

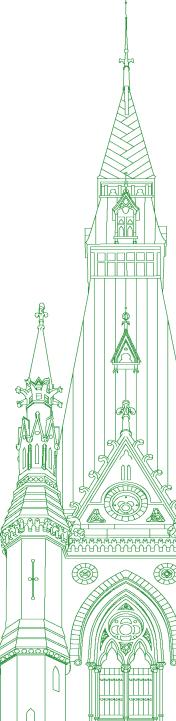
44th PARLIAMENT, 1st SESSION

## Standing Committee on Transport, Infrastructure and Communities

**EVIDENCE** 

# NUMBER 097 PUBLIC PART ONLY - PARTIE PUBLIQUE SEULEMENT

Tuesday, January 30, 2024



Chair: Mr. Peter Schiefke

### Standing Committee on Transport, Infrastructure and Communities

Tuesday, January 30, 2024

• (1105)

[Translation]

The Chair (Mr. Peter Schiefke (Vaudreuil—Soulanges, Lib.)): I call this meeting to order.

Welcome to meeting number 97 of the House of Commons Standing Committee on Transport, Infrastructure and Communities. Pursuant to the order of reference of Tuesday, September 26, 2023, the committee is meeting to continue with the clause-by-clause consideration of Bill C-33.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders of the House of Commons. The members can attend in person in the room or remotely using the Zoom application.

[English]

Colleagues, although this room is equipped with a powerful audio system, feedback events can occur. These can be extremely harmful to our interpreters and cause serious injuries. The most common cause of sound feedback is an earpiece worn too close to a microphone. We therefore ask all participants to exercise a high degree of caution when handling the earpieces, especially when your microphone or your neighbour's microphone is turned on. In order to prevent incidents and safeguard the hearing health of the interpreters, I invite all members, as well as our witnesses, to ensure that they speak into the microphone into which their headset is plugged and avoid manipulating the earbuds by placing them on the table, away from the microphone, when they are not in use.

Colleagues and witnesses, when speaking, please speak slowly and clearly. When you are not speaking, your microphone should be on mute. That's just a quick reminder there.

Colleagues, to help us with clause-by-clause consideration of Bill C-33, I would like to now welcome back our witnesses, who have done a steadfast job thus far. We have, from the Department of Transport, Sonya Read, director general, marine policy. We have Heather Moriarty, director, ports policy. We have Rachel Heft, manager and senior counsel, transport and infrastructure legal services, and we have Amy Kaufman, counsel.

Once again we have joining us our legislative clerks, Philippe Méla and Jean-François Pagé.

[Translation]

Thank you again for being here.

[English]

Colleagues, I hope you had a wonderful break.

We'll now dive in with clause 125 with a CPC amendment. With that, I will open the floor for the first time in 2024.

Oh, it's 124, yes. We'll open up debate.

(On clause 124)

The Chair: Go ahead, Mr. Badawey.

Mr. Vance Badawey (Niagara Centre, Lib.): Thank you, Mr. Chair.

Just to be clear, is this clause 124. Can we read out exactly what we're dealing with right now just so that all committee members recognize what the clause is?

The Chair: Ms. Read, do you want to speak to that?

Do you want to clarify what you are looking for, Mr. Badawey?

**Mr. Vance Badawey:** Yes. I'm just looking for some commentary on 124.

Ms. Rachel Heft (Manager and Senior Counsel, Transport and Infrastructure Legal Services, Department of Transport): Certainly. Clause 124 ensures that the Transportation Appeal Tribunal of Canada Act, which oversees some provisions of this legislation in terms of requests for review of administrative monetary penalties.... The provisions of this bill, should they come into effect prior to those of Bill C-26, will ensure that both amendments to that legislation are effective in that, if this bill amends those provisions and later C-26 also amends those same provisions of the Transportation Appeal Tribunal of Canada Act, all those amendments will be coordinated and come into force.

The Chair: Thank you, Mr. Badawey.

Mr. Mark Strahl (Chilliwack—Hope, CPC): If we had had that explanation at the last meeting, we could have saved ourselves a lot of time.

We said all we have to say on this clause.

The Chair: Thank you, Mr. Strahl.

We'll go to a vote on clause 124.

Go ahead, Mr. Bachrach.

**Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP):** Mr. Chair, before we vote, can I just be clear that we're voting on CPC-9.1, or are we before that?

