everybody is aware, on the motions, I asked for concurrence. We were going to go ahead, as is common practice with committees when they're being reconstituted, to accept the routine motions. Those routine motions are before you. At any time, amendments can be moved on any motion that has been put before committee.

All of you have had these motions in front of you for the last few days now. They were circulated by the clerk after committee memberships were established, so you knew what the motions were. There have been some amendments made. Amendments are acceptable at any time when a motion is before the committee.

There have been amendments brought forward that are acceptable, so we're not in violation of any rules here, especially when right now we don't have any rules governing our set-up. That's what we're trying to do right now in adopting the routine motions.

So what I am going to suggest, Mr. Alexander, is that if you're moving amendments, try to move them based upon the circulation of the motions that we had before us. Amend those existing motions rather than bring forward a whole bunch of new wording, which seems to be somewhat cantankerous. I would suggest that you work on that basis.

If members want to have a quick recess to talk among yourselves about what potential amendments might be coming forward so you have a better handle on them.... But I do want to get this done today, so that if we do decide to have another meeting on Thursday, we can, or if we're going to be recessed and out of here by Thursday, hopefully, then we don't have to meet again until the fall.

That's my purpose right now. With that, I would suggest that we have a quick recess and get back at it in about five minutes.

We're suspended.

● (0940)

(Pause)

● (0955)

**The Chair:** We're back in session. I hope you guys had a productive discussion.

We are back to reduced quorum. Mr. Alexander.

**Mr. Chris Alexander:** Thank you, Mr. Chair.

To reassure the committee, the changes our side is proposing are minimal, for today's purposes. In that spirit, I would like to adjust my previous motion to simply change the current rules for quorum to say that at least four members are present, including one member of the opposition. We'd be increasing the requirement for quorum by one, and dropping this whole question of notice of meetings outside the parliamentary precinct.

**The Chair:** As well as a member of the opposition, are you going to leave in "plus one member from government"?

**Mr. Chris Alexander:** By definition it would have to be.... No, it wouldn't. You're right. Okay, including one member of the government and one member of the opposition.

**The Chair:** So the existing motion that's in the binder, then, you're saying would read that the chair be authorized to hold meetings to receive evidence and to have that evidence printed when quorum is not present, provided that at least.... You're saying at least four members?

**Mr. Chris Alexander:** Four members.

**The Chair:** So provided that at least four members are present, including one member of the opposition and one member from government.

**Mr. Jack Harris:** The purpose of this is.... You know, we're getting back to minutiae here. There seem to be some tactical reasons for this, but I....

The purpose of this reduced quorum is to allow evidence to be heard and to prevent people from manipulating meetings and evidence by not being present. So I don't know if I like that idea. We had a reduced quorum rule here, and if someone wants to change it I'd like to hear the reasons why. To go from three to four, well, that's inconsequential.

**The Chair:** Then you'd suggest not having it defined by any member of any party, including the opposition. Is that right?

**Mr. Jack Harris:** No, I'm suggesting that the way it's written, it was put there for a purpose, and that purpose is fulfilled by the wording that exists. With respect, we're now into a third version of the reduced quorum rule, and I don't see why we need to do that.

• (1000)

**The Chair:** To me it seems to be a little more balanced to get one from each side.

Anyway, are there any other comments? We have a new amendment on the floor.

Mr. McKay first.

**Hon. John McKay:** I got lost on Jack's concern. I wasn't sure what your concern was, Jack.

**Mr. Jack Harris:** The rule as it stands right now is to allow evidence to be heard, frankly, and to try to prevent people presenting evidence from being heard I guess is part of it. This has happened in the past. I wasn't here, but I'm aware of the fact that in the past there was an attempt to disrupt committees by preventing evidence from being heard on certain occasions, whether it was government or opposition or individual members doing it. That's why my comment outside was that you can't have a situation where if one person walks out of the room it can prevent evidence from being heard. So I was satisfied to leave it as it is.

As to the purpose here, there are two reasons. One is that sort of manipulation, but also the potential that when committees are travelling there may not be a full quorum. If committees have gone to the effort of travelling somewhere and you have an opportunity to hear witnesses, that can take place in a remote location, on a visit, and that evidence can then be available to the committee, even though you don't have a full quorum. That's the purpose of this particular rule. I don't think we need to be too proscriptive in terms of who ought to be present. The idea of one member of the opposition is to say that the government can't do it on its own; there has to be some measure of collaboration.

**The Chair:** Mr. Alexander and Mr. Strahl.

**Mr. Chris Alexander:** I'd simply like to observe to Mr. Harris that I count five members on the opposition side. It's only fair, if this reduced quorum be obliged to include one opposition member, that it be obliged to include one government member. I don't think that's a dramatic departure from past practice. We did discuss the idea of raising that quorum from three to four. It's a modest proposal, but I think we all agree—

**Mr. Jack Harris:** I have no problem with that.

**The Chair:** I have Mr. Strahl and then Mr. Brahmi.

**Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC):** From my perspective, if one side of the table would be accused of being able to manipulate in this situation, surely the other side could be as well. This prevents that, does it not, by saying that it is one member of the opposition and one member of the government. Surely there is precedent in committee for manipulation to occur on both sides of the table, and I think this addresses that by saying that if one member of the opposition must be present, so shall one member of the government. So I think it's a good amendment that should proceed.

