



CANADA

House of Commons Debates

VOLUME 144 • NUMBER 031 • 2nd SESSION • 40th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Monday, March 23, 2009

—

Speaker: The Honourable Peter Milliken

CONTENTS

(Table of Contents appears at back of this issue.)

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HOUSE OF COMMONS

Monday, March 23, 2009

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1100)

[*Translation*]

SUPREME COURT ACT

Mr. Yvon Godin (Acadie—Bathurst, NDP) moved that Bill C-232, An Act to amend the Supreme Court Act (understanding the official languages), be read the second time and referred to a committee.

He said: Mr. Speaker, I would like to begin by thanking the hon. member for Skeena—Bulkley Valley for supporting my bill.

The government has been refusing for far too long to establish an appointment criteria based on language proficiency for Supreme Court judges, thereby interfering in an alarming way with individual rights.

[*English*]

The consequences have been human rights violations which Canada cannot tolerate.

[*Translation*]

I am confident, however, that change is on the way because in 2009, year of the 40th anniversary of the Official Languages Act, Canadians have decided to join forces and take action.

In an unprecedented move, francophones and anglophones from all backgrounds are coming together to support my bill, Bill C-232, to introduce a new requirement for judges appointed to the Supreme Court to understand English and French without the assistance of an interpreter. This requirement will not apply to currently sitting judges.

We share the same goal: to restore a fundamental right of all Canadians, that is, the right to a fair and equitable trial.

Allow me to outline the context. As the hon. members probably know, the statutes of Canada are not written in one official language, then translated into the other. They are drafted bilingually, neither language taking precedence over the other. Both versions are equal

in law. Canadian law is written in two inextricably interlinked languages.

The Official Languages Act and the Canadian Charter of Rights and Freedoms ensure that the historical progress achieved in this regard is preserved.

To understand the subtleties of the law and apply it integrally, one must, at the very least, understand both official languages. One must also be able to listen to the parties without the help of an interpreter to ensure that all rulings are completely impartial and objective. Otherwise, the outcome could be very detrimental to the parties.

To ensure that our rights are protected, Supreme Court justices must understand the law as written in both English and French. Simultaneous interpretation and translation are not good enough: they result in interpretations that often differ from the original meaning.

• (1105)

[*English*]

More and more Canadians agree that a judge on the bench of our country's highest court must not be partial or restricted to knowing only half of the law because he or she knows only one of the official languages.

[*Translation*]

Members of Parliament and Canadian citizens may one day find themselves before the Supreme Court of Canada. Some may find themselves living with the consequences of its rulings.

How would it feel to be the victim of injustice simply because one was not well understood?

What would happen if a judge could not get clarification as needed because of delays due to translation or interpretation?

What would happen if judges were to discuss the fate of individuals in a place not equipped with translation or interpretation services?

What might the consequences be?

[*English*]

As the Commissioner of Official Languages put it so well, “it's not through interpretation that we're necessarily going to understand all the aspects of the debate prior to a case being brought before the Supreme Court”.

Private Members' Business

[Translation]

The government must therefore pay closer attention to judges' skills. Certainly, all judges must have a good knowledge of the law, but language skills are just as important.

The Commissioner of Official Languages, Graham Fraser, stated the following:

—it seems to me that knowledge of both official languages should be one of the qualifications sought for judges of Canada's highest court. Setting such a standard would prove to all Canadians that the Government of Canada is committed to linguistic duality. I find it essential that an institution as important as the Supreme Court of Canada not only be composed of judges with exceptional legal skills, but also reflect our values and our Canadian identity as a bilingual and bilingual country.

On a related note, according to the Official Languages Act, every federal court has the duty to ensure that the language chosen by the parties is understood by the judge or other officer who hears those proceedings, without the assistance of an interpreter. The only exception to that rule? The Supreme Court.

It is not fair that the law applies to federal courts such as the Federal Court of Canada, the Federal Court of Appeal and the Tax Court of Canada, but not to the Supreme Court of Canada. Why the exception? The law should be the same for everyone. Consider this example. Judges have been appointed, even though they are not bilingual, to the Federal Court of Canada, the Federal Court of Appeal and the Tax Court of Canada. Everyone can have their trial in the official language of their choice, and the judge must be bilingual. The Tax Court of Canada has more than one judge, but only one judge is needed for the hearing. At the Supreme Court of Canada, however, certain cases require all nine judges. Those nine judges should therefore be able to understand the arguments in the client's language of choice.

The Supreme Court ruling handed down on February 5, 2009, in the *Caldech* case reminded the federal government of its constitutional duty to provide the public with services of equal quality in both official languages.

As the commissioner explained, this is an important principle that clarifies the scope of the Official Languages Act.

This ruling establishes that a broad view must be adopted when looking at equality, and that the government must consider the nature and purpose of the service in question when defining its linguistic obligations.

In Canada, French enjoys equality of status and use with English. No litigant, whether francophone or anglophone, should therefore be heard through interpretation or other measures before Canada's highest court.

[English]

Let us recognize the importance of making ourselves understood without interpreters or other interventions.

[Translation]

The Fédération des associations de juristes d'expression française de common law or FAJEF is of the opinion that the current method of appointing federal court judges, including Supreme Court judges, does not pay enough attention to language rights. According to the FAJEF, the fact that there is no mechanism for assessing candidates'

language proficiency is evidence that it is not considered an important requirement when judges are appointed.

The right to use a language in court also includes the right to be understood directly in that language. What good is it to have the right to use your own language if the people you are speaking to cannot understand it? Each party must be able to be heard in conditions that do not put him or her at a disadvantage compared to the opposing party. That is the purpose of my bill.

To ensure that the Supreme Court makes fully informed decisions and that Canadians have the right to fair, equitable trials, I invite you to support my bill, Bill C-232. No one wants a misinformed judge to determine his or her future.

Make history by joining me and the following organizations, as well as all Canadians who have come out in favour of such a measure: the Canadian Bar Association, the Association des juristes d'expression française du Canada, the Young Bar Association of Montreal, the Fédération des communautés francophones et acadienne du Canada, the Quebec Community Groups Network, the Commissioner of Official Languages, the Fédération franco-ténoise, the Fédération acadienne de la Nouvelle-Écosse, the Société nationale de l'Acadie, the Société de l'Acadie du Nouveau-Brunswick, the National Assembly of Quebec, the Premier of Quebec and the Bloc Québécois, which wrote me to say it will support this bill. I certainly appreciate that gesture.

Without radically changing the current system, my bill will, in the long run, prevent appointments that go against the spirit of the law and the charter. In this way, we will more effectively honour language communities' rights, promote their equality and enhance their vitality.

I am also asking Parliament, the Liberal Party and the Conservative Party to truly ensure that people's language rights are respected. For example, when the Supreme Court was established—or any other court or institution for that matter—it was created for citizens, for Canadians as well as for Quebecers. The court was not set up to pit citizens against judges, it was set up to serve citizens. The service provided to citizens really should be in their own language.

I have a great deal of respect for our interpreters and the great work they do for us. I wish to thank them for it. However, the Supreme Court of Canada is the court of last resort, where judges will hand down a ruling that could impact our lives, that could change them forever. So, just imagine if the judge did not fully understand the arguments.

Mr. Michel Doucet, a lawyer, of the University of Moncton said:

When you win a case by a nine to zero decision, that's far from being a dramatic situation, but when you lose a case in a five to four decision, as happened to me at one point, and you've pleaded that case in French, you then go home and listen to the English interpretation that was made of your argument before the court in which three judges didn't understand French. As the judges had to listen to the argument through the English interpretation on CPAC, you wonder about what they understood.

Just imagine, that is what a lawyer had to say about his arguments. He also said:

I listened to the English interpretation of my argument, and I understood none of it.

Private Members' Business

This is what he said before the Standing Committee on Official Languages, here in Ottawa. Michel Doucet added:

I have a lot of respect for the interpreters and the work they have to do. It must be quite complicated to do it in a political context; I can imagine what it must be in a judicial context, where every word counts—

When I was a union representative, a lawyer taught me how to conduct myself during arbitration arguments.

• (1110)

Sometimes, it is all about how you present yourself to the judge or the arbitrator and whether you can make an impression on them. However, how can you do that when you are presenting arguments about a law if he does not understand?

In Canada, in this country, there has been sufficient reflection about this.

• (1115)

[English]

In our country now, people have come to understand that if we are going to have two official languages and if the law is written in English or in French, not interpreted, how could we accept that after going to court the interpretation may come from someone else on the same law that we do not accept in the House of Commons?

[Translation]

I will repeat this part because it is important. The law is written in French and in English. This Parliament has decided that legislation would not be translated. It is drafted in both official languages. At the Supreme Court of Canada, interpreters can translate legislation for a judge, but this is not permitted in Parliament. Supreme Court judges have the fundamental responsibility of enforcing and interpreting the law. If the law is written in French as well as in English, I think that the judge does not have a choice. He has to be able to understand it in both official languages. That is what is requested, and it is important.

The language that we speak does not matter. When a lawyer makes representations before the judge, with all due respect, the interpreter can make mistakes because the lawyer is like the member for Acadie—Bathurst and speaks so fast at times that the interpreter does not have enough time to translate everything he says. How many times have I risen in the House to make a speech and had interpreters comment that I gave them a hard time? Imagine now the judge who is trying to understand a lawyer making a presentation.

For these reasons, I am requesting the support of the House of Commons so that, finally, the next judges appointed to the Supreme Court, the highest court of the land, will understand both official languages. That is really important. I will count on the understanding of my hon. colleagues, where this matter is concerned, on behalf of all Canadians. The court is there for the citizens, not the judges.

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, I want to congratulate my colleague on his bill. I would just like to know whether the bill requires that judges be perfectly bilingual when they are appointed or whether it allows a grace period so that appointees can improve their knowledge of the other language.

Mr. Yvon Godin: Mr. Speaker, I want to thank my colleague for that very important question. The bill is clear: judges must be

bilingual when they are appointed. The idea is not that they will try to learn the other language after they are appointed. If that were the case, a person would have to do without a judge who understands a bill or an act in both official languages for the next four years, while that judge learns the other language.

The bill is clear. It is not retroactive. The judges in place would remain, but the requirements of the bill would apply to future appointments. My colleague may recall that every time a judge is appointed to the Supreme Court, the whole country calls on the government to appoint a judge who understands both official languages, not someone who will learn them. The Supreme Court of Canada is not a school.

For example, there is no requirement that deputy ministers be bilingual. They say they will learn the other language, but they do not. We do not want the same thing to happen with the Supreme Court. My bill states clearly that all judges appointed to the Supreme Court must know our country's two official languages.

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, I want to congratulate my colleague from Acadie—Bathurst on his bill. I have a question for him.

He has just made the point that Supreme Court judges should be able to understand French and English, and we agree with him. He has also just pointed out that deputy ministers and senior public servants should meet the same requirement.

What about ambassadors who represent Canada and are unilingual? What about designated bilingual positions held by unilingual people? What concerns does he have about these situations?

• (1120)

Mr. Yvon Godin: Mr. Speaker, the concern lies in the fact that two weeks ago—the House was not sitting last week, since we were working in our ridings—at a Standing Committee on Official Languages meeting, witnesses were asked what language the deputy minister spoke when meeting with employees who all speak French. The witnesses replied that he spoke in English, because he does not speak French. The same is true of ambassadors.

However, it goes beyond that. What is needed is a message from the Conservative government, which says it respects Canada's official languages, confirming whether it will support a bill such as this one. Will this begin at the top? Does the Supreme Court of Canada belong to Canadians? By that I mean: is it a place where Canadians can be understood? Or does it simply serve to provide appointments for judges? Should judges or lawyers be given such a responsibility simply because they are well liked? The question we must ask is this: does this serve the well-being of our citizens? If an individual thinks that the law has been broken and wants to take the matter to court to seek justice, it is important that that individual is properly understood.

We are not asking for the moon and the stars. I hope no one will suggest that nine bilingual judges cannot be found, when there are 33 million people in Canada.

Private Members' Business

I have too much confidence in the people of this country, no matter what province they come from. There are good lawyers and good judges who speak both languages and could step into this position. Someone can be very competent when it comes to the law, but if he or she does not understand what is being said, how can that person be a good judge? I say this with all due respect to our judges.

Once again, this is why I am asking the government and all political parties—whatever their allegiances—to support this bill, in order to serve as an example that comes from the top, and demonstrate that Parliament has decided that the Supreme Court of Canada must respect language rights. This matter concerns the Official Languages Act and judges who cannot speak both languages. We must lead by example.

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, it is my pleasure to rise today on second reading of Bill C-232, an act to amend the Supreme Court Act (understanding the official languages), introduced by the hon. member for Acadie—Bathurst. He is also one of the vice-chairs of the Standing Committee on Official Languages. He works hard on the committee to advance both the rights of minority communities and Canada's linguistic duality. This bill to amend the Supreme Court Act would introduce a requirement for judges appointed to the Supreme Court to understand English and French without the assistance of an interpreter.

The English and French languages have shaped Canadian society from its very beginnings. First of all, we had the aboriginal languages and then the languages of the various cultural communities that have joined us. English and French are basic to our identity as Canadians and are at the heart of who we are.

The Government of Canada knows how important it is to support the development of the official language minority communities. In June 2008, it announced the Roadmap for Canada's Linguistic Duality 2008-2013. This is a five-year, government-wide plan with a \$1.1 billion budget. It is based on two pillars: participation in linguistic duality and support for the official language minority communities in such priority areas as health, justice, immigration, economic development and arts and culture.

I want to emphasize from the outset our government's determination to enhance the vitality of the English and French linguistic minority communities in Canada and fully support the recognition and use of both official languages in Canada. That is what today's bill is all about.

Canada can be very proud of its legal system—just think of all the countries that have used it as a model—and of the steps we have taken to provide legal proceedings in either official language. It is important to remember that the Supreme Court of Canada is a model of institutional bilingualism. It fulfils the will of Parliament that our national institutions should be bilingual without requiring every individual to be bilingual.

The government is committed to preserving a fair, unbiased legal system. It does this by adhering to the important principles of merit and legal excellence in the selection and appointment of judges to the superior courts of the provinces, the federal courts and the Supreme Court.

The government has appointed more than 200 judges so far to various Canadian courts. These judges and lawyers are highly competent. Their appointments embody the principles of merit and legal excellence, which will continue to guide the government's decisions in the appointment of judges.

Merit and legal excellence are at the heart of the process for appointing judges. The other criteria are knowledge of the law, judgment, work habits, ability to write and communicate, honesty, integrity, a concern for fairness and a social conscience. Bilingualism is at the heart of these factors.

The government can take the linguistic abilities of the various candidates into account and ensure that all Canadians can access the legal system in either official language. We are determined to build a federal legal system that provides equal access to justice in both official languages.

• (1125)

I would also like to point out that before appointing anyone, the government consults the chief justice of the court in question to determine the court's needs, including language skills. The chief justice is in an excellent position to understand the needs of the communities being served and to identify specific needs when positions become available. We are also open to receiving advice from groups and individuals about factors to consider when filling vacancies.

In order to develop as large a pool of bilingual candidates as possible, the government calls on French-speaking lawyers' associations and francophone communities to identify individuals who have the necessary skills to be judges and to encourage such individuals to apply for positions.

The government is committed to appointing the best-qualified individuals. It will continue to appoint competent, dedicated people and to comply with principles of gender equality and cultural and linguistic diversity.

The Supreme Court of Canada plays a fundamental role in our society as the ultimate guardian of the values enshrined in the Canadian Charter of Rights and Freedoms. As such, its members must be selected from among our most distinguished and competent jurists. That is why, when the time comes to appoint a judge, we take great care to choose the best people in terms of knowledge, experience, and personal dedication to excellence.

One could not ask for better Supreme Court justices than those appointed over the past 130 years. Judges must have numerous qualities, including a strong intellect, a superior ability to draft documents, innovative ideas when it comes to new legal issues, and great sensitivity to the values laid down in the Canadian Charter of Rights and Freedoms.

Constitutionalist Peter Hogg described the personal and professional qualities of a justice of the Supreme Court of Canada as follows:

1. He must be able to resolve difficult legal issues, not just by virtue of technical legal skills, but also with wisdom, fairness and compassion.

Private Members' Business

2. He must have the energy and discipline to diligently study the materials that are filed in every appeal.

3. He must be able to maintain an open mind on every appeal until he has read all the pertinent material and heard from counsel on both sides.

4. He must always treat the counsel and the litigants who appear before him with patience and courtesy.

5. He must be able to write opinions that are well written and well reasoned.

6. He must be able to work cooperatively with his eight colleagues to help produce agreement on unanimous or majority decisions, and to do his share of the writing.

The composition of the court, including the number of judges, is governed by the Supreme Court Act, which states that at least three of the judges must be from Quebec. Recognition of Quebec's civil law tradition requires representation of Quebec judges on the court to reflect Canada's bilingual nature.

Furthermore, the Supreme Court has always reflected the fact that Canada is comprised of regions and the current practice is based, in accordance with legislation and tradition, on the recognition of legal pluralism, another of our nation's fundamental characteristics, and on regional diversity in the appointment process.

I would like to continue but my time is almost up. I would simply add that the composition of the Supreme Court provides this regional representation given that it includes three judges from Ontario, one judge from the Atlantic region, one from the Prairies and one from British Columbia.

• (1130)

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, I am pleased to speak on this important bill put forward by the hon. member for Acadie—Bathurst.

Last year, my colleague from Bourassa brought forward an identical bill. Unfortunately, it died on the order paper, following the Conservative government's decision to stop the business of the House by calling an early election which, I must say, was unwarranted.

I am pleased to see the hon. member for Acadie—Bathurst repeat this initiative, and I salute his work—let us move beyond partisanship for a moment—regarding the promotion and respect for our two official languages

I have been sitting with the member for Acadie—Bathurst for five years on the Standing Committee on Official Languages and I must admit that, when it comes to the issue of bilingualism and respect for our communities, we generally agree with each other. I also want to salute the extraordinary work done by my colleague from Madawaska—Restigouche to promote bilingualism and respect for francophone communities outside Quebec. We on this side of the House share a sensitivity which, unfortunately, is not found on the government side.

As for the bill as such, it amends the Supreme Court Act and introduces a new requirement for judges appointed to that court. It essentially provides that judges should understand French and English without the assistance of an interpreter. In other words, we are talking about having bilingual judges.

It seems to me that this only makes sense. It goes to the core of our commitment to official language communities. We are talking here

about giving a meaning to all those nice principles to which we keep referring.

We are always hearing that it is important to promote both languages, that we must promote French and English, that we must support communities, but all this is mere rhetoric. We need concrete action. Today, the hon. member for Acadie—Bathurst is taking concrete action.

As we mentioned, this is a very simple bill asking that the justices appointed to the country's highest court understand both official languages. The idea is that when a case, any case, is before the court, it should be heard and understood without the need for an interpreter, whenever one of our country's two official languages is used.

As I said earlier, I have sat on the Standing Committee on Official Languages for several years. We have seen in our work that a great deal needs to be done to promote bilingualism and respect for both official languages.

For example, there is work to be done if we want the languages of our two founding peoples to be well represented in the federal public service. Efforts are being made to that end, but more needs to be done. We need to do more together.

For example, bilingualism must be a value that the whole government espouses. Canadians in all regions need to perceive that. They need to perceive the importance of bilingualism and see that it is not a cost or a constraint, but an extraordinary opportunity for everyone across the country. Everyone needs to understand that bilingualism is part of our identity, that it is fundamental to what Canada is and that it is part of our collective wealth as Canadians.

In light of this, I do not believe it is unreasonable to ask that judges of the Supreme Court of Canada be bilingual, given the level of responsibility they have as magistrates of the highest court in the land.

If we believe in bilingualism, if we believe in linguistic duality, we cannot allow such an exception. We cannot allow unilingualism in the Supreme Court, even though bilingualism may represent a constraint for some people.

• (1135)

I am convinced that in the long run, everyone will embrace the spirit of this bill, which is rooted in the will of those who came before us, the will to live in a society where the two official languages have the same legal status and are treated with the same respect and importance.

Bill C-232, which my colleague introduced, clearly states that:

—any person referred to in subsection (1) may be appointed a judge who understands French and English without the assistance of an interpreter.

Private Members' Business

As has already been said, the bill is straightforward and easy to support. The opposition parties will support it, and they will not be alone. Other stakeholders such as the French-language jurists' associations, the Canadian Bar Association, the National Assembly of Quebec and the Commissioner of Official Languages, Graham Fraser, have all come out in favour of bilingualism of Supreme Court judges. In addition, the Fédération des communautés francophones et acadienne du Canada has for many years been asking that bilingualism be a criterion for selecting judges.

Because I am feeling generous, I will point out that the appointment of Nova Scotian Thomas Cromwell to the Supreme Court of Canada is good news in terms of bilingualism. As we all know, Justice Cromwell took over the seat vacated by retired Justice Michel Bastarache. Justice Cromwell is bilingual, and that is a step in the right direction, but we need more. We need to take many steps in that direction, but sadly, the Conservative government cannot be counted on to make that happen. Let us not forget that it was this same government that eliminated the court challenges program and has put off investing in linguistic duality and respect for official languages.

Recently, Radio-Canada said that Justice Marshall Rothstein, the Prime Minister's first Supreme Court appointee two years ago and a unilingual anglophone, has hindered the work of the highest court in the land:

This forces francophone justices to write their drafts in English so that translation does not slow down the process. Unilingualism can also be a problem when a case is to be heard in French.

This cannot happen every time a judge is appointed. We must have some guidelines. We must be able to guide the government's selection of the judges appointed to this country's highest court, which, we might add, is often called upon to rule on cases dealing directly with linguistic duality and respect for Canada's two official languages.

We must send a clear message to Canada's official language minority communities. They struggle every day to preserve their language and culture, and all too often, those communities have been forced to stand up to Conservative governments that are unsympathetic to their situation and their needs.

Examples of this include the near closure of Montfort Hospital in Ontario and the elimination of the court challenges program, which in fact allowed Franco-Ontarians to fight and eventually win their battle, thereby keeping Montfort Hospital open.

Having bilingual Supreme Court judges is not an end in itself, but it would send a clear message that we are serious about the importance of respecting linguistic duality. As I said, it is not an end in itself. We must do more, much more.

For instance, there must be long-term, recurring and predictable investments, so that our organizations can plan for the years to come. Investments must be made in early childhood programs in order to allow our young people to begin the learning process in their first language. We must build capacity within our communities and invest in local culture.

● (1140)

In other words, we must support our official language minority communities. We must be there for them, listen to, hear and understand them, and work with them so they may develop and thrive. All of Canada and all Canadians will come out stronger.

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, first off, the Bloc Québécois supports Bill C-232, an act to amend the Supreme Court Act (understanding the official languages). This bill was introduced by the hon. member for Acadie—Bathurst. It is the tip of the iceberg, as the federal government does not set an example in the matter of bilingualism in this country called Canada.

They want the federal public service to be bilingual so that it may serve people in their first language. The government currently wants to look into how universities could train students at the bachelor's, master's and doctoral levels to be able to speak English and French in order to create a pool of recruits to work in the federal public service. In itself, this is quite a good thing.

However, as regards this idea, which is currently under scrutiny by the Standing Committee on Official Languages, the issue is bigger. I call this issue "the Canadian disease". In other words, the government wants a public service in which most of the employees are bilingual, while the judges of the Supreme Court of Canada are not required to be bilingual. This makes no sense. In Canada, there is no requirement for deputy ministers to be bilingual, but there is for their employees, the people who work for them and are part of the government machine. The deputy minister does not need to be bilingual. That makes no sense.

Canada's ambassadors are not required to be bilingual and they represent Canada, a country whose constitution provides that its two languages are on an equal footing. However, ambassadors, representing Canada abroad, are not required to be bilingual. That is cynicism. And it does not end there, because 37% of positions designated bilingual in the federal public service are filled by unilingual anglophones.

As you see, the problem is a complex one. This is the way to ignore the French fact. And this is how the Government of Canada acts toward the French fact. It explains why people like the Bloc members, all our members, are here in order to defend the French culture and language, the common, public culture and language of Quebec. In Canada, there is no respect for this language. Now you understand the whole issue of Quebec's independence, a fundamental element. Cynicism in Canada runs high.

I am sure you will agree with me, Mr. Speaker. I will show how the Conservative party has dealt with bilingualism, a concept it claims to support. In Canada, one language is more official than the other, and you will understand which one. Nearly 40 years after the passage of the Official Languages Act, it is still difficult to work in French in the federal system. When a manager is a unilingual anglophone, all the employees work in English. When 10 public servants—nine francophones and one anglophone—hold a meeting, the meeting is most often in English because, in all likelihood, the francophones are bilingual and the anglophone is not.

Private Members' Business

Worse yet, Ottawa continues not to consider bilingualism necessary for appointments to bilingual positions, as non-imperative staffing is still largely used, especially for senior positions. That is typical Canadian cynicism with respect to the French fact.

• (1145)

While the Conservative Party committed to support the Official Languages Act in its March 2005 policy statement and, again, in its latest election platform, ensuring that English and French have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and Government of Canada, we have to recognize that, clearly, that statement is not being acted upon.

Following the cancellation of the court challenges program, the elimination of the interdepartmental partnership with the official-language communities, the appointment of a unilingual English-speaking judge, and the antics by members who show contempt by daring to call Quebecers illiterate in their second language, even while French is losing ground, what is next? Think of the member for Charlesbourg—Haute-Saint-Charles, who said that Quebecers did not want to learn English, their second language, when data from Statistics Canada clearly show that Gatineau and Montreal rank first and third respectively in terms of bilingualism in Canada. I am from Hawkesbury, Ontario, a town located between Gatineau and Montreal, the second most bilingual city in the country. The people of Quebec are making efforts. Quebec is the province with the largest number of citizens who speak French and English. Yet, some Conservative members are making spiteful comments about the French fact and, in this case, the comments came from a francophone, which goes to show that being a member of the Conservative government does not help further the cause of the French fact in Quebec and Canada.

In May 2008, the Conservative members sitting on the official languages committee refused to support a motion on bilingualism for Supreme Court justices. If the Prime Minister is sincere in his commitments, let us hope he can rally his troops and show his support for linguistic minorities. We are living a horror story from the inside, and it is the Conservative Party that is responsible for this situation.

Considering that the bill seeks to make the understanding of French and English without the assistance of an interpreter a requirement for judges appointed to the Supreme Court; considering that the Official Languages Act provides that English and French have equality of status and use; considering that the French and English versions of federal acts have equal value and that one is not a translation of the other; considering that the right of any citizen to use French or English before Canada's courts is a fundamental linguistic right and that the Official Languages Act already recognizes the importance of being understood without the assistance of an interpreter before federal tribunals such as the Tax Court of Canada, the Federal Court and the Federal Court of Appeal; considering that simultaneous translation can create problems because it does not allow adequate reaction time to interrupt someone, to ask questions, whether for the justice, the lawyers or even the individuals subject to trial who have a right to be able to understand all the nuances and subtleties of each language, it goes without saying that the Bloc Québécois supports Bill C-232.

I will conclude by saying that the Quebec nation has dealt with this issue. On May 21, 2008, the members of the Quebec National Assembly unanimously passed the following motion: "That the National Assembly of Québec affirm that French language proficiency is a prerequisite and essential condition for the appointment of Supreme Court of Canada judges."

We support this legislation. It is the tip of the iceberg. So much remains to be done in Canada. The federal institution does not respect the French fact. It is about time for it to begin to do so. We still have doubts about the Conservatives, but the Bloc Québécois supports the French language and it also supports this bill.