The Chair: No, it's clause 124.

Mr. Taylor Bachrach: It's on clause 124—my apologies.

(Clause 124 agreed to on division)

(On clause 125)

The Chair: Go ahead, Mr. Bachrach.

**Mr. Taylor Bachrach:** I believe NDP-16.1 is first in the order. However, the Liberals amended NDP-15.1 to include this, so I don't believe it's necessary at this point. We won't be bringing it forward, and we're happy to move to the next amendment.

• (1110)

The Chair: Now we can turn it over to Mr. Strahl, I believe.

Mr. Mark Strahl: Thank you.

We had a lot of debate on this section, the accelerated thermal coal ban. We just wanted to clarify that, as per the government's previous statements on the thermal coal ban, it would come into effect no earlier than January 1, 2031. This would clarify that this section, which we debated in terms of including a thermal coal ban in a bill on port modernization, would not come into effect until January 1, 2031, in keeping with the spirit of the government's commitments and the spirit of the negotiations that I understand are under way between industry and government on this.

It just attempts to clarify that the section that was amended to include a thermal coal ban would not come into force until January 1, 2031.

The Chair: Thank you, Mr. Strahl.

Go ahead, Mr. Bachrach.

**Mr. Taylor Bachrach:** I have a bit of a different understanding than Mr. Strahl does on this one.

The amendment that we voted on prior to the break essentially reaffirmed the government's own commitment to phase out thermal coal exports by 2030. The date in that amendment is the date of the commitment.

The challenge, and the amendment that we worked hard to include, had to do with the consultation with the relevant trade unions that are involved in the export of thermal coal, to ensure that topics like the continuation of collective agreements, pension bridging and securing other opportunities in marine transportation are discussed with them prior to the phase-out coming into effect. That amendment, which carried, now compels the government to consult those unions and discuss those matters with the people who are most affected.

My concern is that, if this entire statute doesn't come into force until January 1, 2031, there's nothing to compel the government to engage in those consultations prior to that date. It's going to be a process leading up to the phase-out. What we want is for the government to consult the workers as soon as possible. Hopefully, those consultations are already under way. It sounded from our discussions with the officials like they aren't in a formal way, but they should engage those groups as soon as possible.

My concern is that, if we support this amendment, the work that we've done to compel the government to have those conversations won't actually come into effect until 2031, which I believe is too late. Therefore, I'll be voting against this amendment.

The Chair: Thank you, Mr. Bachrach.

Go ahead, Monsieur Barsalou-Duval.

[Translation]

Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ): This has been a long discussion. I would have preferred a much shorter discussion and a different outcome. I thought that amendments regarding the process and the implementation of coal exports had already been proposed. A new amendment is now on the table and a new date is being proposed. I'm just trying to understand how this would align with what we voted on earlier and how this would change the process that we already adopted. Perhaps the analysts or witnesses could shed light on the impact of this amendment, given what we already adopted. I think that the witnesses are in the best position to explain everything.

In practical terms, what would this change?

[English]

Ms. Sonya Read (Director General, Marine Policy, Department of Transport): Thank you for the question. It's a very good question.

Our understanding of the provisions that were originally amended was that they provided for the regulations to be made within 48 months after the coming into effect, but the regulations would themselves prohibit the loading and unloading of thermal coal after December 31, 2030. The regulations would prevent that activity from happening after that date.

If the provision itself does not come into effect, or the regulationmaking authority does not come into effect, until January 1, 2031, my understanding is that we would actually not be able to make the regulations.

Is that correct?

• (1115

Ms. Rachel Heft: Yes. That's our understanding.

Ms. Sonya Read: Okay.

Our understanding is that, if the provision regarding a regulation-making authority does not take effect until January 1, 2031, we would not be able to make the regulations until that date, which means that the provisions that indicate when the regulations are supposed to be in effect would be after the date that the authority actually comes into effect. There might be a misalignment there.

The Chair: Go ahead, Ms. Gladu.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): I'm late to the party. I apologize.

Do I understand correctly that the loading and unloading is permitted until December 31, 2030, the way the bill has already been amended?

**Ms. Sonya Read:** Our understanding is that the way the bill has been amended, the regulation-making authority would take effect as of the coming into force of the provisions in the bill generally. The regulations must be made within 48 months, but the actual prohibition of the activity would not take effect until after December 31, 2030.

Ms. Marilyn Gladu: Okay.