**The Chair:** Monsieur Brahmi.

[Translation]

**Mr. Tarik Brahmi:** I feel there is one problem with your argument. The difference between this side of the table and the opposite side is that you have the majority. You are comparing the two sides, but you have a majority of seven against five. I see why it makes sense to include a member of the opposition to make up a quorum, but I don't see why it makes sense to include a member from the majority. If we were to make this change, the majority could choose to hear from no witnesses. I don't understand why we have to include a member from the majority.

**The Chair:** Ms. Moore.

**Ms. Christine Moore:** This motion consists of two major amendments. If the members of the committee are not opposed, I would like to discuss them separately.

Does the committee agree to increase the quorum to four people and to add a member from the government? These are two separate things, but we are trying to discuss them at the same time. Even though I am fully bilingual, I must admit that this debate is slightly going over my head. If you have no objection—

• (1005)

[English]

**The Chair:** Go ahead, Ms. Gallant.

**Mrs. Cheryl Gallant:** Speaking to Ms. Moore's comment as to why we would have four as opposed to three—because you were questioning the number—right now our chair is a Conservative. So it would make sense to have four people, as opposed to three, so that when we have a witness here, and the rounds of questioning occur, we could have a government member pose the question, because the chair is supposed to remain neutral and out of the questioning. That is the reason for the four.

**The Chair:** Let me just say, though, that not always am I going to be in the chair. When I was chair of the environment committee, I had a family emergency and I was out of the House for a month. So the opposition chair, the vice-chair, was in the chair. That's where you get the chance for possible games being played. If you have the balance when the Conservative is the chair, then you want an opposition member. The same is true, as well, when the vice-chair is chairing and because of circumstances may be in there for a long time. Then you need to have that balance with the governing party, as well. I think it's only logical to have that balance because of the unforeseen circumstances that may happen with health and other things to the chair.

Mr. Harris.

**Mr. Jack Harris:** If I could add to that, I agree with increasing the quorum to four for the reasons suggested. I don't have a problem with that. Perhaps the clerk can satisfy us on interpretation there. I notice that in the language of these rules, we talk about the chair in some places and the chair and the two vice-chairs in other situations. I'm assuming that under the reduced quorum rule, the word "chair" includes vice-chairs as well, without having to specifically state that based on....

**The Chair:** I believe the interpretation is that the chair is the person who is chairing the meeting.

**Mr. Jack Harris:** It is the person who is sitting in the chair.

**The Chair:** It could be the vice-chair.

**Mr. Jack Harris:** So that reduced quorum doesn't authorize just the chair; it authorizes the committee through a chair to have a reduced quorum.

**The Chair:** In my absence, you're in charge.

We'll go to Madame Moore.

[Translation]

**Ms. Christine Moore:** Do the four members include the chair or not?

[English]

**The Chair:** It includes the chair.

[Translation]

**Ms. Christine Moore:** Thank you.

[English]

**The Chair:** With that, we have the amendment before us. Everybody understands the question.

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

**The Chair:** On the distribution of documents: that only the clerk of the committee be authorized—

**Mr. Jack Harris:** Did we vote on both of these?

[Translation]

**Mr. Tarik Brahma:** There is one thing I didn't get.

Are we voting on both amendments at the same time or on just one?

[English]

**The Chair:** It was both, for four plus one member from the government. That was what was proposed in the....

**Ms. Christine Moore:** I am asking if we can decide for the four and then decide for the other part.

**The Chair:** That was moved as one amendment, so we voted on it at once—

[Translation]

**Mr. Tarik Brahma:** Have we not considered the request to vote on these two issues separately?

[English]

**The Chair:** It was moved as one motion.

Mr. Alexander had taken his original amendment off the floor and proposed a second amendment, which changed it to four plus one from the government party. That was the amended motion before us. I asked if everyone was clear on the question. I called the question. We took the vote, and it carried.

Okay, on distribution of documents, the next one there, are there any comments?

**Mr. Jack Harris:** There is no issue here. We're just changing the wording from two to four and adding, at the end of "opposition"—

**The Chair:** Adding one from government, yes. That is the clarification.

On distribution of documents, Mr. Alexander.

[Translation]

**Mr. Chris Alexander:** I would like to explain this to Mr. Brahma and Ms. Moore.

We are talking about four members, including the chair or the vice-chair. If we had kept the previous version, the quorum could have consisted of four members of the opposition, including the vice-chair.

**Ms. Christine Moore:** I am well aware of that.

**Mr. Tarik Brahma:** I don't think that's what the question was. In terms of the first matter, of going from three to four, my understanding is that everyone agrees. Ms. Moore was saying that we would have liked to discuss the other amendment. We actually got the impression that the second was quickly overshadowed by the first. I feel it's quite shocking that we did not have the chance to talk about the second amendment, which is not at all related to the first.