• (1150)

[*English*]

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, it is a real pleasure and honour to rise today and speak to the bill introduced by my colleague, the member for Acadie—Bathurst. When I was first asked to speak to this bill I thought it was quite interesting, and as a unilingual anglophone and a person who at this stage of my advanced years is trying to learn French and is spending a fair amount time at it, it is quite an honour for me to be able to stand and speak to this issue today.

There is a requirement in this bill that all individuals appointed to the Supreme Court of Canada be able to understand the proceedings before them in both English and French without the aid of an interpreter.

[*Translation*]

The Government of Canada strongly supports the promotion of both official languages, French and English, in our society. It is a reality in my province of New Brunswick and in my riding of Tobique—Mactaquac. Our bilingualism is a fundamental aspect of our national identity. Consequently, it is crucial that the Supreme Court, which is at the pinnacle of our legal system, reflect this aspect of our country's character.

[*English*]

Since the Supreme Court sits at the pinnacle of our justice system, it is very important that it reflect an element of our country's character, that French and English are our official languages. In New Brunswick, 33% of our population is francophone, so this is very important.

Allow me to outline briefly the constitutional context in which language rights are exercised in our judicial system. Section 133 of the Constitution Act, 1867, and subsection 19(1) of the charter provide that either English or French may be used in any court established by Parliament.

[*Translation*]

Subsection 16(1) of the Official Languages Act sets out the obligation, for federal courts, to appoint judges who can hear a case in their official language or in the official languages of their choice, directly, without the assistance of an interpreter.

Private Members' Business

•(1155)

[English]

Furthermore, we are required to hear the parties in their chosen official language without the aid of an interpreter.

Because of the special nature of it being the highest court and the fact that it is comprised of only nine judges chosen from different regions of the country, I think it is important that we reflect on that. The Supreme Court has to reflect the values and principles of all of Canada and all our different regions, and that includes Quebec, New Brunswick, the western regions, and the north as well.

That is why it is important that these judges be chosen from the different regions of the country. Because of that, Parliament chose to exempt the Supreme Court from this extension of the constitutional rights in 1988.

The government's commitment to ensuring that there is sufficient linguistic capacity in our courts includes the Supreme Court of Canada. As mentioned, the Supreme Court provides all its services and communications in English and in French, much like the House of Commons. In addition, every individual who appears before the court is free to use either English or French in written and oral proceedings. The court's decisions are issued in English and French as well, thereby—and this is also very important—contributing to what we call a growing body of bilingual case law that is accessible to all Canadians.

Furthermore, as the hon. members are aware, all but one of the current judges of the Supreme Court are fully competent in both official languages and are able to hear cases in either official language without the assistance of simultaneous interpretation. That is eight out of nine judges. That said, high-quality interpretation and translation services are available during the hearings before the court, and all judges have the assistance of one or more bilingual law clerks. Ongoing language training is available to all members of the court.

I really appreciate the fact that we have this ongoing language training available to members of Parliament.

[Translation]

Most members of the Conservative Party are learning French.

[English]

As a result, the court demonstrably has the capacity to conduct its business in both official languages. I am aware of no suggestion that the court has failed to consistently provide all Canadians with the highest quality of justice they expect and deserve. To the contrary, the Supreme Court of Canada is recognized nationally and internationally as a model of collegiality, professionalism and superior capacity. Canadians may take tremendous pride in the stature that our judges hold around the world.

As hon. members may be aware, the national status of the Supreme Court is reflected in the historical practice of providing for its regional representation. Not only is the Supreme Court ensured its bi-judicial strength through the appointment of three judges from Quebec, but its legal pluralism more broadly is made possible through the long-standing tradition of ensuring that the courts

complement is drawn from all regions of Canada. Canadians from coast to coast to coast may thus see the country's geographic diversity represented in their highest court.

The government clearly accepts that linguistic ability is an important factor in selecting judges of the Supreme Court. We will continue to ensure that it will be given serious consideration as it was in the most recent appointment.

When I was asked to speak to this bill last Friday and thought about it over the weekend, it was interesting to pause and reflect on the appointments. Filling the vacancy of Mr. Justice Bastarache, who took his retirement from the bench, led us to searching for a quality judge. What is important for us to recognize also is that in our country, and reflecting on the regional balances, we must ensure we have representation who can provide the services both in French and in English. It is also important to ensure that reflects the broad diversity of our regions.

When we think about our broad regions and diversity, we have a small population in the Atlantic provinces, with 32 seats in this great place. We also have the Senate, which gives us the ability to balance things from a regional perspective. It is important that we reflect this as well in our judiciary.

The government, in filling the vacancy created by the departure of Mr. Justice Bastarache, indicated that proficiency in both official languages was an asset that would be given serious consideration in appointing his replacement. The government delivered on that promise with the recent appointment of Justice Thomas Cromwell on December 22, 2008.

Mr. Justice Cromwell, an eminent, fluently bilingual jurist, is a testament to the continued commitment of the government to appoint highly meritorious and qualified jurists to our highest court. With all the judicial appointments, but particularly given the fundamentally important role of the Supreme Court, the government remains committed to merit as an overriding consideration, based on legal excellence and personal suitability.

We recognize there must be sufficient linguistic capacity in our courts to provide equal access to justice in both English and French. The government has and will remain vigilant in seeking competence in both official languages to achieve that goal.

GOVERNMENT ORDERS

● (1200)

[English]

CANADA-EFTA FREE TRADE AGREEMENT IMPLEMENTATION ACT

The House resumed from March 13 consideration of the motion that Bill C-2, An Act to implement the Free Trade Agreement between Canada and the States of the European Free Trade Association (Iceland, Liechtenstein, Norway, Switzerland), the Agreement on Agriculture between Canada and the Republic of Iceland, the Agreement on Agriculture between Canada and the Kingdom of Norway and the Agreement on Agriculture between Canada and the Swiss Confederation, be read the third time and passed, and of the amendment.

The Acting Speaker (Mr. Barry Devolin): It is my understanding the member for Sackville—Eastern Shore has nine minutes remaining in his time period.

The hon. member for Sackville—Eastern Shore.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, again I rise in the continuation of the debate on Bill C-2.

What my colleague from New Westminster has asked for, and he has asked for it very eloquently and quite intelligently, is exactly what the United States has done.

We are about to sign on to an EFTA deal and it may have serious ramifications for a major industry in our country, namely shipbuilding.

Over the past few weeks, we have received hundreds and hundreds of letters from shipyard workers who are very concerned about their future and the future of their families in the five major yards as well as in the other smaller yards across the country. They are asking the government, quite clearly, why it would sign a trade deal that may affect this very important and vital industry.

The NDP has absolutely nothing against trade deals as long as they are fair and equitable on both sides. We saw what happened with NAFTA and the free trade concerns. We saw our wages and other things go down. We were promised that Mexican considerations would go up. It simply has not worked.

We saw what happened with the softwood lumber deal. We left a billion dollars of our companies' money in the United States. Many mills across the country have shut down and thousands of people have been laid off in the forestry industry.

We are all concerned about the shipbuilding aspects. Lately the government has spent literally hundreds of thousands of dollars in meetings with experts across the country on what is the best way to stimulate the economy and get the machines going and people working again so as to give them a sense of optimism and confidence once again.

We have said to the present government, and to the previous government as well, that one industry it can look at in a very positive and fiscally responsible manner is the shipbuilding industry. We said before that we had \$22 billion worth of work on the books right now. Spread over a 20 years period, that can keep the five major yards

Government Orders

singing for a long time and employ thousands of people at very decent salaries so they in turn can pay their taxes, look after their families and live in these communities. We have major yards in Victoria, Welland, Lévis, Halifax and Marystown, plus smaller yards across the country.

We honestly believe this industry has a bright future and those Canadian workers and Canadian companies deserve that opportunity.

I have said this before and I will say it once again. I know this sounds very much like a social democratic ideal, but imagine using Canadian taxpayer money to hire Canadian workers to build Canadian ships with Canadian companies in Canadian yards? Call me a rabid communist, and I really do not care, but what a novel idea to use taxpayer dollars to hire our neighbours to build Canadian vessels that our Coast Guard, ferry fleets, laker fleets and our military desperately require.

We could not help but notice that the recent budget the government announced \$175 million for hovercrafts and small boats, but the request was for \$22 billion, not \$175 million, spread over 20 years.

It is also quite ironic that the government brags about an investment of \$300 million in the aerospace industry and look what happened; a \$1.5 billion contract out of Quebec to build airplanes. That is a good investment. We want the exact same attitude applied to the shipbuilding industry. The 2001 report, "Breaking Through", done by labour and business, has five serious recommendations that would move this industry forward.

If we go ahead and sign this EFTA deal, it may have serious ramifications for our shipbuilding industry. It is not only EFTA about which my colleagues in the NDP are very worried. What happens when the next trade deal with Korea comes up? Korea has already said that it wants auto and shipbuilding in those deals.

If our largest trading partner, the United States, with which we have 80% of our trade, in every single FTA that it has ever signed since 1924 excludes shipbuilding and marine services from the table, then why does Canada not do the same?

● (1205)

Why can we not protect this very vital industry, just like China, Korea, the United States, Norway, Italy, Britain, Holland and all other major countries in the world have done for their industries? Why is it that every time we go to the table, we give up these industries for other concerns? That has to stop and it has to stop now.

My colleague from Burnaby—New Westminster has done an absolutely fabulous job in pointing out the errors of the softwood lumber deal. He was absolutely correct. Now he is pointing it out with the EFTA deal as well as the shipbuilders and the shipyard workers.

Government Orders

These individuals deserve to have the opportunity to build Canadian ships in Canadian yards, using Canadian taxpayers money to do so. We do not like to see this industry, or any other industry of that nature, given up to those who say, as John Manley said in 2003, that shipbuilding is a sunset industry. We simply do not believe that for one second. We honestly believe this is a sunrise industry, an industry that has a bright future in our country. That is why we ask the government to do exactly what the United States has done: carve this out of the EFTA deal, sign the free trade deal, but then carry on and allow our shipbuilding to grow and prosper.

Norway has said very clearly that it will pull out of EFTA if shipbuilding is not on the table. Why is it so important to Norway to have shipbuilding on the table? For over 30 years, although it does not do it now, Norway heavily subsidized that industry to the point where it got it absolutely right. Even with a 15 year decline in the import tariff, Norway knows very well it can do much damage to our industry, and it is not just Norway, but is Korea as well. What other trade deals down the road will not only put this industry at risk, but other industries as well?

One more time we ask the government, the Liberals and the Bloc Québécois to support my colleague's motion to get this carved out from the EFTA deal. We should sign the EFTA deal after that and work on shipbuilding to ensure it has a bright and positive future for Canadians.

• (1210)

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, I thank my colleague from Nova Scotia for his passionate defence of our shipbuilding industry.

Before the North American Free Trade Agreement, 1,200 people lived in the little town of Wawa, where I lived back in the sixties, and pulled ore out of the ground, out of which they burned the sulphur and shipped it down to Sault Ste. Marie where 12,000 people turned that into steel.

I was in Saint John, New Brunswick, in 1987 visiting the shipyards. I noticed large piles of steel waiting to be used in the ships that were being fixed and built there at that time. They were all stamped "Algoma Steel", which made me feel good? Here was a Canadian industry, from beginning to end, that was providing good paying jobs for Canadian citizens and opportunities for Canadian businesses to make money. Our economy was rolling at that time.

Why is that not happening any more? The mines in Wawa are shut down. Essar Steel Algoma, formerly Algoma Steel, in Sault Ste. Marie employs between 3,000 and 4,000 people. They are losing their jobs in this difficult recession, as we speak. The shipyards in Saint John, I understand, are shut down completely. Why did that happen?

Mr. Peter Stoffer: Mr. Speaker, my hon. colleague from the Soo has hit the nail on the head. It is not only the shipbuilders building the ships, those raw materials also come from Canada.

There is a trickle down effect, from the guys and the girls who mine the ore to the Essar plant that makes the steel and then ships the steel to the yards, which build the ships. It is a great circle of continuity of employment, using the natural resources of Canada and using various Canadian companies, not just in the shipyards, but in

cities like the Soo, which my hon. colleague represents so well. He is absolutely bang on.

The roll around effect of jobs and the escalation of jobs throughout this is tremendous. It is not just in what we call the muscle industries, the mining and steel-making, it is also in the high tech industries that build the computer and the navigation systems that are required on-board. A tremendous amount of Canadians have an opportunity to gain that employment.

We are not only fighting for shipyard workers. We are fighting for all the industries that are attached to building these ships in Canada as well. That is why it is so vital to preserve and protect this industry. That is why we ask for the carve out so the hon. member's families in the Soo can also have long careers in the jobs that they enjoy so well.

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, I would like to thank the member across the way for his passionate comments with regard to this very important European free trade agreement. As a member of the committee, I am very excited about the House having this opportunity to support this agreement. It will give Canada the opportunity to get its foot in the door and to expand into the other 27 member countries of the European Union. This issue has been discussed at great length. A variety of witnesses have come forward. They agree that this is in the best interests of all of Canada.

To clarify a comment by the member opposite, he talked about the aspect that \$22 billion was the request in the budget for the shipbuilding industry. Actually, the government is anticipating \$43 billion over the next 30 years. There is ample opportunity for the shipbuilding industry to flourish in this country.

The member opposite talked about supporting free trade agreements. I would like him to let me know which free trade agreement the NDP would support, because to date the NDP has not shown any indication.

Mr. Peter Stoffer: Mr. Speaker, we in the NDP support free trade deals as long as they are fair, protect the environment and respect the rights of workers and their families. Then there would be no problem and we would support them.

My hon. colleague, who is from the very beautiful riding of Kelowna—Lake Country, by the way, brought up a very good point. I mentioned the figure of \$22 billion, but the potential for shipbuilding is \$40 billion to \$60 billion down the road. However, if we keep negotiating these types of deals with EFTA, the EU and then Korea, an awful lot of that work could end up in the hands of foreign countries.

Government Orders

There may come a day very soon when we may lose the capability of building the ships in this country because some of the yards may have to shrink their operations or shut down completely. My hon. colleague mentioned the Saint John yard. We put millions of dollars into the yard in Saint John, New Brunswick. We built the frigates and then we gave them \$55 million to shut the yard down. That made no economic sense whatsoever. It may end up happening again if we are not smart and make sure that shipbuilding is carved out of the EFTA.

It is not just EFTA; it is the European trade talks which are coming up, the Korean talks and everything else. If the United States recognizes the importance of this industry, then so should Canada.

•(1215)

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I know my colleague is aware of the Navistar case. The government is procuring trucks. It is a project worth a couple of hundred million dollars. Our country has decided to send this work to Texas, but we have a perfectly good facility in Chatham, Ontario that could produce those vehicles. That facility is going to close eventually. Ironically, it has been rescued in the past and has been successful. We understand the United States is going to purchase its trucks from the Texas plant. We accept that, but why can we not do the same thing in our country? The retooling would be around \$800,000, but the employment insurance for the laid-off workers is estimated at \$17 million to \$19 million. It makes no sense whatsoever. I would like my colleague to comment on that.

Mr. Peter Stoffer: Mr. Speaker, my hon. colleague from Windsor West has brought up a very good point on how ridiculous the government can be when it is penny-wise and pound foolish. It is simply not true that money is saved by having those trucks built in Texas. It is simply not true. The reverse is exactly what happens.

One can imagine that if those folks in Chatham were working right now on those trucks, 40 cents of every dollar would go right back into municipal, provincial and federal revenues in terms of taxation. Imagine the pride those people would feel in building something for our military and making sure they did the very best job they could. Imagine using Canadian taxpayers' money to hire workers in Chatham to build trucks for our Canadian military. My god, I do not know where that idea came from, but it is a hell of an idea. We should do it.

Shame on the government for allowing that contract to go to the United States. It is just as shameful as the Minister of National Defence allowing a contract for knives to be made in China. They could have been made in his own riding of Central Nova. The knives from China are inferior. It does not save any money. A lot of workers in the defence minister's own riding lost the ability to create something for our Canadian military. Where is the support of the troops in that one?

My hon. colleague is absolutely correct and I thank him for raising an important point.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, the member for Sackville—Eastern Shore has been the foremost advocate for the shipbuilding industry and shipyard workers across the country.

I would like the hon. member to comment on the hundreds of letters, particularly from Liberal ridings in Nova Scotia, that have been pouring in to members' offices. The Liberal members say they will not support their constituents and those people who are calling for a carve out. Why does the hon. member think the Liberals are abandoning shipyard workers and the shipbuilding industry?

Mr. Peter Stoffer: Mr. Speaker, in 2003 John Manley, in responding to a question in the House, said that he believed the shipbuilding industry was a sunset industry.

We know the Conservatives are not for it, but we are really shocked that the Liberals and the Bloc will not support this initiative. We hope that when the next vote comes around, the Liberals and Bloc will rethink their position and will represent their constituents in this House and preserve and protect those jobs for now and the future.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I rise to speak to Bill C-2, the Canada-EFTA free trade agreement implementation act.

If passed, this bill would seriously impact my riding of Halifax and could have devastating consequences for Canada's domestic shipbuilding industry. Earlier, my colleague, the member for Sackville—Eastern Shore, was asked by the hon. member for Kelowna—Lake Country what free trade agreement the NDP would support.

I would like to point out that the NDP believes that member nations of the EFTA have strong social-democratic traditions and they are actually ideal trading partners for Canada. They have great human rights records. They have great environmental records. The Canada-EFTA free trade agreement implementation act as a whole is a good piece of legislation. We welcome this kind of trading relationship with these countries. The only issue here is that of shipbuilding.

The trade agreement on which we will be asked to vote contains provisions that would remove one of the only tools remaining that protects our shipbuilding industry from being ravaged by unfair competition from foreign builders. Those same European industries were very generously subsidized until recently.

If this bill passes, in just three short years we would see import tariffs begin to be lowered, allowing an influx of foreign-built ships to enter our market. This change would sound the death knell for shipbuilding and it would significantly damage the economy of Nova Scotia. In the interest of standing up for our Canadian shipbuilding industry and the local shipyard workers whom I represent, I must voice my opposition to this bill without an amendment to protect our shipbuilding industry.

Government Orders

As any Atlantic Canadian will tell us, shipbuilding is not just another industry; it is tied to our nation's history. From the earliest days of Confederation, our wealth of forests and hardy labour created hundreds of wooden ships that helped bring much prosperity to Atlantic Canada. It is well known that in those days people could look out at the harbour and see nothing but a sea of white sails moving goods from the great port of Halifax.

During the first and second world wars, Canada stepped up to build hundreds of new ships, punching above its weight when the need was greatest. Between the wars and after, the industry was fuelled by domestic procurement policies to expand our fleets, and by government investment. Those investments created a robust industry and they made a lot of sense, given our enviable coastlines.

Unfortunately, the importance of the industry has not been as clear to recent governments in Canada. Add to that a series of bad trade agreements and we can see how the industry went from being a top producer to the critical situation in which it finds itself now. For years shipbuilders have been calling for a comprehensive strategy to return the industry to competitive standards. Our shipyards simply cannot compete with the heavily subsidized industries in places like South Korea and Norway.

In 2001 the national partnership project, consisting of members of the Shipbuilding Association of Canada and the shipyard workers, presented a breakthrough report called, "Breaking Through: Canadian Shipbuilding Industry", after they held a series of consultations across the country. This report is notable because all stakeholders were in agreement about what needs to be done.

In the section, "Issues and Recommendations, Subsidies and Unfair Trade Practices", the following recommendation was made:

That the Government of Canada: ... resist any requests from other countries to change provisions of the Canadian shipbuilding policy until such time as the Canadian industry has been able to overcome the long-term effects of the subsidy and unfair pricing policies of other countries—

We must remember that this document was produced by shipbuilders and manufacturers, the Shipbuilding Association of Canada and the workers.

This change in provisions is exactly what the CEFTA is asking us to do. Norway has invested heavily in shipbuilding, making it one of the strongest in the world despite its relatively modest share of the world market. Those subsidies increased in the early part of this decade, and although they have been reduced now, they resulted in a strong industry capable of filling a variety of orders and competing on the international stage.

• (1220)

Here in Canada there has been a lack of meaningful investment, resulting in an industry that can only be described as being on life support. This is despite the incredible work of the men and women I represent who work at the Halifax shipyards, and that rich maritime history that I just spoke about. Bill C-2 would effectively "pull the plug" on a struggling industry by removing the only protection that exists for it.

New Democrats have called for two things: first, that shipbuilding be carved out of the CEFTA; and, second, that the government take

up the challenge and bring this industry back to full health through a comprehensive and meaningful plan.

I want to thank the member for Burnaby—New Westminster for the hard work he has done to see that this trade agreement is fair. He made every effort in committee to see that the shipbuilding section was removed from the bill. I also want to recognize the work of the member for Sackville—Eastern Shore, my neighbour, who continues his tireless campaign on behalf of Canada's shipbuilding industry.

Having failed to secure a carve out in committee, it is now up to the House to do what is right and take shipbuilding off the chopping block.

To turn once again to the impact of this trade agreement, I would like to reinforce the fact that good jobs are what fuel our economy. As I have said before in this honoured place, one shipbuilding job creates four spinoff jobs. A collapse of this industry, ushered in by this trade agreement, would throw hundreds out of work in Halifax alone, and with the loss of those jobs, there go four supporting positions.

We are seeing unprecedented numbers of people becoming unemployed because of this recession. We need to do whatever it takes to prevent the remaining jobs from being lost. Passing this bill would only accelerate that process.

My party has repeatedly asked government to look ahead, look to the future, and make decisions that will foster the development of a global economy, one that is sustainable economically and environmentally, and where Canada can actually play a lead role. Shipbuilding can be a part of that new economy, first by rejecting just this part of the CEFTA and then through the implementation of a national strategy on the industry that will prepare it to compete with subsidized foreign industries on a level playing field.

Just a few short months ago, the member for Sackville—Eastern Shore and I joined shipyard workers. We joined them along with Independent and Liberal MPs to show support for the shipbuilding industry and call for attention and investment from the government. It was a cold day in Halifax harbour but we all gathered, despite party lines, to say this was an industry that was important to us.

As we debate Bill C-2, workers are actively calling on us to take the support that was voiced in January and turn it into action by carving out shipbuilding from this agreement. As one of the hundreds of letters from shipyard workers makes clear, "All stakeholders in the industry, including owners, operators and unions from coast to coast have emphasized the need for support during the many committee meetings that were held on the use of free trade talks".

Government Orders

These letters call on Liberal members of the House to withhold their support for this bill until this section is removed. I share their concern and hope that all members will fight for their jobs and for a truly Canadian industry.

In closing, I would like to share another fact about Halifax and its tradition of shipbuilding. It is a fundamental connection to the sea that we have. After the 1917 Halifax explosion decimated much of the city and its industrial sector, one of the first things to be rebuilt was the smokestack at the Halifax shipyard. Everyone could see at the bottom of it stamped "1917". This underscores the importance of the yards to my community and the central role that community has played in our history.

Recently, that powerful symbol was torn down. At this time in our nation's history, when we are witnessing the ongoing collapse of our manufacturing and forestry industries, let us not add shipbuilding to that list by signing a bad deal. Let us not allow the tearing down of that smokestack in Halifax be a symbol for the future of the industry itself.

• (1225)

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, again, another passionate and knowledgeable member from Nova Scotia speaking about an industry that seems to be, by design of both the previous Liberal government and now this Conservative government, a sunset industry.

I remember in Sault Ste. Marie, in the early nineties, when Algoma Steel found itself in some difficulty and needed to be restructured. The comments from many commentators, Liberal members of Parliament and Conservative members of Parliament, and the member for Toronto Centre will remember this very clearly because he was involved in some of the most intimate discussions and negotiations that went on around that time to save that industry, were that it was a "buggy whip industry", something that we should cast aside and forget about and perhaps ask the people of Sault Ste. Marie to just get retrained and enter into some other industry or economic activity that nobody had yet defined for us at that particular point in time, and we fought that.

I was a member of the government of that day and we came up with a plan for Algoma Steel that was homegrown, that had contribution from all kinds of stakeholders. The workers, the union, the community itself, the NDP government of the day all came to the table and came up with some very creative and innovative ways to save that industry. In fact, it was some of the good work done then and the seeds sown then that gives us reason to be proud today to say that even in this difficult economic time we are still making steel and selling it in Sault Ste. Marie. Nevertheless, it is owned by a company out of India that so far has acted as a good corporate citizen and that is serving us well, but certainly not as part of the kind of free trade scenario that is being proposed in the bill that we are debating here today. It would give away literally all of the very good and profitable industries that served Canada for so long in the shipbuilding sector.

I would like to ask the member, being from Nova Scotia and seeing the impact of free trade agreements over the last number of years on so many of the resource-based industrial sectors of our economy, how has that affected her community, particularly, and her

province? If we pass this bill, what would that do to the people of her riding?

• (1230)

Ms. Megan Leslie: Mr. Speaker, I had the opportunity about a month ago, maybe a month and a half ago, to do an economic stimulus tour of the riding. This was for the media. We went from place to place to look at shovel ready projects, and one place we went to was the shipyard. We met there with Karl Risser, who is president of CAW Local 1. He talked about the fact that these jobs, as I mentioned earlier, are great jobs, are good paying jobs, and that for every one job, there are four spinoff jobs. However, referring to the point that my colleague raised, a lot of those men and women are out west now. They are not able to work in Nova Scotia. The work just is not there. They are fleeing. They are looking for work. They need to support their families.

Karl talked about the repairs project for shipbuilding. He said, "That's going to be a good thing. We'll certainly put some folks to work. But it's not good for the long-term because the men and women who have left Nova Scotia, looking for work, are not going to come back for a one month contract or for a three month contract".

The issue here is that they have skills. This is extremely skilled work. We really need to bring those people back to Nova Scotia and have them working in the industry in which they are trained.

I would like to address what my colleague said about how in his riding the industry, the unions, the workers and the community worked together to come up with innovative solutions, and I will bring us back to the breaking-through report. I actually have a letter here from Jamie Vaslet who is with the Industrial Union of Marine and Shipbuilding Workers, in which he talks about this report as well. He states:

We have, along with all other major stakeholders in the shipbuilding industry, including owners, operators and the Shipbuilding Association of Canada, all expressed the need for a carve out of our industry. But it seems to have fallen on deaf ears yet again.

He says as well that it is quite unbelievable that we are in a situation now where this amendment, and we have been listening to what all the stakeholders are saying, is the perfect solution. It is so simple, but yet we are not listening to the key stakeholders. We are not listening to the people whose jobs are at stake and we are not listening to the employers as well

Government Orders

• (1235)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, as always I was delighted to hear the member for Halifax speak up in favour of Nova Scotians and shipyard workers. She raised a very interesting point, which is the NDP's fair trade approach as opposed to the Liberals and Conservatives and their tired old Bush-style unregulated free trade approach that sells out Canadian jobs. In agreement after agreement, we have seen the Conservatives just walking up and selling out whole industries. We saw that with the softwood lumber sellout that killed tens of thousands of jobs and continues to kill jobs, as the judgments based on the softwood sellout come through, another \$400 million anticipated in the next few weeks. It is appallingly irresponsible bad policy, bad negotiating. It is like the Conservatives are just unable to get their minds around the Canadian public interest.

Now we have the shipbuilding sellout, which is unanimously described by people in the shipbuilding sector as a sellout. Unanimously. There is not a single representative from the shipbuilding industry, whether owners or workers, who said this was a good deal, who said the carve out should not happen.