The Chair: Thank you, Ms. Gladu.

Are there any other questions or comments, colleagues?

Mr. Badawey.

**Mr. Vance Badawey:** I just want to clarify that this amendment is admissible.

**The Chair:** I have consulted with the legislative clerks, Mr. Badawey, and they say that it is indeed admissible.

Mr. Vance Badawey: Thank you.

The Chair: Thank you, Mr. Badawey.

Are there any more questions or comments, colleagues?

Seeing none, we'll go to a vote.

(Amendment negatived: nays 7; yeas 4 [See Minutes of Proceedings])

(Clause 125 agreed to on division)

(On clause 102)

The Chair: Colleagues, we will go back to clause 102, which had been stood. We are on CPC-4.

I will open it up for debate.

Go ahead, Mr. Strahl.

Mr. Mark Strahl: I'm unsure what we eventually came to. We gave this back to officials for them to come up with a way to get us where we wanted to go, which was to provide a remedy for lengthy vacancies where appointments have not been made—in some cases, as we heard, for several years. It was to provide an incentive, perhaps, for a minister to make those appointments in a timely fashion. It was suggested that six months was too short a time period, so we talked about one year.

Then we wanted to ensure that any amendments made to the bill—there were amendments made to the composition of boards, the nomination processes, etc.—would not be lost, and that it wouldn't be a way for boards to avoid their responsibilities under Bill C-33, should it pass, and the changes that were made in terms of labour nominating directors, etc.

I don't know. We threw it back into the laps of the officials and legislative clerks. I'm not sure what they came up with, or whether they have any further comments. We stood it because we didn't want to get locked in on the six months. We wanted to make sure the changes made through the work of this committee were reflected and that this wasn't an end-around on the other nominating requirements.

I'll throw it back to the officials for commentary and would be willing to discuss the best way forward with colleagues.

(1120

The Chair: Thank you, Mr. Strahl.

I'll turn it over to the officials for a response to that.

**Ms. Sonya Read:** My understanding is that, as officials, we aren't in a position to put forward any language with respect to amendments. I would seek clarity on that.

However, my understanding is that the end of the discussion was regarding the time frame for the length of appointments. We noted that six months was too short. I believe the time frame that was put forward at the last meeting would enable a 12-month period.

The other concern was whether or not the language would.... Given that, until the board appoints an individual, there could be a concurrent process under way within the Government of Canada in regard to the GIC process of appointments, the concern was whether or not it would be suitable to have a notification provision, so they could reduce the risk of the potential of concurrent appointments

I think those were the key considerations that were identified.

The Chair: Thank you, Ms. Read.

Mr. Strahl.

**Mr. Mark Strahl:** I know we had some internal back and forth. Again, I'm not sure whether the legislative clerk could provide some guidance on what those discussions look like. I know that not all of the Bill C-33 process has been collaborative, but this was one we all agreed we were going to look for some guidance on.

I would be willing to hear a time frame that is acceptable. If 12 months is too short.... It seemed like a reasonable time. I can't amend my own amendment, but there was some agreement, as I recall—back when we were discussing this—that vacancies are unacceptable after a certain length of time and there should be a remedy provided.

I don't know whether any colleagues are just going to vote this down, or whether we can make this work. I don't have the blues in front of me, but there was discussion about putting it into the hands of officials to capture what we were trying to come up with.

The Chair: Thank you, Mr. Strahl.

I'll turn it over to Mr. Barsalou-Duval, and then Mr. Bachrach.

[Translation]

Mr. Xavier Barsalou-Duval: Thank you, Mr. Chair.

During our earlier discussions, I explained that I was quite willing to move a subamendment to replace the six-month period with a twelve-month period. I'm still prepared to do so. I could suggest the same change to amendment CPC-4.

In terms of the other concerns raised or potential amendments, I'm also open to the idea. However, I don't have any specific wording to suggest. That said, I also support the idea of a 12-month period.

The Chair: Thank you, Mr. Barsalou-Duval.

I think that Mr. Bachrach already moved a subamendment to this effect in both official languages. Perhaps we should address that one first.

(1125)

[English]

It's probably roughly the same as what Mr. Barsalou-Duval

[Translation]

**Mr. Xavier Barsalou-Duval:** I'll wait to hear Mr. Bachrach's suggestions before moving my amendment.

The Chair: That's fine. Thank you, Mr. Barsalou-Duval.