• (1010)

[English]

**The Chair:** Just so everybody is clear, the amendment came as one motion, so we voted on it once. It came from one motion from Mr. Alexander. We took that vote and it carried. That's the end of debate.

We are moving on to distribution of documents. Does somebody want to move that?

Mr. Harris.

**Mr. Jack Harris:** I would propose a slight modification: that the clerk inform the witnesses of this requirement at the time of arranging for their attendance.

The purpose of that is obvious, but sometimes we have witnesses come with a prepared statement and they expect it is going to be sent around, but of course it cannot be unless it is in both languages. At least if they know when they are told they're coming they can arrange translation, or ask to have it translated before distribution.

For those who have been on this committee, sometimes it has been difficult when someone gives a presentation in one language and it is not available in written form in the other and members can be at a disadvantage afterwards in not having a written copy of the statement.

**The Chair:** It's become common practice. The clerks have always—

**Mr. Jack Harris:** Some of the other committees have that.

**The Chair:** Mr. Harris, are you proposing that at the end—

**Mr. Jack Harris:** At the end of what is there, yes.

**The Chair:** That is after “official languages”—“and that the clerk inform witnesses of this requirement...”

**Mr. Jack Harris:** Yes—“at the time of arranging for their attendance”.

**The Chair:** Okay. Are there other comments?

**Mr. Chris Alexander:** Perhaps “the clerk shall inform”—just to give it....

**The Chair:** Okay, “shall inform”.

Are there other comments?

Mr. Alexander.

**Mr. Chris Alexander:** We agree with that proposal, I think.

**The Chair:** Seeing no other comments, I call the question.

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

**The Chair:** On working meals—

**Some hon. members:** Agreed.

**The Chair:** It is agreed. Did we need a mover?

**Hon. John McKay:** I have a motion that the chair be fired unless the meals are up to speed.

**The Chair:** I'm cooking them.

I need a mover for that, please. It's moved by Mr. Harris.

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

**The Chair:** Witness expenses.

That's moved by Mr. Harris.

Comments?

Madam Gallant.

**Mrs. Cheryl Gallant:** I'd just like to ensure that when we endeavour to conduct a study in this committee we look at the budget ahead of time before requesting a huge list of witnesses. Let's make sure we know how much we have to spend within that study and then proceed with witnesses.

**The Chair:** Anytime we undertake any study the committee will develop a budget for travel or for inviting witnesses. All travel outside the parliamentary precinct has to be approved by the liaison committee, of which I'll be a member. As well, if we exceed \$40,000, even for attending here, if we were calling in a large group of witnesses and it's a fairly substantive study, I have to prepare that. First I'll get approval at this committee and then I'll take it to the liaison committee for approval as well.

There are checks and balances to ensure that we stay on budget.

Other comments?

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

**The Chair:** Staff at in camera meetings.

So moved by Mr. Harris.

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

**The Chair:** Everybody is getting along just great.

In camera meeting transcripts.

So moved by Mr. Harris.

Do you have a question, Cheryl?

• (1015)

**Mrs. Cheryl Gallant:** Members of committee—is that regular members?

**The Chair:** Members of this committee, the ones who are the regular attending members.

**Mr. Jack Harris:** On the in camera transcripts, I thought there was a provision for staff to look at them as well.

**The Chair:** Some committees adopt that, some don't.

**Mr. Jack Harris:** From a convenience point of view, if you could have a member of your own staff go—

**The Chair:** Again, it comes down to when it's in camera, we as members are the ones who are ultimately responsible for confidentiality. We don't want to have a breach of parliamentary privilege.

As chair, I'm somewhat leery of allowing staff.

**Mr. Jack Harris:** But staff are there at the in camera meetings.

**The Chair:** Yes, but it's also about how they handle in camera documents and documents that are considered to be confidential.

**Mr. Jack Harris:** I agree, but what I'm looking at here is the staff are at the in camera meetings. If a member of the committee wants to consult the transcript to verify something, the member would have to go to the clerk's office and look at the transcript, instead of being able to send a staff member to check the transcript.

I wouldn't want to go beyond the staff member of a member of the committee. It's just for the sake of convenience, I suppose.

**The Chair:** Mr. Alexander.

**Mr. Chris Alexander:** Mr. Chair, on our side, based on the experience of returning members and our own experience of this committee and ambitions for this committee, we discussed this. We're against having staff consult transcripts independently simply because we think it will help this committee bring more substance to its in camera discussions.

If staff are at an in camera meeting, we can see who they are. That is a form of accountability because we all would know who was there. When you consult a document afterwards, we're not exactly sure whose staff has been doing it. We think it relaxes the accountability that we need to be strong to be able to use this tool.

**The Chair:** Mr. Harris.

**Mr. Jack Harris:** I'm satisfied with that argument, Mr. Alexander. Thanks.

**The Chair:** Okay.

Mr. McKay.

**Hon. John McKay:** Not entirely on point—and maybe I should have raised the point about distribution of documents—at the government operations committee last Parliament, we ran into an enormous problem that had to do with translation. Contracts were presented in one official language, and the cost of the translation was in the order of \$300,000. That seemed to me to be a substantial issue. So the compromise we arrived at was that it could be read in the transcript.

