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Chair

Mr. Stephen Fuhr

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•(1555)

[English]

The Chair (Mr. Stephen Fuhr (Kelowna—Lake Country, Lib.)): Welcome back.

I know that Mr. Bezan has indicated that, out of camera, he wants to move some motions he has tabled.

Mr. James Bezan (Selkirk—Interlake—Eastman, CPC): There's been notice of motion given for a number of motions that I've put forward over the last few months.

On Monday, April 3, I gave notice of the following motion that I'd like to move now:

That the Committee undertake a one meeting study with regards to the National Defence Ombudsman's Report titled *The Case for a Permanent and Independent Ombudsman Office* in order to analyse the report.

The Chair: Is there discussion?

Mr. James Bezan: I believe that most of us have met with Mr. Walbourne. He has talked about this report and having legislation come forward in the near future so that he would be more independent and not have his budgets controlled by the Department of National Defence. That would give him the ability to be more like an officer of Parliament, rather than someone who has to report directly to the minister—although he would still have that responsibility. It would actually kind of double-hat him.

I think it's important that we bring him to a committee meeting, that we hear from him, not only to talk about how the legislation could possibly be brought forward, but also to get a better handle on some of the restrictions and interference he has experienced from the department that have impeded his ability to do his work.

The Chair: Is there discussion?

Randall.

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): I know the ombudsman feels quite strongly about this and has done a lot of very good work in building his case, so I feel the committee should grant him the courtesy of hearing him directly on this. Whatever people think about it, he does great work on our behalf and that of all Canadians, so I would hope that we would at least hear him out.

The Chair: Darren.

Mr. Darren Fisher (Dartmouth—Cole Harbour, Lib.): Would this meeting be in camera or public?

Mr. James Bezan: Right now, it would just be a one-meeting study. I would prefer that it be in public so that he can be heard by everyone. The report is public, so I don't know why we would try to hide in camera on it.

The Chair: Cheryl.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): I suggest we add an amendment to ensure that it is a public meeting, as just discussed.

The Chair: So you're moving that we amend it.

Mrs. Cheryl Gallant: Yes. I move that we amend the motion to specifically say that it is a public meeting, preferably in Centre Block, and televised.

The Chair: A public meeting in Centre Block.... Well, we'll take whatever we can.

Mrs. Cheryl Gallant: If it can't be in Centre Block, fine, but it's easier for television.

The Chair: Yes, so we want a public meeting, televised.

Mr. James Bezan: One public, televised meeting.

The Chair: We're now debating the amendment. One public, televised meeting is what's on the table.

Mr. Gerretsen.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): When you say “study”, are you expecting recommendations to come out of this?

Mr. James Bezan: Yes.

Mr. Mark Gerretsen: All in one meeting?

•(1600)

Mr. James Bezan: We would undertake at least one meeting, I would say.

The Chair: Just one second here. We have to deal with Cheryl's motion, which is an amendment.

Mr. Mark Gerretsen: Sorry, I didn't realize there was an amendment on the floor.

The Chair: There's an amendment on the floor. One public televised meeting is what is being asked for. That's the amendment on the floor for this particular motion. Wherever that goes, we can then go back to what you're discussing.

Mr. Mark Gerretsen: Who normally determines if meetings are going to be televised?

The Chair: I know the committee can pass a motion.

Mr. Mark Gerretsen: Is that the only thing that dictates it?

The Chair: What are the resources that go into that?

Cheryl.

Mrs. Cheryl Gallant: It used to be that anytime there was a minister or a chief of defence staff or anyone of a high stature, a commissioner, he or she would be the one. Specifically we didn't even have to specially request it. It would be automatically televised. But when we decided our routine orders for this particular committee at the beginning, when it was first set up, that was not included. So now, because it's not happening automatically, we have to specify that it does.

The Chair: James.

Mr. James Bezan: If it's a public meeting and the media want to televise it, the chair has to accommodate. So the media can also—

The Chair: I don't get the opportunity to say no to that. The media can come if they want.

Sven.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Just two—

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, Lib.): [*Inaudible—Editor*].

Mr. James Bezan: If it's a public meeting, but not televised, they can make a request. If you remember when we used to be over in East Block, they would sometimes come in and set up their camera behind the chair.

The Chair: Sven.

Mr. Sven Spengemann: I have two considerations. One is that our agenda is quite full—certainly for the rest of the spring. The second one is that there are probably views on that out there. To add to that through another public meeting may be less productive than to consider at least the possibility of—

Mrs. Cheryl Gallant: Chair, I don't think he's speaking to the amendment, which is to ensure that—

Mr. Sven Spengemann: I was just about to say that.

The Chair: He's getting there. Go ahead.

Mr. Sven Spengemann: Because his views are public and we understand his views, I think there may be more value in having this session in camera. Let's have a robust exchange internally in this committee and ask him those things that we think we should contemplate among ourselves as a committee.

The Chair: Mr. Gerretsen.

Mr. Mark Gerretsen: I agree with Sven. Anything that has to do with oversight or with really digging into an issue, unless the objective is to grandstand, I don't see the point in having it televised.

Mrs. Cheryl Gallant: Grandstand.

Mr. Mark Gerretsen: Yes, that's what I said. Unless the objective is to grandstand by making something televised, I don't see the point in necessarily doing it. I would think that if the interest is really to get the ombudsman here so we can ask him questions in a very frank manner, then I don't understand why it needs to be televised.

I would not be supporting this amendment. I would further suggest that the meeting should be in camera.

The Chair: Mr. Bezan.

Mr. James Bezan: I think, Mr. Chair, that's unfortunate language to suggest that the defence ombudsman is going to come in here and grandstand.

Mr. Mark Gerretsen: You'd be grandstanding. Sorry, you took that the wrong way.

Mr. James Bezan: I would suggest—

Mr. Mark Gerretsen: Whoever is putting forward the amendment would be grandstanding—

Mr. James Bezan: When it comes to dealing with...

Mrs. Cheryl Gallant: I'm grandstanding.

Mr. Mark Gerretsen: I think you are.