My question to the member for Halifax is this. Given the unanimity from the industry, given the strategic importance, and given that Canada has the longest coastline in the world and should be reinforcing its shipbuilding industry like every other long coastline country, why are the Conservatives and Liberals conspiring to sell out thousands of shipyard workers and our shipbuilding industry despite the fact they have received hundreds of letters in the past few days telling them not to?

Ms. Megan Leslie: Mr. Speaker, I would like to thank the member for Burnaby—New Westminster for his question. If I knew the answer to why, I think we would all be better off. I cannot possibly understand what is going on in the minds of the Liberals and the Conservatives on this one, other than free trade is good trade, therefore free trade must be holus-bolus.

We want to look at what is fair trade. As I said earlier, the NDP believes that this is a good trade deal with the exception of the shipbuilding portion. These countries have strong social democratic traditions. They are ideal trading partners for Canada. Although these members have not joined in with the European Union, they have provided an excellent model for how to build strong working relationships with their neighbouring countries. We will only benefit from working with these countries. They really set an example for us about how to strike a balance between trade and national sovereignty without having to sell out the latter.

My colleague talked about this being a sellout, and I actually agree with him. I would like to read into the record what was said by Andrew McArthur from the Shipbuilding Association of Canada and vice-chairman of the Irving Shipbuilding Corporation when he testified before the Standing Committee on International Trade on March 3, 2009. He said:

If it's not a sellout, it's getting close to it. It certainly doesn't enhance the survivability of the industry. It jeopardizes it. It would be pretty hard to say it's an absolute sellout, although it's getting close. It's not only EFTA that concerns us. The ground rules may be set. We're negotiating with Singapore. We're negotiating with South Korea. Once we've set the ground rules, if we then get the same with all these other countries, the industry will be in very tough conditions and it will be able to survive only with government contracts—

Pushed a little further with questioning, George MacPherson actually said, "Yes, I would. I would use those words". The words he is using are "sellout". I absolutely agree with the member for Burnaby—New Westminster.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is important, when we look at the context of trade, that we look at the current deals that have been signed and, as part of our due diligence, to review what is happening here.

With respect to Bill C-2, the hon. member for Burnaby—New Westminster has requested the aspects to shipbuilding be carved out, which is a normal process of trade arrangements. In fact, in the history of trade arrangements they have had these elements in a series of different ways. For example, the United States has the Jones act and procurement policies with a number of different defence contracts. It also has policies in manufacturing, for example with the bus industry, where there are provisions that require content assembly in parts manufacturing in the United States. In fact, Canadian companies had to go into the United States and open up assembly plants so they could bid and win contracts for those.

As well, the United States has a buy American clause that is part of its overall procurement policy and always has been. It reached some feverish discussion in recent months but the reality is that it has been in American law for a number of years. The clause has been part of its ordinary procurement policy and has been part of the state and municipal procurement policies.

The request that is being made here is part of negotiation tactics. Unfortunately, we have a history of bad negotiations when we look at the past Liberal government and the Conservative government. This deal here was arranged by David Emerson, a Liberal minister for the Martin administration who crossed the floor after an election and continued with his policies. One of the policies was with regard to European trade and another one was with Colombia. Another deal that has not seen the light of day, thankfully, is with Korea.

If one looks at those policies, the government offered up a significant number of different iconic Canadian industries as bait to bring in trade negotiations and then it caved and gave them away later on.

One of the reasons I have been opposed to the South Korea trade deal, which some bureaucrats will admit, is that something had to be offered up. In this agreement, the government has offered up the automotive industry. It is a terrible position to start with because one knows right away where one's negotiating strength is. Unfortunately, the government comes back with deals that really sell out certain segments of Canada's industrialized capacity.

It is important to note, for example, that the United States has its own defence procurement policy and we do not begrudge it that. We know the United States has certain aspects it wants to continue to have in its country as part of its overall strategic way to deal with civil society, as well as international affairs, which is why it has the capacity to ensure it can respond to certain things.

Government Orders

Sadly, Canada has done the exact opposite. We have basically abandoned any type of sectorial strategy approach and only through a budgetary process year by year scrambles around to try to find some programs or aids that come and go for the aerospace, automotive or shipbuilding industries. The government does not really create concrete plans of action.

We are looking at Norway for particular reasons in this debate because it spent over a dozen years building a shipbuilding industry through heavy subsidization and a national policy. It had over a generation of public policy geared to design and build ships, not only for its domestic industry but also international industry. When Canada enters into an agreement like this with no terms and conditions to protect Canadian industry, it is at a natural disadvantage.

I have had a chance to see some of the work that has been done with shipbuilding. I have been at the Irving yards in Halifax and have spoken with the workers. Interestingly enough, the government's position has always been the issue over labour mobility. It says that if workers cannot build ships because there is no work, then they need to go out to Alberta or somewhere else to find a job.

The first thing one may say to that, even I as a young parent, is that people will do what they need to do, there is no doubt about it. However, when we have thriving communities that will continue to be there, it is important for families to be held together, which is the creation of a bond the community requires to deal with everything, including social programs, crime, education and innovation.

• (1240)

It is not just about workers going away for a couple of months and returning. Canadians will do those things if they need to, as they have done in my riding, but the preference would be to have a job in their own community, especially communities that historically have been around and will be around for the foreseeable future. We should be looking at building that capacity. It is about those communities with a high industrialized component for shipbuilding, for example, as we are talking about today specifically, to be part of a program and plan to create stability. We are going to win from that.

Other organizations or other countries will not be complaining about Canada being protectionist because this is done in other countries, and that is why it is important to have this component carved out and move forward with the rest of the trade agreement that would be more balanced. It would be progressive in the sense that shipbuilding would be removed, but it is not, which, unfortunately, is why we are back here today.

I will again talk about the Navistar truck plant in Chatham, Ontario, where a \$200 million defence procurement offer went out to International Truck, which is located in Chatham and in Texas, and it decided to put all the work into Texas. That is not acceptable because a number of years ago International Truck was having problems and it was given a \$35 million loan guarantee and for the last several years it has been producing trucks and doing quite well. In fact, when it tried to move production to Mexico, the trucks had to come back to Chatham to be audited and repaired because the quality was not up to what the client needed.

As a Canadian politician, I do not get upset when the United States buys its trucks from Texas for its military. I understand that it has a plant with people working there. If it were going to buy trucks, it would be a good idea if it were to buy them here in Canada. We are always hopeful to gain that type of business. However, I can understand that it wants to have certain segments of its military protected to be able to do procurement there because it actually gets it. It also understands that having development capacity gives it control over who gets those at what time. It actually has that in its contracting, which means that the United States can cut the line whenever it wants, which would reduce our capability to have our own sovereignty addressed.

It is interesting to note that the plant can produce that truck for around \$800,000. With the layoff of workers about to take place, we are looking at about \$17 million to \$19 million in unemployment insurance benefits. This makes no sense whatsoever on an economic scale. If we were actually going to have that investment, the retooling would be done by Canadians, the equipment allotted would be Canadian and the people doing the work would be Canadians. We would have the next future base of taxation policy from those who are making money in that area contributing back to the coffers of Canada. We would have a net win. Why we would send our truck development to Texas and basically backhand Chatham, Ontario, which is struggling right now, does not make any sense.

It goes to a deeper issue that ties with the essence of shipbuilding and the history we have with the water. Canadians know we have been a maritime nation serving ourselves quite capably during the first and second world wars where we had one of the largest merchant marines and navies by the conclusion of the war. We have a real sense of pride and dignity when we were able to procure much of our own development and had the capacity to do it.

People having the type of work where they actually produce something of net value and that they can relate to is such a value added component to our society. It is an extra added benefit to those who are part of the actual experience. In terms of shipbuilding, there is that element. Similar to that, in Chatham, Ontario, it is what the Conservative government has said, which is that they will not be producing ships for our men and women serving in the military, that it will be done by someone else.

• (1245)

Canadians miss out on that relationship of getting up every day, going to work, getting a paycheque and contributing to the Canadian development experience. It is important for people to have a job because it gives them a meaningful sense of worth. However, the Conservatives have told them that they are not good enough, that the work will be done somewhere else.

Government Orders

What is so important about this debate in terms of the economics behind the shipbuilding industry and how it connects to ourselves as a people is when we see the outsourcing that is going on, which becomes very frustrating. Workers and others are starting to feel the anguish. I worry about the elements that will come next. Being from the auto sector, many of the workers are frustrated that the government is not there for them and that they are having to do things on their own.

In one of the more recent cases that we have had is the issue over Aradco. I want to congratulate Gerry Farnham, president of CAW195, and his workers who fought an American company that pulled out of Canada and left 80 families out of jobs with no severance package. The workers took it upon themselves to occupy the plant and ensure they received a better severance package, which they negotiated by themselves with no help from the government. Those people are working class heroes. They are men and women, some of whom are in single parent families, who took this action to protect themselves and their families livelihoods.

The message the government should take about what happened in that one plant at this particular time is that it must be more responsible when it has the tools and the resources behind it to make a difference in this country.

Those are the reasons we should be carving out this element and protecting our shipbuilding industry and the workers who have the skills and the training, which is important. When we look at the Aradco workers, they were some of the most productive workers but, through no fault of their own, they were usurped. It is the same for the shipbuilding industry, which has some of the best trained and most experienced workers. We will abandon them in some type of an experiment that does not make any sense.

We need to turn this around. People are looking to us and at the examples that we are setting. They are asking what can we do with their taxpaying dollars that will benefit not only just in terms of the immediacy of the tax expenditure that we are doing right now but later on in terms of public policy. That is what a national strategy for shipbuilding and an auto strategy would be and all those other things where there is value and traceable elements of where the money goes to. That is what could be done in this particular element.

Workers will continue to feel frustration as they have done everything right and then they do not have the government behind them.

It is disappointing that we are here by ourselves as New Democrats on this issue. I think we will be looking back later, not only in terms of what we have lost, but in terms of a missed opportunity to reinforce at a time when there is that motivation that should be even bigger to restart an industry and ensure it will thrive. The connection to that is critical, especially when we can look at the incredible opportunities.

We can look at the Great Lakes, not only as a treasure environmentally but also a trade corridor that is significant. The Great Lake freighters will soon need to be replaced but those will all be built in China, Norway or somewhere else when they could be built here.

Sadly, we let the shipbuilding facility at Collingwood go, but we could plan this out to ensure that Halifax, Montreal and other shipbuilding areas where we still have that capacity are preserved. For those who are not aware of it, Collingwood has now become a resort. It is a very beautiful location with a lot of positive things there but we did not plan another deep water capacity port. What we have lost now is the opportunity to have a thriving industry return.

Therefore, we need to think about that in the context of what is happening right now and, with what is going on right now, this is the perfect opportunity.

It is important to look at what the message would be for Canada if we were to carve this out. It would tell the other countries that we are interested in doing this and I do not think we would have a hostile reaction. I do not think any country would challenge us.

● (1250)

When we look at some of the European policies for defence and other procurement, it is quite similar. When we look at the United States, it is very clear that it has decided that it is going to have this at its capacity, and we are very much integrated with the United States.

Ironically, even as we have had some of these elements, the United States has gone to the extreme where, under the Patriot Act and other types of legislation, many Canadian workers are not eligible to work on some contracts in the United States that are defence procurement.

The United States has even challenged the workers who are part of companies that are integrated. This is going to become a bigger issue because we have a number of different procurements that are going to take place over the next few months. We will hear about some of them, including search and rescue planes that need to be replaced. There are concerns already being expressed that the government is going to skew the bidding process basically to give an Italian company the contract. It is sad, because we actually have a number of different consortiums here in Canada, with up to 50% Canadian ownership, that could do that type of work. They should be part of that process.

We are going to continue to see this type of debate emerge. This is not a one-off issue. We are going to see the return of discussion of the South Korean trade deal. That is another one that I mentioned, where the automotive aspect of it is being offered up as an element that basically could be seen as the carrot to bring us in, and then later on we suffer the consequences of that.

It is important to note also that it is not just the New Democrats here on their own who are bringing this issue forward. It is interesting, because we have not only the labour aspect, which is traditionally part of our party and our relations and so forth, but we also have the associations, as well as companies such as the Irvings.

There are some interesting quotes that have come out of this debate that really reinforce the fact that it is going to be costing us as a country a lot of jobs.

One quote is from Mary Keith, a spokeswoman for Irving Shipbuilding Inc. The company has actually put this in a release, so it is not something that was just said off the cuff or thrown out in a media comment. This is an actual release that was put out, so they thought very carefully about what they were going to say.

Ms. Keith said:

The government of Canada is continuing its 12-year history of sacrificing Canadian shipbuilding and ship operators in the establishment of free trade agreements with other nations.

International trade minister David Emerson said at the time that a free trade agreement in principle had been reached with the countries of Iceland, Norway, Switzerland and Liechtenstein.

They were looking at it through a 12-year lens when she made that comment. I think that is significant because a number of different operators or companies out there are seeing this as systemic. When we see something as systemic, we defeat the option of other people who are interested in actually investing or moving into that field.

The people making those comments are indicating that this is not just one-off bad policy from the Conservative government or the Liberals before it. What they are saying is that if people want to get into this business, they'd better buckle up, because the ones who are in it right now are completely dissatisfied with the relationship they have with the government. They feel that not only is it not neutral, it is actually against the flow.

I want to point that out because what we have happening here is a continued pattern of behaviour, the assumption that we can just reduce trade barriers or regulations, whether it be in regard to food or other types of industries such as the airline industry, and we will see natural improvements to the consumer and to civil society. That is not the case. That has not always happened.

What we need is a carrot-and-stick approach. The carrot is good public policy, and the stick is to make sure that the jobs are going to be created here, especially when taxpayers' money is involved.

• (1255)

[*Translation*]

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I was listening to my colleague speak on the motion for this bill currently before the Standing Committee on International Trade. First, I would like to know what his party proposes to support the shipbuilding industry and what are the main aspects of this bill that will support the industry.

Second, if this motion is adopted by the House and we are unable to make the government improve and provide more support for the shipbuilding industry that could be threatened by this type of agreement, should we simply forget about the agreement? It does nevertheless have certain advantages for Quebec's pharmaceutical industry. What position will the New Democratic Party take?

• (1300)

[*English*]

Mr. Brian Masse: Mr. Speaker, we know the industry will be abandoned in Canada. I would be surprised if the Bloc thinks if the industry has trouble later on we should not worry because the Conservatives will rescue it at the end of the day. I would be

Government Orders

surprised if the Bloc believes that would happen, because I do not sense that from the government. Traditionally it has not been there. I would not give the Conservatives that type of credibility or that type of responsibility and think it is real.

It is important that when we have a trade agreement, it is fair and balanced. It should not be done at the expense of one particular group or segment. That is the whole point, I suppose, of a united Canada, because we can be stronger and more successful.

There is nothing wrong with carving out a piece of this deal and then negotiating a better one. There is certainly a lot of benefit from other countries when they come into the markets in Canada. It will be more balanced and fair trade. However, we cannot ignore that Norway has provided more than a decade of support for an industry that will destroy that.

I would say that the Quebec shipbuilding industry will also take a hit. It could actually be much more significant but has not been because there has not been that policy in place. I believe Quebec will suffer from that lost capacity and also potentially a shipyard closure, which has been threatened in the past. That would be a setback for the country and for Quebec.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, the member for Windsor West pointed out that essentially other countries that have tough negotiators exclude shipbuilding from agreements. The United States has done it for every single trade agreement it has signed. Essentially, under the Jones Act, it carves out shipbuilding.

Referencing the question asked by my colleague from the Bloc, the Bloc should be voting for the amendment because quite simply it means that Parliament is ensuring, essentially, that the work that was not done in the negotiation of this agreement does get done through the due diligence of parliamentarians.

The member from the Bloc knows that many of the letters that are pouring in are from Quebec shipyard workers, but it is not just shipyard workers. Sheet metal workers and boilermakers are writing to us.

I just received on my BlackBerry a message from Jim Fitzpatrick, saying:

I on behalf of my members [of the International Brotherhood of Boilermakers] totally support the exclusion of our shipbuilding industry from the EFTA agreement. We have a vibrant workforce on this beautiful west coast—

He is writing from British Columbia, as we can surmise. He continues:

—and with the unemployment as it is at the moment in our shipbuilding industry we need our government's support with regards to this issue.

We are getting hundreds of letters, emails and phone calls to MPs' offices from sheet metal workers, from boilermakers, and above all, from shipyard workers from coast to coast, and only one party is standing in the House of Commons and allowing that voice to come forward. The other three parties are completely abdicating their responsibility to Canadian workers.

I would like to ask the member for Windsor West why he thinks all these other members are forgetting about the Canadian public interest and Canadian jobs.

Government Orders

Mr. Brian Masse: Mr. Speaker, quite frankly, a couple of things play into this. First, the architect of this deal was David Emerson, a Liberal. Members have quite clearly hitched the history to him. He was the architect of the softwood lumber deal, and we all know how that is working out. In fact, I was just in the United States and it was questioning Canada's deal itself. So we do not even have a set stability pattern. We basically got taken to the cleaners on that deal. Ironically, we were winning in the courts, and then we pulled defeat from the jaws of victory.

I live across from Detroit, Michigan, which is home to the Detroit Lions, so I am very familiar with that process.

That is what was done with regard to the softwood lumber deal. We see the catastrophic result of it across this country. Who can be satisfied with the status quo in the agreement?

That is part of the problem, as well as expediency. When trade agreements are signed, for some reason they are seen as elements of justification or as a process that shows maturation in a government. That is really worrisome in the sense that the symbolism of it is being presented as more important than what is going to happen to industries after they emerge in this new relationship.

I do not know why the Bloc is supporting this without at least forcing the carve-out. It makes no sense for that party to turn its back on the workers of Quebec, in particular those directly affected. Basically giving up control of the potential shipping industry for the future to other hands without having a public policy is rather peculiar.

Those are some of the reasons I think we are seeing some of the decisions being made and why we in the NDP are the only ones speaking on this issue. I have debated this a number of times and people say I am against trade and moving forward. That is the furthest thing from the truth. What we need is fair trade. This is part of negotiations that have taken place in other bills and other countries and they have those elements.

We should move forward with this, because we not only have examples we can point to, but they are right next door in the United States.

• (1305)

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, I commend the member for Windsor West on his presentation this morning in the House. He certainly knows of what he speaks. He has watched the auto industry struggle through a number of difficulties over the last few years, all of it connected to so-called free trade, including the impact of the loss of the Auto Pact in Canada, not only in his own city but in cities across the country—in particular, places like Sault Ste. Marie, which provides the steel. It is all interconnected.

Having been here for four and a half years and listening to some of the discussions in the House about trade, free trade and meetings of Canadian representatives with officials from other countries about trade, it seems to me that we go to those meetings like good Boy Scouts. We are ready to throw absolutely everything on the table in order to get a deal that somebody else thinks is good for us because we have a lot of natural resources, not understanding that at the end

of the day, in most instances—and I have not seen one yet where we have not—we come out the loser.

I remember standing in the House a few years ago on behalf of farmers, asking the government of the day, which was Liberal, to stand shoulder to shoulder with farmers, as we yet again caved in and provided more opportunity for foreign products to be brought in and sold in our market.

I ask the member for Windsor West to share with us a bit about the impact of the auto pact on his community and this country.

Mr. Brian Masse: Mr. Speaker, I think the people who negotiate on our behalf either have a self-esteem problem or need to see Tony Robbins, or something. It is habitually the case that they go in with a position to give up something quite significant and we get taken advantage of. People just cannot go in there playing poker with their hands facing the opposite way and pretend and hope things are going to go right. Those types of elements cannot be given up right away.

It important that we actually set the proper policy. I have seen it with the auto industry. It is affecting the entire country right now. All we can do now is hitch on to the United States, because we have given up so much of that sovereignty. I would hate to see the shipbuilding industry suffer the same fate, because it is important not only for our national security but also for the type of work that people can do and the value-added work that goes back into the coffers of this country.

[*Translation*]

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, I think they are trying to influence me.

Mr. Peter Julian: Yes, we want you to vote like us.

Mr. Serge Cardin: The members of this House know the Bloc Québécois' position on this Free Trade Agreement between Canada and the States of the European Free Trade Association. In our opinion, the agreement would benefit Quebec. And knowing that the Bloc Québécois defends Quebec's interests, members understand that we will support this agreement.

Today, I would like to come back to the shipbuilding industry in particular. Some things have happened in the history of shipbuilding, and some things have not been done.

For 25 years, the Conservatives and the Liberals have shared power more or less equally. However, I would like to refer to an article that appeared in the Canadian Press on November 11, 2008 about comments made by Denise Verreault. I quote:

The president of Groupe maritime Verreault, Denise Verreault, did not mince words yesterday as she condemned what she called politicians' "lack of vision" on the marine industry.

Speaking at the Institut maritime de Rimouski..., Ms. Verreault said that "politicians could not see further than the end of their own noses or...the next election" when it came to shipping.

For more than 25 years, the CEO of this company based in Les Méchins has criticized the fact that Canada has no marine policy, even though shipping will double by 2020.

"Quite simply, there is no political will or vision. The shipping lobby is not as strong as the trucking lobby. The marine industry needs a single association that is very strong, instead of a number of groups. Our politicians think that ships are a vanishing breed and that as a mode of transportation, shipping is too slow. The hidden costs alone of just-in-time trucking are phenomenal, not to mention the environmental impacts," said Ms. Verreault, honorary chair of the 27th funding campaign for the Institut maritime du Québec.

We can see that Ms. Verreault was talking about a 25-year period, and we can say that she was referring as much to the Conservative government as to the Liberal government of the time.

There was another very interesting article this morning in the newspapers, about comments made by the member for Bourassa. In a Canadian Press report, we can read:

But to win Quebecers' hearts, the Liberals will have to rely on more than just their leader's relative popularity. [The member for Bourassa] therefore announced the appointment of two new campaign co-chairs: Gaspé businesswoman Denise Verreault and [other people, of course].

Should anything be inferred from what Ms. Verreault said in November 2008 and her current involvement with the Liberal Party? It is clear from her comments that she condemns the Conservative government for its lack of action with respect to the shipbuilding industry. We also know that she condemned the Liberal government of the day for its lack of action with respect to the shipbuilding industry.

At present, the fundamental problem facing the shipbuilding industry is not necessarily an international trade one, but rather a problem with the industry per se. The fact is that our industry has been neglected for many years, while other countries were heavily subsidizing theirs.

● (1310)

The suggested time frame in the accord is 18 years, that is an initial three year waiting period, followed by a progressive phase-out over 15 years to ensure that the trade can really be considered as free trade, with no extra costs.

What matters is to know what the Conservative government will do and, particularly, given Ms. Verreault's involvement, what the Liberals will do in the next election campaign. I want to know whether Ms. Verreault's efforts will have been all for naught, in the sense that, come an election, she will realize that the platforms include no shipbuilding policy, even though, as we know, such a policy is needed.

What I would like to hear today from Conservative members, and of course from the Liberals and even the NDP, is what they suggest as policy for the shipbuilding industry. It was primarily the shipbuilding industry that caused negotiations to last more than 10 years and people to fail to agree. What could these parties advocate or do to come up with innovative options for the shipbuilding industry? These are main points that must become clear through today's debate. We have to know what the government is going to do and what a party that, as we saw clearly on the weekend, was all energized to potentially form the next government, will commit to doing for the shipbuilding industry. Of course, we must not forget that Ms. Verreault is there, probably to provide strong suggestions.

I would still like to raise a number of points. I do not know whether I will have the time to list them all, but the Bloc has

Government Orders

proposed a lot of things specifically to enable the shipbuilding industry to improve.

We must not forget that the shipbuilding industry has some very special features, features unique to it, which must be taken into account in working to ensure its development.

The government must realize that, because of the high cost of its products, the industry needs special financial arrangements for sales contracts. Because its products' value often constitutes the lion's share of the buyer's assets, the industry needs special financial regulations.

Because of the significant investments involved in producing the first of a line of ships, the industry must share the risks it faces in research and development and requires special credit access facilities.

There is also the matter of instability. Shipyards regularly do not operate for a number of months between contracts. Because of its instability and the high fixed costs of its considerable capitalization, the industry must have access to a substantial line of credit.

As it is also excluded from most trade agreements, the industry's international environment involves governmental subsidies, protectionism and buy-domestic policies.

Measures offering protection and support are needed to permit fair competition. Because contracts from DND and the Coast Guard are important to the industry, it needs a government purchasing policy that contributes to its development.

Since Canadian shipowners make up its main clientele, the industry needs a policy that promotes the development of domestic marine transportation, in other words, cabotage. Since the law of the sea is inadequate and does nothing to force companies to replace those dangerous, polluting scrap heaps, those poison ships, the industry therefore needs initiatives to modernize international shipping.

● (1315)

In order to bring in a real marine policy, the Bloc Québécois is proposing measures to ensure the development of this industry, which is of strategic importance to Quebec. It is also essential to ensure the protection and safety of the environment. Many of these measures could help the industry. I would remind the House that the federal government has not supported shipbuilding since 1988. Not only are the few aid measures still available very poorly adapted to the shipbuilding industry, but the federal government has even penalized the provinces that have instituted innovative measures, such as the refundable tax credit in Quebec, which for some years was considered by Ottawa to be taxable income under the Income Tax Act. That allowed it to claw back 20% to 25% of the assistance paid by Quebec to the industry.

Government Orders

In any discussion of financing, insurance or loan guarantees involved in sales contracts, it is important to note that purchasing a ship or an oil rig is a multi-million-dollar investment. Access to credit at favourable interest rates is a critical factor for the buyer. Through EDC, the federal government should set up a sales contract financing program to finance the purchase, repair and conversion of ships in Canadian shipyards. The program should provide funds for a significant portion of the value of the contract—perhaps 87.5%—at private market interest rates to low-risk companies that are in good shape. The program should be offered to both domestic and foreign buyers.

One issue is loans and loan guarantees for shipyards that have to invest or provide a financial guarantee in order to bid on new contracts. The tax rules for financial lease agreements have to be improved. We must bear in mind that under these lease agreements, the ship buyer does not take immediate possession. The buyer rents the vessel for several years and does not take possession until some time later. Because the buyer does not own the ship, tax rules allowing him or her to write off depreciation against taxable income do not apply. The government should improve the tax rules that apply to lease agreements for buyers of ships built or refurbished in Canada.

There should also be refundable tax credits for ship owners. The government should provide a tax credit to ship owners who sign shipbuilding or rebuilding contracts with Canadian shipyards. Because operating a ship is typically not profitable during the early years—all income ends up financing the initial investment—the credit should be refundable.

I want to point out that, in 1999, Antoine Dubé, who was the Bloc Québécois member for Lévis, introduced Bill C-213, which contained measures similar to those I just discussed. In 2000, after the bill was introduced, KPMG conducted a study for the Shipbuilding Association of Canada. It showed that, with respect to the 16 shipbuilding contracts between Canadian ship owners and foreign builders in 1999, these measures alone—none of them subsidies—would have, in a worst-case scenario, kept four to six contracts here in Canada, resulting in an additional \$100 million to \$150 million in annual sales. Their best-case scenario showed that some contracts for foreign ship owners—for the construction of drilling platforms worth from \$300 million to over \$1 billion—could have ended up in Canada.

The government must systematically favour Canadian companies for purchases to meet military requirements or those of the Coast Guard, and for offshore investments, drilling rigs and, eventually, wind turbines. A few announcements have been made, but more needs to be done.

● (1320)

In establishing its purchasing criteria, the government has to put a stop to discriminatory rules that offload transportation costs onto the shipyards, penalizing those in Quebec more than those in the maritime provinces.