I don't know if that will be an issue, but the cost of going from French to English or English to French was substantial, and then members never read the stuff.

I'll just plant that seed. It could possibly be handled by having it read by the members in the clerk's office without translation unless through a full vote of the committee there was a decision to translate it.

It's probably inappropriate to raise it at this point, but I just want to plant that marker.

**The Chair:** It isn't relative to the motion before us, because the transcript itself is bilingual.

Mr. Brahmi.

[*Translation*]

**Mr. Tarik Brahmi:** Would it be possible to find a compromise? The transcript copies could be read by the member of the staff who was there. Would it be too difficult to determine whether the member who reads the transcript was there? If it is actually possible, that could be a middle ground.

[*English*]

**The Chair:** In the last Parliament at the finance committee one staffer leaked a confidential document, and it turned out to be quite problematic and really hurt the budgetary process for that committee when they were doing budgetary consultations and preparing the report to present back to Parliament, because ultimately we as members are responsible, especially when we're dealing with national defence. Ultimately we are responsible for the issues we are dealing with and the documents we are studying. I think we want to minimize that type of opportunity for abuse within the parliamentary system.

We can hold each other to account by raising issues, as we do with our staff as well, but a member is ultimately responsible for their staff and can be held before Parliament on a breach of privilege to other members.

I think my role as chair is to try to minimize those opportunities, so I am happy with the way the motion reads right now and don't want to open up a new can of worms.

Mr. Harris.

• (1020)

**Mr. Jack Harris:** I hear the notes of caution, and I'm considerably persuaded by them. I realize this is not quite on point, but with regard to John's point about examining documents that may not have been translated, perhaps we can consider another rule for that.

**The Chair:** I think maybe we can bring that up as a secondary routine after we get through these. You can bring up another routine

motion. I think we could have a subamendment to that motion or a new procedure on translation.

We have a question before us. Mr. Harris has moved that as it stands.

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

**The Chair:** Next is notice of motions.

Mr. Harris.

**Mr. Jack Harris:** I would like to accept the 48-hour notice, but I'd like to propose an interpretation and add at the end that notice be deemed to be received if presented to the clerk at 6 p.m. on the second day prior to the day of the meeting.

That's a deeming provision. It's two days before, but it's at the end of the second day before. The reason for that is if we have a meeting at 8:45 on Thursday, you have to give notice at 8:30 or 8:45 on Tuesday in order to get a motion on, which seems to me to be rather restrictive. The same would go for a Tuesday meeting. You'd have to give notice at 8:45 on Friday in order to have something discussed on Tuesday, which seems again to be rather restrictive.

I would propose that we have maybe the second business day prior. So for a Tuesday meeting, if the notice were presented to the clerk by 6 p.m. electronically and in both official languages, that would meet the provision of 48 hours' notice.

**The Chair:** That would be my only caution. I know from my own experience working with both clerks at the table here today that if you get it to them after 4 p.m. in one language, it's not going to be translated in time. So you're going to make it contingent upon members to make sure that if they're going to submit late, at perhaps 6 p.m., they should be submitting in both official languages.

The only other wording I would suggest you might want to add, not that I can move amendments, is "electronically".

Mr. Alexander.

**Mr. Chris Alexander:** I'd like to ask Mr. Harris if the following would meet his requirement and also the requirement....

**The Chair:** I believe that we have an amendment on the table, so if you want to move a subamendment....

**Mr. Chris Alexander:** I'm moving a subamendment that motions received by 4 p.m. on sitting days shall be distributed to members the same day. That essentially means that on a Friday, as long as it's in the staff's hands by 4 p.m., it would be distributed that day, meeting a requirement for 48 hours' notice, and similarly distributed on a Tuesday for a Thursday meeting.

**Mr. Jack Harris:** Put that at the end.

**Mr. Chris Alexander:** Yes, that would be at the end. It replaces your language. I find it clearer, but I think it achieves the same thing. It is a change.

**Mr. Jack Harris:** If you're adding it at the end.... My motion says that 6 p.m. meets the requirement, and you're saying that if it comes in by 4 p.m., it should be distributed the same day. That's a different point, and I would accept that it's fine. Are you seeking to replace my motion with yours, or...?

•(1025)

**Mr. Chris Alexander:** Yes. I think it achieves your intent and also the staff wish not to have things arrive at the absolute last moment on working days but at 4 p.m.

**The Chair:** We have to make sure that we're speaking through the chair and are taking turns.

Therefore, I have Madam Gallant and then Mr. Strahl.

**Mrs. Cheryl Gallant:** I'd like to hear from the clerk how long it takes. Is it feasible to have a document submitted by 6 p.m. in both languages distributed to everyone?

Second, when you say notice of motion, are we talking about the clerk getting notice, the chair getting notice, or the time for the members, as well, to get notice of what's coming down?

**The Chair:** Just so you know, when I run a committee, all questions, especially for the table officers, come through me.

I'll ask Monsieur Lafleur to talk about the technicalities of dealing with translating and distributing things on time. There is a problem with Fridays, as well, because the House rises at 2:30, and people tend to go home early on Friday.