Mr. James Bezan: I would think that when we have the ombudsman here who wants to do what's right for our troops and for the Department of National Defence, I don't think grandstanding would be involved. This is about hearing about his proposition.

Mr. Mark Gerretsen: Then why does it need to be televised?

Mr. James Bezan: It's a public report—

Mr. Mark Gerretsen: I agree. The public should be hearing from him. We should be sitting here and hearing from him and asking him tough questions and getting answers.

Mr. James Bezan: Who's got the floor?

The Chair: First of all, through me, James has the floor.

Mr. James Bezan: Thank you, Mr. Chair.

I would suggest that this is a public report and that the meeting should be in public. If it is in public, then what's the difference if it's televised or not, because everything will be on the record? People can listen in. This way, if it's televised, it saves the one obstacle of having the media make the request to have their cameras in here or to turn on the cameras in this room.

The thing is that Mr. Walbourne has a proposal that I think we should sincerely hear him out about, and make a determination on. That's why I said we should have one meeting. If we don't agree with it, if we don't think we need to do a report, we can make that determination after we hear from Mr. Walbourne. We can add meetings if we feel they are necessary.

I think if we are serious about having the ombudsman do the job without any impediments to how he goes about his daily business in support of our troops and those who work at the Department of National Defence, it would be irresponsible if we didn't hear from him in a public format.

• (1605)

The Chair: I have Sven and then Randall.

Sven.

Mr. Sven Spengemann: I agree with James that we should hear from him.

My point on the in camera session wasn't so much about the possibility of grandstanding by any party. It would be unfortunate if that happened. It was more the sense that he may have some things to say that he would be more comfortable saying in camera, that he may not actually say in public, and that this committee could then either contemplate, as you say, in the form of a future report or just take under advisement for its own consideration. The value added may, paradoxically, actually be through an in camera session.

The Chair: Randall.

Mr. Randall Garrison: I guess I've always been an advocate of this being done in public and being as accessible as possible, and if it is televised, it's accessible to a lot more people. I think there are only very narrow grounds for our holding in camera meetings, and those are to do our own internal business or if national security is involved. I don't think there's any other reason we would be in camera, and if Mr. Walbourne had material he wanted to deliver in an in camera session, he would have requested that of us.

I met with him, and I don't believe that's the case, and if it comes to our deliberations about what has happened in the study and whether we want to submit recommendations, then normally we go in camera to discuss those. I think we should follow the normal procedures: make the meetings as accessible as possible, and then quite as normally, we would go in camera to discuss what we want to do with that information.

The Chair: Mark.

Mr. Mark Gerretsen: Just for clarification, when we started this discussion, I specifically asked whether this was a study or a briefing, and I asked whether there should be recommendations.

The response Mr. Bezan gave was, "Yes, we might have some recommendations come out of it." Therefore, it didn't make sense to me to have a meeting that is public in which we're forming these recommendations and we're doing the work of the committee that you're talking about. As far as I am concerned, if we're really interested in getting some good, solid information and asking these questions, then we should have him here, but I don't see the need to have all of this done in a forum that is televised. I don't see the point of it.

The Chair: James and then Cheryl.

Mr. James Bezan: I'm not hung up on it being televised, but it has to be public. If it is public, then there's an opportunity that media can televise it as well. I agree with Randall that we should be as transparent and open as possible. This is a public report and it's been out there since April, so there's no reason for us not to discuss it in a public manner.

Now, I'd like to remind committee members that when we do make decisions to draft reports or to make recommendations, we always do that in camera. That is the tradition of how this works, so I would not be interested in seeing us having that discussion in a public meeting. That should be for in camera purposes, but at the very least, let's have this one public meeting with Mr. Walbourne so we can hear from him and then we can determine whether or not it's a study after that fact.

The Chair: Before that, we should remember that we're considering the wording "one public, televised meeting".

Cheryl.

Mrs. Cheryl Gallant: If there is going to be a study, then, to address your concern and as Mr. Bezan mentioned, we would have a separate meeting that would be in camera to discuss the report, as we always do. So we're not discussing recommendations publicly; we're hearing the testimony publicly, preferably televised. That used to be the rule, not the exception, and we could go back to having an open and transparent committee.

The Chair: It sounds as though debate is collapsing.

I'm going to call it. We're on the amended motion of Mr. Bezan for one public televised meeting.

Mrs. Cheryl Gallant: We'd like this vote recorded.

The Chair: Sure.

Mr. Darren Fisher: We have to vote on the amendment first.

• (1610)

The Chair: We're voting on Cheryl's amendment to have one public televised meeting on issue moved by Mr. Bezan.

All those in favour? Opposed?

Mrs. Cheryl Gallant: I didn't hear whether Mr. Robillard said yes or no.

Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.): I'm against.

(Amendment negatived: nays 5; yeas 4)

The Chair: So we go back to Mr. Bezan's original motion. It is still on the table.

Ms. Leona Alleslev: We need to propose an amendment.

The Chair: That would make sense, yes.

Mr. James Bezan: Yes, an amendment.

Mr. Darren Fisher: Could we change the word "study" to "briefing", and then if we're not going to be televised, would we consider doing it in camera?

Mrs. Cheryl Gallant: This is pathetic.

Mr. James Bezan: What's your suggestion, Chair?

Mr. Darren Fisher: No, if we voted against—

Mr. James Bezan: "Public, televised" is out, right?

Mr. Darren Fisher: With the one meeting, can we change "study" to briefing", and we get the—

The Chair: Are you moving to...

An hon. member: Just move it.

The Chair: Is this a discussion, or do you want to move it?

Mr. Darren Fisher: I'll move it, because I would like to hear from him. If we were to have him here for a one-meeting briefing—

The Chair: In camera or public?

Mr. Darren Fisher: In camera.

The Chair: In camera. Are you moving that?

Mr. Darren Fisher: It's a public report, and then we can dig into the report—

The Chair: Okay, fair enough.

Then I understand you're moving an amendment to have a one—

Mr. Mark Gerretsen: To change the word “study” to “briefing” in camera.

