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Chair

Mr. Pierre-Luc Dusseault

Standing Committee on Government Operations and Estimates

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•(0850)

[Translation]

The Chair (Mr. Pierre-Luc Dusseault (Sherbrooke, NDP)): Order, please.

Today is February 13, 2014, and I am chairing the 11th meeting of the Standing Committee on Government Operations and Estimates. Thank you for being here. As agreed last week, we are continuing to study committee business.

I have received two notices of motion since the last meeting, and a number of other topics are on the agenda. As you know, the supplementary estimates (C) will be tabled today and could be added to our agenda. In addition, officials from the Treasury Board said they wanted to start meeting with us next Tuesday to discuss the supplementary estimates (C).

You have also probably received a rather long list of the orders of reference submitted to the committee. I am not sure if any of the topics on the list are of particular interest to you.

At the last meeting before the holiday season, one presentation had to be cancelled and the witness suggested coming back in the winter. The presentation can be added to our agenda for a meeting in the next few weeks. They were the representatives from the Canada Lands Company, including the Old Port of Montreal Corporation and Downsview Park. As you know, the meeting was cancelled due to availability issues. I am not sure whether the committee would still like to hold that meeting.

Mr. Trottier, you have the floor.

Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC): Thank you, Mr. Chair.

[English]

I think when it comes to those agencies and crown corporations, the appropriate time for them to come before the committee is when they table their annual report to Parliament. They would have their information that they're presenting to the public and it would give us the opportunity to ask questions about that.

My understanding is they typically table their annual reports to Parliament in the April and May timeframe. We don't know exactly when those will be tabled, but I think that's what we should do. In terms of general planning for future business, it's a good time to have them come in.

[Translation]

The Chair: Your comment is well taken.

The first proposal has to do with the supplementary estimates (C), which will be tabled today. The Treasury Board proposed to provide us with an overview of those estimates on February 25. Would the members of the committee like to receive the officials from the Treasury Board on February 25? This topic would take up the entire meeting.

[English]

Mr. Bernard Trottier: If I could make a suggestion, we have a couple of motions that I think we have to discuss at some point this morning. I think we should have the supplementary estimates (C) discussions on February 27, just because I think we need to discuss a witness list for the motions on the 25th .

Assuming at least one of those motions gets passed, I think there will be some homework we'll need to do as committee members to come up with some witness lists and then have a further discussion on the 25th. If we could set aside the 25th for a future business discussion, getting into some details around our witness list....

I recommend on the 27th that we bring in Treasury Board supplementary estimates (C) as well as Shared Services Canada supplementary estimates (C). I notice there are some material changes to their estimates. If you brought them in for one hour each, I think that would be a productive meeting on the 27th.

[Translation]

The Chair: I cannot make any assumptions about the motions.

[English]

Mr. Bernard Trottier: Does that make sense?

[Translation]

The Chair: I am waiting to hear the motions so that we can discuss them. No motion has yet been moved before the committee.

Mr. Martin, go ahead.

[English]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Chairman, you mentioned the supplementary estimates (C). Have we seen the supplementary estimates (C)? They haven't been—

[Translation]

The Chair: The information I have is that they will be tabled today.

[English]

Mr. Pat Martin: They're being tabled today, so you've seen them already, Bernard.

Mr. Bernard Trottier: There was nothing in Public Works. There were no supplementary estimates (C), but both Treasury Board and Shared Services Canada had some changes, so it would be appropriate for both of them to come in.

Mr. Pat Martin: I was just wondering how you would know whom to call when no one should have seen the supplementary estimates (C) until they were presented to Parliament, but presumably somebody on your team shows them to you first.

Mr. Bernard Trottier: Hot off the presses.

Mr. Pat Martin: I see. I always suspected that.

Hon. Gordon O'Connor (Carleton—Mississippi Mills, CPC): I know nothing.

Mr. Pat Martin: Me neither, Gord. We're in the same boat.

Mr. Bernard Trottier: The 27th, I think, would be a productive one hour each on their supplementary estimates (C) where we can question them.

[Translation]

The Chair: Of course, that will depend on the witnesses' availability.

[English]

Mr. Bernard Trottier: Mr. Chair, the main estimates are tabled shortly thereafter, so I was going to suggest that we have Public Works come in to defend their main estimates, or to explain their main estimates, on Tuesday, March 4.

Defend, propose, promote—

Mr. Pat Martin: —apologize.

A voice: Which date?

• (0855)

Mr. Bernard Trottier: Tuesday, March 4.

Mr. Pat Martin: So we can expect the main estimates...?

Mr. Bernard Trottier: They are tabled at the beginning of March. I suggest that be a two-hour meeting for the minister and/or officials.

Mr. Pat Martin: I think you should delete the word “or”. We've lost the ability to call the minister for any other estimates. Surely, surely, we can expect the minister to come.

Mr. Bernard Trottier: I think the minister is willing to come.

[Translation]

The Chair: We have received information from the minister. He does not seem to be available on either Tuesday or Thursday morning, when we usually meet. My understanding is that his cabinet practically meets every week. That is why he suggested that the meeting take place outside our regular time slot. We will also have to see what is going to happen with one of the two motions.

I actually meant to say the President of the Treasury Board, not the minister.

[English]

Mr. Bernard Trottier: Mr. Chair, one of the challenges of changing the committee hours is that some of the members of our committee have multiple committees, so it does create a domino effect. It is very difficult to find coverage if you change that. Did

Minister Finley indicate she was unavailable Tuesday or Thursday morning?

[Translation]

The Chair: I said the minister, but I was actually referring to the President of the Treasury Board.

[English]

Mr. Bernard Trottier: Okay. So can we move then to have Public Works and Government Services Canada on Tuesday, March 4, at our usual time?

[Translation]

The Chair: Yes, that will depend on the witnesses' availability. We will try to schedule it then.

[English]

Mr. Pat Martin: Before you go any further, Mr. Chair, if I could interrupt you, one of our own recommendations from our previous study of doing a better analysis of the estimates is that we have the plans and priorities dealt with now. In our view, that should be prior to the estimates. We want to deal with the plans and priorities knowing what they are, and then seeing if the estimates match the proposed plans and priorities for spending for the upcoming fiscal year.

I think we're putting the cart before the horse and ignoring our own analysis of doing a better job of following the money. You plan and you set priorities. Then you put the dollar figure to those priorities. Then you put them in a budget. Then you spend the money. Then you study it at public accounts. That was the path we charted out and we wanted to see. We were happy to see the budget come in earlier this year because that frankly helps, I think, with that timeframe.

Do we expect the plans and priorities to accompany the estimates, or to be simultaneous with them, or what?

[Translation]

The Chair: I don't know, but I can try to find out.

[English]

Mr. Bernard Trottier: I think the practice now is that the RPPs are tabled at the same time as the main estimates in the same week, so I don't see any reason why they wouldn't be. As we discussed in that study we did in 2012, it's ideal if you can actually look at the main estimates in the context of the report on plans and priorities. I think the invitation should be to explain and to explore not just the main estimates but also the RPPs.