Go ahead, Monsieur Lafleur.

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

As for the motion as it stands here and what Mr. Harris added, it says "received by 6 p.m." So of course, if it's in both official languages, to add to this, it's quite easy for us. It could be sent in five minutes. Let's say I receive it at 5:57. It could be arriving electronically in members' offices by 6:15. That would be very easy.

I'm sorry, what was your next question?

**Mrs. Cheryl Gallant:** Through the chair to the clerk, I wanted to know if the notice of motion given 48 hours ahead goes to the clerk or the chair.

**The Chair:** It's always to the clerk. The notice always goes in to the clerk. Don't be sending notices to me. They won't be translated, to start with.

Go ahead, Mr. Strahl.

**Mr. Mark Strahl:** Mr. Chair, I know that in the other committee I've been on there was an attempt to have it be consistent in terms of what the cut-off was for a motion to be submitted to the House. On Monday to Thursday, I believe it's a certain time, and then on Friday it's a certain time. I was unsure if it is six o'clock or four. Perhaps we could be consistent—

**The Chair:** We're dealing with a subamendment that is saying 4 p.m.

**Mr. Mark Strahl:** Could you advise or the clerk advise what time it is in the House, just for clarification?

**The Chair:** No, we're talking about 4 p.m. As I mentioned, it could be a problem on Friday, but 4 p.m. would be a little more workable than 6 p.m. As you're suggesting, Mark, some of the committees have said that on Fridays it is 2:30.

**Mr. Mark Strahl:** That's right.

**The Chair:** Mr. Harris, on a point of order.

**Mr. Jack Harris:** Yes. My motion, with your assistance, is changed to read that "notice shall be deemed effective if received electronically by the clerk by 6 p.m. on the second business day prior to the date of meeting". I understood the amendment to say that notice received by 4 o'clock shall be distributed on the same day, which is, I guess, a different point about distribution of the notice, but I'm not sure if that's the intention.

Maybe your intention is to change from six o'clock to four, and you said sitting day, which is difficult, because Friday may not be a sitting day sometimes, and we may have meetings during the summertime or in break weeks and we'd want to submit motions, so I would leave sitting day out of it.

I'd say "business day", because we don't want to count Sunday or Saturday as a day.

**Mr. Chris Alexander:** I'm happy to adjust my subamendment to read "business day".

**The Chair:** So essentially you're just talking about 4 p.m., about changing it from 6 p.m. to 4 p.m.

**Mr. Jack Harris:** If you want to change the six to four and add that it be distributed the same day....

**Mr. Chris Alexander:** That's right. That is the only intent of my subamendment: to change the timing and just to formulate in a sense where.... I don't think the result is....

**The Chair:** The table officers are advising me that this is doable.

Madam Gallant.

**Mrs. Cheryl Gallant:** I would like to speak in favour of the proposed amendment to the amendment.

•(1030)

**The Chair:** Yes, we're on the subamendment.

**Mrs. Cheryl Gallant:** Right. If we end up getting the notice at 6 p.m. on a Friday, some of our colleagues, even late in the day, are already in the air or in areas where they don't have access to communications to be able to prepare, given the amount of time between the notice and the meeting.

**The Chair:** Yes, but we're talking about 4 p.m. rather than 6 p.m.

Madam Moore.

[*Translation*]

**Ms. Christine Moore:** Can you read the motion and all the amendments again?

[*English*]

**The Chair:** I'll read it the way I have it here: that 48 hours' notice be required for any substantive motion to be considered by the committee unless a substantive motion relates directly to the business then under consideration, and that the notice of motion be filed electronically with the clerk of the committee and distributed to members in both official languages electronically, and that the motion.... No, wait.

How do we have it here?

Okay: that the motion be filed electronically with the clerk—that's where I'm going to put electronically—and distributed in both official languages and that the motion received by 4 p.m.—

**Mr. Jack Harris:** I do have the wording.

**The Chair:** Go ahead.

**Mr. Jack Harris:** It is that “notice shall be deemed effective if received electronically by the clerk by 4 p.m. on the second business day prior to the date of the meeting”.

Then, added by Mr. Alexander, is that it be distributed on the same business day if it's filed—

**The Chair:** And distributed on the same business day.

**Mr. Jack Harris:** Yes: distributed to members of the committee on the same business day.

Is that right, Mr. Alexander?

**Mr. Chris Alexander:** Yes.

**The Chair:** Is everybody clear on that?

Mr. Kellway, did you have a question?

**Mr. Matthew Kellway (Beaches—East York, NDP):** No. I understand now that it is being amended so that all times refer to 4 p. m. It's no longer 6 p.m. so that it allows for translation as well. That's fine.

**The Chair:** Seeing no other questions, we are voting on the subamendment.

(Subamendment agreed to)

**The Chair:** Now we're voting on the amended motion.

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

**The Chair:** On allocation of time for witness presentations and questioning of witnesses, Mr. Alexander.

**Mr. Chris Alexander:** Thank you, Chair.

This item has been the object of some consultation, both on our side and across the table with members opposite. The proposal we would like to make is that we adjust the first round of seven minutes each to read as follows: Conservative, NDP, Conservative, and Liberal; secondly, that the second round of five minutes each be adjusted to read NDP, Conservative, NDP, Conservative, NDP, Conservative, and Conservative.