It must also take measures focusing on water transport within Canada. While international seaborne shipping is growing at an exponential rate, domestic shipping, or cabotage, is growing at a slower rate. But Canadian shipping companies make much better

customers for our shipyards than foreign companies. Environmentally as well as from an energy standpoint, shipping is the most logical choice and should rapidly become increasingly popular, given growing concerns about climate change and depletion of fossil fuels. In a nutshell, far from being a thing of the past, shipping is a forward-looking transportation mode.

Why do several government practices limit the development of cabotage for the transport of freight? Dredging and icebreaking expenses incurred by the government along the St. Lawrence River are entirely offloaded onto shipping companies. Conversely, the cost of maintaining roads is shared among all taxpayers, instead of being paid by truckers. Such an injustice hinders the competitive capacity of water transportation in comparison to land transportation.

The government should also eliminate the fees charged marine transportation companies that practice cabotage. It should also put in place a major investment program for port infrastructure focusing on the infrastructure needed to develop intermodal transport. In addition, the government should bring up to standard all the ports it left to crumble given that it is responsible for ensuring the best possible use of its own infrastructure. The government should also strengthen the Coastal Trading Act to support Canadian shipping and to ensure that foreign carriers that practice cabotage are subject to Canadian laws, especially those governing working conditions.

As for measures pertaining to international marine transport, we should oppose flags of convenience. Canada must ratify the UN convention on ship registration and lobby internationally for its implementation. We must fight poison ships by strengthening international marine law and creating an agency such as ICAO for marine transport.

This is not an exhaustive list, but it does show both the Conservative and Liberal members that it is possible to put in place measures to foster the development and competitiveness of the shipbuilding industry and the marine industry in general. Today, I would like to know what is the position of the Conservative, Liberal and NDP members, and the measures they are proposing to entrepreneurs and employees in the marine industry. I would like to know and I am certain that Ms. Denise Verreault would also be interested.

● (1325)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, personally, I very much like the hon. member for Sherbrooke. I know that if it were up to him, he would be willing to ensure that the Bloc Québécois adopted the right position. However, the Bloc leader seems to want to punish the workers in the Quebec City area. I do not know why, but I imagine it is because Quebec City rejected the Bloc Québécois. Thus, the leader of the Bloc Québécois seems to want to punish those workers, because they are asking Bloc members to support the NDP amendment.

Government Orders

Pierre Bérubé, a steel erector at the Davie shipyard, said:

As a worker at Davie Yards Inc., in Lévis, I wish to express my concern about the survival of the Canadian shipbuilding industry if the free trade agreement between Canada and the European Free Trade Association (EFTA) goes through.

That is why I support your efforts to exclude Canadian shipyards from that agreement.

Gaétan Sergerie, a welder at the same shipyard, said: “Like all workers at these shipyards, I am concerned about the repercussions that this free trade agreement will have on the growth of shipbuilding in Canada.”

Paul-André Brulotte, the union president, is saying exactly the same thing.

Quebeckers are asking the Bloc Québécois to support the NDP amendment. Why does the Bloc refuse to listen to them?

Mr. Serge Cardin: Mr. Speaker, we in the Bloc hear these remarks and are listening to them as well. But we must always look at the agreement that was signed. We are at the stage of implementing that agreement. What the NDP would like is to leave out shipbuilding.

As I said earlier, I do not think it is a core problem of international trade as such. Rather, I think the problem stems from a lack of desire by the Conservative government and the previous Liberal government to support this industry. The negotiating process of 10 years ago indicates that the problem was substantial, and that negotiations at the time were primarily focused on the industry, which was the stumbling block.

I repeat, if the industry is not supported, whether or not the agreement includes shipbuilding, there will be no future for shipbuilding. When entrepreneurs and skilled employees cannot succeed in this sector, there will be no future. I believe there are skilled people and dynamic entrepreneurs in this industry. And so the 18 year delay would allow them to go even further.

If the NDP put as much energy into convincing the Conservative government and perhaps one day a Liberal government, with Denise Verreault of Chantiers Verreault as the co-chair of the campaign, I am sure they could eventually persuade the government to implement a real shipbuilding policy.

● (1330)

[English]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I agree with the hon. member and thank him for his intervention. I agree that this tariff, this one little piece in the EFTA is not going to really create a vibrant shipbuilding industry.

Recently, some of my colleagues and I met with representatives from the shipbuilding industry. They said that this 25% tariff is not going to help the industry, but taking it away, if we get rid of this, it will kill the industry as it exists now.

I agree that we need to have a full, robust shipbuilding policy, but why would this member not support the one piece that we have now that prevents pulling the plug on a dying industry. I will refer to the *Breaking Through: The Canadian Shipbuilding Industry* report, which I will again mention brought industry together with workers to

come up with creative solutions for the shipbuilding industry. I have some excerpts from it here.

Their recommendations included: eliminating exceptions to the existing Canadian shipbuilding policies such as tariffs and federal procurement; strengthening industry and government partnerships to focus more on high prospect areas such as oil and gas; improving the planning processes on federal procurement; pressing for the elimination of foreign subsidies and unfair pricing practices by dozens of countries; designating the industry as a national priority; and promoting marine transportation as an environmentally friendly alternative to other modes of transportation.

This is part of a shipbuilding plan to save this industry. Right now we just have this one provision in front of us. My question to the member is, why would he not support an amendment that could be the base upon which we could actually build a shipbuilding plan?

[Translation]

Mr. Serge Cardin: Mr. Speaker, as I was saying earlier, the free trade agreement has been signed. We are at the implementation stage. If we give in to the NDP's call to remove the shipbuilding industry from the implementation bill, the agreement would automatically collapse, and negotiations would have to begin again. The fact of beginning again does not mean it would happen automatically or even that there would be a free trade agreement. It is unlikely. I have to say, and I said it earlier, and I am not ashamed to repeat it, a number of the elements of this agreement provide strong support for Quebec's development and economy.

As regards shipbuilding, there is a huge potential, as I have said. These companies could become more effective and productive even more quickly. However, there must be a degree of openness in the free trade agreement, and it must be supported by other government activities. I firmly believe that, in this, the House of Commons cannot be circumvented by the government, whether it is this party or the other in a little while. I refer again to this past weekend when people seemed very energized.

I note in closing that people were invited to testify in committee and did not appear. Even the president of Verreault shipyards was invited but she did not come. We can ask ourselves the same question that arises from the statements by our NDP colleague. Still, we must move forward and encourage the government to put measures in place.

● (1335)

[English]

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I rise to speak to Bill C-2, the implementation of the Canada-European free trade agreement. The bill deals with a proposed arrangement between some of the European countries and Canada. The agreement was initiated nine years ago by the Liberal administration under Jean Chrétien. It came at a time when the ideology of free trade and the free market system was at its height. That is not the case today.

Government Orders

In the last 12 months, the world has seen a profound change. It has not yet played out completely around the world. It is a change that will lead us to make different choices in the future. It will lead us to situations where we must, in some cases, protect our industries. In many cases, Canadians will be obligated to take another look at free trade. For the purposes of preserving our economy, we will be obligated to better understand how the world will work.

That is what we are faced with today. We are not faced with the situation of nine years ago. We are not even faced with the situation of two years ago. We are faced with the situation that has come upon us today. If we look at the history of the opening of the liberalization of trade in Canada, for many years, we were under the guidance of a policy that said that good fences made good neighbours. In many cases, we understood that the situation in the world between countries was not open or equal. We were not in a position to allow free trade to take place. We needed to have tariffs and protection for our industries because the world was not the place it was 20 years previous.

When we started on the free trade talks and agreements that came along in the 1980s, we built them on the basis that we would open up the world economy. We were making trade and taking away barriers. We were going to create a level playing field around the world, where the best possible situation could arise for industry and commerce and permit an expansion of the world's economy. By and large, some of that worked and some did not work. Some of it was based on trade and some was based on technological advancement and many other factors.

However, today, we are dealing with where we are going in the future with trade. How do we set the path for our Canadian economy? We have seen that there is not likely to be less regulation, but more regulation. We are likely to pay more careful attention to how our industries work, not less attention.

Our amendment proposes to carve out the very important shipbuilding industry from the agreement. We do not see that this will work for our shipbuilding industry in the future. We do not see that free trade will make the kind of difference to our shipbuilding industry that we might have thought about 20 years ago. It is not the case today. This is why we are very interested in ensuring that our shipbuilding industry is protected and allowed to grow in a reasonable fashion.

Shipbuilding will have a place in Canada. We are a maritime nation. We have the largest coastline of any country in the world. A lot of that coastline is in my riding in the Arctic, among the Arctic islands. There is an enhanced interest in the development of arctic resources and arctic transportation and the use of the Arctic as the ice melts. With climate change, we see the opening up of the Arctic Ocean, the arctic shipping lanes and all of that.

• (1340)

It is imperative that Canada stays on top of Arctic marine shipping development. Right now that is in the hands of the Russians. They are the leaders in this field. Where are we? We are nowhere in it. We will enter into the next century of development in the Arctic, where marine transportation will be of the utmost importance, and we will have a shipbuilding industry that we have not supported and that we

have not ensured has the opportunity to take advantage of this new and exciting area to work in, the Arctic.

That one factor should give us all pause. It should make us ask what is good for Canada, not what is good for the world, in our new opportunities in the new economy, which will have a very large Arctic base. Is it good simply to abandon the shipbuilding industry to the vagrancies of the world market to the kind of competition that can come not only from Norway and from that direction, but from the Koreans and the Chinese? Is that what we want to accomplish?

It is not simply about building ships. It is about all the ancillary things that go along with ships. If we are turning over the shipbuilding industry, we are turning over many of the components and technologies that can give Canada the edge in the new economy into which we are moving.

Therefore, what are we doing here? What are we trying to accomplish with this free trade agreement that was started nine years ago by the Chrétien Liberals, when free trade was popular? Are the two major parties, the Liberals and the Conservatives, simply caught in their past rhetoric, in their past ideas of free trade and free markets, that they cannot see what the future holds? Can they not say that this is the direction we should go in, that this is where the new economy is, that those are the things we have to protect and that those are the things we have to create.

Is that what their problem is, that their ideology has just bound them down? They used to complain that the NDP was ideologically bound by its protectionism, by its social justice, by its concerns about the environment, so that it could not be open to the development of world trade. Times are changing and we need to respond in a fashion that is acceptable and reasonable.

When the Mulroney government got us into the free trade agreement, the allegations at the time were that the free trade agreement was supported by the Conservatives and would continue to keep our dollar high. At the time, the New Democratic Party was pushing for a lower interest rate, which would help our economy. When the Liberals got in, they actually did that. They lowered the interest rate and let the dollar fall. Under the free trade agreement with the United States, we flourished. However, was it because of the free trade agreement or because of the lower dollar? Both of those factors had to come into play.

What is happening today? We are in the midst of a major global financial crisis, which we have not settled, yet we are talking about putting ourselves into more free trade agreements, when we do not understand yet what the financial situation of the world is going to be.

When it comes to currency, what is going to happen when the price of oil, inevitably in the next 12 months, starts to rise dramatically again, when the U.S. economy recovers and when the U.S. dollar starts to fall?

Hon. Chuck Strahl: That would be a terrible thing to see that recovery happen.

Mr. Dennis Bevington: It is going to be a terrible thing. I thank the Conservative Party for its comments. I am glad it agrees with me. I am glad its vision is extending past the next six months.

Government Orders

When the American dollar falls and the Canadian dollar inevitably rises, as it is a petrodollar and based on our resource industries, we will find ourselves in a more difficult situation with free trade.

• (1345)

We are going to demand protectionism for our country. When the currency situation flips around with the United States, Americans will import into our country the things we used to export to them. That will be a problem for our economy. If we do not recognize it and realize where these things will lead us, we will be in a lot of trouble. That argument fits with what we are talking about today.

A free trade agreement with Europe was initially thought up nine years ago in a different time. Let us get back to where we are today and where we need to go in the future with our shipbuilding industry. We have a shipbuilding industry that is in crisis, so let us kick the legs right out from underneath it. Let us knock it right down on the floor. That is a good idea. That makes a lot of sense. That is the kind of thinking that can really bring us forward in this world.

When the NDP stands here and fights tooth and nail for this, with the support of the whole industry, with the support of all the workers in that industry, the collective wisdom of the Liberals and Conservatives, along with the Bloc, have decided that ideology reigns. Ideology will not do it for us. We need to think about where our industry has to go. We need to support our industries in this troubled time. We cannot afford to make decisions like this. We cannot afford to cast loose a major part of the manufacturing potential along our east and west coasts, up and down our rivers. The kind of future we are going to build in our country requires us to continue to support our shipbuilding industry. We cannot give this up. By giving doing so, we are giving up a significant part of the future of those provinces and territories that rely on this industry and the products of the industry to develop the new economy to move Canada ahead.

I plead with the other parties to look at what they are doing. They should take off their blinkers and realize where we are in the world today and where we have to go.

• (1350)

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, I have a question, but I want to clarify something that occurred earlier today.

Earlier the member for Burnaby—New Westminster asked the member for Sackville—Eastern Shore as question about what happened under the Liberals. He referred to the minister, John Manley. For the record, I was Mr. Manley's parliamentary secretary. I remember the NDP brought forward a motion in the House, which dealt with the a review on shipbuilding. Had it not been for the Liberal team, the motion would have died. Those members can make all the statements they want, but this is in the record and I challenge the member to look at it. Had the Liberals not voted in favour of the motion, the review would not have started.

Then the members referred to Mr. Tobin, who took over from Mr. Manley. I happened to be his parliamentary secretary as well. He was moving forward and was making strides until the NDP betrayed Canadians, overthrew the government, and off we went.

Mr. Dennis Bevington: Mr. Speaker, I enjoyed the hon. member's question, whatever it was. I have to refer to my speech. I said that if we looked backward, if we continued to think of ourselves nine years ago when we talked about trade agreements, we would not address the needs of Canadians.

When the hon. member says that the New Democratic Party may or may not have voted against a review of the shipbuilding industry and compare that to taking 25% off the tariff that protects Canadian shipbuilding in the world, he is talking about things which are not quite the same, do not have the same merit and do not have quite the same importance to our country. Could the member please look at where we are going and look at this legislation in that regard?

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I have in front of me a letter from a shipyard worker. I am not sure if he is from my riding or the riding of Dartmouth, but he sent me a copy of his letter to the Prime Minister. He wrote:

As a worker employed in the shipbuilding industry for a number of years, I wish to express my concern over the EFTA trade agreement presently before Parliament... This is an industry that, with the right support, could employ thousands of workers in this country, and provide a major part of the economic stimulus your government has been talking about for this country. To sign a trade agreement that further erodes our ability to compete makes absolutely no sense at this time.

For the first time in our history all stakeholders in the shipbuilding industry came together with the position that the EFTA trade agreement would be detrimental to our industry and "Shipbuilding" should be carved out of any such agreement.

Could the hon. member tell us of the impacts that not voting for this amendment could have on Canada's economy?

Mr. Dennis Bevington: Mr. Speaker, I referred to a number of areas where I think Canada needs to make progress in developing equipment and machinery, especially for resource development in the Arctic. In the 1970s and 1980s Canada did pretty well with what it built for the north.

A primary industry like shipbuilding is not simply about building hulls and putting sails on or motors in. It is an integrated industry. It is also about the people who build all the electronics, the people who build the machinery that is used on the ships. Those industries are attached to other industries. If we take the legs out from under the electronics industry for marine use in shipbuilding, we will see a drop off in that industry and an inability of that industry to compete in other areas. Shipbuilding is the prime industry but it is surrounded by other industries. Pulling the prime industry out puts the boots to many other industries.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I have to say, God love a Liberal. The Liberals are rising in the House to defend a report which nine years ago they did absolutely nothing on, while they are getting ready to sell out the entire shipbuilding industry in Canada. One has to have a lot of nerve to do that.

Liberal members have been besieged by hundreds of letters from shipyard workers in their ridings, boilermakers, sheet metal workers, people who depend on the shipbuilding industry and the Liberal members are giving them the backs of their hands. It is absolutely disgraceful.

The Conservatives and the Liberals are conspiring together to sell out one more industry. They did it with the softwood lumber sellout and now they are doing it with shipbuilding.

Statements by Members

Could the hon. member for Western Arctic tell the House why the Liberals and the Conservatives always get it wrong?

• (1355)

Mr. Dennis Bevington: Mr. Speaker, I have been in the House only three years. I have only seen the Liberals and the Conservatives get it wrong for three years. Sorry, I cannot speak to nine years ago and I really do not want to go there.

What I want is to get it right for Canada. I am speaking to this bill to try to impress upon members the need to look ahead, and not to think of ideologies other parties held so dear for many years because they thought that was the way to go. We have to consider where Canada has to go. We should not think about the past. We should think about the future.

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, I want to set the record straight again.

The hon. member for Burnaby—New Westminster referred to the sellout of the lumber deal. I chaired the committee when it did the review. He was a member of the committee. All the stakeholders came before the committee and asked for financial support, which the Liberal team was ready to give. What happened? The Liberals agreed with the NDP on the 2005 budget, but the NDP went to bed with the Conservatives and the deal went down the drain. A billion dollars was left in the United States. The lumber deal went down the drain thanks to the NDP.

Mr. Dennis Bevington: Mr. Speaker, I really do not want to repeat myself and I do not want to go in directions we do not need to go in this House.

The issue in front of us is a 25% tariff that is going to be applied to our shipbuilding industry over the next three years. This will actually cripple the industry at a very difficult time for industry in general. What are we doing? Why are we doing something that was created by the Liberals nine years ago and carried on by the Conservative Party? What is going on in this country?

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, that was an interesting intervention especially given the fact that the NDP did not even have enough votes to vote with the Liberals at that time. Obviously the Liberals cannot even do basic counting.

The Canadian public was tired of the Liberals' behaviour with respect to the sponsorship program. That is really what is at stake here. The bluster coming from the member shows the sensitivity the Liberals have about this issue. They know that their minister at the time, David Emerson, who flip-flopped and crossed the floor to the Conservatives, was the mastermind behind it. He sold us out with the softwood lumber deal. He was the architect of and tried to sell us out with the South Korea deal, which the New Democrats have been able to stop. The heart of the matter is that this deal should be stopped right now. If the Liberals want to do something productive, they could carve out this element and correct their ways.

I would like the hon. member to comment on that.

Mr. Dennis Bevington: Mr. Speaker, the fundamental problem that I see is we did not have enough seats then and we do not have enough seats now to do the right thing for Canadians. The solution of course is more seats for the New Democratic Party.

STATEMENTS BY MEMBERS

[English]

NOROUZ

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, with the coming of spring, millions of people around the world have observed the Persian New Year, Norouz. The people of Iran have celebrated Norouz, the first day of spring for over 3,000 years. In recognition of this occasion, and as the government liaison to the Persian and Iranian community in Canada, I am delighted to extend my warmest greetings to all those in Canada who are celebrating this new year holiday.

In Canada, this gives us an occasion to embrace our brothers and sisters of Persian background and to learn more about the proud Persian culture, history and language. We in Canada draw tremendous strength from the rich history and diverse heritage which shape our lively cultural landscape. We acknowledge the contribution to Canada of people of Persian background.

This is a celebration that makes all of us in Canada happy. To repeat those words in Farsi, *Jashnay Norouz dar Canada moжебay shadiay hameeay maas. Norouz Mobarak.*

* * *

• (1400)

SIMANI

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise today to recognize and congratulate two talented musicians from the riding of Random—Burin—St. George's: Bud Davidge and Sim Savory. Those two individuals are an impressive duo known as Simani. They have enriched Newfoundland and Labrador culture for over 30 years with their musical talent.

Mr. Davidge and Mr. Savory were recognized and awarded with the lifetime achievement award at MUSICNL, a Newfoundland and Labrador music awards show.

These two musicians played their first gig together in May 1977 in Belleoram. In 1981, after only four years of playing together, the duo had written enough material to produce an album.

In total, Simani has released thirteen albums, two books and has appeared on several TV specials. The longevity of the duo's career is proof of their success.

Newfoundland and Labrador is a big part of our culture. Today I thank and congratulate Simani on this prestigious lifetime achievement award.

* * *

[Translation]

ABORIGINAL WOMEN

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, since 1980, 511 aboriginal women have disappeared or been murdered in Canada, according to the Native Women's Association of Canada, the NWAC. Aboriginal women are actually five times more likely than other Canadian women to die a violent death.

Statements by Members

Over the last few years, both Amnesty International and the United Nations have asked Canada to investigate these unexplained disappearances.

The federal government has been reprimanded many times about this, and the time has certainly come for it to take action and develop a plan to fight violence against aboriginal women, as requested by the NWAC. The government should also immediately abide by its international commitments, inquire into the deaths and disappearances of these women, and fix the problems in the law enforcement system.

Finally, it is important as well to improve the social and economic conditions of aboriginal women, as guaranteed by international treaties to which Canada is a party, in order to reach levels worthy of a Western country.

* * *

[English]

MANUFACTURING INDUSTRY

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, on Saturday I was proud to join more than 2,000 Hamiltonians, including Don Frasier, Rolf Gerstenberger, Bob Bratina, Andrea Horwath, Paul Miller and the NDP MPs for Hamilton East—Stoney Creek and Hamilton Mountain who marched to show their anger and frustration with industry and government attacks on their jobs and their pensions.

Like other manufacturing employees in the Ontario heartland, steelworkers are being laid off by the thousands. The very survival of our southern Ontario communities is at risk.

But the people of Hamilton are not known for just lying down and taking it. We are fighters and we will fight for decent jobs, fight for livable pensions and fight for the well-being of our community.

In fact, just last week Hamiltonians also took to the streets to save CHCH, our local TV news station.

Here is the message that those 2,000 workers asked us to bring back to the government: Stop ignoring layoffs. Stop ignoring the unemployed. Stop allowing foreign companies to control Canada. And stop pretending that fixing our economy is somebody else's problem.

* * *

RICHARD RUMAS

Mr. Gary Schellenberger (Perth—Wellington, CPC): Mr. Speaker, it is with great sadness that I rise in the House today to commemorate the passing of Richard Rumas.

Richard worked at the House of Commons for 34 years serving as a procedural clerk in several directorates. Most recently, Richard served as the Clerk of the Standing Committee on Canadian Heritage. I know that I speak for all members when I say that his time with our committee was far too short.

Richard will be remembered as a man who was always willing to share his knowledge with colleagues and who served all members faithfully and with distinction.

I ask all members to join me in remembering this remarkable man who served this House so well.

* * *

INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, March 21 marks the International Day for the Elimination of Racial Discrimination and the beginning of the “Week of Solidarity with the Peoples Struggling against Racism and Racial Discrimination”.

On this day in 1960, police opened fire and killed 69 people at a peaceful demonstration in Sharpeville, South Africa, against the apartheid pass laws.

The United Nations General Assembly proclaimed the day in 1966 and called on the international community to redouble its efforts to eliminate all forms of racial discrimination.

Let us, therefore, remember all those who have fallen victim to acts of racism around the world and give thanks for their lives and the gifts they gave to their communities.

Let us be vigilant regarding human rights and ensure that our institutions and legislation are appropriate to punish those who discriminate, incite or perpetrate acts of violence against minorities.

* * *

● (1405)

WILD ROSE, ALBERTA

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, today I invite the world to come and see why my riding of Wild Rose is the most beautiful piece of country Canada has to offer.

This large region of Alberta has attracted visitors world-wide since the Canadian Pacific Railway brought the first tourists to Banff's mineral springs.

Generations have fallen in love with our land and built our vibrant communities that rise from the rolling prairie or nestle in the Rocky Mountains.

It is a region steeped in the history of the aboriginal peoples who have lived there for millennia, and the settlers who opened the Canadian west. That frontier heritage is reflected in our many summer rodeos and festivals.

Wild Rose is a place to walk nature trails and marvel at some of the last untouched wilderness in North America. It is a playground for hikers, skiers, campers and anglers. It is a place where elk and bighorn sheep saunter the streets of our mountain towns.

Wild Rose has placed out a welcome mat for the world to come and see.

Statements by Members

[Translation]

RCMP PUBLIC COMPLAINTS COMMISSION

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, we learned last week that the funding of the RCMP Public Complaints Commission may not be maintained at its current level. Less than two weeks from the cut-off date, the Minister of Public Safety has apparently still not made up his mind.

This commission plays an important role: it receives public complaints about the RCMP and can also hold inquiries, like the one on the use of tasers. Reducing the budget of this commission would greatly compromise its ability to conduct these inquiries, an ability that commission chair Kennedy considers “necessary to respond to current public expectations of police accountability”.

It is important for the minister to reassure Canadians that the commission’s funding will be maintained at current levels so that the review of public complaints does not degenerate into a real farce.

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BLOC QUÉBÉCOIS

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, last week a delegation of Bloc Québécois members went to Washington.

The Bloc continues with its arrogant ways and is trying to give lessons to elected representatives of foreign countries: first it was France, now it is the United States.

However, the Bloc Québécois has not answered any of the questions being asked by Quebec voters.

Who paid for this trip to Washington? Which members of congress did they meet and what party do they belong to? What did they talk to them about? Did they merely cross paths or did they have real meetings? What kinds of documents did they give to the members of congress? Did they promote Quebec hydro electricity as green power, as did the Prime Minister when President Obama visited?

Everyone knows that this is unilateral. The Bloc members returned from their spring trip to the American capital empty-handed as usual.

* * *

[English]

RICHARD RUMAS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, today I rise in tribute to our friend and parliamentary associate, Richard Rumas, who passed away suddenly at the young age of 58. He was foremost a family man who was very proud of his three children, Richard Jr., Jennifer and Allan.

In addition to his voluntary community service, he also had a passion for history, politics, gardening, golf and baseball.

His 34 years of distinguished service to Parliament included many leadership roles, most recently as clerk of the heritage and ethics standing committees. His knowledge, experience and expertise were

evident to all who worked with him. We will miss his mentorship, his subtle humour and, of course, his favourite brown fedora.

We remember the day when he administered the oath to Karlheinz Schreiber with dignity and professionalism. That opening event set the tone for those difficult hearings and was reflective of how well he discharged his duties each and every day.

Richard Rumas was an honourable man who was well liked and highly respected; a very successful life by any measure.

We wish his family peace at this difficult time. We will all remember him.

* * *

● (1410)

CANADIAN FORCES

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, 116 Canadian soldiers have died fighting the Taliban and al-Qaeda in one of the most dangerous places on Earth. They do it in response to the terrorist assault of 9/11 on our best friends and closest neighbours. Most Americans are thankful. However, a few mouthpieces sitting in the safety of their Fox studio are not.

Last Tuesday, they suggested that our soldiers want a break from fighting to enjoy manicures and pedicures. If these talk-show generals think the work of our soldiers is so easy, perhaps they should sweep for mines and exchange gunfire with terrorists. If they cannot stand behind our troops, maybe they should stand in front of them.

Freedom of speech is one of the rights our soldiers have died defending. Unfortunately, this right sometimes extends to even the most brain-dead imbeciles. Now is the time for them to express their freedom of speech again by giving an apology to our soldiers.

* * *

SCOTT FRANCIS VERNELLI

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, as the bodies of the four soldiers arrive home at this very hour, a wave of sadness grips my community of Sault Ste. Marie.

I rise to pay tribute to Sault native, Master Corporal Scott Francis Vernelli.

In a community like the Sault, his death is personal news for everyone. His White Pines school, sports and military commitment made him so close to so many.