The Chair: To “briefing”. In camera is on the floor then.

Ms. Gallant.

Mrs. Cheryl Gallant: Okay. Mr. Walbourne has made himself available to each one of us for a briefing so we could privately ask questions in our offices. We've already had the briefings. Now we want to have an official, open, public meeting. What is happening in the armed forces that you don't want us and the public to know about concerning the well-being of our military?

Mr. Mark Gerretsen: This is the grandstanding I was talking about.

The Chair: Okay.

Randall, do you want to chime in?

Mr. Randall Garrison: I'm not certain why we would change it to “briefing”. “Study” leaves open the option of making recommendations. It doesn't require us to make recommendations. If we change it to a briefing, then we have to go through a lot of rigmarole to make recommendations if we decided we wanted to do that. A study doesn't require recommendations; it just leaves us that as an option that we could consider. If we do it as a briefing, I'm not sure how we would get to any recommendations that we would present to the House. I'm sure we could probably figure out a way to do it, but it would take a lot of juggling of the rules to do that.

I would like to see us leave the option open. We may have something quite non-controversial that we all agree on—that would be a miracle—but we should leave that option open.

The Chair: Okay.

I have James, Mark, and then Sven.

Mr. James Bezan: Yes, I agree with Randall one hundred per cent: a briefing would close the door, if we decided as a committee to do a report with recommendations. And it would take a majority of the committee to do a report with recommendations. I'm concerned that we'd want to go in camera. I still think this is a public report, from a public office holder whom we want to hear from in a public setting at committee.

Despite what Mark is staying about grandstanding, this is about hearing from Mr. Walbourne on what needs to happen to ensure that he can do his job, as well as his replacements down the road, so they have the independence, the resources, and the ability to do what's right for those who serve us in uniform, as well as those who work in the Department of National Defence.

The Chair: I'll go to Sven, and then back to Mark.

Mr. Sven Spengemann: I wanted to ask a question of the clerk for the benefit of the committee. What other differences are there formally between a briefing and a study in the context of a one-meeting session that would constrain us or empower us to do anything other than just publish the report?

•(1615)

The Chair: From a procedural standpoint, what the clerk was just saying to me is that whether it's a briefing or a study, assuming that

this motion passes, which is for an in camera briefing, we could still do recommendations if we felt like it. The words “study” or “briefing” don't constrain the committee from providing recommendations should we want to do that.

Mr. Sven Spengemann: Mr. Chair, that's helpful.

If I could just complete my pitch, I think, in light of what Ms. Gallant mentioned, that he did meet privately with a number if not all of the members of the committee, and chose to do so in private, I think there's a good opportunity now, through an in camera session, to align those private discussions, to listen to each other about what we had learned from him and to make sure that we have an opportunity to ask him those things that he may still want to tell the committee, but not in a public setting.

The Chair: Okay. I have Mark, then James, and then Cheryl.

Mr. Mark Gerretsen: When I originally asked to be recognized, I was going to say I agreed with Randall about closing the door to the idea of a recommendation. I was going to suggest that we keep the word “study” in, but now I'm hearing that it doesn't matter one way or the other. I think that's a good point.

I don't know if you can do a motion to amend an amendment, but I like keeping the word “study”.

Mr. Darren Fisher: I like keeping the amendment.

The Chair: You can withdraw your amendment and resubmit it.

Mr. Darren Fisher: I was just looking at the one meeting. It's not much of a study; it's more of a briefing. If there is no major difference between a study and a briefing, then I would be happy to remove the change.

The Chair: So you withdraw your original amendment?

Mr. Darren Fisher: I withdraw the change from “study” to “briefing”.

(Amendment withdrawn)

The Chair: Do you want to—?

Mr. Mark Gerretsen: He just withdraws the one.

The Chair: You want this motion as it stands in camera?

Mr. Darren Fisher: Yes.

The Chair: Understood. That's what we're talking about.

James.

Mr. James Bezan: To go back to Sven's comment about this being briefed in private. Remember that we were briefed before the report was made public. The ombudsman wanted to make sure all of us on the committee from all parties were aware of his report and the recommendations that were in it, as well as the proposed legislation. That's why we received private briefings.

Now is the time to talk about this in a public format. Let's leave it at this: we can take out the term "in camera" and leave it at the discretion of the chair to talk to the ombudsman. If the ombudsman wants to do a public meeting, then let's do the public meeting. If the ombudsman is requesting that we do it in camera, then we'll do it in camera. Let's leave it up to the witness, rather than sitting here debating and playing politics.

The Chair: Cheryl.

Mrs. Cheryl Gallant: There is nothing sensitive that we're going to ask. We're not going to ask about specific cases. If a specific case were to come up, however, we'd do that sort of discussion in camera.

This is not going to be a discussion where we are going clause-by-clause on a report. There is no reason to have this in camera. Now we've gone from an open public meeting, after the military ombudsman has already given his report in public and on television, to a closed-door briefing.

The spectrum that we've gone across in this committee is appalling.

The Chair: Randall.

Mr. Randall Garrison: I want to say once again that I think we have a responsibility to do our business in public, unless there are good reasons to be in private such as national security or personal privacy information.

If the witness says he wishes to do this in camera, I would respect that request. He understands very well what things need to be kept in private. I agree with James if he has made that request, but I don't believe he has, and I don't believe he will. If he has, though, we should be in camera. If not, then I would use the test I always use in these situations. How do I stand in front of a microphone and explain to people that we are excluding them from the public's business? In this case I wouldn't have a very good explanation.

The Chair: James.

Mr. James Bezan: I have a final comment before we vote on the amendment. Every time we've had the ombudsman here it has been a public meeting. I just don't understand why we would want to go in camera.

I don't think that what he's suggesting is partisan in any way, shape, or form. This is the system that has been in place for a number of years in several successive governments. He's just looking for a way to improve upon the system, so he can better serve those he's charged with caring for. After all, he's the adjudicator in many different situations with employees, staff, and members who serve this nation.