[Translation]

The Chair: So you want to have only one meeting for both the main estimates and the report on plans and priorities, and you want it on Tuesday, March 4.

Mr. Martin, the floor is yours.

[English]

Mr. Pat Martin: If I may, that's what I was getting at, that it's not very much time to deal with the plans and priorities and the main estimates. You're lucky to get one hour with the minister. Perhaps a two-hour meeting with the bureaucrats first regarding plans and priorities.... Really, it's the minister who should be talking about plans and priorities.

More and more we've realized that's where the meat and potatoes lie. The estimates are a pile of data, a lot of numbers. Plans and priorities explain in relatively plain language what we hope to achieve by spending this \$6 billion this year: here is the plan, here is the reason we're spending it this way, and here is the hopeful outcome of that spending.

In the thorough examination we did in the last session that's the conclusion we came to, that if we want to really assess and understand what the proposal is all about, it comes in the RPPs.

I don't think one hour on March 4 is enough.

• (0900)

Mr. Bernard Trottier: I'm sorry, may I interject?

What we're proposing is a two-hour meeting just dedicated to Public Works on the main estimates, plus the report on plans and priorities on March 4.

If I may, Mr. Chair, on March 6 we'd like a full two hours with Treasury Board for a similar investigation of the main estimates as well as the report on plans and priorities.

[Translation]

The Chair: So you are talking about one meeting on March 4 with Public Works officials and another meeting on March 6 with Treasury Board officials to discuss the main estimates and the report on plans and priorities.

Mr. Bernard Trottier: Mr. Chair, I would like to propose one hour with officials from the Privy Council Office and one hour with officials from Shared Services Canada to discuss the main estimates at a meeting held on March 25.

The Chair: As a result, we can add a meeting on March 25 with officials from the Privy Council Office and Shared Services Canada. That will be after the two weeks of parliamentary recess. The meeting will be on the main estimates and the report on plans and priorities.

Go ahead, Mr. Byrne.

[English]

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Chair, I want to introduce another topic because we're filling up the calendar pretty fast. I'm okay with that, but when you have an opportunity to get to the next issue.... We'll resolve this, and if it's okay, could you come back to me?

[Translation]

The Chair: Of course, we are currently scheduling future committee business, so I am open to suggestions for any future studies that may be added to the agenda until June. That means planning a number of meetings in the meantime. We are actually up to March 25 in scheduling meetings.

On March 6, I think we wanted to invite the President of the Treasury Board and his officials.

Mr. Bernard Trottier: I would like to mention something, Mr. Chair.

[English]

We haven't examined the motions, but I just want to mention that the President of the Treasury Board has offered to come in to talk about the study on open data also.

[Translation]

The Chair: We are aware of that, but, as long as there is no motion to start a study, we cannot call on any witnesses. I am ready to receive motions on study proposals.

Mr. Byrne, go ahead.

[English]

Hon. Gerry Byrne: Mr. Chair, I'll introduce the topic.

On February 10, not long ago, the Auditor General wrote to you and copied vice-chairs to highlight two chapters of the fall 2013 report of the Auditor General, as tabled in the House of Commons. He noted that this committee may have interest in those two chapters.

One of those chapters is of particular interest to me and I think maybe to other committee members, which is, Chapter 2, "Access to Online Services". It would be valuable, given the Auditor General himself has recognized that our committee may have an interest in this, to ask the Auditor General to come forward, to appear before us to discuss chapter 2, "Access to Online Services".

I would propose that we would use the full two hours. One hour would be for the Auditor General and the second hour would be for representatives from Human Resources and Skills Development Canada, the Canada Revenue Agency, Veterans Affairs Canada, and Industry Canada, which are the four departments the Auditor General's team reviewed during the course of their audit, and for the production of chapter 2.

• (0905)

[Translation]

The Chair: Thank you for that proposal.

Is the committee open to holding that meeting? Mr. Byrne, could you remind me of the date you suggested?

[English]

Hon. Gerry Byrne: I don't have a particular date in mind, but if there is a date that you would suggest or the clerk might recommend, obviously sooner rather than later would always be preferred.

[Translation]

The Chair: Okay. I will check with the committee.

Go ahead, Mr. Trottier.

[English]

Mr. Bernard Trottier: Before you talk about a date, it is the custom that the Auditor General typically appears before the public accounts committee. If you're talking about access to online services in the past tense, what has been the track record of the government in providing access to online services, typically, public accounts would look at that. It looks at the financial aspects but also the operational aspects.

The focus of this committee is more future looking in terms of estimates. On this side, I don't think we're that interested. It could be a very interesting discussion, but I think it belongs in a different committee.

Mr. Pat Martin: ...[Inaudible — Editor] for quite some time. I don't know whatever happened to that.

If I do have the floor, the first thing I'd say is that I thought we had a problem with March 6. Tony doesn't like to come to meetings on Tuesdays and Thursdays.

If we're going to have the Treasury Board here without the President of the Treasury Board, I think we should reschedule. That's one estimates where we want the minister here.

If we can back up and agree to some other way to hear the main estimates of the Treasury Board with the minister present, I'd like to see that established first, even before we debate other business.

[Translation]

The Chair: As I said, the President of the Treasury Board has already informed us, through the clerk, that it is more difficult for him to appear before the committee on Tuesday and Thursday mornings, but that he would be available on Monday, April 28, in the afternoon. He proposed discussing the main estimates, as well as a potential study that the committee has not started yet. It would be a study on open data. He suggested talking about the two topics at the meeting of April 28. That is the information we have from him. The open data study is not officially on the committee's agenda, but the president has definitely expressed an interest in appearing on Monday, April 28, in the afternoon.

[English]

Mr. Bernard Trottier: Mr. Chair, I would like to make a helpful suggestion.

The President of the Treasury Board is not available on Thursdays because of a specific committee that he sits on, but he is available Tuesday mornings.

Can we swap the two dates that we've suggested where we had Public Works coming in on March 4? Why don't we have Treasury Board come in on Tuesday, March 4, and invite Public Works to come in on Thursday, March 6?

[Translation]

The Chair: Perhaps you know more about his availability than we do. We have to check whether the committee has no objection to swapping the meetings of March 4 and 6, which have already been scheduled.

[English]

Mr. Bernard Trottier: Yes, if that's okay with you.

Mr. Pat Martin: I think that solves the issue I raised.

[Translation]

The Chair: Then it's settled.

I will now go back to Mr. Byrne's proposal. No decision has been made. It seems no one really intends to comment on that.

Mr. Martin, would you like to make a comment?

[English]

Mr. Pat Martin: Speaking to Mr. Byrne's motion, the one thing about the government operations and estimates committee is that its mandate is expansive, and it has never really been tested. The outer limits have never been pushed or tested. If we're talking about the efficacy of government operations as it pertains to the public's ability to access services, I think that's absolutely within the parameters of our mandate.

I was part of the committee when this committee was formed years ago. We wrestled over the mandate. It was felt that it would be useful to have an oversight committee that kept track of the efficacy of government operations and its service to the public.