The tributes pouring in for Scott honour him: a dedicated leader, his winning smile, a soldier’s soldier. He had volunteered for his third tour serving his country in the Royal Canadian Regiment. He was a proud soldier. He was also the proud father of a his six-month-old baby girl, Olivia.

For my constituents, I offer condolences and prayers for his wife, Marcie, his parents, Chuck and Ruth, and his brother, Sean.

Like his comrades, Scott wanted nothing more than to bring peace and stability to a land ravaged by war. We shall remember their sacrifice. His family—

The Speaker: Order, please. The hon. member's time has expired.
The hon. member for Joliette.

* * *

[Translation]

FERNAND LINDSAY

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I rise here today to pay tribute to Father Fernand Lindsay, a great man from Lanaudière, who died last Tuesday at age 80.

Visionary, teacher, musician and a caring and active man, Father Lindsay made an outstanding contribution to Quebec's musical culture. Among other things, he was instrumental in founding the International Festival of Lanaudière, one of North America's largest music festivals, the Joliette cultural centre and Jeunesses musicales de Joliette, as well as the Lanaudière music camp and the Grands Choeurs de Lanaudière.

He leaves behind an extraordinary body of work, renowned both in Canada and around the world, a legacy for our community and for future generations.

His funeral will be held on Wednesday at the cathedral in Joliette. On behalf of my Bloc Québécois colleagues, I would like to extend our deepest condolences to his family and friends and his community, the Clerics of St. Viator.

Thank you, Father Lindsay.

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[English]

CANADIAN FORCES

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, a clip from *Red eye*, a late night time filler on the 24-hour Fox news channel, is circulating on the Internet. The host, Greg Gutfeld, ridicules Canadian Forces troops serving in Afghanistan the same week as brave young Canadians gave their lives for the freedom and safety of the Afghan civilians.

The clip mocks the courageous efforts of Canada's brave men and women in Afghanistan and is particularly hurtful as Canada mourns the loss of four more soldiers who have paid the ultimate sacrifice.

Greg Gutfeld's comments are ignorant and disgraceful. It is an insult to the 116 forces members, one diplomat and development workers who have died in Afghanistan.

Mr. Gutfeld should get his facts straight and apologize to the families of these brave Canadians and their families.

* * *

• (1415)

DOUG FRITH

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, this House lost a distinguished son on the weekend and so did the city of Sudbury.

Doug Frith was the MP for Sudbury from 1980 to 1988 and he was a man of singular talent and energy.

Oral Questions

Born in Brampton, Doug went to Sudbury High and was educated as a pharmacist at the University of Toronto.

His charm and his gift for service soon took him to Sudbury City Council. He became chairman of the Sudbury Region and then a member of Parliament where he served as parliamentary secretary and, briefly, as minister of Indian Affairs and Northern Development.

After leaving here, Doug went on to serve as president of the Canadian Motion Picture Distributors Association and, later, as the vice-chairman of Global Public Affairs.

He was well-known across this country as a vital and caring man who loved public policy and his country.

We are all shocked by his sudden passing.

* * *

THE ECONOMY

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, the Conservative government is taking unprecedented action to stimulate the Canadian economy and combat the global recession through our economic action plan. However, someone really does not believe in that.

The Conservative government even began preparing for this global recession by stimulating the economy years ago when we reduced the GST from 7% to 6% to 5%. Someone is opposed to that.

The Conservative government knows that one of the best ways to stimulate the economy is to cut taxes while putting money into shovel ready projects. However, someone wants to bring a burdensome carbon tax that would kill jobs and have a negative impact on the Canadian economy, while at the same time this someone wants to slow down the process of putting shovels in the ground and getting infrastructure projects started.

The leader of the Liberal Party is that someone.

ORAL QUESTIONS

[English]

CANADIAN FORCES

Mr. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, on Friday four Canadian soldiers lost their lives in Afghanistan. Master Corporal Scott Vernelli, Corporal Tyler Crooks, Trooper Jack Bouthillier and Trooper Corey Joseph Hayes were killed as they fought to create the conditions in which Afghanistan can hold free elections, free of terror and violence.

All members of this House and all Canadians mourn their loss and honour their valour. Will the Prime Minister join me in expressing the sorrow of this House?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I thank the Leader of the Opposition for the opportunity to respond to that statement. You will know, Mr. Speaker, that on Saturday I made very clear that we convey all of our heartfelt condolences to the friends, family and comrades of these fallen soldiers.

Oral Questions

Successive governments have had us involved in Afghanistan, in a mission that is important not only for the international community and the Afghan people but, of course, for our own interests. I am always amazed by the fact that we have young men and women who are willing to put their lives on the line in this way for their country and for their fellow human beings. We will always be in awe and eternal remembrance for their sacrifice.

* * *

THE ECONOMY

Mr. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, the Prime Minister has said repeatedly that the Canadian economy will only turn around if President Obama's stimulus plan works in the United States. In public he has been full of praise of the president, but in a private speech to his Conservative friends on March 12, the Prime Minister only had criticism for President Obama's plan for the U.S. economy.

How can Canadians take the Prime Minister at his word when he says one thing in public and the opposite behind closed doors?

Right Hon. Stephen Harper (Prime Minister, CPC): First, Mr. Speaker, let me correct the preamble to the question. I said that the most important thing the United States must actually do is, of course, fix the financial system and be part of the solution to fixing the global financial system. Without a fix to the global financial system, it will be very difficult and in fact very unlikely that we will see a change in the recessionary conditions across the globe. The United States has announced some additional measures today.

I think what the hon. Leader of the Opposition was referring to was my opposition to raising taxes in any way to deal with this recession. I know that may be the position of the Liberal Party but that is not our position.

• (1420)

[*Translation*]

Mr. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, privately, the Prime Minister has nothing good to say about President Obama's economic renewal plan. Publicly, however, he says that economic recovery depends on the president's success.

How can we trust him when what he says depends on whom he is saying it to?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, on the contrary, the leader of the Liberal Party of Canada is just repeating what others have said, but he criticizes tax hikes. The Liberal Party knows that our party opposes tax hikes for sound economic reasons. That is the Liberal Party's policy, and that is why the Liberal Party always has to speak in favour of tax hikes, but that will never be this Conservative government's policy.

* * *

[*English*]

EMPLOYMENT

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, everyone in the Liberal Party knows it would be idiotic to raise taxes in the middle of a recession.

[*Translation*]

In the budget, the government promised to create or save 190,000 jobs over two years, but Canada's economy has lost over 200,000 jobs in January and February of this year. The government's goal is not nearly enough.

Why did the government not even mention that goal in its quarterly report? Has it abandoned Canada's unemployed workers?

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, as members know, the difference between the Liberal opposition and the government is that we have an economic action plan. All we hear from the opposition is criticism and talking down the Canadian economy. That is not what Canada needs now.

We need to pull together as Canadians to comfort those and help those hardest hit by the recession, and to build for the future. That is exactly what our economic action plan does. We are implementing it. We are building Canada's future.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, again and again, the government refuses to answer questions about its disappearing 190,000 job target. The cornerstone of the budget was to stimulate the economy and protect jobs, but it will not even tell Canadians where it stands on the 190,000 job target.

I ask the minister again. Does he stand by that 190,000 job target? Has he abandoned it? Has he given up? Does he care? Canadians deserve answers to these questions.

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, this is rich. This is from the party that did not even understand that if it did not pass the budget promptly, employment insurance would not have been available. The Liberals did not even understand that until we raised it in the House a couple of weeks ago. Then, they did the flip-flop and told the senators that they had better pass the bill, which the Liberal senators did.

We are on track. This is a difficult time. There is a global recession. However, we have a plan to help Canadians, which is more than I can say for the members opposite.

Oral Questions

[Translation]

FORESTRY INDUSTRY

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Quebec Forest Industry Council has received a very clear legal opinion about loan guarantees to forestry companies: they are legal, period. Yet the Prime Minister is stubbornly refusing to face facts. Again last week, hundreds of people demonstrated in front of the office of the member for Jonquière—Alma, demanding a support program for the forestry industry.

Instead of stubbornly denying the legality of loan guarantees, will the Prime Minister admit he was wrong and immediately provide loan guarantees for the forestry industry?

Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC): Mr. Speaker, as we said recently, the issue of the loan guarantees provided by Investissement Québec and Ontario is currently in arbitration. We will therefore not comment any further here.

The legal opinion my colleague just referred to has, of course, been turned over to the government's legal counsel, and they are examining it. We will have their decision at a later date.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, there is litigation involving Canada and the United States. Canada is paying lawyers to defend its case, while the Prime Minister and his minister are contradicting the lawyers they themselves are paying.

Is it not time to stop sabotaging the work of the lawyers who are defending Canada in the court in London and start defending Canadian and Quebec firms?

• (1425)

Hon. Stockwell Day (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, the leader of the Bloc continues to be concerned about lawyers, but we are concerned about workers. That is why Export Development Canada is working with more than 90% of forestry companies. We will keep on working with companies in order to help them.

* * *

EMPLOYMENT INSURANCE

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the lack of liquidity is pervasive and does not apply just to businesses. Workers, and especially unemployed workers, are also affected. The employment insurance plan must be improved, as demonstrators in the Saguenay—Lac-Saint-Jean area called for last week.

What is this government waiting for to improve employment insurance so that the unemployed can weather the storm and stimulate the Quebec economy?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, I assure you that we are looking after the unemployed throughout Canada. That is why, in our economic action plan, we expanded our program for older workers. That is why we increased training. That is why we improved so many programs to help the workers he is talking about.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the time it takes to process an application continues to increase, and in some cases has reached about 55 days. After a certain period, and

until the problem is solved, should the government perhaps pay interest to the unemployed who experience such delays?

If this measure is appropriate for income tax, should it not apply to the unemployed as well?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): It is unfortunate but true that more people are unemployed than before. That is why we have taken steps to hire hundreds of employees to speed up payment of employment insurance benefits and why we have increased automation to provide assistance more quickly, so they can receive the benefits they deserve.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, in February alone, 9 of the 10 economic indicators in the composite index of economic indicators declined.

That means real job losses for real people. Since coming to power, the Prime Minister has presided over the loss of 300,000 jobs in Canada—300,000 family tragedies.

Will the Prime Minister take off his rose-coloured glasses and recognize that the situation is getting worse, not better?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, Canada has experienced significant job losses. This government is very concerned, and that is why we have included measures in our economic action plan.

What people are having a hard time understanding is why the New Democratic Party votes against helping the unemployed and Canadian workers.

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, real people are losing real jobs, yet Canada is not seen as part of the global solution here. We see Great Britain ranking Canada in the lower tier of the G20 countries. Meanwhile, in February housing and stock markets posted the largest declines, manufacturing jobs were lost in increasing numbers, and there are extensive shutdowns in the auto industry.

Why is the Prime Minister in such a state of denial about this? Has the blank cheque given to him by the leader of the Liberal Party blinded him so much that he cannot see the 300,000 people who are out of work?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the only state of denial around here is the leader of the NDP. No matter what Parliament wants to do for Canadians to help the economy, to help embattled sectors, to help unemployed families, all this leader wants to do is oppose everything. Without even reading it, he says he is going to oppose everything, no matter what is in it. That is an irresponsible attitude and Canadians understand that.

Oral Questions

●(1430)

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, with 300,000 jobs lost, here is what we proposed in this House before we rose and which was adopted by this House: a mandate for this government to fix employment insurance, eliminate the two week waiting period, adjust the minimum to qualify, include self-employed workers, increase the wage replacement rate, and provide more training.

There are tens of thousands of hard-working Canadians who play by the rules and work hard, and now they find themselves out of work. They turn to get money from the EI fund that they have paid into for decades on the ends of their pay stubs, and the door is slammed in their faces.

Will the Prime Minister change the rules so people can get some—

The Speaker: The right hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government brought in five additional weeks for unemployed Canadian workers. This government froze EI premiums. This government brought in billions of dollars for additional training for unemployed workers, both those eligible for EI and those not eligible for EI. This government has added additional resources to make sure that EI claims can be processed more efficiently, and every single time, we can count on the NDP to stand up against the unemployed and vote against these things. It is disgraceful.

The NDP used to stand for something. Now it is just against everything.

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, this past week we met with 300 auto workers in Cape Breton who just lost their jobs. They are not receiving EI benefits yet and therefore they are not eligible for training assistance. The minister must realize that the current EI system is not working for them. These are hard times but these workers are facing hardships.

Will the minister waive the rule requiring workers to be on EI in order to get training assistance?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, obviously the hon. member did not read the budget, which he supported. Within that budget is an additional \$500 million targeted at helping those very workers who do not qualify to help them get the training they need to qualify for the jobs of tomorrow.

This money and assistance is available to those who are not EI eligible, specifically because those people need and deserve our help too.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, unless they are on their severance and they do qualify but not yet, then they do not get the job training.

[*Translation*]

Last December, Mrs. Pacquet, who lives in my riding, was laid off. She waited 84 days for her first employment insurance cheque. She had a hard time putting food on the table for her family. But the government carries on singing the same tune, saying that everything is fine and there is no problem. People are desperate.

When will the Conservatives do something to minimize delays so that people can get their employment insurance—

The Speaker: The hon. Minister of Human Resources and Skills Development.

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, those facts are wrong.

[*English*]

I just made it very clear that there are \$500 million specifically in our economic action plan to help those who do not qualify for EI.

As far as processing, we are getting the job done. We have hired several hundred people back into EI to get the processing done quickly. We are increasing computerization because we want these people to get their benefits just as quickly as possible.

* * *

SCIENCE AND TECHNOLOGY

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, the Minister of State for Science and Technology falsely claims that the Conservatives have invested \$5.1 billion in science, technology and innovation in budget 2009. We know that \$2 billion of that funding is actually for bricks and mortar infrastructure projects that do nothing to directly support scientists.

Why do the Conservatives insist on misleading Canadians about science and research?

●(1435)

Hon. Gary Goodyear (Minister of State (Science and Technology), CPC): Mr. Speaker, let me thank the member for the opportunity to say, once again, that the \$2 billion going into our colleges and universities and for hospital research is actually meant to go toward increasing the functionality of the laboratories. That is exactly what our scientists need. They need the right facilities to do the best job they can. The member is correct that this is included in the \$5.1 billion.

[*Translation*]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, the United States has decided to invest \$10 billion in medical research, but the Conservatives are going ahead with budget cuts to the Canadian Institutes of Health Research. Many Canadian researchers agree that spending on university infrastructure is all well and good, but similar investments in research are essential, too.

Why has this government cut funding to the three research councils?

Oral Questions

[English]

Hon. Gary Goodyear (Minister of State (Science and Technology), CPC): Mr. Speaker, we have invested quite a bit of money in all types of research, from discovery all the way through to applied. In fact, let me read one example. Last month alone this government announced \$100 million for 134 research chairs, including Dr. Reinhardt at McGill. He wants to discover answers to connective tissue disease and disorders. This Conservative government supports the good doctor.

* * *

[Translation]

DEPARTMENT OF FOREIGN AFFAIRS

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, Foreign Affairs funding has been drastically cut, while funding to the Department of National Defence has visibly increased.

Can the government tell us why and can it explain this growing imbalance?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, I thank my hon. colleague for her question.

In fact, under this government, not only have budgets been stable, but they have increased. We have an annual budget of approximately \$2.1 billion, which allows us to continue to develop Canadian policies specifically targeting the development of human rights, the rule of law and democratic principles. We are achieving what we were elected to do.

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, is the discrepancy between how the Department of National Defence and the Department of Foreign Affairs are treated not a reflection of this government's fundamental attitude, which consists of favouring weapons over diplomacy in its international relationships?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, I disagree completely with the premise of my colleague's question. On the contrary, we take action on a daily basis in line with this government's foreign policy, whether in the course of our work with NATO members and other countries in Afghanistan or in the course of our work in Africa.

The member needs to realize, beyond the notes written for her, what the Government of Canada is doing for Canadians.

* * *

ARTS AND CULTURE

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, the cut to the Foreign Affairs PromArt program will, among other things, force Les Grands Ballets Canadiens to defray alone the cost of travelling to Tel Aviv, Jerusalem and Cairo, where performances are scheduled.

How can the Minister of Foreign Affairs meekly accept this cut to his department, after stating, during a recent visit to Israel, that it was important to strengthen diplomatic ties with that country, politically, economically, socially and culturally?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as we have in the past, we are now supporting our artists on the international scene. This year, we are doing so to the tune of \$22 million. That is an unprecedented amount in the history of our country.

My hon. colleague referred to the Department of Foreign Affairs. That department maintains a network of 171 cultural affairs officers in its missions abroad.

We are doing what we promised to do during the election campaign; we are keeping our promises to the artists. That is what we are doing.

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, having cultural officers does not provide Les Grands Ballets Canadiens with a cent more to finance their tour.

In an about-face, the Minister of State (Economic Development Agency of Canada for the Regions of Quebec) has started to put back money taken away from regional development organizations, as requested by the Bloc Québécois and community stakeholders.

Does the Minister of Canadian Heritage intend to do the same with culture and restore funding to arts and culture programs that have suffered cuts?

● (1440)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, we are investing more in our artists. This year, our investment will be \$2.3 billion, the largest investment in the history of this country. On the international scene, the investment is \$22 million. We are providing \$13 million to the Canada Council for the Arts, \$4.8 million to the Association for the Export of Canadian Books, \$1.9 million to Telefilm Canada, \$1.8 million to FACTOR Music Action and \$900,000 to the National Film Board.

The Bloc Québécois has voted against every one of these amounts.

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FOREIGN AFFAIRS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I have a question for the Minister of Foreign Affairs.

When she visited Israel, Ms. Clinton stated clearly that the United States was still in favour of two states representing Israel and Palestine.

I would like to know whether that is still Canada's policy.

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, I want to reassure my hon. colleague. I also want to congratulate him, because I saw that he was Canada's ambassador in Syria. He travelled to Damascus and reiterated Canada's policy on the Middle East, which is that we support two sovereign states living side by side in peace and harmony.

Oral Questions

[English]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, in that light, I would like to ask the minister this. Compared to the United Kingdom, which has increased its budget for diplomacy and for public diplomacy, and the United States, which has increased its budget for the state department and for public diplomacy, how can he explain why only Canada is going in the opposite direction and is preventing our diplomats from doing their job and carrying out the policies that he claims to support on behalf of the Government of Canada?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, I am sure my hon. colleague, who has just come back from Syria, has been in a position to realize that Canadian diplomacy is alive and thriving. Our budgets are there. Our people, our ambassadors and our diplomats are doing exactly what they are supposed to do. Our policies are being carried out in the rightful and strong manner in terms of governance issues, in terms of freedom, in terms of the rule of law and in terms of human rights.

That is the position this government holds to and that is what we will continue to do.

* * *

JUSTICE

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, several weeks ago ministers from British Columbia came here to ask the federal government to move to end the two-for-one remand credit and change the wiretap laws in the Criminal Code to deal with gangs.

At a meeting this weekend, ministers from Alberta, Saskatchewan and Manitoba added their voices to that concern and request.

What will it take for the Minister of Justice to move on these important issues?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I would start with his support.

I was in British Columbia this weekend. I had a woman approach me who was confused about the position of the Liberals on fighting crime. I stepped up for them. I said that it was probably due to the fact they had been proposing a carbon tax for the last two years, so they had not had time to focus on this. I assured her that fighting crime in our country and standing up for law-abiding citizens and victims would continue to be a priority of this Conservative government.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, I have news for the minister. He cannot fight crime with empty words such as the ones he just spoke. The minister has refused and remained silent on this very important issue to British Columbia, Alberta, Saskatchewan and Manitoba to deal with gangs.

I want to know today from the minister what his position is. Is he going to move on this? What would it take for this minister to get off his duff and move on this issue?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the problems are the result of 13 years of inaction by the hon. member and his political

party. They gutted our bill on house arrest. They fought us for mandatory prison terms for people who committed serious gun crimes. If they have had a change of heart and become born-again crime fighters, I welcome it.

I ask the hon. member to stand, show resolve from the Liberal Party and support us on these issues once and for all.

* * *

•(1445)

NATIONAL DEFENCE

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, Canadians are outraged at the ignorant comments about the Canadian military that are running on the Fox news show, *Red Eye with Greg Gutfeld*. The episode mocks the courageous efforts of Canada's brave men and women in Afghanistan and is particularly hurtful as Canadians mourn the loss of four more soldiers who have paid the ultimate sacrifice.

Could the Parliamentary Secretary to the Minister of National Defence tell us what he thinks about this appalling episode that belittles the efforts of our Canadian military?

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I want to first express our deepest condolences to the families and friends of Master Corporal Vernelli, Corporal Crooks, Trooper Bouthillier and Trooper Hayes who were returned to Canada today after making the ultimate sacrifice in Afghanistan.

The comments expressed by so-called comedians on Fox News are disgraceful, ignorant and insulting to the Canadian Forces members, our diplomats and the development workers who have died in Afghanistan and others who have been injured. Canadians and others who know of Canada's efforts are not laughing.

Canadian troops have been consistently praised by allied commanders and political leaders for their courage, dedication and professionalism on the battlefield. I would hope these people recognize their remarks were wrong and would move to apologize to families and friends.

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[Translation]

LE RÉVEIL NEWSPAPER

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, after Quebecor initiated its 14th lockout in 14 years, the Minister of National Revenue promised last week that he and his department would no longer advertise in *Le Réveil*, a newspaper in the Saguenay, as a gesture of solidarity with the employees. The NDP applauded this initiative but, unfortunately, the minister was rapped on the knuckles by the Prime Minister's office.

Oral Questions

Rather than rebuking him, why is the Prime Minister not supporting the minister's proposal? Why support Quebecor's tactics by advertising in the *Journal de Montréal* and *Le Réveil*? Does the Prime Minister enjoy seeing families down and out?

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, *Le Réveil* is definitely an important weekly newspaper in our region. It employed many people and therefore union representatives asked to meet with their MP and naturally I agreed to meet them. They are very worried. In a recession, it is possible that major players in this sector may consider moving to major centres, to the detriment of the regions.

Having said that, they asked what I could do in terms of advertising. I checked and it was not possible to stop the advertising. This matter will be settled around a negotiating table and the employees have my sympathy in the current situation.

* * *

THE CONSERVATIVE GOVERNMENT

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, more Conservative skeletons are emerging from the closet: the minister of culture is incapable of identifying prominent Quebecers and Canadians in the fields of arts and culture; the member for Yorkton—Melville is planning to attend a meeting where Beretta semi-automatics are being given as door prizes; and, worst of all, the Minister of State (Science and Technology) does not believe in evolution even though it is at the heart of modern biology.

Can the minister—who likened evolution to the change from running shoes to high heels—explain his theory?

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, once again, the New Democratic Party is piping up with its big ideas. From its perspective, the problem is always give, give, give. When labour conflicts arise, the government must try to remain neutral, but we are nevertheless concerned with what happens to people going through hard times because of a lockout or other labour action.

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FINANCE

Mr. Jean Dorion (Longueuil—Pierre-Boucher, BQ): Mr. Speaker, in addition to \$1 billion in equalization, the Conservative government has been stalling the settlement of various files worth an additional \$5 billion for the Quebec government: Hydro-Québec's revenues for equalization, infrastructure programs, health care, post-secondary education, social programs and the ice storm, just to name a few.

When will the Conservative government stop ignoring Quebec and transfer the \$6 billion it owes to Quebec?

Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC): Mr. Speaker, as usual, our government has put in place a number of measures to spur the development of the province of Quebec, and we will continue to do so. Once again last week, I had the honour to visit many areas of Quebec. I was able to see for myself just how much our measures are being welcomed by the people of Quebec. I

understand that this might not please my colleagues across the floor, but we are doing the work we were elected to do.

● (1450)

Mr. Jean Dorion (Longueuil—Pierre-Boucher, BQ): Mr. Speaker, the Government of Quebec should not have to beg for this \$6 billion. That money belongs to Quebecers and is sitting idle in Ottawa. That money is not a gift; it is owed to Quebec. Like so many other nations, Quebec is struggling to balance its budget.

In this time of economic crisis, can the government promise here today that it will transfer the money owing to Quebec, thereby helping to stimulate its economy?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, I thank my hon. colleague for his question. Transfers to Quebec will not be reduced. Under our government, federal funding to Quebec has increased by 37% and will continue to increase. Equalization now represents 13.4% of Quebec's provincial revenues, up from only 8.6% in 2005-06.

* * *

[English]

OIL AND GAS INDUSTRY

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, today Suncor announced a takeover of Petro-Canada that has significant implications for the supply and price of fuel and other things. The government demonstrated its lack of concern for high energy prices by scrapping the Office of Petroleum Price Information, thereby destroying any chance of transparency in the energy market.

What action is the government now prepared to undertake to ensure this merger will not lead to a further concentration of the refinery sector and even higher prices for Canadians for home heating fuel and at the pumps?

Hon. Diane Ablonczy (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, the hon. member is right to raise issues of competitiveness. He will know that the government's economic action plan is promoting a competitive marketplace by ensuring Canadian business is in fact competitive.

In transactions like these, he will also know that the Competition Bureau will take the appropriate steps to scrutinize the transaction under the Competition Act. If it finds a reason for the government to need to protect the interests of Canadian consumers, we will of course be there and will do that very vigorously.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, I am hoping the hon. minister could tap her colleague, next door to her, on the shoulder because her department, Natural Resources Canada, has indicated that "Refinery utilization rates close to 100 per cent, along with growth in demand...have created a need for significant additions to refinery capacity in Canada", not less.

What assurances is the government now seeking to ensure that this merger will not lead to a further reduction in refinery capacity, a process that I think all colleagues will agree has led Canadians and consumers to having to pay dearly at the pumps and to keep themselves warm in difficult times?

Oral Questions

Hon. Diane Ablonczy (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, first, those are precisely the issues that the Competition Bureau will be examining under law. Our government, in the economic action plan, wants to make sure that our economy is highly competitive and productive.

As the Competition Bureau does its work, the government will be informed. The government will take each and every necessary step to ensure that the interests of Canadian consumers and their needs are fully protected.

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CAMPAIGN ADVERTISING

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, suspicions have been raised about five previously unheard of third party organizations that bought advertising endorsing the Minister of Sport in the 2008 campaign.

Four of these groups shared a financial agent and an office address, an address at the office of the 2006 B.C. Conservative election co-chair, who is a current member of the minister's riding executive. One group bought signs from the co-campaign manager of the minister's 2008 campaign.

Can the minister explain why these organizations seem to have such direct ties to his campaign team?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, in the last campaign and in every election campaign, this Conservative government always follows the rules and the regulations, absolutely. Any allegations by the NDP are, of course, made up.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, we know from Elections Canada returns that the Minister of Sport's campaign was closing in on the local legal limit. We also know that these previously unheard of organizations with links to the minister and his political organization ran ad campaigns endorsing the minister, totalling over \$12,000, a figure that, if spent by the minister's local campaign, would have put him over the legal limit.

Was this an attempt to do an end run around the spending limits, just like the in-and-out scheme of 2006?

• (1455)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, the member involved has always respected the campaign finance laws of this country in the past and always will in the future.

* * *

[Translation]

INTERGOVERNMENTAL AFFAIRS

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, yesterday, the leader of the Liberal Party of Canada went courting Quebecers in Laval, but he did not make any firm commitments. Yet he makes fun of how we Quebecers talk, and he would like to put Quebec in its place by taking away its seat at UNESCO.

I would like the Minister of Intergovernmental Affairs to tell this House about the real action our Conservative government has taken

for Quebec and for Canada, to create a strong Quebec within a united Canada.