• (1620)

The Chair: I think Sven might have covered that when he said that an in camera meeting might lead to other opportunities.

Was this ever considered under the previous government? This is something you guys seem interested in doing and I'm wondering why you didn't do it.

Mr. James Bezan: This is all new.

Mr. Walbourne himself served only for a very short period of time under the previous government and has been under the current

minister since. This had not come up before, but I can see the merit in what he's suggesting.

Whatever changes are made will affect future governments as well. Essentially, let's hear from him and then decide after that how we will process this information. The way it stands right now, anybody could pick up his document and do it as public or private members' business, as a bill in the House. It's all drafted. It's ready to go.

The Chair: Is there anything else on this?

We're going to vote on basically adding "in camera" to the amendment. James' motion stands as it is, with "in camera" at the end as the amendment, as proposed by Mr. Fisher.

Mr. James Bezan: So we're voting on the amendment.

The Chair: We're voting on the amendment.

Do you want to record it?

Mr. James Bezan: No.

The Chair: Okay.

All those in favour of Mr. Bezan's amended motion, which is adding "in camera" to this motion?

Mr. Mark Gerretsen: All those in favour of the amendment?

The Chair: In camera.

By a show of hands, all those in favour of the "in camera" amendment? Anybody opposed?

(Amendment agreed to)

The Chair: Back to the motion as amended:

That the Committee undertake a one meeting study with regards to the National Defence Ombudsman's Report titled *The Case for a Permanent and Independent Ombudsman Office* in order to analyze the report in camera.

This motion is back on the table for discussion.

James.

Mr. James Bezan: Finally, the NDP has suggested the following process on whether or not a meeting should be in camera. This is for the following purposes, and we'll see whether this falls into the criteria, as eloquently placed by David Christopherson. It says:

That the committee may only meet in camera for the following purposes:

- (a) to consider wages, salaries and other employee benefits;
- (b) to consider contracts and contract negotiations;
- (c) to consider labour relations and personnel matters;
- (d) to consider a draft report or agenda;
- (e) for briefings concerning national or parliamentary security;
- (f) to consider matters where privacy or the protection of personal information is required;
- (g) when conducting an inquiry pursuant to the Code of Conduct for Members of the House of Commons: Sexual Harassment;
- (h) to receive legal, administrative or procedural advice from the House of Commons' Administration; and
- (i) for any other reason, with the unanimous consent of the Committee.

This was moved at the procedure and House affairs committee. It means that all of the other meetings scheduled by the chair would be public. I thought those are pretty good criteria suggested by the NDP.

I don't think in any way, shape, or form that the amendment forcing the ombudsman, an officer of the Department of National Defence, who reports to the minister and to us as parliamentarians, to meet in camera should ever have been proposed.

The Chair: Okay.

You also know from having been a chair that the committee is the master of its own destiny. The will of the committee is to have this particular meeting in camera, and that's kind of what's on the table right now. What happens after this meeting is still open for debate. There was a suggestion that this could turn into something else, based on the testimony at the in camera meeting.

Ms. Gallant.

Mrs. Cheryl Gallant: I would like to seek another amendment that we offer to the military ombudsman the option of whether he would prefer to have it in camera. The motion would go forth, at the discretion of the military ombudsman to have it in camera or not.

• (1625)

Mr. Mark Gerretsen: We already voted on it.

The Chair: Yes, I know.

Mrs. Cheryl Gallant: That was the amendment. It wasn't at the discretion of the military ombudsman. You're concerned that he may be discussing something that—

The Chair: Just a second. Let's just get everyone's gyros caged here.

We have Mr. Bezan's statement as it stands, and at the end we added "at an in camera briefing".

Mr. James Bezan: Not "briefing" but "study".

The Chair: I'm sorry, "in camera" period.

Mr. James Bezan: In camera.

The Chair: Now Ms. Gallant wants to add "at the discretion of the ombudsman".

Mrs. Cheryl Gallant: On whether or not it's going to be in camera.

Mr. Mark Gerretsen: As a point of order, we've already made the decision. We've already voted on an amendment that it's going to be in camera. Now you're saying that it's going to be in camera if the ombudsman wants it in camera?

The Chair: She's just qualifying the statement.

Mrs. Cheryl Gallant: I am not changing the intent.

The Chair: She's not changing it.

You're qualifying it. I understand.

Mr. Mark Gerretsen: It's her right to do that.

Mrs. Cheryl Gallant: That's right.

The Chair: All right, that's on the table.

Is there more discussion?

Mr. James Bezan: I like it.

The Chair: I'm going to call a vote then, if there's no discussion.

Ms. Leona Alleslev: I'm sorry, I don't understand it.

The Chair: She's basically—

Ms. Leona Alleslev: So if the ombudsman says he wants it public, then there's no meeting. If he wants it public—

Mr. Mark Gerretsen: That's right.

Ms. Leona Alleslev: —then he's the deciding factor in whether or not to hold a public meeting.

The Chair: I think the intent is that if we call the ombudsman here, just knowing the guy, he's going to come here. We can call him here because we're the committee. What you're trying to suggest, I think, if I get this right, is that he'll decide whether he wants this in camera or not.

If he says he wants it to be public—

Mr. Darren Fisher: That's right.

The Chair: —then we would still have the meeting. He would get the invitation. We would leave the in camera piece at the discretion of the ombudsman, if I have that correct.

Okay, that's what we're voting on.

Mr. Darren Fisher: I agree with you.

Mr. Mark Gerretsen: If I understand correctly, Mr. Chair, based on the advice you received from the clerk, what Ms. Gallant is adding is a qualifier at the end as to whether or not it's in camera.

The Chair: The problem, as Leona pointed out, is that qualifier is actually whether or not the meeting would take place.

Mr. Mark Gerretsen: That's not what—

The Chair: I think we all know what the intent is, but we seem to be voting on something we already voted on.

Mr. Mark Gerretsen: Right. I'm going to—

Mrs. Cheryl Gallant: I'm going to give you the wording.

The Chair: Sure, give me the words.