If that's what the Auditor General is drawing attention to, I think he probably knows what committee he should and should not be reporting to. If he thought that particular chapter fell within the purview of our committee and felt strongly enough that he wrote individual letters to the chairs of the committee, I don't see how we can ignore that. He's trying to tell us something.

● (0910)

[Translation]

The Chair: Thank you, Mr. Martin.

It seems there is no consensus on the issue.

Mr. Byrne, you can move your motion so that we can have a more in-depth debate and eventually vote on this future study.

[English]

Hon. Gerry Byrne: Well, I think it is valuable, Mr. Chair, to actually square the circle, because I would not want to leave this debate with an understanding or a conclusion reached that the Auditor General is out of reach for this committee. I think that would be very inappropriate and not consistent with past practice. I'll just read quickly from his letter to us:

Dear Mr. Dusseault:

My Fall 2013 Report contains references to government programs that fall within your Committee's purview.

It's the view of the Auditor General, which I think is an opinion we can all respect, that the issue of access to online services is very much within the mandate of the government operations committee. He concludes in his final paragraph by saying, "My staff and I would be pleased to meet with your Committee...".

This is pretty important stuff. The Auditor General notes that in the course of their audit they "focused on four large departments that each year provide...\$125 billion in programs and services" to Canadians.

Mr. Chair, would the clerk or our research advisers be able to provide some indication as to whether or not the Auditor General meets with other committees or appears as a witness before other committees besides the public accounts committee?

[*Translation*]

The Chair: We have no specific information on whether he appeared before other committees. We could check, but I don't think it would be a problem to invite him to appear, if the committee so wishes.

I am told that he has appeared before this committee before. An auditor general has appeared before this committee in the past.

Mr. Trottier, go ahead.

[*English*]

Mr. Bernard Trottier: Just in discussion with my colleagues, I think Mr. Byrne's.... The Auditor General is actually fairly convincing and experienced, so we'd be willing to have a one-hour or two-hour meeting and discussion. Could you break it down?

Hon. Gerry Byrne: What I proposed for your consideration is a two-hour slot with one hour reserved for the Auditor General and the second hour reserved for representatives from Human Resources and Skills Development Canada, the Canada Revenue Agency, Veterans Affairs Canada, and Industry Canada, which are the four departments that were the subject of a performance audit by the Office of the Auditor General.

• (0915)

Mr. Bernard Trottier: That would be fine.

[*Translation*]

The Chair: On the same topic, go ahead, Mrs. Day.

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Chair, I do not have that letter and I don't think it was sent to my office either. To be on an equal footing with the other members, could I have a copy of the letter please?

The Chair: Actually, the letter was sent to me as the chair and to Mr. Byrne and Mr. O'Connor as vice-chairs. Our clerk Mr. Girard can circulate it in due course. He can also make photocopies right away. We can do that.

By the way, it seems everyone agrees that the Auditor General should appear for one hour. The same amount of time will be allocated for the departments mentioned in the letter from the Auditor General. So now we have to pick a date. I think the clerk can take the necessary steps to figure out a date that works for all those witnesses. We could actually suggest March 27, but it depends on the witnesses' availability.

Since all the members seem to agree with the date of March 27 for the meeting, we can add it to our agenda.

Mr. Byrne, go ahead.

[*English*]

Hon. Gerry Byrne: It would be followed by another hour with departmental officials. Would that be correct?

[*Translation*]

The Chair: We will have one hour for the Auditor General and one hour for the departmental officials in question. Of course, that will depend on the availability of those people. At any rate, by then, I will be able to give you an update on the availability of the witnesses for the meeting of March 27.

Mrs. Day, the floor is yours.

Mrs. Anne-Marie Day: I would like to propose that the committee carry out a study on the tendering process and the expenditures for the Champlain Bridge and other related projects. I want us to discuss all the answers we may receive, but have not received yet.

The Chair: Could you be more specific, please?

Mrs. Anne-Marie Day: If I had my document with me, I could be more specific.

Unfortunately, I left it in my office. Give me five minutes and I can get back to you on that, Mr. Chair.

The Chair: Okay.

Mr. Trottier, go ahead.

[*English*]

Mr. Bernard Trottier: We haven't received a motion on that. I think that might fall under transport, infrastructure and communities.

There is a motion that tabled a couple of days ago. I'd like to move that motion. It's in both official languages and it's in order. I could read it if you'd like, Mr. Chair.

[*Translation*]

The Chair: You could start by reading it. I think the motion has already been circulated.

[*English*]

Mr. Pat Martin: I have a point of order.

[*Translation*]

The Chair: Mr. Martin has a point of order.

[*English*]

Mr. Pat Martin: As I understand it, when we did away with the planning committee, this became the planning committee. When you're dealing with future business as a planning committee, we don't need the 48-hour notice of motion rule. Am I correct?

[*Translation*]

The Chair: That's correct.

We are currently dealing with future business.

[*English*]

Mr. Pat Martin: Good. So nothing should preclude Madame Day from bringing forward a motion later in this meeting regarding—

[*Translation*]

The Chair: Yes, nothing is preventing Mrs. Day from moving a motion. However, since she did not seem to be ready at the time, I gave the floor to Mr. Trottier.

[English]

Mr. Bernard Trottier: Point taken to my experienced colleague across the way.

The motion that we didn't move was to look at the G-8 Open Data Charter, which is an initiative across the G-8 countries. It's to study and assess how the government's open data practices could be developed.

Pat, you and I talked about this last week. This could be some really substantial work. There was mention of this initiative in economic action plan 2014. It is very much an exploration. The government doesn't know the answer. Other governments don't know the answer. We just know that we have to go in that general direction.

This is some work I think we could be very proud of in the sense that this will leave a blueprint for the government for the months and years ahead in terms of how it provides information to Canadians. I think we have to do some thinking about the kinds of witnesses we want to bring in. It would be witnesses from the private sector, people who have ideas about how they can make effective use of data from the government; witnesses from other countries, sharing what their experiences are; witnesses from other provinces and other jurisdictions also; and then also witnesses from the government.

There are some interesting developments, and I'd like to undertake this study, bearing in mind some of the other oversight responsibilities that we have with respect to estimates and also some of the agencies and crown corporations. I think this will be a very meaningful study for us to undertake in the coming months.

• (0920)

[Translation]

The Chair: Could you read the motion so that it is in the minutes?

[English]

Mr. Bernard Trottier: The motion is:

That the Committee undertake, consistent with Canada's signing of the G8 Open Data Charter, a study to assess and enhance the government's Open Data practices; that this study include examining how Canadian businesses can better obtain and utilize high-value information with strong economic potential from the government and reviewing the processes and practices of other governments with respect to their collection, storage and transfer of Open Data; and that the Committee use its findings to provide the government with direction and advice focused on improving the way this high-value data is collected, stored and transferred to Canadians, resulting in access to useful and usable Open Data that will drive economic growth as part of an information economy.

[Translation]

The Chair: Thank you, Mr. Trottier.

The Chair finds the motion in order, so it will be debated.