Hon. Josée Verner (Minister of Intergovernmental Affairs, President of the Queen's Privy Council for Canada and Minister for La Francophonie, CPC): Mr. Speaker, I want to thank my colleague for his interesting question. First, unlike all previous Liberal governments, our government promotes decentralization and respects the provinces and Quebec.

We have substantially increased transfers to Quebec since 2006, and we have recognized the Quebec nation. That is the difference between the Liberal Party and our government.

Quebec is well represented on this side of the House of Commons by me and my fellow members. And we are here because we believe in a strong Quebec within Canada.

* * *

[English]

MULTICULTURALISM

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, this is a shameful quote:

institutionalized multiculturalism as a taxpayer-funded program has run its course.

That is direct from the 2004 Conservative policy book.

This past weekend, the Minister of Citizenship, Immigration and Multiculturalism stunned immigrant Canadians by stating:

We don't need the state to promote diversity.

It is clear that Conservative Reform roots are coming out and showing up once again. Why is the Conservative government abandoning multiculturalism and forcing Canadians to choose between diversity and integration?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, no one is forcing such a false choice. The reality is that we have changed the priorities within the multiculturalism program to focus on the concrete challenges that newcomers and members of cultural communities face. This government is taking action on those concrete challenges.

The Liberals, for instance, cut language program funding. Our government has tripled it.

The Liberals did nothing to assist newcomers on foreign credential recognition. We put over \$80 million into helping to accelerate pathways to credential recognition.

When it comes to helping newcomers, for the Liberals, it was all talk. However, we are delivering the goods.

[Translation]

SCIENCE AND TECHNOLOGY

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, my question is for the Minister of State for Science and Technology. Some members opposite, who are getting in touch with their Reform roots, are saying that humans and dinosaurs coexisted. Certainly, looking at some members opposite, we are tempted to believe that there is some truth in that assertion.

But seriously, can the Minister of State for Science and Technology tell us whether or not he believes in Darwin's theory of evolution?

Does he believe in it, yes or no?

The Speaker: I am not convinced that this question relates to his government responsibilities. However, if he wishes to answer, the Hon. Minister of State for Science and Technology may now have the floor.

[English]

Hon. Gary Goodyear (Minister of State (Science and Technology), CPC): Mr. Speaker, I accept the opportunity to clarify, because I know the member has difficulty reading.

I do in fact believe in evolution, full stop, but what is important is what this government is doing for our science and tech community. We just surpassed the \$10 billion per year mark for our scientists.

This year alone, we put \$5.1 billion into our science and tech community, and that member and his party voted against every bit of it.

* * *

SEARCH AND RESCUE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, we all share in the shock and sorrow at the death of 17 offshore workers who lost their lives in the Cougar helicopter crash off Newfoundland's east coast.

As the Transportation Safety Board seeks the cause of this crash, questions are once again being raised about search and rescue response time, though it may not be a factor in this case.

After the *Ocean Ranger* disaster 27 years ago, a royal commission recommended that the Government of Canada ensure that a fully equipped search and rescue helicopter be stationed at the St. John's airport, nearest the offshore activity, now greatly increased.

Will the government now commit to implement this recommendation to ensure the safety of offshore workers?

• (1500)

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, Canadian Forces search and rescue assets are carefully managed and strategically located across the country.

The location of CF assets is based on experience. Studies have determined where search and rescue incidents happen, and assets are concentrated where the need is greatest.

Oral Questions

Gander is centrally located in Newfoundland and Labrador, and as such, allows the CF an even search and rescue coverage throughout the region.

The Canadian Forces does work closely with its search and rescue partners and does take appropriate action to ensure that Canadians get the most efficient search and rescue service available anywhere in the world.

* * *

SEAL HUNT

Mr. Rodney Weston (Saint John, CPC): Mr. Speaker, today marks the opening of the Canadian seal hunt in the southern Gulf of St. Lawrence. It is a long-standing tradition and the backbone of many communities in Atlantic Canada and Quebec.

Can the Minister of Fisheries and Oceans tell the House how Canada is standing up for these proud sealers and this vital industry?

Hon. Gail Shea (Minister of Fisheries and Oceans, CPC): Mr. Speaker, the seal hunt does begin today around Îles-de-la-Madeleine. After being the subject of very disappointing attacks by both the Liberals and special interest groups, the sealers are a very resilient bunch.

I want to assure the 6,000 Canadian sealing families that they have the full support of the government, and we wish them a safe and very prosperous season.

* * *

INFRASTRUCTURE

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, across the country, sewage facilities are in a state of disrepair.

Here in Ottawa, raw sewage regularly leaks into the Ottawa River from an aging treatment plant in Arnprior, contaminating a body of water used daily by over a million residents in this region.

Arnprior's mayor, Terry Gibeau, applied to the building Canada fund to fix the plant. It met all the known criteria to gain access to funding, but the application was refused.

Why is the minister saying no to Arnprior and yes to raw sewage in the Ottawa River, while sitting on a pot of over \$3 billion of unspent infrastructure money?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, this was a joint decision between my friend Dalton McGuinty and me.

The proposal from Arnprior is a good one. The challenge was that it was not able to begin quickly enough. That is why the province and the federal government made that decision.

Perhaps at Sunday dinner, before he wastes his time here in the House of Commons, he could inquire as to his brother's excuse as well.

Routine Proceedings

The Speaker: I would just like to pass on to hon. members that we have completed question period in about 46 or 47 minutes and there were 39 questions and responses given. Last week I was in Edmonton and attended the Alberta legislature, and in 50 minutes there were 102 questions and responses, with the same time limits as here on questions. I thought hon. members might be interested in that.

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PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Hon. Dr. Kenneth Baugh, Deputy Prime Minister and Minister of Foreign Affairs and Foreign Trade in Jamaica.

Some hon. members: Hear, hear!

ROUTINE PROCEEDINGS

• (1505)

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 25 petitions.

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COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, pursuant to Standing Orders 104 and 114, I have the honour to present, in both official languages, the 10th report of the Standing Committee on Procedure and House Affairs regarding the membership of committees of this House.

If the House gives its consent, I intend to move concurrence in the 10th report later this day.

* * *

NOWRUZ DAY ACT

Hon. Bryon Wilfert (Richmond Hill, Lib.) moved for leave to introduce Bill C-342, An Act respecting Nowruz Day.

He said: Mr. Speaker, I am pleased to present this bill, an act to respect Nowruz Day.

This past weekend, many families in Canada and in many countries around the world celebrated Nowruz, which marks the astronomical beginning of the new year and represents the exact moment of the vernal equinox commencing the start of spring.

Yesterday I was given the honour to celebrate Nowruz with 300 of my constituents and the mayor of Richmond Hill for a Nowruz celebration dinner where we shared great food, music and dance performances.

Nowruz is a time of great joy and celebration. Its non-ethnic and non-religious characteristics have allowed Nowruz to remain a prominent day for many people in the Middle East, central Asian countries and in fact many countries around the world, including Canada.

I will be distributing copies of the bill to the House leaders later today and it is my hope that all parties will be united to expedite this bill to officially recognize this significant day for many Canadians.

(Motions deemed adopted, bill read the first time and printed)

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COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, if the House gives its consent, I move that the 10th report of the Standing Committee on Procedure and House Affairs, presented in this House earlier this day, be concurred in.

The Speaker: Does the hon. member for Elgin—Middlesex—London have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

Some hon. members: No.

* * *

PETITIONS

INCOME TRUSTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, pursuant to Standing Order 36 and as certified by the clerk of petitions, I am pleased to present yet again another income trust broken promise petition sent to me from constituents of my riding of Mississauga South who remember the Prime Minister boasting about his apparent commitment to accountability when he said that the greatest fraud was a promise not kept.

The petitioners want to remind the Prime Minister that he promised never to tax income trusts but that he broke that promise by imposing a 31.5% punitive tax which permanently wiped out \$2.5 billion of the hard-earned retirement savings of over two million Canadians, particularly seniors.

The petitioners, therefore, call upon the Conservative minority government to: first, admit that the decision to tax income trusts was based on flawed methodology and incorrect assumptions; second, apologize to those who were unfairly harmed by this broken promise; and finally, repeal the punitive 31.5% tax on income trusts.

JUSTICE

Mr. Rob Anders (Calgary West, CPC): Mr. Speaker, I stand today to present petitions that call for tougher penalties for sexual offenders.

Current penalties for sexual offenders do not reflect the severity of the crime and the subsequent life-altering consequences suffered by victims.

Therefore, sexual offenders must receive a minimum 10 years jail time with no parole. Sexual offenders must attend rehabilitation and the public needs to be notified upon release of a sexual offender.

HEALTH OF ANIMALS ACT

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I wish to present a petition on behalf of a number of individuals calling upon the Government of Canada to amend the animal transport regulations under Canada's Health of Animals Act. Part of their demand is that the government reduce the amount of time that animals can be transported around.

By calling on the reduction of travel time, the petitioners feel that such changes would lower the chances of animals becoming injured or diseased during transport and would reduce the threat to the quality, health and safety of Canadian food products.

• (1510)

OMAR KHADR

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, I have many petitions from law students across Canada who are very concerned about the ongoing breaches of Omar Khadr's rights as a human being and, in particular, as a minor at the time of his alleged offence.

As law students, they are deeply concerned that Canada seems to believe that the war on terror can be fought outside the law. As Canadians, they are concerned that our country's credibility as one committed to human rights and the rule of law has been severely undermined.

Therefore, the petitioners are asking Parliament to ensure respect for Omar Khadr's legal and human rights by intervening in his case and securing his immediate repatriation.

CITIZENSHIP AND IMMIGRATION

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Mr. Speaker, pursuant to Standing Order 36 I am presenting a petition signed by over 800 disappointed constituents and counting who are disillusioned by the decision of the Minister of Citizenship, Immigration and Multiculturalism to deport Lioubomir and Olha Nalesnik.

Since fleeing Ukraine in 1994 for security reasons, Mr. and Mrs. Nalesnik have contributed positively to Canadian society by working continuously throughout this period, paying their taxes and volunteering in their local community. They are exactly the type of new Canadians our country needs. They have established roots, built new lives in Canada and made a positive contribution to society during the past 15 years.

Consequently, the petitioners urge the Minister of Citizenship, Immigration and Multiculturalism to reverse this decision to deport Mr. and Mrs. Nalesnik.

CANADA-COLOMBIA FREE TRADE AGREEMENT

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, on behalf of Canadians from Yellowknife, Northwest Territories; Lethbridge, Alberta; Wolfville, Nova Scotia; Stratford, Ontario; and Winnipeg, Manitoba, I am adding dozens of names to the thousands upon thousands of Canadians who have already

Routine Proceedings

written to the House asking the Canadian government to not push through with a Canada-Colombia trade agreement until such time as an independent and impartial human rights assessment is done as the first step before there is any further movement.

The thousands of Canadians who are writing to Parliament believe that their voices can be heard on the floor of Parliament, which is why the NDP is presenting these names from Canadians from coast to coast to coast who are saying no to Canada-Colombia.

CANADA POST

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Mr. Speaker, I rise again today to present another petition opposing the unfair decision of Canada Post to withhold pay from its workers.

Canada Post notified members of the Canadian Union of Postal Workers that it will withhold two weeks pay as part of a change in the compensation system.

With the petitions I am presenting today alone, almost 900 people object to this action. They ask that Canada Post pay its employees all of their wages.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, Question No. 46 will be answered today.

[Text]

Question No. 46—**Mr. Paul Dewar:**

With respect to the case John Guenette and Joanna Gualtieri v. Attorney General of Canada, Frank Townson, et al. and also the case Joanna Gualtieri v. Attorney General of Canada, Frank Townson, et al: (a) what are the total expenditures of the government with regard to these cases including, but not limited to, all legal fees, monitoring the progress and impact on public opinion of the case, in preparing communications strategies, and in preparing briefing packages for officials and ministers, on an annual basis, broken down by expenditure item; and (b) with respect to the figures in (a), how much was spent annually, on a departmental or agency basis?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, with respect to the case John Guenette and Joanna Gualtieri v. Attorney General of Canada, Frank Townson, et al. legal fees and disbursements have been charged to the client, Department of Foreign Affairs, for the period April 1, 1998, to June 15, 2004, in the approximate amount of \$338,753.16.

With respect to the case of Joanna Gualtieri v. Attorney General of Canada, Frank Townson, et al. legal fees and disbursements have been charged to the client, Department of Foreign Affairs, for the period June 16, 2004, to January 31, 2009, in the approximate amount of \$222,423.27.

No communications strategies related to the cases.

No research or public opinion research activities relating to the cases.

Further details as to the allocation of costs are precluded by solicitor-client privilege.

Routine Proceedings

[English]

STARRED QUESTIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, would you be so kind as to call Starred Question No. 43.

I ask that the question and answer to Question No. 43 be printed in *Hansard* as if read.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

*Question No. 43—**Ms. Olivia Chow:**

With respect to the Toronto Port Authority, will the government order the release of the hospitality and travel expenses incurred in London last winter by its former CEO and, if so, what were those expenses?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, a request was made to the Toronto Port Authority for the hospitality and travel expenses incurred by the former chief executive officer on a trip to London, England, from February 4 to 10, 2008.

The following information was provided by the Toronto Port Authority:

Airfare — \$428.00

Accommodations — \$2,385.72

Food & Beverage — \$791.64*

Transportation — \$151.50

Internet Access — \$30.20

Gifts for Brokers — \$108.00

Total — \$3,895.06

*No hospitality expenses were incurred.

* * *

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, if Questions Nos. 39, 40, 41, 45, 47, 48, 49, 50 and 51 could be made orders for return, these returns would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 39—**Mr. Francis Scarpaleggia:**

With regard to water bottled and sold in Canada: (a) how does the government ensure the quality and safety of this food product; (b) does the government regularly send federal inspectors into all water-bottling plants to test bottling processes and product samples and, if so, how many times per year do inspectors visit a given bottling plant and how many inspectors are currently available for plant inspections; (c) how many inspectors were available in February 2005, 2006, 2007 and 2008,

respectively; (d) is a water bottling company required to report to the government the contamination of its product detected by internal testing procedures; (e) is the company required to inform the public and conduct a product recall; (f) how are quality standards for bottled water set in Canada; (g) are standards simply imported from other countries, such as the United States, or are standards developed in Canada for the Canadian market; and (h) what is the relationship between federal bottled-water quality standards and municipal drinking-water standards in Canada?

(Return tabled)

Question No. 40—**Ms. Kirsty Duncan:**

With respect to caffeinated energy drinks: (a) what does the term energy drink mean, and what Canadian regulatory agencies recognize the term; (b) what are the brands sold in Canada, what is the caffeine, guarana, and taurine content and concentration (if applicable) for each, and what regulations the brands passed; (c) what is the content and warning labels for each of the brands, and how do they compare with international standards, such as the European Union and the United States; (d) what are the pre-mixed caffeine-alcohol drinks, the caffeine and alcohol content and concentration, and the regulations passed; (e) what is the scientific evidence for the positive benefit claims; (f) what pre-existing health conditions might make adolescents more susceptible or more at risk to caffeinated energy drinks; (g) what are the acute and long-term effects resulting from chronic and excessive consumption of energy drinks; (h) what are the acute and chronic long-term effects of consumption of caffeine in combination with other substances, such as alcohol, B vitamins, herbal derivatives, nicotinamide, pyridoxine, riboflavin, and taurine; (i) what is the safe daily amount of caffeine, and caffeine and taurine, for adolescents, aged 12-18 years; (j) were there any deaths that have been, in part, linked to consumption of energy drinks in Australia, Canada, the European Union, and the United States and, is so, in each case, what was the drink, the content and the concentration of caffeine and the number of drinks consumed; (k) what are the top-selling brands as well as pre-mixed caffeine-alcohol drinks, and what is the total retail market value for each in Canada; (l) what studies have been undertaken regarding adolescent use, adverse effects, and mixing with alcohol; (m) what are the impacts of caffeine-alcohol interactions, and what might this mean for abuse, drunk-driving, or injury; (n) has caffeine overdose been increasing among caffeine abstainers as well as habitual users in Canada; (o) what, if any, cases of caffeine abuse from caffeinated energy drinks have been reported to Canadian poison centres, and how do these data compare to the European Union and the United States; (p) what measures have been taken to warn the public regarding the adverse health effects, including caffeine intoxication, caffeine dependence and withdrawal; (q) what measures have been taken to warn children and adolescents, who do not use caffeine regularly, regarding possible adverse health effects; (r) what restrictions have been placed on aggressive marketing to youth and inexperienced users, and what mechanisms are in place to ensure compliance; and (s) what measures have been taken to inform medical practitioners regarding the potential health consequences of consumption of energy drinks?

(Return tabled)

*Routine Proceedings***Question No. 41—Mr. Peter Julian:**

With regard to the costs of the 2010 Vancouver Olympic Games: (a) what are the direct costs, past and planned, in grants and transfers to the Province of British Columbia (BC) or the governments of any municipalities therein from the federal government; (b) will the federal government be making any financial contribution to the 2010 Olympic Games by way of loans to the BC government or the governments of any municipalities therein and, if so, have these loans already been issued and what are the current and projected total amount of any loans issued by the federal government in this matter; (c) given the existing cost overrun from the 2003 bid forecast, will or has the federal government been providing financial assistance in any way either through direct grants, transfers or loans to the provincial government of BC or the governments of any municipalities therein to cover any additional cost overruns; (d) will the BC government be solely responsible for any additional cost overruns; (e) what are the direct costs in grants and transfers to all non-governmental entities, organizations, committees and agencies associated with the 2010 Vancouver Olympic Games from the federal government; (f) what are the indirect costs to the federal government for the 2010 Olympic Games including (i) direct payment and transfers to the BC provincial government or the governments of any municipalities therein in terms of transportation, logistics and salary costs associated with private and RCMP security for the games, (ii) military security costs for transportation and logistical costs associated with all military security provided for the 2010 Olympic Games; (g) what are other infrastructure costs being born by the federal government including construction, renovation, expansion or improvements of buildings, highways, public transportation or transportation for athletes associated with the 2010 games; and (h) what is the best government estimate at this time for the total cost of the 2010 games to the federal government taking into consideration all aforementioned direct and indirect expenses?

(Return tabled)

Question No. 45—Mr. Paul Dewar:

With respect to Canada's mission in Afghanistan and the use of cluster munitions by Canadian Forces: (a) does Canada use cluster munitions in its military operations; (b) do any of Canada's allies use cluster munitions in areas where the Canadian military is operating; (c) have cluster munitions been used by Canada or its allies in Afghanistan and, if so, when, and does this practice continue; (d) what assurances exist to ensure that cluster munitions are not used by Canada or its allies in Afghanistan; (e) are there any agreements between Canada and its allies explicitly prohibiting the use of cluster munitions in joint operations; (f) are there any agreements between Canada and its allies explicitly prohibiting the use of cluster munitions in Afghanistan; (g) are there any agreements between Canada and its allies prohibiting the use of certain military tactics or weapons; (h) have cluster munitions ever been deployed by Canada or its allies in past joint military operations; (i) has Canada ever negotiated guidelines for the prohibition of certain weapons in joint operations; (j) what is the government's definition of what constitutes an acceptable success rate for self-destruction mechanisms and precision guidance systems for cluster munitions; (k) how was this acceptable rate of success arrived at; (l) has the Canadian Forces destroyed all existing stockpiles of cluster munitions in its arsenal and, if not, why not; and (m) does Canada intend to procure munitions in the future?

(Return tabled)

Question No. 47—Mr. Paul Dewar:

With respect to Canada's military imports and exports: (a) did Canada import any products from the United Kingdom between October and December 2007 containing depleted uranium and, if so, what were these products and what were their end uses; and (b) has Canada imported any products containing depleted uranium from 2007 to 2008 from other countries and, if so, what products and from which countries?

(Return tabled)

Question No. 48—Mr. Peter Julian:

With regards to spending and allocation by all government departments and agencies for the 2010 Vancouver Olympic Games on all activities relating to it: (a) what is the exact amount of money that has and will be spent or allocated for the purposes of security for the 2010 Vancouver Olympic Games, including specifically, but not limited to, money allocated for the RCMP, local police forces, the Vancouver 2010 Integrated Security Unit, private security firms and block transfers to the Province of British Columbia for similar purposes; (b) what was the exact amount of money spent by the RCMP on its contract with Cruise Connections Charter Management of North Carolina, dated June 20, 2008; (c) what is the full and exact

amount of travel expenses claimed, including specifically, but not limited to, airfare and accommodation, broken down by individual and each specific claim, of the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, to date; (d) how many total RCMP and private security personnel will be detached to provide security services for the Games; (e) how many total Canadian Forces (CF) personnel will be employed to provide security services for the Games; (f) how many of these CF personnel are reservists; (g) how many of these CF personnel are regular forces personnel; and (h) what are the total anticipated salary costs of all CF personnel who are currently or will be tasked with providing security or logistical services for the 2010 Games?

(Return tabled)

Question No. 49—Ms. Christiane Gagnon:

With regard to the issue of water contaminated by trichlorethylene in the Municipality of Shannon, Quebec: (a) how widespread, according to a National Defence report, is the contamination of the water in the Québec City region; (b) how much is the government planning to invest to complete the work on the aqueduct; and (c) what other measures does the government plan to take to come to the aid of the people of Shannon?

(Return tabled)

Question No. 50—Mr. Charlie Angus:

With regard to Canadian private television broadcasters: (a) what is the current estimated financial value of the benefits that Canadian private broadcasters derive from the laws and regulations of the government, including, but not limited to, simultaneous substitution, tax write-off exclusions for Canadian companies advertisements on U.S. broadcasters, and protection from foreign competition; (b) what is the estimated financial value of these benefits for each private broadcaster; (c) what are the cumulative and individual statistics of their Canadian programming that are more recent than fall 2006 from the Bureau of Broadcast Measurement's (BBM) television diary or more recent than 2006 from the BBM's meter survey; (d) what are the most recent cumulative and individual statistics on the percentage of Canadian programming shown during primetime; (e) what are the most recent cumulative and individual statistics on the breakdown of the type of Canadian programming that is being shown during and outside of primetime; and (f) what is the government's plan for promoting Canadian programming in the future and what specific initiatives are being planned to guarantee a healthy future for Canadian programming on private broadcasters?

(Return tabled)

Government Orders

Question No. 51—**Mr. Charlie Angus:**

With respect to on-reserve educational facilities for First Nations in Canada: (a) what requests for capital building expenditure funding, for the purposes of acquiring, building, expanding, improving or replacing educational facilities have been made from April 1, 2005 to present; (b) which of these requests have been granted by the government and why; (c) which of these requests were denied and why; (d) what funds have been committed by the government for capital building expenditure for the purposes of acquiring, building, expanding, improving or replacing educational facilities on-reserve, in each fiscal year from 2005-2006 to 2009-2010, broken down by region; (e) how much of the funding allocated in part (d) has been spent as of December 31, 2008, broken down by region; (f) how much of the funding allocated in part (d) was diverted for other projects, either within Indian and Northern Affairs Canada (INAC) or to other government departments, broken down by region; (g) what projects are currently under way; (h) what projects are slated to begin work in the 2009-2010 fiscal year; (i) what are the values of each of these projects; (j) what portion of the total cost of these projects is being funded by INAC through capital building infrastructure; (k) how many projects included additional money from First Nations to complete the construction or equipping of an educational facility; (l) what projects are slated to begin work beyond the 2009-2010 fiscal year; (m) how many communities with projects identified by INAC as priority capital projects have received letters of approval issued to them; (n) since 2005, what amounts from the "Community Infrastructure" line item have been reallocated either within INAC or to other government departments; (o) how has this reallocation of funds affected on-reserve educational facilities; (p) how was this money otherwise spent by the government; (q) which projects, specifically, are the government referring to on page 147 of the 2009 budget document as 10 new school projects and 3 renovation projects; (r) if these 13 projects are not yet determined, what projects are currently being considered for funding; (s) what is the status of the Attawapiskat elementary school construction; (t) how many schools are considered a higher priority by INAC than Attawapiskat; (u) does the government consider the construction of a school in Attawapiskat to be "ready to go" in the same way that the phrase is used on page 21 of the 2009 budget document; and (v) what is required from First Nations communities by INAC and the Treasury Board Secretariat to have their school construction projects considered "ready to go."?

(Return tabled)

[English]

Mr. Tom Lukiwski: Mr. Speaker, I ask that all remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

Mr. Joe Preston: Mr. Speaker, I ask that you seek permission to return to motions.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, if the House gives its consent, I move that the 10th report of the Standing Committee on Procedure and House Affairs, presented to this House earlier today, be concurred in.

• (1515)

The Speaker: Does the hon. member for Elgin—Middlesex—London have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

GOVERNMENT ORDERS

[English]

TRANSPORTATION OF DANGEROUS GOODS ACT, 1992

The House proceeded to the consideration of Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992, as reported (with amendments) from the committee.

The Speaker: Order. There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

Hon. Jay Hill (for the Minister of Transport, Infrastructure and Communities) moved that Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992, as amended, be concurred in.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: On division.

(Motion agreed to)

The Speaker: When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC) moved that the bill be read a third time and passed.

Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, it is with absolute pleasure that I rise today to address the House at third reading of Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992.

An amended Transportation of Dangerous Goods Act will give us the proper mechanism to prevent and appropriately respond to security incidents during the import, handling, offering for transport and transport of dangerous goods, just as is currently done for safety incidents.

The bill before us today is the result of extensive consultations with the public, industry, unions, first responders, and provincial and territorial governments. I am very happy to say that the Standing Committee on Transport, Infrastructure and Communities also conducted a thorough study of Bill C-9. We heard from a variety of stakeholders, including representatives from industry and unions, such as the Teamsters and the Canadian Trucking Association. I can say with certainty that all of the witnesses who appeared before the House committee strongly supported this bill and indicated that it was very necessary at this particular time.

Government Orders

Some witnesses talked about potential technological research and innovation that may actually provide long-term security solutions to help, for example, track the movements of dangerous goods. Others spoke strongly on the need for Bill C-9 and their belief that it is essential to have an effective security program in Canada. We in this government also believe it is very important to have the security of Canadians as our first priority.

The industry stakeholders supported the bill's security prevention and response program, including a security clearance program, especially one in which one single background check is accepted by our trading partners, such as the United States and others, for all transport workers. This bill, along with the work currently done in Transport Canada with our North American partners, that is, Mexico and the United States, will enable us to do just that.

Other witnesses spoke about the important role a safe, secure and efficient transportation of dangerous goods program plays in the Canadian economy and the good-paying industry jobs it provides. Many people in Canada work in this industry. In fact, in 2007 total dangerous goods sales in Canada were estimated to be about \$50 billion. That is right, \$50 billion, a great sum. Canadian chemical sales accounted for \$36 billion of the aforementioned total. Of the Canadian chemicals sales in 2007, 75% of the sales were to international markets. Exports to the United States rose by 17% while offshore exports rose about 29%. This is a growth industry which is very important to the Canadian economy.

Today there are over 26 million commercially available chemicals being sold around the world and over 46 million organic and inorganic substances registered with the Chemical Abstracts Service of the American Chemical Society. Growth in the registration of new chemicals continues exponentially. Add to that, in Canada there are over 30 million dangerous goods shipments made every year. These shipments are absolutely critical and vital to communities nationwide.

Some of the chemicals enable, for instance, municipalities to provide safe drinking water to their citizens, doctors to provide their patients with access to vital and important nuclear medicines, manufacturers to produce plastics that are used in our clothes, homes, cars, boats and cottages, and everyday Canadians, on those beautiful summer days, to cook their favourite meals on their backyard propane or gas barbecues. That is one of my personal favourites.