That would allow for each member of this committee to speak once in either the first or second round in each round of questioning of witnesses, and it would, as closely as possible, reflect the new distribution of weight by party in the House of Commons.

**The Chair:** So you want Conservative, NDP, Conservative, Liberal in the first round, with seven minutes each—

**Mr. Chris Alexander:** That's correct.

**The Chair:** —and then NDP, Conservative, NDP, Conservative, NDP, Conservative, Conservative.

**Mr. Chris Alexander:** That's correct.

**The Chair:** I have Mr. McKay.

**Hon. John McKay:** His proposal flies in the face of every precedent that this committee, and in fact all committees I've ever sat on, has ever had.

The usual process is some version of a party round, which is the first round—three parties, three questions, seven minutes each. That's been true in both majority governments and minority governments.

I just go back to the last time this committee was in a majority government. The first round was seven minutes and it was Alliance, PQ, Liberal, NDP, Progressive Conservative, all treated equally. But it was one question per party in the first round, at seven minutes each.

In fact if you do it so that you load it up for the Conservative Party, you essentially reduce the time available for other members in their own party, because a seven-minute round effectively becomes a round and a half for the second round. So you're departing enormously from precedent.

The second thing is that when it was a majority government the last time—and we had more seats than the Conservatives currently have—we again treated everybody equally, because the point of a committee is to allow the opposition in particular access to ministers, to staff, and to various other people the government might wish to put forward, as opposed to the government members, all of whom have tremendous access to ministers, associate ministers, deputies, staff, and briefings. That's why you in effect create an uneven playing field until you get to the third round.

To effectively relegate the Liberal Party, in particular, to one question for every sitting is frankly an insult to any democratic notion I've ever understood. If we want to have here a tyranny of the majority, which is how I see this proposal, then that is in fact what you're going to achieve. There will be consequences. There will be consequences that flow from that in terms of the collegiality and the ability of this committee to arrive at consensus.

Frankly, if the Liberal Party in particular, but the NDP as well, don't have meaningful input into reports, what's the point? You want consensus. And if you want consensus, this is no way to go about getting consensus.

I just want to point out the contrast between when the Liberal Party had a majority and how it treated all minority parties, and how the Conservative Party now treats minority parties. You couldn't have a starker contrast. This is a recipe for a tyranny of the majority.

And frankly, if this is the way it's going to be—and you have the power—then you effectively render minority parties to the sidelines. And if you render minority parties to the sidelines, there are consequences that flow from that, and in effect the committee becomes a rubber stamp for government.

Either the questioning becomes meaningful—i.e., there is no doubling up for the government party in the first round and there is space reserved for the Liberal Party in the second round—or frankly we're all sitting here wasting our time.

• (1035)

**The Chair:** I actually agree with you on the first round, Mr. McKay, that seven minutes should be equal among parties.



In all the committees I've served on since I've been here, which goes back to when we were in opposition in a minority government, the committees of agriculture and environment have had the practice that we are all here as private members, first and foremost, so no member of a committee should get to ask a second question until every member on that committee has had a chance to ask a first question. So I do agree—although it's up to Mr. Alexander if he wants to change it or if somebody wants to move that amendment—that one Conservative in the first round should actually be leading off the second round instead of being in the first round.

I could also say that the way I run my meetings, I don't like to load up with a whole pile of witnesses. I like to have two or three, tops, and that gives more than enough time, because I am very judicious in the way I allocate time. We always get back to a final round, and for whatever time is left on the table, we go back to the first round and split that time evenly among the three parties. That's the way we've always run it so every party has a chance to ask a final question before we move on. That way the Liberals would get a final question before the end of the meeting, so you would have one in the first round and then one in the final round.

With that, we have Mr. Harris, and then Mr. Norlock and Madam Gallant.

**Mr. Jack Harris:** Thank you, Chair.

I want to recognize your experience in your suggestion here, and I was proposing to move something similar in an amendment. I'll preface it by my comments, I suppose.

I agree with Mr. McKay that the first round is essentially a party round—one for each party is the first round, with the seven-minute attached to it, and the usual order is the opposition first, although I'm not solid on that.

So I would move an amendment that the first round consist of three: the Liberal, NDP, and Conservative—not in that order, but let's say Conservative, NDP, Liberal; that the second round consist of five minutes each, again following the rule that all members who haven't yet spoken get an opportunity to speak, and the order is not important—the Conservatives can go first, and back and forth—

• (1040)

**The Chair:** Or until everybody asks a question.

**Mr. Jack Harris:** —so everybody has five minutes; and that there be a third round.

Now, it says there are five minutes each, but again it's at the discretion of the chair the way these things are written. And I agree with your discretion there, that the remaining time be divided among the three parties as another final party round. So we just knock the Bloc Québécois out of the existing rule here and just change the order. I don't have a proposal for an order for the third round, but I guess it would be opposition first and—

**The Chair:** NDP, CPC, and Liberal.

**Mr. Jack Harris:** NDP, CPC, and Liberal could be fine.

**The Chair:** Okay.

So essentially you'd be looking at, first round, NDP, CPC, Liberal; the second round would be Conservative, NDP, Conservative, NDP,

Conservative, NDP, Conservative; and third round would be NDP, Conservative, Liberal.