[English]

Mr. Bachrach, I'll turn it over to you to speak to your subamendment.

Mr. Taylor Bachrach: Thank you, Mr. Chair.

Mr. Barsalou-Duval and I are thinking along the same lines in that we like the spirit of the original amendment, which is to create some accountability so that we're not seeing these long delays in appointing board members. It's something that the port authorities expressed as a concern when they appeared before the committee, so perhaps there's a middle ground that can be found by extending the six months to 12 months and also including a clause that would require the boards of port authorities to give the minister notice that they intend to invoke this clause, which could—how shall we say it—create some incentive to accelerate the process if there are barriers that can be broken through by working more diligently on it or allocating more resources to finding board members. It would give a heads-up so it's not a surprise to the department.

There's a subamendment in front of committee members. I can read it. It would replace "six months" in subsection (1.2) with "12 months" and add the following after subsection (1.2): "(1.3) The board of directors of a port authority shall give notice to the Minister of its intention to make an appointment under subsection (1.2) at least 90 days before doing so."

The Chair: Thank you, Mr. Bachrach.

I'll turn it over to Mr. Badawey.

Mr. Vance Badawey: Thank you, Mr. Chairman.

I'm just receiving this now and hearing Mr. Bachrach's comments.

We will, in fact, be in favour of the subamendment.

The Chair: Thank you, Mr. Badawey.

We'll go to a vote on Mr. Bachrach's subamendment.

(Subamendment agreed to: 11 yeas, 0 nays [See Minutes of Proceedings])

(Amendment as amended agreed to: 11 yeas, 0 nays [See Minutes of Proceedings])

(Clause 102 as amended agreed to: 11 yeas, 0 nays)

**The Chair:** Colleagues, we are very close and I am excited. We have one last hurdle to jump over, and that is on the schedule, NDP-17.

I will turn it back over to Mr. Bachrach to speak to that.

• (1130)

Mr. Taylor Bachrach: Thank you, Mr. Chair.

This amendment is simply the schedule, including the coordinates of the areas of concern in the southern Gulf Islands in British Columbia. I'll note that these coordinates reflect Parks Canada's proposed national marine conservation area for the Salish Sea and the ecologically and biologically significant area identified by Fisheries and Oceans Canada. These are also areas that have been identified by the communities of the Gulf Islands as being of concern.

Our amendment does not prevent anchorage in those areas, it simply limits the duration of anchorage to two weeks and empowers the minister to require vessels to move along after a two-week period. We've seen long stays in those ecologically sensitive areas, and the residents of that area are extremely concerned about the impact of industrial traffic—marine traffic—not only on the ecology but on the quality of life in those rural communities.

I know Ms. Gladu offered to debate every latitude and longitude—which, as a former geography major, I would be happy to engage with—but given that we have already voted on the spirit of the amendment, I would hope we could pass this in due course and finish our work on Bill C-33.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Bachrach.

Mr. Strahl.

**Mr. Mark Strahl:** I would hope that Mr. Bachrach, given his expertise, could perhaps talk to us about sinuosity for some time.

I do think we have expressed our concerns, which were echoed by departmental officials, about the unintended consequences of placing limits on anchorages without having done the work of creating additional anchorages elsewhere. It is fine to say that ships should not be able to stay at anchor in spite of any number of issues that are outside of their control, including port congestion, labour disputes at the port, bad weather or mechanical issues. To simply indicate that they cannot stay there and they must move off no matter what is ill-advised, as I think we heard from departmental officials.

Our advice in that discussion was that, if you're going to shut down anchorages, you should be opening up other ones. No work has been done in that regard. We believe that this entire idea, while I understand the impetus for it, is irresponsible for a government that believes in a reliable and robust supply chain. This will actually have a negative impact, which runs counter to the purpose of this legislation.

With that, we won't debate the "thence northeasterly along the sinuosity" of this schedule, but we will register again our concern about the impacts this will have on our supply chain, marine shipping and Canada's reliability in that regard.

Thank you.

The Chair: Thank you, Mr. Strahl.

I will turn it over to Mr. Badawey.

Mr. Vance Badawey: Thank you, Mr. Chair.

We have now found the word of the day—"sinuosity". Thank you, Mr. Bachrach.

Through you, Mr. Chair, I would like to ask for some comments on this from members of the team.