Mr. O'Connor, go ahead.

[English]

Hon. Gordon O'Connor: No, I'm not debating this. I'm just bringing up a point that I was here at all the meetings. We never actually eliminated the planning subcommittee. We just talked it through. We never voted on it, etc. I don't mind, but we never actually eliminated the planning subcommittee.

[Translation]

The Chair: You are right, Mr. O'Connor.

Do any committee members want to speak to the motion before us and participate in the debate?

Mr. Martin, the floor is yours.

[English]

Mr. Pat Martin: Maybe we should just make it clear, if we are in a normal committee meeting, that the 48-hour notice of motion is required. Is that not correct?

[Translation]

The Chair: No. As I said, we are studying the committee's future business. Any motion can be accepted.

The current motion was submitted with a 48-hour notice.

[English]

Mr. Pat Martin: Yes. I understand Mr. Trottier's motion certainly would be in order either way, but I'm talking about other ideas around the table. We were hoping that these planning meetings could be fairly free and open, blue-sky brainstorming about things we might want to do.

Obviously, Mr. Trottier's motion is what's on the floor.

I want to say that this is the kind of substantive study I was looking forward to this committee undertaking and sinking our teeth into. I think it has long-term value as something, if done properly and well, we could be proud of, that would actually make a meaningful mark as we move forward on the whole pluralistic notion of open government, open data, access to information, not in the ATIP sense but in the sense of individuals' and businesses' ability to obtain the type of information they need and eliminate red tape and have a speedy porthole to the government high-value information, as you've put it.

I think we could welcome this kind of a study. It would take time to do it properly. I would hope it wouldn't be one of these things we would do for two or three meetings and then have a report tabled on our behalf. We want input into this report and the recommendations from it. I'll serve notice for that point right now.

We've been to other committees recently where they hear 50 witnesses, the committee writes 100 recommendations, and then the government comes in and says, "Here's the report that we're going to pass. Don't waste your time with the other recommendations because none of them is going to pass and this is the report you're going to get."

If that's the plan here, then we don't want anything to do with it. However, if you want meaningful input and meaningful participation into a report that could have a lot of value, then we would embrace that.

• (0925)

[Translation]

The Chair: Thank you for your remarks, Mr. Martin.

Would anyone else like to comment?

Mr. O'Connor, go ahead.

[English]

Hon. Gordon O'Connor: Now I'll comment on this.

I read the notice, and my challenge is, what is the actual topic? If we're going to proceed with this, we need somebody or some bodies to come in here and tell us what it is they want to deal with, because I don't think we can deal with security. I don't think we can deal with a whole bunch of things. However, if we're talking about general information that voters or citizens can use, yes, but we have to start defining that, otherwise we'll wander through the universe never knowing where the heck we're going.

Whenever this gets started, I want somebody at the beginning to tell me what the scope is. I have to know what the scope is.

[Translation]

The Chair: In fact, when I sat on other committees, we tried to define the goal of the committee's work more clearly. The direction the committee might want to take with a study like that could expand the scope of the study, which would take longer. It depends on the committee. Does the committee want to zero in on a specific item or not? Does the committee want to take a broad approach, leaving out the open data issue? It is up to the committee.

We have already talked about reviewing a list of witnesses. We can do that later, if this motion is carried, of course.

The next person on my list is Mrs. Day. The floor is yours.

Mrs. Anne-Marie Day: I have a proposal, Mr. Chair. It is not a motion; it is a proposal for a study for the committee.

The Chair: I would like us to finish debating the current motion before we jump to another topic.

Mrs. Anne-Marie Day: I have no comments.

The Chair: Ms. Ablonczy, go ahead.

[English]

Hon. Diane Ablonczy (Calgary—Nose Hill, CPC): I think it's a good point that we need to have a focus for this study because there's a wide and broad range of information that comes out of government. The way I read the motion, colleagues, is that in line 3 it says "high-value information with strong economic potential", and then right at the end it says "usable Open Data that would drive economic growth as part of an information economy".

I think the motion does focus our study on economic potential and economic growth, and because of that I think it does have a good utility. It's not just using a scattergun approach.

[Translation]

The Chair: Thank you, that is a very good comment. You would like to focus on the economy.

Mr. Martin, the floor is yours.

[English]

Mr. Pat Martin: Just to build on what Diane said, the way I read it is that it's data and information that has some commercial value or is industry related. I don't think we have to differentiate, as Gordon says, from access to information requests or things that fall under the purview of the Information Commissioner. I don't understand that to be the objective here.

In order to focus, you'd almost have to have some meetings from users who will point out what the need and demand is, or what their problems have been in accessing. Why do all the G-8 countries feel there's a need to embrace this? Is it going to be an international effort that we're going to take part in, something to do with reciprocity of trade and access to that information so that other countries can invest in Canada and vice versa?

I think that's an exciting prospect, really, as we look at trade generally. If it's going to be a rules-based regime, we have to start agreeing on the parameters of that.

I think it might be a mistake to focus too narrowly at the outset, because the limits of the study might become clear after the first few meetings when we find out what the need and demand is out there. Then the goals and objectives of the study might become clear, as the next step.

I see this as being a long-term study. I don't think you could dive into this in four meetings. To do this properly and to have any credibility, I can see it taking between now and even the summer recess. We've already used up five or six of our windows, and there are a lot of break times in this spring session. There's a two-week block. There might only be 10 more meetings to take us to mid-June, after what we've already agreed on now.

That's all I had to say. The need and demand, I hope, will be the first witnesses we hear, users and experiences in other countries and provinces pointing out what the shortfall or shortcomings are, what the goals and objectives should be, then ultimately a cost-benefit analysis as the final bit of the study. Once we've identified what the shortcomings are and once we've identified what the goals and objectives should be, then you have to decide whether it is going to be worth the costs or whether it is something that's a priority for government now.

● (0930)

[Translation]

The Chair: Thank you for your comments.

Yes, I think a careful selection of the first few witnesses will help us figure out the ins and outs of this entire study, which might take a long time.

[English]

Mr. Bernard Trotter: I find myself fully agreeing with Mr. Martin once again. This is a substantial study, and it'll take much more than four meetings, I think.

To build on Mr. O'Connor's comment about the scope, if you read economic action plan 2014, there's a whole chapter called "Seizing the Opportunities of Open Data". Initially, it's a \$3-million initiative over three years. It's working with some partners, including the Canadian Digital Media Network, as well as the Centres of Excellence for Commercialization and Research.

I was going to suggest, to establish a sense of the scope of this initiative, that we invite the President of the Treasury Board, who owns this initiative, and aim for a Tuesday again, Tuesday, April 01, April Fool's Day—

[Translation]

The Chair: Before we start planning an entire agenda for a study that has been proposed but not yet approved and since only one person is left to speak, I suggest that we continue the debate and vote on the motion before we start planning the schedule.

Mr. Trottier, before I give you the floor to talk about the agenda, I will let Mr. Aspin speak. We will proceed with the vote later.