Mrs. Cheryl Gallant: To add, after the word "report", "in camera or in public at the discretion of the ombudsman".

The Chair: That's not going to work, because "in camera" is already at the end of that sentence, right? What's on the table right now, before your amendment, is as Mr. Bezan's motion now reads in its entirety, with the words "in camera", then a period, at the end of the sentence.

Mrs. Cheryl Gallant: Add "or in public at the discretion of the ombudsman".

The Chair: Okay, so you're going to remove the period and add to the end of it, "or in public at"—

Mrs. Cheryl Gallant: I didn't have "in camera" in the motion.

The Chair: Okay.

Mr. James Bezan: I thought "in camera" was put up between "one" and "meeting"—"one in camera meeting". I thought that's the way it was moved by Darren.

The Chair: We know what the intent was.

Mrs. Cheryl Gallant: It wasn't discussed before today in the amendment. How could "in camera" be anywhere else but after "report"?

The Chair: That's what I suggested. He's saying it's not.

Mr. James Bezan: I was under the impression that we had inserted "in camera" between "one" and "meeting", Mr. Chair, but regardless—

The Chair: The intent was the same.

Mr. Bezan.

Mr. James Bezan: I just want to speak to the amendment brought forward by Ms. Gallant. I think we should leave it at the discretion of the ombudsman on whether or not he's to be censored. If we're not going to censor him, and he wants to be in public, then let's allow that to happen.

Mr. Mark Gerretsen: We're not censoring him. Censoring him would imply that we're not allowing him to speak. He can get up and speak about whatever he wants in public. He can go wherever he wants and say whatever he wants.

To suggest that we're censoring him is—

Mr. James Bezan: Let him speak publicly here, then.

Mr. Mark Gerretsen: Oh, come on. He can walk out of the room and say anything he wants. That's not censoring somebody.

The Chair: All right—

• (1630)

Mr. Yves Robillard: Let's vote on it.

The Chair: What I have here is up to the end of the original motion from Mr. Bezan. We take the period away from "report", add "in camera or in public as determined by the ombudsman". That's essentially the essence of it. That's what we're voting on.

All in favour of the amendment by Ms. Gallant.

(Motion negatived)

The Chair: We're back to our original motion as amended by the addition of the words "in camera" at the end of the sentence.

Mr. Garrison.

Mr. Randall Garrison: I'm placed in a very awkward position, because as I've said several times already in this meeting, I think this business should be done in public. However, I think it's important that this committee as a group hear from the military ombudsman, so it's difficult for me to determine how to vote on this. It places two principles that I have here in opposition. I will probably therefore vote to support the motion, because I think it's more important that we hear from him than not.

The Chair: Mr. Spengemann.

Mr. Sven Spengemann: Once again, I think my point is whether this meeting can or will add value beyond what's already in the public realm without going into a second public session. My conclusion is that it probably will, so I would support it.

Mr. James Bezan: I echo what Randall just said. It's unfortunate that we're going to be behind closed doors, not be transparent and not allow Canadians to hear what the ombudsman has to say to us or

what we have to ask as questions. At the same time, it is important that we hear from him, so I'll be supporting the motion.

The Chair: Okay.

Mr. James Bezan: Reluctantly.

The Chair: Ms. Gallant.

Mrs. Cheryl Gallant: If I understand the comments across the way correctly, the military ombudsman can speak in public any time he or she chooses and say whatever he wants, except he cannot speak in public at this committee. That's what I understand.

Thank you.

The Chair: We're back to the amended motion from Mr. Bezan. Essentially it's the exact same one. At the end I've removed the period and added "in camera."

All in favour?

(Motion as amended agreed to)

Mr. Mark Gerretsen: What do you have next, James?

Mr. James Bezan: I'll move the next motion that I gave notice of on May 23. It reads:

That the Standing Committee of National Defence (Committee) study the recent fixed wing search and rescue project competition. That the Committee convene a minimum of three panels, and the Committee hear from the following witnesses: Leonardo S.p.A.; Airbus Defence & Space, and PAL Aerospace; Lisa Campbell (ADM Defence and Marine Procurement), and Patrick Finn (ADM Materiel).

Shall I speak to that?

The Chair: Go ahead.

Mr. James Bezan: As you know, the contract is tied up in court. There is some concern that the budget envelope as well the request for proposals were not clearly outlined to all participants in the tender process.

I think we should look at that competition and determine, after we hear from these witnesses, whether or not we want to write a report at that time. I think we need to clear the air and allow them to speak to how this procurement took place and why it got caught up in court.

The Chair: Before I turn it over to Mr. Fisher, if there are proceedings going on, how much are these guys going to be able to talk about it anyways? Are they not just going to show up and say they can't talk about it because it's in some sort of—

Mr. James Bezan: I understand that they can easily talk to the issue of request for proposals, and because the budget envelope has been inconsistent, they will be able to mention that. What was in the request for proposals is different from what's tied up in the court.

The Chair: Mr. Fisher.

Mr. Darren Fisher: Thank you, Mr. Chair.

I think that while this is well-meaning, we have a crazy packed agenda. We have so much stuff. We have the NATO report coming up. We have peacekeeping. I would suggest, respectfully, that we adjourn debate on this.

The Chair: Okay.

Mr. James Bezan: Do you mean adjourn the meeting or adjourn the debate?

Mr. Darren Fisher: Adjourn debate.

The Chair: All those in favour of adjourning debate on this particular motion by a show of hands?

Some hon. members: Agreed.

• (1635)

Mr. Mark Gerretsen: Next.

Mr. James Bezan: From April 3—

Mr. Randall Garrison: On a point of order, now I'm going to have to try to understand what's going on. We can move to table motions. If we adjourn the debate, we go to a vote on the motion, don't we?

The Chair: No.

Mr. Randall Garrison: Is it tabling a motion in a sense?

Mr. Darren Fisher: If we adjourn debate we can discuss it later.

The Chair: Yes, it just goes—

A voice: —to tabling.

The Chair: He can bring this motion back to the floor.