**Mr. Jack Harris:** The Liberals can go first before the CPC in the first round.

**The Chair:** Well, then you've got two back-to-back Conservatives right off the bat.

**Mr. Jack Harris:** Okay. Well, do it the other way, then.

**The Chair:** Okay.

I have Mr. Norlock and then Madam Gallant.

**Mr. Rick Norlock:** I think Mr. Harris would agree that when he was on the public safety committee it was basically the way Mr. Alexander expressed it. The NDP got one question.

My preference is this: if we're all valued members of the committee, and I believe we are, then every member of the committee should get to at least ask one question. If we go to Mr. McKay's version, some of us will never ever get to ask a witness a question unless somebody is benevolent enough to allow us to do so.

I think it's very important that every member of the committee get a question, and that's why I support Mr. Alexander's submission.

**The Chair:** Okay.

Madam Gallant.

**Mrs. Cheryl Gallant:** Yes, I would not be supporting Mr. Harris's amendment. There was talk about this alleged tyranny of the majority, but we have experienced over the years the tyranny of the opposition when it had fewer members. Often what happens is that we have to split time in the meeting. And I know that you can say we'll change the witnesses' speaking time, but that always requires unanimous consent. Repeatedly government members would not have a chance to speak at all, and the party with the fewest representatives in the House would have repeated opportunities in lieu of government members.

So on that basis, I support the motion as put forth by Mr. Alexander.

**The Chair:** Okay, so you're speaking against the subamendment.

But I'll just guarantee you that I will not load up the end of the table with so many witnesses that we don't get a chance for every member to ask a question. I find that a real restraint to our parliamentary privilege that we have here. I do believe that every member of this committee has a chance to ask questions of every witness that we bring before this committee. And I'm very judicious on my time. I will cut people off.

I have Mr. McKay, Mr. Alexander, and then Madam Moore.

**Hon. John McKay:** I'm not quite sure where we're at with Jack's amendment.

**The Chair:** We're on Jack's amendment.

**Hon. John McKay:** Jack's amendment is NDP, Liberal, CPC?

**The Chair:** Yes, in the first round, NDP, CPC, Liberal.

**Hon. John McKay:** I'd quibble about that only because you want opposition to ask questions and then the government asks questions.

•(1045)

**The Chair:** Don't get me wrong, I think it's—

**Hon. John McKay:** If Jack's thought is friendly I'd go NDP, Liberal, CPC.

**Mr. Jack Harris:** The chair suggested that then you'd have two Conservatives running back to back in the first round.

**The Chair:** Right after the first round, yes.

**Mr. Jack Harris:** I note that the original motion doesn't even call for a third round. The idea here is that you start with the three parties and you end with the three parties, even if it is a reduced amount of time. Then the second round allows everybody who hasn't been in the first round to ask a question.

Cheryl, you're right, there were lots of times when government members split their time, but most of the time the splitting of the time was that the government member would ask a couple of questions and then give the rest of the time to the parliamentary secretary. I think you remember that quite well.

So I don't think that's a big worry. I think the chair can ensure that every member of the committee gets a chance to ask a question in the second round who hasn't been in the first round. I like the idea of a third round because even if it was only two minutes each or three minutes each then each party then got to have a go at a question. And it's going to be easier this time out because we don't have four parties in the first round, which we did the last time. That took 28 minutes of the questioning with four parties in the first round. Now we only have three in the first round.

The second round is five minutes each and everybody gets a chance to ask a question. Then in the third round, again because we only have three parties, the division of that time would be easier. So it would meet both concerns, one that the parties be represented in the committee and that every committee member gets to ask a question. I think by putting that in the second round instead of having four in the first round there would be more opportunity to ensure that everybody got to ask a question because you take two minutes away from the total of the first round.

**The Chair:** I want to remind members that we are almost out of time here. It's a quarter to, and we do have to drop the hammer. This is the last motion we have on the table, unless you want to move a motion. I would suggest that we can deal with that—

**Hon. John McKay:** I think the points frankly are valid that you don't want two Conservatives in a row. It looks like loading up. I'm content with that.

I am concerned, however, that effectively you've got 12 questions and the possibility of a third round is between nil and zero. Unless you drop the time towards the end of the second round so that there is a possibility of a third round, no third round will ever happen.

**The Chair:** I haven't had a problem in the past. I can tell you that. When I don't have more than 30 minutes of presentations at the front end, an hour and a half provides us more than enough time to do the three rounds.

**Hon. John McKay:** As long as a Liberal leads off in the third round—that is probably as good as I can get.

**The Chair:** Mr. Alexander.

**Mr. Chris Alexander:** Thanks, Chair.

I think we do need to be careful about language like “tyranny of the majority” this early when we're discussing routine motions. Let's also be precise with the use of words like “equality”. When the Liberal government had a majority there was not equal time given to all members.