[English]

Mr. Jay Aspin (Nipissing—Timiskaming, CPC): I'm new to this open text or open data information thing. I'm led to believe that other countries are far ahead of us in this regard. I think that relative to what we should and shouldn't study it would help us give some direction to look at what other countries have done, particularly countries like Great Britain, how they've utilized open data and how they've done it for—as my colleague has pointed out the objectives here—better use of business and government.

I think this would help direct our scope in what we study, but I'm very much in favour of taking a shot at this and keeping it initially wide open.

[Translation]

The Chair: Since no one is left on my list of speakers, do I have the unanimous consent of the members of the committee to officially undertake the study according to the proposed motion?

Some hon. members: Agreed.

The Chair: I officially declare that the study will be undertaken.

We will now move to the specific planning of the committee's next meetings on this study. As you mentioned, we have already talked about February 25 as the date for reviewing the list of witnesses. You may continue, Mr. Trottier.

• (0935)

[English]

Mr. Bernard Trottier: Yes, please. When we get back after the constituency week, it would be helpful if on the 25th we sat down with a more detailed list of witnesses. Hopefully the other members of the committee would have some ideas and input on whom to invite, and maybe leave it up to the clerk in terms of scheduling.

The President of the Treasury Board, who will own this initiative, should explain what his vision is. My understanding is he might have a planning and priorities meeting on Tuesday, April 1, but if the clerk can work it out, perhaps we can do a special meeting with the President of the Treasury Board to get him to explain what this initiative would look like.

Also, I think it would be very important at the outset to have representatives from the Canadian Digital Media Network, who are spearheading this initiative, so they could explain their vision for this kind of initiative, and explain also the inspiration, and what's happening in other countries, for example.

[Translation]

The Chair: The members of the committee therefore agree to study the list of witnesses on February 25. It will include all the people you just mentioned. We will also have the opportunity to

further plan the committee's next meetings, especially the ones in April.

We have already received confirmation from the President of the Treasury Board. He will come and testify on that issue. It will be easier for him to find a time slot since he was already planning to appear. That gives us a week and a half to plan the appearance of witnesses before the committee. That's pretty reasonable. So we can talk about it on February 25.

Do you have anything else to add about this study?

Mr. Byrne, go ahead.

[English]

Hon. Gerry Byrne: Not being totally familiar with the initiative itself, which I admit to, would it be possible that the research staff could assemble briefing material before the 25th so that we could better acquaint ourselves?

Mr. Pat Martin: Have you read the action plan?

Hon. Gerry Byrne: Twice.

[Translation]

The Chair: Mr. Byrne, the clerk of the committee advises me that there is no problem with that. That will help you to—

[English]

Hon. Gerry Byrne: Also, if recommendations could be given for witnesses in that document, that would be helpful as well.

[Translation]

The Chair: Yes, the analysts can do so. As a result, if we have the suggestions for the witnesses who might appear before the committee, we will be able to better understand the issue by then.

Do you have any other comments?

Mr. Trottier, go ahead.

Mr. Bernard Trottier: Thank you, Mr. Chair.

[English]

Not to give all kinds of extra work to the analysts, but what might also be helpful is a synopsis of what's going on in other countries, which would give us a sense, if we want to compare notes with other countries, of who we would invite.

Hon. Gordon O'Connor: We can't travel. I know that.

[Translation]

The Chair: I think that can work. I don't want to speak for the analysts, but it can work.

Are there any other comments?

Mr. Clerk, go ahead.

The Clerk of the Committee (Mr. Marc-Olivier Girard): I don't have a comment, but a question for the members of the committee.

If the committee wants to consider the lists of witnesses from all the political parties—with the exception of the study of March 25—could you set a deadline for emailing those lists to the clerk? I need to put them together before I bring the list on March 25. For instance, March 20 would work very well.

The Chair: We were talking about February 25 for the study.

The Clerk: I apologize, I meant to say February 25. So we are talking about next week. That will be Thursday, February 20, at the latest. I will put them together on Friday and make sure that they are translated and that we are ready to go on February 25.

The Chair: Will the analysts be able to do that? They need at least a few days for the briefing document and the list of witnesses.

Are you able to do that, Ms. McGlashan? Could you tell us how that would work?

• (0940)

[English]

Ms. Lindsay McGlashan (Committee Researcher): We can definitely prepare a list of suggested witnesses and we can do a briefing book for the study. André and I can work on that and get it out as quickly as possible.

As for the timing of it, it would be helpful to us to know how soon the committee would like it. Then, depending on that timing, to a certain extent it might dictate how lengthy the analysis part of the briefing book is. If the priority is to get a list of suggested witnesses from us and an explanation of what open data is and the country comparisons.... We're happy to pull it together, but it would be helpful for us to know the timing that would work best for the members.

[Translation]

The Chair: It is important to recognize that there is not much time between today and the date when the list of witnesses has to be studied. February 20 is the deadline for suggesting witnesses. So it would have to be something concise with a list of witnesses and a shorter explanation, but the briefing document will have to be more detailed. We would start hearing from witnesses in April.

Mr. O'Connor, go ahead.

[English]

Hon. Gordon O'Connor: I just want to be clear. We're not putting a time limit on the study. You're just talking about getting it launched. Is that right?

[Translation]

The Chair: February 20 is the deadline for submitting the list of witnesses, which will be studied on February 25.

[English]

Hon. Gordon O'Connor: Just to get the thing launched.

[Translation]

The Chair: Yes. That will give the clerk the time to prepare the list of witnesses proposed by each party so that we can go over it on February 25.

Do you have any other comments on that?

Mrs. Anne-Marie Day: I am going to suggest a bit of extra work for the clerk and analysts.

Could you check when the G8 open data charter was implemented? We are talking about open data, but I would like to know how long those terms have been in use. It would be a bit of historical background. I think this is fairly recent.

The Chair: That should be included in the preliminary document.

Do you have any other comments about the study?

I am asked whether setting the deadline for Wednesday would give you enough time. Would Tuesday, February 18, work for you? That would give us two business days. The 19th would probably be more realistic for the analysts, but that would only give us one day. You would have to submit your list of witnesses by February 20, at 5 p.m.

Any other comments?

Go ahead, Mr. Trottier.

[English]

Mr. Bernard Trottier: Mr. Chair, we have a nice action plan. To build on Mr. O'Connor's comment, I think this is to get the study rolling. I think as we get into it, we might have some ideas about other witnesses, so we could have a planning session further on in the spring if we need to.

[Translation]

The Chair: The agenda up to April and May is pretty good, but I am still open to your suggestions.

Earlier, Mrs. Day wanted to make a proposal.

Mrs. Anne-Marie Day: Thank you, Mr. Chair. Let me elaborate on that proposal.

We know that the Champlain Bridge in Montreal will be one of the biggest infrastructure expenditures made in Canada in the next few years. It is a major development infrastructure that has a huge impact on the entire economy in eastern Canada. It could also easily become a Pandora's box if we are not careful and fully transparent in clarifying some aspects.