Mr. James Bezan: Just like the Liberal budgets, they punt things down the road.

The Chair: It's still dilatory. We voted on it. It's just moving it forward. If it had been voted down, he would have to change the wording, and he could bring it back in a different form later, but the bottom line is that this motion—

Mr. James Bezan: I don't have to do that.

The Chair: In this case this will, in the future, at the committee's discretion, be brought back to the table, and most likely Mr. Bezan will bring that back at a future date.

Ms. Gallant.

Mrs. Cheryl Gallant: With all due respect, Mr. Chair, this specific meeting was organized to discuss these motions. Here we have a meeting especially to discuss these particular motions, and now you're adjourning debate in a meeting we held specifically to discuss these motions.

The Chair: It's the will of the committee.

The committee decided on this particular motion. There's a whole bunch of them. There was a reason given and there was a dilatory vote. This is the will of the committee. That's the way it works.

Mr. Bezan.

Mr. James Bezan: We'll try another one.

The Chair: Sure.

Mr. James Bezan: Through you, Mr. Chair, on April 3, here's a motion I gave notice of:

That the Committee call for documents from the Department of National Defence in regard to the 'laundry list' of capital expenditures that will be affected with the reallocation of \$8.5 billion dollars in the National Defence budget which the Minister of National Defence referred to during Question Period on the 24th of March, 2017.

Mr. Darren Fisher: That's different wording.

Mrs. Cheryl Gallant: On April 3...?

Mr. Darren Fisher: Is that the same wording you submitted last time?

Mr. James Bezan: It's the same.

Mr. Darren Fisher: Is it the same? Okay.

The Chair: For those who don't have one, the staff is handing out the motion. I had a little bit of a different version.

Ms. Melissa Radford (Committee Researcher): There were two similar motions on the same day.

The Chair: Oh yes, there are two. There were two on the same day of April 3.

Mrs. Cheryl Gallant: But they're two different motions.

The Chair: We just want to figure it out.

A voice: My apologies....

Mr. James Bezan: One is a call for documents and one is for a study. They're two separate things. I'll do them one at a time.

The Chair: Okay. There were two. He's going to—

Mr. Darren Fisher: That's why I thought [*Inaudible—Editor*]

The Chair: Yes, that's fine.

The one he's referring to was just distributed by the staff. The one that was handed to you is a call for documents.

Mr. Darren Fisher: Thank you for the clarification.

Mr. James Bezan: Okay. This one is a call for documents, which is quite different from having a study on this.

During question period on March 24, the minister did refer to a "laundry list" of capital expenditures, of \$8.5 billion that was re-profiled, as he calls it, or reallocated. We'd like to know what that's for. Based upon some of the analyses done by experts, including David Perry, they can only account for about \$5 billion of it. We aren't sure where all that money was being sent or whether it was an actual cut rather than an investment.

Let's ask the Department of National Defence to produce those documents so we can see the full accounting. Now that the defence policy review is complete and the document is out there, there shouldn't be anything stopping the government from providing us with a fulsome list.

The Chair: That's the motion that's on the table for debate.

Mr. Gerretsen.

Mr. Mark Gerretsen: I'm looking for some clarification. The two motions that you had—

Mr. James Bezan: Right. One is for a study and one is just a call for documents.

Mr. Mark Gerretsen: Got it. Okay.

The Chair: This is a call for documents.

• (1640)

Mr. Mark Gerretsen: We're talking about the call—

Mr. James Bezan: For the production of papers.

The Chair: Yes.

My apologies, Mr. Spengemann.

Mr. Sven Spengemann: Mr. Chair, it's not so much about the physical documents and in what form they'll be delivered. It's about the information in the documents. The minister was in front of the committee of the whole recently and questions were asked relating to that. There's a record there.

The other thing is that I believe I made a motion earlier this afternoon that the minister would be invited on the 20th. There's an additional opportunity to ask questions of the minister and his accompanying staff on that occasion.

The Chair: Mr. Bezan.

Mr. James Bezan: That's why I'm probably not going to move the other motion to do the study, since we are going to have the minister here, but the call for documents does provide us with greater detail on the exact investments.

Some documents, tables, and investments have been outlined in the defence policy, but at the same time, it's not a fulsome list, especially when you look at the \$8.5 billion in this past budget 2017 and how not all the money has been accounted for. This is about informing us as committee members. It doesn't require us to undertake a study. It doesn't require us to meet and discuss it. It does require the department to provide us with that information.

The Chair: Mr. Gerretsen, did you want to speak to this? No.

All right. As moved by Mr. Bezan, all in favour of this motion?

Did you want me to read it again? All in favour by a show of hands?

Mrs. Cheryl Gallant: We'd like a recorded vote, please.

The Chair: All right. We'll have a recorded vote.

Ms. Alleslev, did you want to keep talking?

Ms. Leona Alleslev: Yes. Did we close debate? Did I miss it?

The Chair: Yes, you did.

Ms. Leona Alleslev: Okay.

The Chair: This is a recorded vote.

(Motion negatived: nays 5; yeas 4)

The Chair: That's defeated.

Mr. Bezan.

Mr. James Bezan: The next one I would like to move, especially knowing that the days of the independence of our parliamentary budget officer are quickly closing, is a motion that I tabled on December 1, 2016. I first gave oral notice of this motion, and I move it now. It reads as follows:

That the Committee request that the Parliamentary Budget Officer provide the Committee with a general analysis, within twenty-one (21) calendar days after the adoption of this motion, in regards to the decision of the Government of Canada to sole-source the Boeing F/A-18 Super Hornet for National Defence; that this analysis include, but not be limited to the Department of National Defence's estimates on the cost of the F/A-18 Super Hornet for:

- a. Acquisition;
- b. Maintenance, training and operations;
- c. Lifecycle costs;
- d. Associated costs of operating a mixed fleet of fighter jets; and

That the Committee order the Government of Canada to provide the Committee with electronic copies of the following:

1. All documents that outline acquisition costs, lifecycle costs, and operational requirements associated with the Boeing F/A-18 Super Hornet;
2. All potential industrial losses if the Memorandum of Understanding in regards to Lockheed Martin's F-35 JSF program were to be altered and if industrial benefits were to leave Canada.