The Transportation of Dangerous Goods Act is criminal law and has serious consequences as a result. It applies to all matters relating to the importation, handling, offering for transport, and the actual transportation of dangerous goods. Provincial legislation addresses mostly local transportation on highways. The federal regulations, which are multi-modal, are adopted in one manner or another by each province and territory. It is a cooperative effort, and this government works in cooperation with our other partners in the provinces and territories. The current act and regulations are enforced by federal and provincial inspectors.

• (1520)

The Transportation of Dangerous Goods Act provides the federal government with the authority to develop policy, to verify compliance, to conduct research to enhance safety, to guide

emergency response, and to develop regulations and standards to manage risk and promote public safety during the transportation of dangerous goods.

An ounce of prevention is better than a pound of cure, and we are working at the start instead of just the end. Before a shipment can be made, the person who offers for transport or imports the dangerous goods must, and I repeat must, submit an emergency response assistance plan to the transportation of dangerous goods directorate. These plans are reviewed by experts and if they are satisfied that the plans would be able to appropriately respond to an emergency, they are approved.

There are currently about 1,000 approved emergency response assistance plans that industry uses to respond to accidental release of dangerous goods. These important emergency response assistance plans assist local emergency responders by providing them access to 24-hour technical experts and specialized equipment in the event of an incident involving dangerous goods.

The plans are required to explain how specialists and other personnel with knowledge, equipment and skills will be available to respond following an incident involving their dangerous goods.

Prior to the changes put forward in Bill C-9, these plans would not be available to governments or first responders should there be a security incident involving dangerous goods. That is right; prior to these changes these plans would not be available.

These new changes will enhance public safety, and most Canadians would agree, by enabling a response to a terrorist incident involving dangerous goods just like that of an incident following an accident. In addition, the bill will enable the government to authorize a person with an approved emergency response assistance plan to implement the plan in order to respond to an orphaned release of dangerous goods when the identity of the responsible person is not known. This is important.

In committee we heard from industry that it supports the use of its emergency response assistance plan to respond following a government request to security incidents involving dangerous goods.

Industry testified that it sought recovery of its costs associated with response and that the government provide indemnity protection during the requested response time. This is important for the industry because those costs can be prohibitive in some cases. This is what Bill C-9 does and this is why industry supports it so strongly.

Government Orders

There was a lot of discussion in committee about the important and new security prevention program proposed in Bill C-9. The prevention program includes: requiring security plans and security training; providing the authority for transportation and security clearances for the dangerous goods, as well as an appeals process; providing for interim orders and security measures; authorizing regulations to be made to require that dangerous goods are tracked during transport; and authorizing regulations to be made to require that dangerous goods be reported if they are lost or stolen during their importation, their handling, their offering for transport, or their transport. These are five very important provisions to keep Canadians safe.

Bill C-9 would provide the authority to establish performance regulations for security plans and training based on international and United Nations recommendations and aligned with existing U.S. regulations. It would also enable regulations to be made to establish security requirements for tracking dangerous goods as well as regulations to be made to require companies to report lost or stolen dangerous goods.

In August 2005 the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, or better known as SAFETEA-LU, came into force in the United States. This act requires commercial motor vehicle drivers licensed in Canada or licensed in Mexico transporting dangerous goods into and within the United States in truckload quantities to undergo a background check, much like the security clearance we proposed. These are similar to those required for United States truck drivers transporting truckload quantities of dangerous goods in the United States. Quite frankly, it makes sense.

• (1525)

Canadian drivers are currently satisfying these provisions if they have been accepted into the free and secure trade, FAST, programs of the Canada Border Services Agency and the U.S. Bureau of Customs and Border Protection. However, the United States still expects Canada to implement a long-term solution. This government has a long-term vision and long-term solutions for the best interests of Canadians. The bill before us today will provide the authority to establish the long-term solution by establishing a transportation security clearance program.

There was much discussion in committee on this component of the prevention program. Industry and union representatives all indicated a preference for a Canadian program, one where an appeal application and appeal are done in Canada as the preferred clearance program. This is what Bill C-9 provides. This is what industry wants and it is what we are delivering for Canada, a Canadian program.

We also heard from witnesses that with the upcoming Vancouver 2010 Winter Olympics there is a strong need for Bill C-9. An amended Transportation of Dangerous Goods Act will provide the right tools to support a safe and secure Olympic games. This is important for Canada on the world stage.

Witnesses spoke to the committee specifically on the importance of passing this legislation as quickly as possible so that Canadians can be protected should Canada be a target before, during, or after the Olympics of a security incident using dangerous goods. With the passage of Bill C-9, government, acting on intelligence provided by

the Royal Canadian Mounted Police or the Canadian Security Intelligence Service, would be able to use immediately the emergency regulatory instruments in Bill C-9, the use of interim orders and security measures, to prevent an incident during the transportation of dangerous goods.

They would also be able to provide help to first responders during the response to a terrorist incident involving dangerous goods using industry's Transport Canada approved emergency response assistance program, again a Canadian-made program for Canadian interests. Canada has a strict and vigorous dangerous goods program, one that was built primarily on preventing safety incidents during the transportation of dangerous goods, but also covering responses to actual or anticipated releases of dangerous goods.

With the passage of an amended Transportation of Dangerous Goods Act, public safety will be enhanced through the inclusion of a world-class security prevention and response program to the existing safety program. This is important. These enhancements are important to keep Canadians safe.

In conclusion, Bill C-9 is extremely important for the promotion and enhancement of public safety. In fact, our international and domestic partners have been waiting for these changes for some time.

I commend the committee on bringing this bill forward as quickly as possible. I encourage all members to vote to pass this bill so that our colleagues in the other place can start the process of reviewing this bill without delay and we can get one step closer to this very important bill becoming law. Together we can take one step further to protect Canadians and Canadian interests.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, the member mentioned something in his speech that I would like to clarify. He said that no party gave evidence to the committee to indicate it had a problem with the bill. I want to refer him to the submission by the International Longshore and Warehouse Union of Canada to the Standing Committee on Transport, Infrastructure and Communities, which said, "On review of Bill C-9, the ILWU is immediately and seriously concerned about s. 5.2(1) which requires workers who handle and deal with dangerous goods to hold transportation security clearances". It went on to say that it opposes the imposition of background checks on port workers who handle dangerous goods.

Would the hon. member not agree that there were representations to the committee that spoke against the bill?

• (1530)

Mr. Brian Jean: Madam Speaker, I would like to respond to my friend by saying that I think his concern is a legitimate one, but what outweighs that legitimate concern is the need to keep Canadians safe and the need to keep trade with the United States and other partners.

Government Orders

The people who deal with large quantities of chlorine or other substances that can cause serious damage and sickness to Canadians should undergo some form of security check. I would suggest that the legislation is outdated and these amendments have been needed for some period of time. To not take this seriously as the member just did is not constructive and will not help Canadians feel safe or keep them safe. This is what we are doing and that is why this is so important for Canadians.

Mr. Dennis Bevington: Madam Speaker, there was evidence given from the actions that were taken in the United States with the transportation security clearances. The evidence given at committee by the security companies suggested that some 10% of the workers who were asked to submit to these criminal records checks, which is the main aspect of these clearances, were rejected from working in their chosen field. It is a serious business when 10% of the workers in a particular area are put out of work because of transportation security clearances based on criminal records, which I might remind my hon. colleague are hardly a place to capture terrorists.

Mr. Brian Jean: Madam Speaker, I can confirm to the member that I am not sure where to catch terrorists. I have never dealt with them. However, I do understand that they are in every walk of life. I understand they are in many countries throughout the world, including Canada, the United States and others.

I also understand that just because they have a criminal record does not mean they are not able to work in this field. It is a criminal record dealing with some form of violence or something that may suggest they have terrorist aspirations or activities behind them. As such, I think most Canadians would be shocked to find out that someone with that kind of criminal record or background, dealing with terrorist individuals or violence of any kind against society, would be able to handle any kind of dangerous good.

That can actually happen today. I do not think that Canadians want that. Canadians want to feel safe. They want to feel safe in their ports, on their roads and in their homes. That is what we are doing as a government. I would ask that member and his colleagues to stand up today and support this Conservative government in keeping Canadians safe.

Ms. Candice Hoepfner (Portage—Lisgar, CPC): Madam Speaker, I would like to ask my colleague a question regarding the upcoming Olympics. I think that Canadians are very concerned with the safety of the Olympics. I am wondering if my colleague could expand on how this bill would contribute and enhance the safety of the Olympics coming up in 2010.

Mr. Brian Jean: Madam Speaker, I want to thank this particular member for her hard work on that committee. It is hard work to go through these very task-filled bills, decide what is in the best interests of Canadians and make balanced decisions like we did in that committee. In fact, we voted on it and passed it through to this place.

I would also like to say that we heard from experts. In fact, before this particular bill, as parliamentary secretary, I heard from some experts who were fearful of the situation of the Olympics because of their ability to respond to chemical spills, cordon off areas, and deal with particular issues that arise. They have clearly indicated to me and to the committee that this is necessary. In order to keep Canadians safe, they must be able to respond to an incident by

secluding that particular area and making sure that they can find those dangerous chemicals and the terrorists who are handling them. It is very important for the Olympics.

I would add that not only is it important for Canadians and international visitors to feel safe here but it is also important for the world to recognize that Canada is one of the safest places in the world and the best place in the world to live. For us, it is all about keeping Canadians safe and making sure our international reputation stays as strong and secure as it is.

• (1535)

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Madam Speaker, when members work with a bill intimately, they certainly know all the different clauses. As someone who is responsible for a riding with many transnational highways running through it, I am wondering if the hon. member could clarify how this will impact the safety of the constituents in my riding.

Mr. Brian Jean: Madam Speaker, I thank the member, another hard-working member of the House, for that question. Not only does it deal with protecting Canadians but it also means that Canadians can continue to enjoy the great quality of life we have.

I did use some of these examples, but I would like to bring them out again. One particular example refers to municipalities continuing to provide safe drinking water to their citizens. That means they can transport up and down the highways. They can bring those chemicals necessary for doctors and patients, and safe drinking water for all Canadians. They can do so safely because they will have these security checks. We will know who is carrying them and they will be authorized to do so.

We need to make sure that we have a plan in place if there is an accident. We need to make sure that those people who would cause harm do not cause harm because they are not able to transport. Finally, we need to make sure we continue to have the great quality of life and those things we need. That is very important for Canada.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I would like to ask the parliamentary secretary whether or not the bill would apply to the military and its transportation of chemicals across the country?

We have known over the years that the military has used agent orange and other chemicals in experiments. We found out only much later that these chemicals were being used. I would think that any application of the bill that would apply to farmers, for example, in Manitoba and across the country, should also apply to the military as well.

Could the member enlighten me as to whether it does or not?

Mr. Brian Jean: Madam Speaker, I cannot tell the member for sure whether or not it would deal with all of these aspects, but as he knows, I would be more than happy to get back to him on that particular question because it is such a large gambit.

Government Orders

I will tell him that what does deal with the military is the response mechanism itself, which is so important, and that is the ability for first responders to get on the scene and to have the information necessary to deal with the incident. If indeed there is a dangerous chemical spill or something else happens, they will be able to deal with it so there will be minimum damage. I know that is there because they will be working with their partners in the provinces and territories to make sure that they respond in such a way that the minimal impact is had on Canadians.

We have had some horrendous spills and some difficulties over the past decade or two. The bill will deal with those specifically in the way that we clean up those messes and try to get to a point where an ounce of prevention actually deals with the pound of cure before we have to worry about the cure.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Madam Speaker, I am very pleased to rise today to speak to Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992.

The Liberal Party is committed to assuring and improving the safety and security of all Canadians. It was the Liberal government that initiated a series of studies in 2002 and consultations in 2004 in order to lead to the proposed legislation we have before us today. We are glad that the Conservative government is finally bringing forward the proposed amendments to the Transportation of Dangerous Goods Act, 1992.

Canadians are at risk every day from accidental exposure to dangerous goods. In fact, two train derailments involving dangerous goods, one in Winnipeg and one east of Toronto, occurred just this weekend.

Each year roughly 30 million shipments of dangerous goods occur in Canada. This means that approximately once every second a dangerous good is being transported. Our current system is good, and there is no suggestion here that we should be overly alarmed. However, we live in a very different world today than we did when this bill was originally written.

In committee, Liberal members examined the proposed legislation to see if it accomplished the following five objectives. First, does it reinforce the existing emergency response assistance plan systems? Second, will it require security training and screening for all personnel who are handling and transporting these dangerous goods? Third, since this is enabling legislation, how will the regulations that would follow improve the safety and security of workers and the public? Fourth, will the amendments in the legislation give us a clearer handle on the companies, products, and associated security protocols that move dangerous goods around the country? Finally, the fifth objective, will the enforcement of this legislation be consistent throughout the entire country, east-west, north-south? As a result, will it be uniform in its application and its demands for all shippers and transportation companies?

From our perspective, the most important issue is to make sure that we have qualified people handling these shipments of dangerous goods. It is not the transportation of dangerous goods itself that poses a public risk. Rather, it is the people who are involved in the transportation of these goods where our attention must be focused.

We must know that all individuals involved in transporting these goods are qualified, that they are appropriately trained, screened, and capable of dealing with emergencies should there be an accident.

• (1540)

We also must know that companies involved in transporting dangerous goods have foolproof systems in place to track the goods, remembering that approximately once every second a dangerous good transportation is being sent out.

The proposed legislation will require security training and screening of personnel working with dangerous goods. However, the exact regulations and requirements will not be known until the government moves to bring them forward.

In committee, we heard from witnesses who had concerns and views about the regulations that would stem from the proposed bill.

The Teamsters made it very clear that workers who would require security clearances be treated fairly and with sensitivity and that the regulatory framework respected their rights.

The Canadian Trucking Alliance expressed concerns about the costs and overlaps involved in the proposed requirements for transportation security clearances and for security plans and security training.

AC Global Systems, from my home province of British Columbia, is working with the Transportation Security Administration in the United States on future regulations. It suggested that Canada develop a parallel tracking system for hazardous materials shipments, including the mandating of vehicle shutdown technology and driver authentication technology.

Finally, L-1 Identity Solutions suggested that Canada use fingerprinting technology to screen the prospective haulers of dangerous goods.

All the witnesses brought great depth and value to the committee considerations. It is striking that most of the discussion related not to the legislation being considered, but rather to the future regulations that this legislation would enable.

The potential controversy with the proposed legislation lies in the regulations that will be revealed in the future.

We were pleased therefore that the Liberal amendment to the bill, that the transport committee be mandated to review future regulations made under the Transportation of Dangerous Goods Act, was passed in the committee stage of the bill.

We will lead the charge in scrutinizing and studying each and every regulation that stems from the bill to ensure that our national safety and security and our individual rights are defended with equal vigour.

• (1545)

Mr. Devinder Shory (Calgary Northeast, CPC): Madam Speaker, it seems like my friend from the other side has widely and thoroughly studied the bill. As the member knows, the industry has responded and provincial and territorial governments are in support of the bill.

Government Orders

Could the hon. member tell me whether we can count on his support to make the bill effective?

Mr. Sukh Dhaliwal: Madam Speaker, when I came to Canada, I landed with the hon. member for Calgary Northeast. I very pleased he asked me the question about my support.

In fact, the bill was brought in by the Liberal government. The Liberal members on the committee extensively went through the deliberations of the witnesses and the concerns that all Canadians had for their security and safety. I, along with other members on this side of the House, will not sacrifice the security and well-being of Canadians when it comes to the transportation of dangerous goods.

• (1550)

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Madam Speaker, I am pleased to speak to Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992. We will be looking at this bill together. However, we should look at its history and remember how, in this Parliament, it takes time to adopt a bill that has unanimous support across Canada and, above all, which has had the full support of Quebec since 2002.

My Liberal colleague was quite right: the Liberals introduced the bill in 2002, there were consultations in 2004 and, since then, a series of elections have prevented passage of the bill. The Liberal government elected in 2004 lasted about 18 months. Although they introduced the bill, it was not a national emergency. The Liberal government did not do everything it could to move this bill forward.

An election was called and the Conservative government came to power. It was not a national priority for it either. In the Conservatives' first term, from 2006 to 2008, it was not urgent. Thus, the bill did not go through all the stages.

The Conservative government was re-elected and it seemed that it wanted to move the bill forward because, as some colleagues pointed out, it had the support of all provinces and territories. The transportation of dangerous goods is an urgent matter that we must deal with.

I will take this opportunity to read Bill C-9's summary, which states:

The main amendments fall into two categories: new security requirements and safety amendments. These amendments include the following:

- (a) requirements for security plans and security training;
- (b) a requirement that prescribed persons must hold transportation security clearances to transport dangerous goods, and the establishment of regulatory authority in relation to appeals and reviews of any decision in respect of those clearances;
- (c) the creation of a choice of instruments — regulations, security measures and interim orders — to govern security in relation to dangerous goods;
- (d) the use of industry emergency response assistance plans approved by Transport Canada to respond to an actual or apprehended release of dangerous goods during their transportation;
- (e) the establishment of regulatory authority to require that dangerous goods be tracked during transport or reported if lost or stolen;
- (f) clarification of the Act to ensure that it is applicable uniformly throughout Canada, including to local works and undertakings;
- (g) reinforcement and strengthening of the Emergency Response Assistance Plan Program; and
- (h) authority for inspectors to inspect any place in which standardized means of containment are being manufactured, repaired or tested.

When we read that summary, we realize that this bill should have been passed long ago. I find it amusing that, throughout the committee stage, the Conservatives have insisted that it was urgent that the bill be passed because of the Vancouver Olympics. This bill has been on the shelf since 2002, and consultations were conducted in 2004. At that time, it was urgent that the bill be passed.

Some of the bill's clauses will not apply to the 2010 Olympic Games. That is a cold hard fact. I do not know whether there is a problem within the Conservative Party with the implementation or passage of this bill respecting the transportation of dangerous goods. I do not know if the party is trying to sell to its rank and file the idea of passing a bill because of the 2010 Olympic Games, but this particular bill ought to have been passed long before now. It should have been a priority of this government but was not, when it was elected in 2006.

I indicated that it would not be possible to pass a number of provisions contained in the bill. One reason for this is the serious implications with respect to transportation security clearances.

• (1555)

I will read the new subsection 5.2(1) because it is worth reading:

No prescribed person shall import, offer for transport, handle or transport dangerous goods in a quantity or concentration that is specified by regulation—or that is within a range of quantities or concentrations ... —unless the person has a transportation security clearance granted under subsection (2).

Truckers wishing to transport dangerous goods must have a security clearance. This measure is in force in the United States, with all of its attendant advantages and disadvantages. I am sure that some of my colleagues will talk about the impact of that measure.

The text states very clearly: “No prescribed person shall...”. The problem is that there is not enough time between now and the start of the Olympic Games to implement the transportation security clearance domestically. It can be implemented for international transportation, but the Conservatives and their band of supporters are trying to sell us on this idea and to convince us that we need transportation security clearances for cross-border transportation of goods because, they claim, if some disaster were to occur, it would originate in the United States.

Forget that. The Americans already have their own security clearances, and there is no way a catastrophe originating in the United States could strike the games in Vancouver. If something were to happen, it would originate in Canada. Many other countries have already called our borders porous because of our huge navigable waterways and our extensive borders. Even individuals can move freely between the United States and Canada.

In terms of security, RCMP officers have been replaced at the Conservatives' instigation. They are the ones who removed RCMP officers from airports, ports, and so on. Those officers were replaced by security guards. That is a fact.

In theory, if the government really wanted security clearances to protect the Vancouver games, such clearances should also apply to interprovincial transportation and the transportation of goods within Canada. Transport Canada officials have told us that there is not enough time between now and 2010 to implement the new rules and to have all truckers take the tests.

Government Orders

The company that the Americans asked to give tests to all the truckers carrying dangerous goods to the United States was questioned and it was discovered that between 10% and 15% of the truckers had not obtained their security clearances for the reasons decided on by the countries. We will also have to pay attention, therefore, and the industry will have to ask itself some questions. Everyone seems to agree on that and I do too because what matters to us in the Bloc Québécois is what Quebeckers think.

Transports Québec has been involved in this entire discussion since 2004 and agrees completely that it is taking too long to pass this legislation. As I said, though, the objective cannot be 2010 because it would take three to five years to implement a measure like this on interprovincial transportation within Canada. It was the public servants who came and told us that.

When it says here, “No prescribed person—” the first people involved will be those who transport goods back and forth to the United States and have easier access to it because of their accreditations. Once Canada issues these security clearances, the American will accept them and it will be easier to transport dangerous goods between Canada and the United States.

Once the security clearances and accreditations have been issued, the Americans will recognize Canada’s and vice versa. It will be easier therefore. I have a lot of problems, though, with the fact the government is trying to sell this by saying it is for the 2010 Olympic Games. I had a lot of problems with it as soon as I saw it and I still do today. Regardless, though, this bill should be passed and the Bloc Québécois will be responsible and do all it can to ensure it goes as quickly as possible.

• (1600)

That brings us to the fact that if this passes, we know very well that regulations will be produced along the way. It is true. Some of our colleagues have asked questions, amendments have been proposed, and some questions still need to be asked about the regulations. Insofar as the security clearances are concerned, these questions include the fact that it says they are for prescribed persons.

This means that after the bill is passed, regulations will be adopted by the Department of Transport. They do not have to go through the House of Commons. That is where abuses could arise. Since the Conservatives came to power, many members have felt that their right-wing ideology is very dangerous when legislation is left in their hands. By dangerous, I mean that respect for human rights and freedoms is not always their cup of tea.

So in some respects, it is true that it is not easy, because the department still has to have some leeway. In fact, the types of dangerous goods will also be determined by regulation. There is a whole slew of new products, and it is not easy to create enabling legislation that covers everything that might happen in the industry. It is only natural to leave it up to the government or the minister, regardless of who that may be at the time, to pass regulations to protect people.

In committee, the Liberals introduced an amendment that everyone supported. We supported it, and so did the party in power. I want to read the proposed subsection 30(3). This is on page 26 of the English text:

Section 30 of the Act is amended by adding the following after subsection (2):

(3) The Standing Committee on Transport, Infrastructure and Communities of the House of Commons or, if there is not a Standing Committee on Transport, Infrastructure and Communities, the appropriate committee of that House may review any regulations made under this Act, either on its own initiative or on receiving a written complaint regarding a specific safety concern. The Committee may hold public hearings and may table its report on its review in the House of Commons.

We wanted this amendment to be added to the bill so that if a complaint were ever filed with Transport Canada, it would be referred to the Standing Committee on Transport, Infrastructure and Communities, which could conduct an investigation. We have to be careful, because the transportation of dangerous goods poses a problem not only for people who have to deal with highways or major railways in their areas, but also for people who see the St. Lawrence River and the St. Lawrence Seaway being used to transport dangerous goods.

The purpose of the bill is simple: to force companies to have an emergency response plan, in order to ensure that everyone who handles these materials is authorized to do so and has the proper security clearance. It is not enough that they have the skills. It is important to ensure that they do not have any history of evil plans that they could act on.

Clearly, the interest is there, but there is no real transparency, and that is for two reasons. People do not want the information to be made public: for instance, on a given date, a certain quantity of a given substance is going to be transported by road, by rail or by ship. We must not give any ideas to people who may have evil plans. So this information remains secret. The reverse situation is also true: it prevents people from worrying about the transportation of hazardous materials and prevents protests and public outcries about the fact that hazardous material is being transported within our borders.

It was time, however. As I was saying—it is not because of Vancouver 2010—passing such bill was a matter of a national urgency. Indeed, we live in a chemical and technological era, and companies whose business involves selling, transporting and delivering hazardous materials must be obliged to have an emergency response plan, that is, a method for taking action.

• (1605)

This means that, should extremely dangerous goods ever be transported within our borders, Transport Canada would automatically receive the company's plan. The company is responsible for ensuring safety in the event of a spill or explosion when it is transporting explosives or something of the sort. It is therefore up to the company to arrange for all fire brigades along the way to be contacted. It is required to demonstrate to Transport Canada that it is able to respond to an emergency.

Government Orders

My earlier remarks were to the effect that passing this bill is a matter of national safety. This should have been done years ago. I will not get into the details of why, after dragging their feet for four years, the Conservatives have now decided to use the Olympics as an excuse to get their rank and file to support it. The fact is that, when dangerous goods are transported on our roads, railways or seaways, it is imperative to have an emergency plan. Other countries around the world have emergency plans. The United States and Europe already have theirs. Canada is always lagging behind when it comes to that sort of thing. It is time that we have a plan.

This bill deserves to move forward. That is why I read clause 30, which says that the committee must receive complaints and intervene accordingly at all times. All of the provinces and territories have approved the application of these regulations. The text, particularly paragraph (f) of the summary, reads as follows: “clarification of the Act to ensure that it is applicable uniformly throughout Canada, including to local works and undertakings”. That is not as easy as it sounds.

Quebec has its own inspection and verification procedure. We have our own network of surface transportation inspectors, known as “les Verts”, for those familiar with the term. We have our police force, the Sûreté du Québec, and we have ministry of transportation inspectors who are regulated by Quebec and intervene as required. In Quebec, public safety is the Government of Quebec's responsibility. The bill could simply not be enforced or supported without the Government of Quebec's support, which has been granted.

We must also ensure that the government can provide compensation if the bill gives rise to additional expenses for the territories and provinces. I am also the infrastructure critic and I have had discussions with municipal representatives while touring Quebec. Bills and changes to the Criminal Code have been adopted that have resulted in additional expenses for big cities dealing with crime. The money never arrives at its destination. Bills are adopted and when the laws are implemented it is the communities, towns and provinces that have to foot the bill. Money was provided to help fight street gangs but it was not enough, given how the problem has grown. That is an example of additional expenses.

All too often the federal government passes laws. This type of bill does not provide for any assistance to the provinces and the territories. I hope that the government realizes that it is making more work for inspectors working in Quebec. I hope that it will not create an inspection service that, once again, will duplicate Quebec's inspection services or will create a new federal inspection service when one already exists in Quebec. If it does, it must provide compensation for the work done by the province in order to comply with the legislation.

The Bloc Québécois will support this bill, which should have been adopted in 2004. The government can count on our full support to move this bill forward.

• (1610)

[*English*]

Mr. Dennis Bevington (Western Arctic, NDP): Madam Speaker, I am pleased to rise to speak to Bill C-9, which seeks to amend the Transportation of Dangerous Goods Act and to provide certain measures that relate to the security of the transportation system.

This bill was presented in the beginning as a way to protect Canadians. Many of the provisions within it may serve some purpose in that way. As such, we in the NDP have not really taken exception to many of the things within the bill.

Where we have trouble with the bill lies in the provisions under proposed section 5.2, having to do with transportation security clearances. That has been a focus of our attention to the bill.

We recognize that many of the other aspects within the bill are important and will continue to be developed over time through regulation, but where we saw this bill going was contrary to perhaps even the way the minister described it in the beginning. When the minister spoke to the Standing Committee on Transport, Infrastructure and Communities on February 24 of this year, he indicated that the problem in terms of transportation security clearances, one of the main purposes of the bill, lay with international trade with the United States.

In 2005, when the Safe, Accountable, Flexible, Efficient Transportation Equity Act was put in place in the United States, it required commercial motor vehicle licensed operators in Canada and Mexico to go through a background check under the U.S. regulations before they were permitted to bring their goods into the United States.