I think the role of this committee is to look into anything to do with tenders and contracts, or the way everything done in general. Of course, we are not getting into the specifics. For instance, it would be worth having information on architectural competitions to figure out why they have been held or why they haven't. We know they have not been held in this case.

What were the criteria and guidelines for that? Things must be done so that people understand that there is transparency. Everyone—the Conservative Party, the NDP and the Liberal Party—has a stake in being very transparent in this matter.

How will the tendering process unfold? We know that it has to meet some major criteria and fall under various consortia. All those aspects and issues may well be addressed by the media and participating entrepreneurs, as well as by international companies. This is a huge issue and we would do well to be transparent, I think. I would therefore appreciate it if we could look into anything that has to do with the Champlain Bridge and that is in the mandate of the Standing Committee on Government Operations and Estimates.

• (0945)

The Chair: Thank you for your remarks, Mrs. Day.

We must always stay within the committee's mandate. I was actually able to see a few points in your proposal that might be within the committee's mandate. However, as the clerk told me, we would have to do some extra research on that. That will give us a little more time to confirm whether this study is within the committee's mandate. I don't have the answer right now.

Perhaps the clerk can elaborate on that.

The Clerk: Yes, of course.

I was telling the chair that the mandate of the Standing Committee on Government Operations and Estimates states that the review of and the report on the effectiveness, management and operation of crown corporations and agencies falls under the committee's responsibility, unless the House has already referred a study to another committee.

I mentioned to the chair that I would like to perhaps do some research on this to see whether any issues that have to do with the Federal Bridge Corporation Limited would be traditionally referred to the Standing Committee on Transport, Infrastructure and Communities. If you wish, I could report back to you on this matter at the next committee meeting. If we see that the issues that are related to this corporation have not been referred specifically to another standing committee by the House, then the study will fall under this committee's responsibility.

The Chair: I would like to make the following suggestion to Mrs. Day.

Mrs. Anne-Marie Day: To clarify those issues.

The Chair: I suggest that you keep in touch with the clerk of the committee and see whether the topic could in fact be part of the committee's mandate. You can eventually come back with it if you really think that might be the case.

Mrs. Anne-Marie Day: Yes, I agree that the request has to be clarified.

The Chair: Mr. Martin, would you like to talk about this as well?
[English]

Mr. Pat Martin: No, I'd like to introduce a separate subject.
[Translation]

The Chair: I think we are done discussing Mrs. Day's proposal. We will probably come back to it later.

Go ahead, Mr. Martin.

[English]

Mr. Pat Martin: Thank you, Mr. Chair. We're probably talking about quite far into the future, but I want to make an argument that we do undertake a study, and I'd like to get that out now. I can back it up and reinforce it later at future planning committee meetings. I have served a notice of motion regarding undertaking a study, on behalf of the committee, to investigate the effects of climate change on federal government operations and to examine the forecasting and the cost of climate change to programs such as the disaster financial assistance program, military disaster assistance, and any other public safety emergency measures operations.

Perhaps I could speak to it briefly. One of the biggest problems in me home province of Manitoba in balancing the budget has been the

relentless natural disasters in terms of floods. We have seen this federally in Calgary and Quebec, and the number of weather-based incidents that are causing massive outlays of expenditures by the government has been increasing exponentially, and there's an undeniable connection to climate change. As the government operations committee, I think it's incumbent on us to participate in the forecasting necessary to cope with these increased incidents.

I point out that whereas the Government of Canada has never undertaken such a study, and the Parliamentary Budget Officer has never undertaken such a study on behalf of Parliament or the government, in the United States, the congressional budget officer has undertaken no fewer than five such studies in the last 10 years. They're recognizing that this is some of the forecasting necessary in the estimates process to cope with what is an undeniable increase in these natural disasters.

I'd be proud of this committee if we would engage the Parliamentary Budget Officer to undertake such a study. It could be something that could be commissioned by us so that the experts do the examination instead of the committee, but all it would take would be a motion from this committee and a letter of request from the clerk to ask the Parliamentary Budget Officer to undertake such a course of action.

• (0950)

[Translation]

The Chair: Could you please read the motion?

[English]

Did you read the motion at the beginning?

Mr. Pat Martin: I didn't read it word for word, but I will. It's quite short:

That the Committee requests the PBO to undertake a study, on behalf of the Committee, to investigate the effects of climate change on Federal Government operations and to forecast the cost of climate change to programs such as the Disaster Financial Assistance Program or Military Disaster Assistance and other Public Safety emergency measures operations.

[Translation]

The Chair: Okay.

The chair finds that the motion is in order, given that the Parliament of Canada Act allows committees to ask the Parliamentary Budget Officer to undertake a study.

We will now start the debate. Mr. Trottier, the floor is yours.

[English]

Mr. Bernard Trottier: We've already started one study and we also have some certain challenges with the open-endedness of this one. I suppose any individual members are fully within their rights to ask the PBO to undertake a study. We don't feel that the OGGO committee should be commissioning this study at this time, so we won't be supporting this motion.

[Translation]

The Chair: Okay.

Mr. Byrne, do you have any comments on the motion?

[English]

Hon. Gerry Byrne: I was wondering if the Commissioner of the Environment, housed in the Office of the Auditor General, may have done any work similar to this. I'm asking through you, Mr. Chair, to Mr. Martin or to anyone who might know, because I would like to support this. I think this is a valuable piece of business. It would not occupy any time of the committee itself but would provide valuable feedback to us and to other parliamentarians about a growing and sensitive issue.

[Translation]

The Chair: Thank you for your comment.

Mr. O'Connor, go ahead.

[English]

Hon. Gordon O'Connor: My problem is with the words "climate change". I don't know what those words mean because they're a buzz term, "climate change". If we're talking about what is our preparedness for natural disasters, that's one thing, but on climate change, if you want to talk about the climate, the climate always changes. It gets hot, it gets cold, etc.

What are we doing here? Are we worrying about natural disasters? Are we worried about our preparedness? I don't know. My problem is with the words "climate change".

[Translation]

The Chair: I don't know whether the member who moved the motion intends to change those words.

Mr. Martin, what are your thoughts?

[English]

Mr. Pat Martin: No, I think the whole point is to draw attention to the undeniable link between climate change and the increased incidence of natural disasters across the country, which have added up to billions and billions of dollars. We have an unfunded liability looming. We don't know when the next one is going to strike, but any kind of forecasting or estimates process or budgeting is out the window if we keep getting hit with these epic events.

Now, I'd like more explanation from the government as to why they wouldn't support commissioning the Parliamentary Budget Officer, who is sitting there with the resources and the ability to undertake such a study. Why are we afraid to simply ask him to undertake this study? The advantage of the committee doing it is that then we can call him in to report to the committee on that subject. Any individual could, I suppose, ask the Parliamentary Budget Officer to examine this, but it goes on to the long list of other requests. When a parliamentary committee directs the Parliamentary Budget Officer to do it, it has more weight, and it would go up on the priority list, and it would be done, I think, in a reasonable period of time.