I know that you guys would love to support this.

Mr. Darren Fisher: I'd love a couple of minutes to read it again.

Mr. Mark Gerretsen: Can we compel the government to do that? Can the committee order the Government of Canada to provide this information?

Mr. James Bezan: We can call for documents. That's one of the powers we have as a committee.

Mr. Mark Gerretsen: We can require that? I didn't know that.

The Chair: Is there any discussion?

Mr. Mark Gerretsen: I notice that we want to "request" something from the PBO but we demand something from the government.

Mr. Darren Fisher: Could we take two minutes just to read this? There's a lot there, and I just want to digest this.

The Chair: You can take a minute.

Mr. Darren Fisher: If people have their hands up and want to talk to it in the meantime, they should go for it.

The Chair: Randall, you would like to speak to this.

• (1645)

Mr. Randall Garrison: If I understood correctly the answer given in question period today by the parliamentary secretary, the government has not decided yet to buy Super Hornets. He said it's something they're considering. So we seem to have had, from the time this was moved, a change in the government's position from a decision to a consideration. Given that that's the case, I guess I would say that this motion has become premature—which is a very weird of use of tense, since the government hasn't actually made such a decision.

Now, what we've always said is that the thing we're missing here is the list of criteria of what we expect jets to do and what we expect to use them for. Until we have that list of criteria, I'm not sure how any government, whether the previous Conservatives or the Liberals, has made decisions about fighter jets.

I think the committee doesn't need this; I think we need to ask the government to give us a clear statement of what the Royal Canadian Air Force has determined are the capabilities they need in fighter jets. Then the government could go ahead and conduct an open competition based on those criteria. Without those criteria, and given that the government hasn't made a decision, I don't think this motion should go forward.

The Chair: Okay.

Mr. Mark Gerretsen: You took the words right out of my mouth.

Mr. James Bezan: First of all, on the issue of whether it's an official government position, we have to remember that the Government of Canada did send a letter to the White House administration asking them to make the Super Hornet available for an interim purchase and requesting 18 planes. The government has taken a position.

Now, have the wheels fallen off that request, with the Bombardier-Boeing fight? Maybe, but at the same time they haven't said that they're not buying the Super Hornet, either. The minister has been clear in his interviews, including this past weekend, that they are looking at all the options, but that still includes the Super Hornet.

Because there is the official request from the government to the U.S. administration to clear the path for Canada to acquire 18 Super Hornets, I think this is relevant.

For those of you who are concerned about the wording of this motion, I would just point out that this motion is completely replicated from a motion by Minister Scott Brison. He brought forward this exact motion about F-35s in 2009.

Mr. Mark Gerretsen: Did it pass?

Mr. James Bezan: It did pass, because it was a minority government.

I hope everybody would see how well crafted it is, especially since it came from one of your colleagues.

Mr. Mark Gerretsen: I was just going to say, James, that you did a really good job on this.

Mr. James Bezan: All I did was change “Lockheed Martin” to “Boeing”, and “F-35s” to “F-18s”.

Mr. Mark Gerretsen: That would explain why Randall is against it.

The Chair: Does anybody else want to speak to this?

Sven, go ahead.

Mr. Sven Spengemann: Just briefly to Randall's point.... Again, the minister is available. If there is discussion on the criteria, that can certainly be asked next week.

The Chair: James, go ahead.

Mr. James Bezan: Okay, but I am asking....

You can ask the minister all you want. We have the minister coming.

This is about, first, the parliamentary budget officer being able to do his work, and getting it done in the next three weeks so that we have a chance to see it. Second, it's about the demand for the production of papers from the government on their own accounting and their own information, and how this is going to impact our budget and impact jobs. I think this is something Canadians are very interested in, regardless of the defence policy.

Right now they're not saying what type of plane it will be, but they are still talking about an interim buy. They are still talking about spending \$5 billion to \$7 billion on 18 jets, which is pretty pricey.

I think this is a very relevant motion. I would ask that everyone support it, especially since it is crafted by your Treasury Board president—he'd probably support this motion.

The Chair: I'm going to call the question, then.

Mr. Mark Gerretsen: I think it's a Conservative who wrote it.

Mr. James Bezan: It goes back to 2003.

Mrs. Cheryl Gallant: I would like a recorded vote, please.

The Chair: Okay, we'll have a recorded vote.

(Motion negated: nays 6; yeas 3)

• (1650)

[*Translation*]

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): In fact, your own defence policy indicates that Canada must acquire sophisticated planes. Since the Super Hornet isn't a sophisticated plane, you've already eliminated it.

Let's move on to the next point.

[*English*]

Mr. James Bezan: Do you want to withdraw yours now?

Mr. Randall Garrison: Mr. Chair, I thank Mr. Bezan for reminding me that I had one motion outstanding, which was asking for a study on the fire at CFAD Bedford. We haven't been able to get to it. Given the workload of the committee and the time that has already passed, I am going to pursue that through other means. I wish to withdraw the motion.

(Motion withdrawn [See *Minutes of Proceedings*])

The Chair: Okay, thank you.

Ms. Leona Alleslev: Which one did he withdraw?

The Chair: It was one before your time, Leona. It had been there for a while.

Mr. Randall Garrison: It was from February 2017, on the fire risk at CFAD Bedford.

The Chair: Thank you.

Mr. Bezan, go ahead.

Mr. James Bezan: I'll move my last motion, from November 25:

That, pursuant to Standing Order 108(2), the Committee conduct a study of the Federally Mandated Carbon Tax and its effects on the Canadian Armed Forces, especially on the budget and spending items; and that the Committee report its findings and recommendations to the House of Commons no later than Thursday, April 13, 2017.

I'll speak to that now, or do you want to adjourn debate?

Some hon. members: Oh, oh!

Mr. Mark Gerretsen: I'd like to amend the wording of that, from “carbon tax” to “price on carbon”.