The Chair: I will turn it over to Ms. Read.

**Ms. Sonya Read:** In respect of the coordinates on the schedule, I would note that when we were looking at the coordinates as proposed there was some concern about whether or not some of the coordinates were completely correct.

I don't have details in front of me right now in respect of the actual coordinates, but I would say that one concern was whether or not they were actually reflective of the geographic area of concern, which is the southern Gulf Islands.

• (1135)

The Chair: Thank you, Ms. Read.

I will turn it over to Mr. Bachrach perhaps, if he wants to comment. If he doesn't, that's okay as well.

**Mr. Taylor Bachrach:** I do believe that a map has been drawn up to confirm the boundaries. That was confirmed with the legislative clerks and the drafters who worked on the amendment at a couple of stages.

Maybe "legislative clerk" is the wrong word. The drafters insisted that we map out the coordinates as part of the exercise so that we could confirm that the areas do indeed reflect the areas of concern. We can provide that map if it's of interest to the committee.

With regard to Mr. Strahl's comments, what we also heard over the course of the debate on this bill was that one goal of Bill C-33—the government has assured us of this—is to make the supply chain more efficient. It's going to reduce congestion at ports and reduce the need for anchorages because of all of the many things that they've jammed in here to give the government additional powers to reduce blockages and direct traffic. Ports are moving towards active traffic management systems that are going to make them more like airports in regard to directing marine traffic.

I think all of those things are going to dramatically reduce the likelihood that we'll find ourselves in a situation similar to the one we found ourselves in during the pandemic, which saw an extraordinary amount of traffic backed up and anchored in areas, which had real negative impacts on people and on the environment.

Maybe we'll agree to disagree on this one. I know that this matter has a tremendous amount of support from the residents of those communities. They feel very strongly about this. We are talking about a very unique and precious part of the British Columbian coast that's home to all sorts of important species, including southern resident killer whales, chinook salmon and other species of concern.

I'll leave it at that and hopefully we can move on to a vote.

The Chair: Thank you, Mr. Bachrach.

I'll turn it over to Mr. Badawey.

Mr. Vance Badawey: Thank you, Mr. Chairman.

I guess I have another question for Mr. Bachrach.

With respect to the areas of concern that you outline in this amendment, you mentioned that the residents would support this. I'm assuming that you've had some dialogue with the residents of the areas

**Mr. Taylor Bachrach:** Yes, we have had dialogue with residents of the areas, as have my MP colleagues who represent those areas. It's an issue of grave concern for them.

We heard from some of those stakeholders at committee during debate on this bill. We heard testimony from the South Coast Ship Watch Alliance, as I believe it's called, which is an alliance of concerned citizens. They would like something even stronger. They don't want ships parking there at all. I think that's clear.

I believe that what's been presented is a reasonable compromise that prevents the really long stays that are unreasonable, as I think is fair to say of a ship that would be anchored for more than two weeks immediately adjacent to a rural community in an area that's ecologically sensitive.

We're looking for some middle ground here. I think they're willing to accept what's contained in the bill. Hopefully, this will improve the situation.

As I said before, we've received assurance from the government that the other aspects of this bill that will improve the supply chain and the flow of goods through our ports are going to reduce the need for extended anchorages in locations like this.

The Chair: Thank you, Mr. Bachrach.

I'll turn it over to Mr. Strahl, followed by Mr. Badawey.

Mr. Mark Strahl: Thank you.

I will note that we've now had two different sets of.... Originally, when we were talking about anchorages and the emergency powers of the minister, government officials—independent bureaucrats—made their views known, which were that this would have major impacts and unintended consequences on the shipping sector.

We've heard just now from officials that they have concerns with some of the coordinates being proposed. The idea that we would rubber-stamp this with concerns not from partisan players in this game but from independent officials from the departments who have concerns about this—that we would somehow just say, "Well, they might have concerns, but it's written out here and we want to get this done"—would be irresponsible. I think it's another reason for us to oppose this specific schedule.

Specific concerns have been raised now on multiple occasions by departmental officials, so we'll be voting against this.

(1140)

The Chair: Thank you, Mr. Strahl.

I have Mr. Badawey up first, and then we'll go over to Mr. Bachrach.

Mr. Vance Badawey: I thank Mr. Bachrach for his comments.

There's no question that at this committee, going back to 2015, we established two interim reports with respect to transportation logistic strategies. Both interim reports led to the same recommendations for different parts of the country.