This is information we need to know. We're negligent if we're not planning for climate change events, these natural disasters directly linked to climate change. Other developed nations are folding this into their planning and priorities and estimates process. We don't have any of the groundwork or baseline research done to be able to accommodate this legitimate concern.

I would like the members on the government side to explain to me why they wouldn't want the Parliamentary Budget Officer to examine climate change.

• (0955)

[Translation]

The Chair: Thank you, Mr. Martin.

To answer Mr. Byrne's earlier question about the Commissioner of the Environment and Sustainable Development, I have been advised that a report entitled "Mitigating Climate Change" is supposed to be tabled in the fall of 2014. Perhaps that answers your previous question.

Mrs. Day, go ahead.

Mrs. Anne-Marie Day: Thank you, Mr. Chair.

I would like to respond to what Mr. O'Connor said.

There is a cause and effect reaction between climate change and the impact of the warming of our planet. The ice melts and the water level goes up. Our environment will be more humid and more hurricanes will form. There is no denying it, it is all related.

Countries that have had tsunamis cannot afford not to base their future spending estimates on tsunamis that may potentially occur in 20, 30 or 50 years. In our own estimates, we cannot overlook the possibility that what happened in Alberta last year can happen again. That was last summer, I think. We can make forecasts, because, once temperatures vary, there will be climate changes and disasters will occur. We know that the water level will go up. We will then make regulations so that people do not live along shorelines where the water level may well increase, and so on. It is all related.

I think undertaking such a study is appropriate. It is appropriate for all government institutions to carry out a study that will enable us to manage public finances more effectively in the event of disasters and to ensure that we are not taken by surprise when disaster strikes. We will be able to plan for it.

Thank you.

The Chair: Thank you.

Mr. O'Connor, would you like to discuss the motion?

[English]

Hon. Gordon O'Connor: If I may, I'll go into my fundamental problem. My fundamental problem is that what we're talking about essentially is weather, not climate. Climate is a trend over a long term. Right now, you may not notice it, but we have the polar vortex out there. We have snowstorms everywhere. We don't exactly have tropical forests growing up in the Arctic. We have the opposite problem right now. If I followed the logic of some people that it's primarily human activity, well, primarily human activity, according to them, should be creating heat everywhere, but we have the opposite situation, and the planet has not heated up for 15 years.

Our worry in Canada is cold. We can live with a warmer climate in Canada. We can't live with a colder climate, because the ice sheets start to move down on us. The Antarctic ice sheet, for example, is expanding; it's not contracting. We've had cases where the Arctic ice sheet has retracted and now it has expanded again. These are weather issues.

It comes back to the fundamental thing I'm talking about. If we're talking about getting a study on how to deal with natural disasters, that's one thing, but tying it into climate change, which are a couple of fuzzy words that don't really mean anything, that's my problem.

[Translation]

The Chair: Thank you for your comments.

Let's continue debating the motion.

Go ahead, Mr. Martin.

[English]

Mr. Pat Martin: I can't let those comments go unchallenged.

Global warming is not a weather event. You don't listen to Johanna Wagstaffe to get a prediction on global warming.

The natural disasters that we're suggesting should be studied, or their increased incidence, are directly related to climate change. As you do the research and learn about climate change, it's not just about warming temperatures, it's about more extreme events at both ends of the spectrum. The increased incidence of natural disasters, whether it's floods or the ocean warming or the rising sea levels, etc., are consequences of climate change caused by humans.

The reason our country keeps winning the dinosaur award at every environmental conference around the world is that we're still having this debate when the rest of the world has moved on. But we, as an oversight committee for planning and priorities and estimates, surely want to be able to recommend to government that they better have some way to fund this liability. Currently an unfunded liability that's looming over our heads is like a sword of Damocles, because every time you try to balance the budget, if you have a \$6 billion flood in Calgary, there goes your balanced budget.

This is predictable. This is scientifically based. It's irresponsible of us not to be dealing with this at the very committee where we're supposed to be forward looking about anticipated costs, budgets, and spending. This is the committee that should be dealing with it. We should be getting information from other committees perhaps, but we should be recommending that the government has this contingency, not just the costs, but being involved at the root of the problem as well. This committee should be recommending that this government shouldn't be engaged in any activity that may be exacerbating the climate change emergency that the globe is facing.

Global warming is not a weather-related issue. You don't look at the 11 o'clock news to deal with global warming. You take your head out of the sand and deal with it.

• (1000)

[Translation]

The Chair: Thank you.

I don't want us to start a debate on climate change. We must stick to the content of the motion, which asks that the PBO undertake a study. We can play with the wording of the motion, but we must stick to the topic being debated.

Mr. O'Connor, the floor is yours.

[English]

Hon. Gordon O'Connor: I want to go back to Mr. Martin.

First of all, there have been no sea level increases. You'll have to tell me where they are because it hasn't happened. Hurricanes are not occurring at the same rate they used to be. Hurricanes have been quiet for years. You have to go looking around the planet. You have to pick and choose what you want.

I'm not going to argue that things don't change. We go from hot to cold, etc., but we have to develop national plans to deal with these things and expect to pay bills every year. We should always have a fund ready to pay bills because it's going to happen. We have a large country, a continental country, that will have all the various weather forecasts, but to say there's an inalienable link to what you call climate change, I don't agree.

[Translation]

The Chair: I repeat that I don't want us to start a scientific debate today.

Mr. Aspin, go ahead.

[English]

Mr. Jay Aspin: Chair, my problem is unpredictability. Mr. Martin says it's predictable. I don't think it is predictable. I don't even know if it's directly relatable. It's like asking the federal government to plan its budget according to next year's weather. Who knows next year's weather? Sometimes we don't even know what this weekend's weather will be. In economic action plan 2014, we have a \$3 billion contingency fund. It's not directly related to any one incident. It's the fact that we've had three disastrous incidents this year. We can't be specific. We can lay out some funds.

My problem is the unpredictability. It's like contemplating your navel. It's virtually impossible.

[Translation]

The Chair: Thank you.

I think we are ready to vote on the motion.

Do we have unanimous consent to adopt the motion?

[English]

Mr. Bernard Trottier: No.

[Translation]

The Chair: We do not have unanimous consent.

Mr. Martin, go ahead.

[English]

Mr. Pat Martin: I think this is such a fundamental issue that there should be a recorded vote on a subject like this.

[Translation]

The Chair: Okay.

I will ask the clerk to proceed with a recorded vote on the motion that Mr. Martin read a few minutes ago.

•(1005)

The Chair: The motion is defeated.

(Motion negated on division: Yeas, 3; Nays, 6)

The Chair: Would you like to suggest any other topics for consideration?

Mr. Trottier, go ahead.

[English]

Mr. Bernard Trottier: I think we have a good plan of attack for the next three months at least. I'd like to move that we adjourn, bearing in mind we'll have further discussions about witnesses and dates on the Tuesday when we resume.

[Translation]

The Chair: The motion is not debatable, but we really must talk about an access to information request that was made. We usually talk about something like that in camera. We have until February 21 to discuss it.

I will let the clerk explain the situation.

The Clerk: Would you like to move in camera?