Mr. James Bezan: Let me finish first before we start going into this.

Mr. Chair, since I have the floor, I'll just speak on this. Even though in the defence policy book that was tabled this week, they did talk about exempting the fleets of military vehicles, ships, and planes from having to fit under the criteria of carbon emission reduction, it doesn't change the fact that all of our bases, all our planes, all our army equipment, all of our ships—the navy, army, and air force—still all have to pay carbon taxation. Wherever they buy their fuel, those jurisdictions have carbon taxes. Whether it's B.C., whether it's Nova Scotia, whether it's anywhere else across the country, there will be a mandated carbon tax brought into play in each and every one of those jurisdictions.

There is a cost associated with that. Just with some quick numbers, because we did some access to information requests as well as questions on the order paper based upon...and we went province by province right through. I can tell you that based upon the value of gasoline, diesel fuel, jet fuel, and natural gas that's used for heating buildings as well as propane, especially in some of our remote bases where they use propane to heat buildings, it looks like the navy could be looking at anywhere from \$13 to \$19 million; the army between \$8 and \$10 million in extra costs; and the air force between \$191 million and \$245 million. That is significant, and it all would increase the price of fuel. That in itself could be as high as a \$275 million cost to the armed forces, in terms of the difference between what these fuels cost now and what they will cost in the future.

It's \$6.5 million—yes, I read that wrong. It's a \$6.5 million total cost to the entire Canadian Forces.

Mr. Pierre Paul-Hus: It's \$60.5 million.

Mr. James Bezan: It's \$60.5 million to the entire Canadian Armed Forces.

I think that's significant. Whether it's carbon tax or it's carbon pricing, it all increases the price of fuel when you actually take actual expenses and add in the carbon tax on top of them.

The Chair: Debate?

I have Mr. Spengemann.

Sven.

• (1655)

Mr. Sven Spengemann: Is this a study that's strictly aimed, based on your comments, at the cost of hydrocarbons to the armed forces, or is it also aimed at the concept of the green army that the United States is pursuing in trying to reduce the carbon footprint of the armed forces and increase the contributions that the forces could make to mitigation of climate change?

Mr. James Bezan: No, this is about the impact on the budget of our military.

Mr. Sven Spengemann: It's strictly financial, fiscal considerations.

Mr. James Bezan: Yes, it's a fiscal thing. Now there's no doubt that when we have the minister here next Tuesday, we can question him about the one core mission that's been added to the Canadian Armed Forces, which is to battle climate change.

The Chair: Seriously, it's those words, “battle climate change”.

Mr. James Bezan: I didn't know that we're at war with climate change, but now it's a core mission of our Canadian Armed Forces.

The Chair: Anybody else?

Mr. Garrison, do you want to chime in on this?

Mr. Randall Garrison: Thanks, Mr. Chair.

I have been concerned that the budgets allocated to the Canadian Forces by the current and the previous governments that have been below the rate of inflation for operations. So I think there's a legitimate question about the impact on what I would call the budget's carbon price—not carbon tax. I think that is something we should be concerned about, but I'm also concerned about exempting the military from certain aspects of carbon pricing. It seemed to be in the defence review. So I have a somewhat different view.

There's only one planet here. Everybody's on it, including the military. I'm not sure the time we will have with the minister will allow us to fully explore this question. I do think it's an important question. I'll be supporting the motion. I would prefer that it did not say “carbon tax”. I guess I will move an amendment to change it to “carbon price”.

The Chair: Okay, that's on the table, then.

There's an amendment to the motion to change it to “price on carbon” from “carbon tax”.—

Mr. James Bezan: Or we could have “mandated carbon pricing”.

Mr. Randall Garrison: Any one of those is fine.

Mr. James Bezan: Then you just take carbon tax out and put price in.

Mr. Randall Garrison: Yes, that's fine.

The Chair: Is “price on carbon” what you are suggesting, Randall?

Mr. Randall Garrison: I'm saying “Carbon pricing”; it's simpler.

The Chair: Does anyone want to discuss that?

The amendment, as suggested by Mr. Garrison, is to amend “carbon tax” to “carbon pricing”.

(Amendment agreed to)

The Chair: Now we're back to debating the motion.

Leona.

Ms. Leona Alleslev: When I was responsible for petroleum, oil, and lubricants contracts, including avgas and just about everything we bought and maintained, there were federal exemptions, so, I'm not certain this actually applies, and I would like to do some more homework. For that reason, I would like to adjourn debate.

The Chair: All those in favour of adjourning debate on this particular motion?

Mrs. Cheryl Gallant: Could we have a recorded vote, please?

Mr. James Bezan: What's going on?

The Chair: Ms. Alleslev mentioned that she wants to do some more homework on this. She is somewhat familiar with it, and she wants some more time to drill into it on her own.

Mrs. Cheryl Gallant: That's part of why we want to do a study.

The Chair: She has asked to adjourn debate on this issue.

Mr. Mark Gerretsen: She wants to adjourn debate.

Mr. James Bezan: It's a dilatory motion.

The Chair: It's a dilatory motion, so that's why we're voting.

All in favour of adjourning debate by a show of hands?

Mrs. Cheryl Gallant: I asked for a recorded vote.

(Motion agreed to: yeas 5; nays 4)

The Chair: Is there anything else?

Mr. James Bezan: Are there any other motions in there? Did you guys have any motions?

Mrs. Cheryl Gallant: Maybe the government side has some things it would like to move.

Mr. James Bezan: Is there any outstanding business?

Ms. Leona Alleslev: Can I ask—?

Mr. Darren Fisher: I would just like to move forward on our NATO—

The Chair: We have a few minutes.

Leona, you have the floor.

Ms. Leona Alleslev: Did we address the other motion from April 3? I'm confused about what happened to that other motion.

Mr. Mark Gerretsen: No, he said he did not want to.

The Chair: No, he doesn't want to bring it forward.

• (1700)

Ms. Leona Alleslev: Oh.

The Chair: Is there anything else? No. We have 30 minutes.

The meeting is adjourned.

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