**An hon. member:** There was.

**Mr. Chris Alexander:** There was not. I testified before many of those committees, and there were more Liberal members on the committees and they spoke more than the other members.

There is a principle of equality at the beginning and the end for the three parties. Quite frankly, we're persuaded by that.

The proposal I initially made would have had, I think, family hanging back with two Conservatives at the end. I fully intended to be one of those as often as possible, out of respect for the independence of this committee. But if our colleagues opposite prefer the subamendment, we can live with that. We would just like to be clear about exactly how much time and what order is being assigned to the three rounds.

But the sequencing of speakers that was outlined earlier strikes us as reasonable.

**The Chair:** Madam Moore, the last comment to you.

[*Translation*]

**Ms. Christine Moore:** I have to tell you that I am lost. This is moving very quickly. I think I understood, but I have to confess that perhaps I may not have.

The subamendment seems to suggest that three people will speak in the first round. I would like to understand. In the last meetings of this committee, it seemed that opposition people were allowed to speak in order of representation and then we went to the Conservative Party.

So I would like to understand why we are not following that logic of letting opposition members speak in the order of their representation and then moving to the Conservatives. That was the logic in the last Parliament, I see. I think that we could follow this order: NDP, Liberal Party and Conservative Party in the first and third rounds.

I would like things to be clear before we vote. I would like the proposal before us to be clear, because the order has changed a couple of dozen times. So can we please have it written out? At least let's just use a C, an N and an L. I will understand that. We don't need to have the letters C, N and L translated.

Thank you.

•(1050)

[*English*]

**Mr. Jack Harris:** Point of order, Mr. Chairman.

**The Chair:** A point of order, Mr. Harris.

**Mr. Jack Harris:** We seem to have reached a consensus here. I propose that we vote on the subamendment in principle, and that between now and Thursday we commit it to writing with its time so that it looks like what we have in the existing one except with the adjustments made, and that we consider it on Thursday.

The reason I suggest Thursday is that I think we need another meeting on Thursday, in any event, if we're going to finalize these and deal with the question that Mr. McKay raised in relation to the documentation that might be viewed at the clerk's office.

Secondly, I want to deal with our role as a committee under the Libya extension motion and the possibility of meetings over the summer to conduct our oversight requirements under that. We should discuss that, at least.

We may not need two hours on Thursday, but perhaps we could finalize the wording of this one between the parties and you, Mr. Chairman. Maybe you have a wording already.

**The Chair:** I have a wording already. Although previous motions are adopted, unless we move amendments or revisit them, right now they're set in stone. What we have in light right now is the first round: seven minutes each, NDP, Conservative, Liberal; second round, five minutes each. So the first round is, in principle, equality of parties. The second round is the equality of members, which is five minutes each for the remaining members: Conservative, NDP; Conservative, NDP; Conservative, NDP; Conservative, NDP. And the third round will then go back to NDP, Liberal, Conservative. This is the way I have it.

**Hon. John McKay:** Could I amend that to say that effectively the first question in the third round goes to the Liberals?

**The Chair:** I have a subamendment to the amendment that it goes Liberal, NDP, Conservative in the third round. Let's vote on that first, and then let's deal with the question.

All those in favour of having the Liberals first on—

**Ms. Christine Moore:** Point of order. Could you repeat precisely what it is we're voting on now?

**The Chair:** We're voting on the subamendment moved by Mr. McKay, that the third round be—

**Hon. John McKay:** The first question only.

**The Chair:** Yes. The third round would be in the order of Liberal, NDP, Conservative.

**Hon. John McKay:** My simple argument is that you'll have gone all the way through all of the NDP questions on that.

**The Chair:** We're asking the question on the subamendment for the third round, with the Liberals first.

(Amendment negated)

**The Chair:** We're back to the amendment moved by Mr. Harris, with the third round being NDP, Liberal, Conservative.

(Amendment agreed to)

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

**Mr. Chris Alexander:** Did we resolve the point of order?

**The Chair:** I'll have that discussion now, because that wasn't really a point of order. It was about whether or not we have a meeting on Thursday.

Comments, Mr. Alexander, on that issue.

**Mr. Chris Alexander:** On the point of order, it's important, from Mr. Harris's point of view, that we complete the basic business we had today, the routine motions, so that if something happens on Thursday, and we don't end up with a meeting, we would be ready to go. If we could have a meeting and deal with this other business, I don't think there would be an objection on our side. But I think it will take consultation among us and with the chair to come to that determination.

**The Chair:** Mr. McKay.

**Hon. John McKay:** Rather than the full committee meeting, can we have a subcommittee meeting? The issues raised by Jack and others are essentially procedural in content, and it seems to be appropriate for the subcommittee.

**The Chair:** Okay. That's what I'll suggest then. That's a good way to deal with it.

We'll have a subcommittee meeting in here on Thursday morning to deal with the issues raised by Mr. Harris. I'd also ask Mr. McKay to draft language to go around the issue of translation. We can look at it in the fall, but just so we can have something on dealing with substantial costs of the translation of huge documents.

What that, can I have a motion to adjourn? Thank you.

We're out of here.





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