We do recognize that now we have a St. Lawrence Seaway Management Corporation review and a ports modernization review, as well as recommendations attached to both of those. Of course, the supply chain task force has come back with its recommendations as well.

Mr. Bachrach is correct in stating that we are trying to ensure that we not only recognize those strategic regional hubs within our supply chain—those out in the western area of the country being very strategic—but also recognize how important it is to integrate our supply chains with our neighbours across the border in the United States.

Of course, with that comes two things. One is the integrated capital investments that are going to be made to handle the capacities expected within those regional hubs and the supply chains. The second is to involve ourselves in a full dialogue with the communities they impact. Whether it be positive or negative, the bottom line is that dialogue has to continue.

I want to thank and congratulate Mr. Bachrach and his colleagues for doing that and of course for coming back with this amendment, which articulates some of the concerns of the residents of that area of the country. Yes, we have to balance that out with respect to ensuring that, while this activity is advantageous within these strategic trade corridors in terms of promoting our economy nationally and binationally, we also have to be mindful of some of the impacts it has on the residents in those areas.

I want to thank Mr. Bachrach for that and state that we will be supporting the amendment.

The Chair: Thank you very much, Mr. Badawey.

Mr. Bachrach.

**Mr. Taylor Bachrach:** Mr. Chair, perhaps I could just say that I hear Mr. Strahl's concerns. I think what we're tasked with as a committee is striking that balance between the larger national economic needs of the supply chain and the local needs of the people and the environment through which the supply chain passes.

This is an issue whether we're talking about ports, anchorages or the rail corridor. In the region where I live, there's great concern about the transport of dangerous goods through communities. It's important that we transport dangerous goods, and transporting them by rail often makes the most sense, but that doesn't mean that the needs of communities and the safety of communities can be overlooked. We need to find a way to achieve both, and I think this amendment tries to strike that balance by limiting the time that ships are able to anchor in sensitive areas.

I appreciate that the shipping companies and the port would like maximum flexibility and do not want to have their options limited in any way whatsoever. That's understandable. What we're tasked with is also representing the people who live in the area and managing the impact on what is a unique and sensitive marine environment. I think this amendment achieves that.

If I can try to reflect back on Ms. Read's comments, what I heard from her was that she isn't able to confirm that this long list of coordinates in front of us reflects a particular area of concern. That's a fair comment, because it's just a long list of numbers. The idea here was to reflect a geographic area that residents have expressed concern about, that Fisheries and Oceans Canada has indicated is a sensitive marine area and that Parks Canada has identified as an ecologically significant region.

Hopefully, that's going to be enough for us to push to a vote. I understand that we're not all of one accord on this, and I can respect that. I think this strikes the right balance and I hope it passes.

The Chair: Thank you, Mr. Bachrach.

I don't see any other hands up, so we'll go to a vote.

(Amendment agreed to: yeas 7; nays 4 [See Minutes of Proceedings])

**The Chair:** Colleagues, I have five more questions for you and then we can present this back to the House.

Shall the short title carry? It's "Strengthening the Port System and Railway Safety in Canada Act".

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the title carry?

Some hon. members: Agreed.

An hon. member: On division.

**The Chair:** Shall the bill as amended carry?

(Bill C-33 as amended agreed to: yeas 7; nays 4)

The Chair: Shall the chair report the bill as amended to the House?

Some hon. members: Agreed.

**The Chair:** Before I ask the last question, I just want to take a moment to thank our wonderful witnesses, the department officials, who have joined us for several months on this and given us their expertise as well as, most importantly, their time.

Thank you very much.

Thank you also to our legislative clerks, who also gave us their time on this.

The last question I have is this: Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Some hon. members: Agreed.

The Chair: Fine work has been done. Thank you all very much, colleagues.

Mr. Badawey.

**•** (1145)

Mr. Vance Badawey: Mr. Chair, I'll move a motion to adjourn.

The Chair: Okay. We'll move to a vote.

(Motion negatived: nays 6; yeas 5)

The Chair: We can move in camera and talk about what we want to do next.

**Mr. Taylor Bachrach:** I move to go in camera and discuss committee business. I'll make that motion.

The Chair: Okay. We have a motion to go in camera by Mr. Bachrach.

(Motion agreed to)

The Chair: We will suspend for two minutes while we go in camera

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