The Chair: We can continue in public session.

The Clerk: Thank you, Mr. Chair.

The committee has received an access to information request from the Public Service Commission. The committee must reply by February 21. Originally, the commission received a request for it to provide all the documents that it had prepared for its appearance before you last December 10. The commission appeared at that time to present its annual report and other audit reports.

The reason why I bring this to the committee today is that, last autumn, the House adopted new rules for handling these kinds of requests, and for the way they are handled by parliamentary committees.

I examined the documentation that involved the committee. Essentially, it comes down to a routine exchange of emails between the clerk and the Public Service Commission's person responsible for parliamentary affairs, about the date of the appearance and confirming that they were going to appear. So my recommendation to the committee was to authorize me to publish the documentation and make it available. As I said, it is a routine exchange of emails between the clerk and the parliamentary affairs officer at the Public Service Commission.

Under the new rules passed by the House last fall, we are required to consult the committee and seek its approval on the matter.

The Chair: Do we have unanimous consent?

[English]

Mr. Pat Martin: Unanimous consent for what?

[Translation]

The Chair: Do we have unanimous consent to publish the documents we have been asked for?

Go ahead, Mr. Martin.

[English]

Mr. Pat Martin: No. I don't agree at all. In fact, I'm surprised we're going in that direction. A similar request came out recently regarding testimony at the committee dealing with the Hells Angels at the West Block and stuff like that, and we refused to release any committee business because of parliamentary privilege. If we start down that slope we'll be inundated with ATI requests, and they won't be innocuous e-mails between the clerk and someone else, it will be background information that we discuss as parliamentarians. Unless I'm confusing my issues here, this seems to be a slippery slope to making public things that we, for good reason, keep among ourselves.

•(1010)

[Translation]

The Chair: Yes, Mr. Byrne?

[English]

Hon. Gerry Byrne: Mr. Chair, I have to admit that I'm caught off guard by my own ignorance.

Would the clerk be able to remind us as to what exactly the new rules are which the House of Commons passed that we're considering or applying?

[Translation]

The Clerk: It is a complex set of rules. The House decided to divide into several categories all the documentation on committee work that could end up, for one reason or another, in an access to information request to a department or a federal government agency. For example, public documents, like the evidence in today's meeting, will be made public and posted on the website. Then the House says that, if ever those documents become part of an access to information request, we have no need to express an opinion, given that the documents are made public immediately.

However, another category deals with in camera documents. The rules of the House stipulate that everything related to in camera meetings, such as briefing notes provided by the analysts and studied in camera, or documentation that is supplied by a witness and studied in camera, will be raised at the committee, but the committee will say no to those documents being published in an access to information request.

In this case, the document in question is one to which the public has not had access. It contains the correspondence between the clerk and a public servant. Under the new rules adopted by the House, this has to be brought before the committee. The committee makes the decision as to the publication of the documents. There must be unanimous consent. If there is not, the documents cannot be published.

Finally, to follow up on Mr. Martin's remarks, I must mention that, in the case that was examined last fall, the issue was removing the protection by parliamentary privilege afforded in the past from evidence before the committee. In this case, it is not at all the same thing. What we are talking about is making available correspondence between a clerk and a public servant, on the condition that the documents remain protected by parliamentary privilege.

The Chair: In a word, a public servant communicated with the clerk and that information could be subject to the provisions of the Access to Information Act as long as the committee approves it. The information belongs to the committee in part, actually.

[English]

Hon. Gerry Byrne: Just to clarify, access to information that was filed against the department...?

[Translation]

The Chair: The official in question communicated with the clerk of this committee. The access to information request was about the official, not our committee. It is about information shared between two people, the clerk and this official.

Mr. O'Connor, your name is on my list. I assume you want to speak to the matter.

[English]

Hon. Gordon O'Connor: I was just going to say that, like Mr. Martin, I worry about precedents. If you start giving out these things, you get to a stage where you can't say no any more and you could be into problems.

I'm just one of those who believe that if you have to come here to ask for it, you're not getting it.

[Translation]

The Chair: Go ahead, Mr. Trottier.

[English]

Mr. Bernard Trottier: The challenge we have as a committee is to get consent, as much as we rely on the skill and professionalism of our clerk, but we don't know what we're consenting to.

At a minimum I would expect perhaps the chair and the vice-chairs to sit down and examine the documents, but it's hard to consent to something we haven't seen.

[Translation]

The Chair: Go ahead, Mr. Martin.

[English]

Mr. Pat Martin: Yes, just—

[Translation]

The Chair: I am sorry, I have to give the floor to Mrs. Day first.

Mrs. Anne-Marie Day: Thank you Mr. Chair.

The clerk explained clearly that the discussion was “dull and boring”, that it was just about acknowledgments of receipt and chatting. If the committee decides to make everything public or to reply to every request, it could be a significant amount of material. Anyway, as soon as the communication stops being dull and boring and the content becomes more substantial, control becomes very

difficult. I do not think we should leave the door open to choices like that.

Basically, if the content is nothing but an acknowledgment of receipt and some back-and-forth with no documentation or content, I do not see what interest there is in submitting an access to information request about it. If things get trickier, like the access to information request about the Hells Angels, we are going to end up stuck. We will already have left the door open.

•(1015)

[English]

Mr. Pat Martin: There are two reasons I would deny the unanimous consent that you've requested. The first is, I don't fully understand the issue, and we as a party, as the official opposition, haven't had a chance to talk this through as to this new development. The other is that unless there was some compelling public interest override on behalf of the applicant, I would stand in defence of the privilege that we enjoy for this kind of communication, because it will change forever the way we conduct ourselves if we go down that road.

Gordon is absolutely right. You're opening the door. News would spread like wildfire, frankly, if we started divulging this kind of benign, banal correspondence to access requests for things that are not benign, and there is good reason they are confidential.

To cut it short, we're going to be denying the unanimous consent that you seek until we can deliberate as a party.

[Translation]

The Chair: There is no consent.

Mr. Clerk, did you want to add anything?

The Clerk: I would like to add a final point.

I respect the decision of the committee, whose faithful servant I have been since 2009. That said, if you wish, I can send you the electronic link to the report from the Standing Committee on Procedure and House Affairs. The report was tabled last fall and contains the exact new rules on this matter that were passed by the House. This is just so that you have a better idea of the process and the different categories of documents. There are public documents, confidential documents for in camera study, public documents not of a sensitive nature, public documents of a sensitive nature, and so on.

This kind of thing is likely to happen again, perhaps in this committee, perhaps in another one. I will send the information to committee members if they wish.

The Chair: Thank you.

In any case, I see no unanimous consent today.

There is nothing else on the agenda.

Mr. Trottier, did you wish to add anything?

[English]

Mr. Bernard Trottier: If there is no other business, I'd like to move to adjourn now, please.

[*Translation*]

The Chair: A motion to adjourn has been made and it is not debatable.

(Motion agreed to)

The Chair: The motion is agreed to. The meeting is adjourned until February 25.

Thank you for being in attendance.

(Meeting adjourned)

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