The minister went on to describe that Canadian drivers are currently doing this, but what the government really wants to do is set up a system within Canada that can satisfy the U.S. requirements under this act. He said:

Canadians enjoy access to the American market through the FAST program, and this will continue. But it is essential that we have long-term solutions to guarantee access to important markets for Canadian manufacturers, producers, and shippers.

This is a bit of a smokescreen in terms of what the bill actually offers up under proposed section 5.2.

After detailed questioning in committee, the minister and his departmental officials indicated that they were going to put in place a bill that would expand security clearances to any Canadian who handled or transported dangerous goods. When I asked why this was going on, they said they did not want to limit this to international travel.

Quite clearly, the way the bill was presented by the minister and the way it is actually written are quite different things. In reality, that is what the minister and the department were looking for. They chose to present it in a certain fashion, which certainly made the work in committee more difficult and also perhaps brought us to the situation today where we have a bill that, as it stands, we in the NDP have difficulty supporting.

Why do we care whether transportation security clearances, as outlined in the United States, would be permitted to be used across the board in Canada? Let us look at who could be caught up by a law like this.

Government Orders

Remember that, in the United States, as witnesses testified in committee, many of the people transporting dangerous goods in the U.S. lost their ability through the licensing and security clearance process. They could be farmers who pick up loads of fertilizer, workers in warehouses who move pallets of car batteries, aboriginal people who buy ammunition and take it to their communities, or home heating fuel delivery people.

• (1615)

I know these perhaps seem extreme, but the bill would allow that to happen. Why would we want to have these privacies invaded? Where is the protection for the little guy who Conservative members always are saying they are defending?

I have a letter from the Canadian Association of Agri-Retailers. It is very concerned with the contents of the bill and what it will do to its costs and ability to compete. As retailers, they are looking for compensation for the type of changes the bill will permit. What about those people in the transportation industry? What about the people who may lose their ability to operate in Canada as a result of this rather wide-ranging legislation?

At committee, we put forward amendments to limit the scope of the transportation security clearances to simply those instances in Canada where Canadians were engaged in international traffic of goods. Those were defeated, which gives us a great deal of difficulty in supporting the bill.

The International Longshore and Warehousemen's Union of Canada is battling against the privacy invasion the government wants under the Marine Transportation Security Act right now. The case is scheduled for hearing in the Federal Court of Appeal in June of this year. In its brief to the committee, the ILWU said:

The ILWU takes its members' privacy interests and job security very seriously and is consequently concerned about the ramifications of imposing unnecessary invasive background checks on Canadian workers employees.

The longshore workers are particularly concerned about section 5.2(1) of the bill, which states that no worker can handle the transfer of dangerous goods unless the person has a transportation security clearance. This means, if we follow the American model, that the workers will be asked invasive questions about a series of irrelevant personal matters such as credit history, past travel, employment, education and who they associate with, along with their criminal record checks and a number of other things that may or may not be appropriate. They will also be asked to provide information about other family members. This is what we are opening the door to for Canadian workers right across the country in the handling of dangerous goods.

Workers who refuse to answer these invasions of privacy could lose their employment. Then what happens to those who fail their security clearance due to something as simple as a minor criminal conviction from their teenage years? They lose their job.

There is also concern about this invasion of privacy and with whom the information will be shared. This is a great concern to all of us in the House, following many of the things we have had in place since the terrorist incidents of 2001. The longshore workers found that their private information could be shared by CSIS, Canadian Security Intelligence Service, with foreign governments.

We also put forward an amendment that would limit the ability of the government to share any information collected under the transportation security clearances with another government. The amendment was put forward but it was voted down in committee as well.

Once again, our attempts to protect the rights of Canadians in a reasonable and logical sense, not going too far ahead and keeping within the bounds of what is required for security, were turned down.

We know the government has a problem with Canadians defending their human rights. Just look at what it did, under the guise of a budget implementation bill, with pay equity. It stripped women of their equality rights, their ability to deal with important questions like that as the result of a current economic crisis. Imagine what the results of a major security breach in the country could be to Canadian workers? If any kind of security breach occurred, what kind of draconian measures could the minister put forward with the kinds of powers he would be given under the bill?

• (1620)

Therefore, we tried very carefully, after those two amendments failed, to put forward an amendment which would deal precisely with the question of human rights and that any of the regulations that would be struck by the bill and by the minister on the issue of transportation security clearance, which are not complex issues, would come back to a parliamentary committee for examination. This would give us at least an opportunity in Parliament to understand what the laws were doing to the essential rights of Canadians.

The bill does not set out any restrictions on the minister or set out any criteria to determine who will or will not be granted a security clearance.

Transport Canada says that the assessment of whether to grant or refuse a security clearance is based on the global evaluation obtained by the background checks. This means Canadians will lose their jobs based on a subjective process, a process which may never get reviewed by Parliament without the proper amendments.

The Liberal amendment, which we supported, would simply allow, with the support of a committee, us to bring forward regulations for review. It did not ensure that the regulations that would impact the human rights of Canadians would be in front of the committee. It allowed it to happen with the majority support of a committee. Majority support does not always exist in a minority government, where the opportunity at the committee level for the opposition to look at what the government is doing with a critical eye, particularly when the majority on the committee can simply refuse to do so.

In the likelihood of a situation occurring, which would impact on the rights of Canadians under a majority government, the committee likely would not get a chance to review those things. That is kind of the fatal flaw in the Liberal amendment. Our amendment would have ensured that situation did not occur.

Therefore, the Liberals, with their toothless amendment, have satisfied their angst about some of the issues we raised in committee. I felt there was some angst there, but once again the half measure proposed by the Liberals is all we really have in the bill.

Government Orders

The issue of dangerous goods and their safety and handling is very important. We do not deny that. We do not deny that many of the provisions within the bill are correct and they are things that can be worked out between government and businesses. However, the fundamental rights of Canadians to privacy and the respect for their human rights are things that we cannot work out. They are fundamental and they have to be respected.

Our difficulty with the bill is that we have been unable to adjust it so it meets the nod test over a period of time that the bill has correctly outlined and that will work for Canadians. While it will ensure that the present government perhaps will respect the rights of Canadians, it does not give any assurances that the next minister of another government would do the same thing.

That is our problem. We want to ensure that legislation not only fits with this Parliament, not only fits with this government but fits in the future and will ensure that basic rights of Canadians are protected. That is why we are standing today to voice our opposition to what has happened with the bill. I would be open still at this stage to see the bill amended to provide slightly better legislation, and I had talks with the parliamentary secretary about that.

• (1625)

We would encourage the government to simply look carefully at the legislation right now. If it can offer up a solution to some of our issues, we would be very happy to support it in its efforts and bring unanimity to the bill to ensure it serves Canadians well. If the government chooses not to do so, then we are stuck in the position we are today.

Our job is not only to keep Canadians safe, to protect them from harm, but also to protect their rights. There is always a balance that we have to strike. It is difficult. We cannot say that legislation is simple or that the way we outline our rights is simple. The Bill of Rights was only established in Canada in 1982. Much of the legislation we deal with has not got to the point where it matches up to our Bill of Rights, so why would we put forward legislation now that still does not accomplish what was laid out in the 1982 Bill of Rights? Why would we not work together to come up with the solutions that could follow an orderly and good system of governance?

When we talk about providing transportation security clearance across the country to workers, we have another approach within the bill. We did not have to go that way. Because we are asking companies that handle dangerous goods to come up with transportation security plans, we have the opportunity to work them. We can work with them in a selective fashion to ensure that their transportation security planning covers the employees they use to move those goods.

We do not need to have a nation-wide program of transportation security clearance in order to accomplish what we want to accomplish with the bill. Already within the bill there is the option to do it another way.

Those are things we need to take into account when we look at this type of legislation. It has been on the books since 2002. The sense of urgency to get it in place now is simply theatrics. We need to ensure we get legislation right for a change.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I thank the parliamentary secretary for getting back to me so quickly after I had asked the question about whether the military would be covered under the bill. He did say that the military would be exempt, but would comply voluntarily to the provisions of the bill.

I want to make a comment about how the current government, when it was in opposition, complained about making criminals of duck hunters and farmers who did not register their long guns. It also said that the registry did not prevent criminals from getting guns if they really wanted them. That has certainly been true.

Now, under this legislation, the government wants to make criminals of farmers who do not register to transport fertilizer, but criminals will still get fertilizer if they want. In the United States, we had an example of domestic terrorism where that happened. No amount of registration will stop criminals from getting sufficient quantities of fertilizer if they want it.

The member has talked about having restrictions. We are happy with the bill, except for a few minor concerns that the member has, and we hope we can get this resolved this afternoon. He mentioned restrictions on the minister. Could he explain the amendments he has in the past suggested and how we might be able to work out a solution today on this matter?

• (1630)

Mr. Dennis Bevington: Madam Speaker, I spoke about a number of amendments but one amendment in particular under clause 5.2 would make it the minister's authority to provide transportation security clearance for those who are transporting goods internationally or for ports and airports. It is a definition of the type of transportation security clearance the minister indicated he really needed this bill for to match up with the requirements in the United States.

The member is quite right. The concerns about security clearances on dangerous goods, if one did an analysis of any kind, would suggest that one might put security clearance on those who sometimes are in possession of weapons. We do not want to go there, quite obviously, because we do not want to encumber hunters, trappers and recreational shooters with security clearances.

However, all of a sudden, within this law, we will be able to put transportation security clearances on people who might be handling dangerous goods a few days of the month. These may be dangerous goods that will not cause an explosion or anything else.

What we do with the bill is very important in terms of how we put transportation security clearances in place. I would point out again that the more likely place to handle transportation security clearance for Canadians is within the transportation security plans of the individual industries. It was a better place to handle this requirement, not by giving the minister the ability to put this in place across Canada.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Madam Speaker, as always, I appreciate the comments from the hon. member for Western Arctic. He, obviously, has read the bill and done due diligence. I wish it were the same for the other parties.

Government Orders

Could the member outline the position of the other parties in regard to the weaknesses in this bill? There is the principle, which everyone agrees to, but the problem with the Conservative government is that the devil always seems to be in the details. It is just not able to get things right when it comes to drafting legislation.

Where do the parties stand and what needs to happen before this bill is actually ready for any sort of sanction by the House of Commons?

Mr. Dennis Bevington: Madam Speaker, quite clearly, we want to see a little less of the enabling nature of the bill and a little more of a prescriptive nature. It was how the bill was presented. The issue was presented to us as a prescriptive issue when it came to transportation security clearances and the bill should follow that.

When it comes to the other parties, we did not elicit a lot of support from them for this. Certainly, the Bloc showed some keen interest in the issue.

We need to remember that this bill was presented to all members in a fashion of a prescriptive nature rather than an enabling nature. It has taken quite a bit of work at the committee level to get to the point where the government has admitted to the enabling nature of the bill and perhaps also its future plans. We have not come to that yet. Those are some of the problems that we have with the bill.

Mr. Peter Julian: Madam Speaker, could the hon. member for Western Arctic enlighten us? Is the NDP at this point putting forward substantive motions in order to improve the bill, as I understand it, and the other parties are allowing anything to go through without the due diligence and scrutiny that is required?

•(1635)

Mr. Dennis Bevington: Madam Speaker, that is certainly my feeling after spending time in committee and after reviewing the Liberal amendment that would enable the committee to review any of the regulations after they have been put in place and have been operating so it can respond to a complaint and adjust things accordingly.

For many of the other provisions within the dangerous goods act, that is a good idea, but for clause 5.2, which deals with human rights, privacy and how we deal with human beings and their work, we felt that there was much more of a requirement for the type of amendment that we put forward which said that these regulations that were put in place by the minister shall be reviewed prior to implementation by a committee of Parliament.

We were looking for the guarantee that the regulations would not infringe on the rights of Canadians. If the government were acting in good faith, it would pass the review. We are not talking about 3,000 pages of complex regulations that would tie up a committee for months. We are talking about transportation security clearance regulations.

Ms. Candice Hooppner (Portage—Lisgar, CPC): Madam Speaker, I want to ask my colleague, for the record, if he is aware that there are regulations in place right now that would exempt farmers from transporting their chemicals and fertilizer. Farmers will not be affected by this new regulation. I think it is important for that to be on the record. I was wondering if my hon. colleague was aware of that and if he could please comment on that.

Mr. Dennis Bevington: Madam Speaker, I would like to quote from the Canadian Association of Agri-Retailers. Its great concern with this bill has to do with the regulations that will be put onto it for what it is doing. Of course, the agricultural business is large. There are farmers and suppliers. The delineation point between those two would be something that probably would not be covered under existing regulations. We will have to see how this works out. However, quite clearly, the association has concerns about it.

Mr. Peter Julian: Madam Speaker, this is an important bill and, as always, we in the NDP corner of the House are doing our due diligence in scrutinizing the bill, which is what we believe all members should be doing when there are problems such as those that have been clearly identified for farmers and small farming communities across the country. When there are difficulties that concern our workers on the docks in areas like Vancouver and Halifax, when there are areas where there are clear problems, the NDP likes to scrutinize it.

For the record, could the member for Western Arctic tell us what specifically are the three things that need to happen for—

The Acting Speaker (Ms. Denise Savoie): I will have to give the hon. member for Western Arctic 25 seconds to respond very quickly.

Mr. Dennis Bevington: Madam Speaker, first, prescriptive powers for the minister in terms of who the transportation security clearances can apply to; second, assurances that the information that is collected by the minister under these transportation security clearances is not provided to foreign government; and third, the ability of Parliament to ensure that the regulations match up to the rights of Canadians before they are put into place.

The Acting Speaker (Ms. Denise Savoie): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Etobicoke North, Environment; the hon. member for Malpeque, Access to Information.

Resuming debate, the hon. member for Burnaby—New Westminster.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Madam Speaker, Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992, is an important bill.

The folks listening to the parliamentary deliberations today need to know that the problems in the bill, which the member for Western Arctic just spoke about in the House, are issues that all Canadians should be concerned about. It is a given that no one in this House would want to see less security around the provision for dangerous goods. We all believe in an increased level of safety and security for all Canadians. However, the actions of the government clearly show that its tendency is to move to less safety and less security. It is because of that fact, tragically, that we need to look through every bit of legislation that is brought before this House to ensure that the objectives being set out would actually be accomplished by the bill.

Government Orders

When we look at self-managed safety, the famous controversial SMS, where safety was basically handed over to the companies themselves, the corporate CEOs, to police their own safety, we clearly saw that as a decreased level of safety and security for Canadians. The Liberals brought it in under the railway act where it essentially handed over the safety management of the railways to Hunter Harrison and other corporate CEOs. The government basically went out of the business of protecting Canadians.

What happened after? We had escalating derailment rates. In British Columbia, we have been faced with a number of high profile derailments, deaths and environmental degradation, all as a result of the government pulling itself out of safety management and ensuring protection for Canadians.

When the present government moved on the Liberal model, it moved with the same type of agenda. To save a little bit of money, it wanted to cut back on flight inspectors and hand over to corporate CEOs safety and security in the airline business. The NDP said, no, and we stopped that bill from passing in the House of Commons. It was not because we thought every airline would treat it irresponsibly. Of course not. Some airlines would be very responsible but we knew that some airlines would not be.

The past history of fly-by-night airlines clearly showed that when an airline becomes financially troubled, in many cases upper management would decide to degrade safety in order to save some money and keep the airline afloat. That is why we opposed that bill and why we shut it down in two Parliaments. I am pleased to say that there has not been a full implementation of SMS in commercial airlines in Canada because of the NDP. NDP MPs stood in this House with one voice and said that the government could not move forward with SMS, that it could not cheapen and devalue safety for Canadians and that one party in this House would stand up for an adequate level of safety and for enhancing safety for Canadian families.

Now that SMS has been implemented with business aircraft, we have seen a number of tragic crashes. The TSB is now looking into those crashes to see to what extent the farming out of safety to the companies themselves and the role that played in these tragic crashes. We recently heard of other crashes and the drive by the government to implement self-managed safety in other areas, such as helicopters.

What we have seen is a government track record that is not very good when it comes to safety. It is not very good when it comes to general concerns about public safety as well. We have seen cutbacks in the salaries to RCMP officers and cutbacks in prosecution across the country. The government may move ahead with some criminal justice legislation but it does not get the fundamentals right, which is having a system in place that protects Canadians. That is the problem. The skepticism we have is in the track record of the government. It seems oriented toward cutbacks in providing safety for Canadians rather than moving ahead with an agenda that actually makes sense. Because of that, we are naturally going to re-double our due diligence to ensure that the legislation that the government puts forward is legislation that actually does enhance the level of safety of Canadians. We are not a rubber stamp party like the Liberals.

● (1640)

We believe in our role as parliamentarians. New Democrats work very hard because we believe that Canadians should accept no less. They should demand from their members of Parliament due scrutiny and due diligence when it comes to every bit of legislation that is brought forward.

That is the context of Bill C-9. Essentially, our role in Parliament with the triple caucus that we have seen over the last three elections is to duly scrutinize government bills and ensure that they are accomplishing what they set out to accomplish.

We have some difficulties with the overall approach of the government to dangerous goods. One example that has not changed, that was irresponsible under the Liberals and is equally irresponsible under the Conservatives, is the low level of screening taking place for cargo containers coming into Canada from around the world. Fewer than 1% of them are actually screened for contents.

When we are talking about dangerous goods, fundamentally that is something that the government needs to address right up front, rather than this orgy of corporate tax cuts that seems to be its reason for being. It needs to look at the fact that we have millions of cargo containers coming into Canada every year, and essentially we are screening a lamentably small number of those cargo containers to actually find out what the contents are.

If the government moved forward with investments in that regard, it would get the support of the NDP, but it has made no attempt to increase the scrutiny that is required for these cargo containers coming from other parts of the planet.

Therefore, we come to Bill C-9. As the member for Western Arctic, the NDP transportation critic, has mentioned very clearly, one of our grave concerns is clause 5. Under "Transportation Security Clearances", we have the following:

The Minister may, for the purposes of this Act, grant or refuse to grant a transportation security clearance to any person or suspend or revoke such a clearance.

That is a fundamental problem. When we give the minister a blank cheque and say, essentially, he or she has total control, what does that mean in terms of government operations? Can the government be trusted to use that total control given to the minister to actually ensure that what is put in place is fair to Canadians?

We have seen various attempts by the government to use that blank cheque that can be given to it by legislation in a way that we do not believe is appropriate, most recently refusing immigration entrance visas to people with whom it disagrees, essentially saying, no, it is going to take that overall control that it has and simply say no to certain categories of people.

When there is no system of checks and balances, that is a matter of great concern to us. The amendments in clause 5 essentially give that blank cheque to the minister and do not provide for that system of checks and balances that we believe, in a free and democratic society, is absolutely essential.

That is the fundamental problem and why we have seen, from various parts of the country, issues raised about the advisability of Bill C-9, as it is, going through.

Government Orders

As I mentioned earlier, there are difficulties with the lack of an overall strategy on the part of the government when it comes to dangerous goods. There is a lack of credibility when it comes to safety, when we look at issues such as bringing in self-managed safety, turning over our safety management systems, turning over Canadians' personal safety and that of their families to a corporate CEO who may or may not consider the safety with regard to other issues that are at play.

Particular legislation we stopped in the House also gave, essentially, a get out of jail free card to those who misbehaved or acted in an irresponsible and inappropriate way. We said no to that. Those were the SMS provisions that we stopped in the House. Only NDP members spoke up about that, and now more and more people are speaking out.

Justice Moshansky spoke out earlier this week about the fact that, under SMS, Canadian skies are more insecure now than they were even at the time of the Dryden tragedy of 1989, that essentially we are moving backwards in transportation safety.

• (1645)

It would be even worse if not for the stalwart NDP members who stopped those bills cold in the House of Commons because we knew it was not in the public interest.

Justice Moshansky is speaking out, flight inspectors are speaking out, and increasingly we are seeing the media taking an interest now, because of these tragic crashes, to ensure that Canadian safety moves to a higher standard, not to a lower standard.

The bill has been brought forward. We have heard from the member for Western Arctic that amendments were brought forward to ensure that the legislation was improved and actually did what it was purporting to do. Yet there have been letters, evidence and testimony from groups across the country that continue to have very strong concerns because of the fact that the transport committee did not adopt the amendments by the member for Western Arctic.

The member for Western Arctic is a friendly guy. He is also razor smart. He presented these amendments in an effort to improve the bill, to actually have the bill accomplish what it set out to do.

The Conservatives have a tendency of being really good on the spin and the smoke and mirrors and very poor on the substance. Criminal justice issues are one example of that certainly. SMS is another example of that. In fact, I could spend a full 20 minutes talking about the various methods the Conservatives use to not do what they are trying to do.

Very clearly we have evidence that there are concerns that have been raised in regard to this bill.

The Canadian Association of Agri-Retailers said in a letter dated just two weeks ago, "Confronted with increasing pressure from government regulations and more stringent industry standards, agri-retailers are facing prohibitive costs to keep their businesses compliant with security and safety infrastructure requirements. This financial burden cannot possibly be shouldered by agri-retailers alone. Without government assistance, many facilities will be forced out of the fertilizer market or will have no choice but to pass these costs on to Canadian farmers in an already recessed economic

climate. Crop input dealers are still reeling from devastating fertilizer writedowns as a result of a precipitous drop in commodity prices in the fall of 2008".

Canadian farmers and agri-retailers are concerned about what this means. Because the legislation was not drafted properly and because there is essentially a blank cheque being issued, they are concerned about the impacts. The government has not listened to this so far, but it is never too late to listen to the NDP. We are putting forward these amendments again and trying to get the government to understand that the bill, as is, is not appropriate to deal fundamentally with the issue of dangerous goods.

The International Longshore and Warehouse Union Canada has also indicated in a very lengthy letter its concerns about this bill. The letter was written by Tom Dufresne, who is the president of the ILWU. He is from British Columbia, a very articulate leader of his union and certainly has the support of the rank and file.

These are hard-working, dedicated longshore and warehouse workers who work every day. They make sure that things keep moving in Canada. So one would think that the government would listen to them, but it has not yet.

The letter stated:

On review of Bill C-9, the ILWU is immediately and seriously concerned about s.5.2(1) which requires workers who handle and deal with dangerous goods to hold transportation security clearances.

That is clause 5, which I mentioned earlier.

The letter continues:

The ILWU takes its members' privacy interests and job security very seriously and is consequently concerned about the ramifications of imposing unnecessary and invasive background checks on Canada's workers. The ILWU is committed to ensuring the safety of its members and Canada's ports generally, however, the ILWU does not believe that requiring security clearances to transport dangerous goods will further this objective.

That is, as the bill is conceived now, for obvious reasons. Farmers are not the only ones concerned about this bill.

S.5.2(1) states that no worker can handle or transport dangerous goods "unless the person has a transportation security clearance."

That is what I mentioned earlier and the member for Western Arctic referenced.

• (1650)

This means that workers will be asked to answer invasive questions about a series of irrelevant personal matters such as...credit history and past travel, employment and education and their associations. They will also be asked to provide information about family members.

Those who refuse to answer those invasive personal questions could lose their employment, as others could as well.

We have to wonder how many Conservative MPs would pass this kind of questioning on credit history, past travel, employment, education and their associations. Conservative MPs would not want to go through that kind of in-depth, personal history, yet they are subjecting hard-working longshore people and hard-working warehouse people to doing that.

At that same time, it is important to note that they are simply allowing well over 99% of cargo containers, wherever those come from in the world, to just come right in to Canada.

What is wrong with this picture? We just bring in the cargo containers from wherever, with no screening, no control, no investment to ensure that they are not transporting dangerous goods. But the hard-working Canadians who have spent decades on the longshore will be subjected to a rigorous cross-examination to ensure that they did not smoke a marijuana cigarette when they were in high school or whatever else the Conservatives decide to concoct to try to push those hard-working Canadians out of their jobs.

It is absurd. It is a blank cheque. It is very clear why there would be concerns raised about the blank cheque that the minister gets.

The ILWU goes on to say that it is presently involved in a legal challenge to this requirement that is contained within this particular bill. The letter continues:

Of particular concern to the ILWU is the admissions received during the course of this proceeding from CSIS that personal information collected from employees and provided to CSIS during the background check process could be disclosed to foreign governments

This is one of the issues that the member for Western Arctic raised, that not only are we penalizing farmers for transporting fertilizer, but essentially once this rigorous cross-examination takes place of people who have worked on the docks for decades, the information is sent who knows where? There is no system of control, no system of checks and balances. Essentially the Conservatives are saying they want a blank cheque to do whatever they want.

The letter continues:

There are no set criteria to determine who will or will not be granted a security clearance. Transport Canada explains that “[t]he assessment of whether to grant or refuse a security clearance is based on a global evaluation obtained by the background checks...” Thus, workers may be deprived of their jobs based on subjective criteria.

Obviously, as to letter goes on to say,

This is particularly problematic when it comes to workers who handle dangerous goods since these employees are skilled, full-time, trusted employees who...have the most to lose if deprived of their employment.

The letter concludes by essentially saying that as the front-line workers on the docks of Canada's ports and working throughout the transportation system, they are already subject to a wide variety of security requirements including secured areas, restricted access passes, cameras, water and land patrols, gates, and fences that prevent unauthorized persons from accessing areas in which hazardous goods are unloaded.

As a result of that, the ILWU submits that background checks will do nothing to enhance the security of Canada's ports and transportation system.

Government Orders

The obvious reason is that the fundamentals, as I mentioned, the screening of cargo containers, have not been addressed by the government. The Conservatives do not want to do the investment, but they bring forward legislation that even Conservative and Liberal members themselves will admit is flawed.

The NDP has been offering, in committee and in the House, to improve those flaws so that Bill C-9 actually does what it purports to do. That is our role as NDP MPs, and it is a role that we take on proudly for the interests of Canadians.

● (1655)

Ms. Candice Hooppner (Portage—Lisgar, CPC): Madam Speaker, I am very happy to have the opportunity to ask my hon. colleague a few questions, because it seemed that he was speaking about a completely different bill from the one we have been working on in committee. He mentioned safety management systems several times, which actually has nothing to do with Bill C-9. I was wondering if my hon. colleague was aware of that.

We have worked extremely hard with the stakeholders concerning this bill. We have talked to the trucking industry. We have talked to the Teamsters. We have talked to farmers, who actually will not be penalized with this bill.

It is important for us to protect Canadians. I am wondering why my hon. colleague seems so opposed to protecting Canadians and making sure that dangerous goods are transported in a safe way by people who have the proper licence to transport these goods.

Why is that such a problem for the member? Why is the NDP opposing everything that we are trying to do for the good of Canadians?

● (1700)

Mr. Peter Julian: Madam Speaker, the reason I referenced SMS is that very clearly everything the Conservatives are doing is not in the interests of Canadians. The Conservatives have admitted it themselves by pulling the bill on SMS. If the NDP had not stopped that bill, it would have been law and Canadians might have died as a result of that completely irresponsible approach to diminish safety. That is the principle behind why we scrutinize government bills so carefully.

The Liberals are not going to do it. As the member well knows, the Liberals rubber-stamp anything the Conservatives do. The Conservatives could come in with any type of bad bill and we know the Liberals would rubber-stamp it. That is their role. With 63 confidence votes and hundreds of other votes, whatever the Conservatives bring in, the Liberals just rubber-stamp it. We do not rubber-stamp. We scrutinize.

The Canadian Association of Agri-Retailers and the International Longshore and Warehouse Union are opposed to this bill. They have raised very legitimate objections.

My point is that, given these serious objections, I would hope the member for Portage—Lisgar would endeavour to talk to her minister and to other members on the Conservative side so that the bill can actually do what the Conservatives want it to do, which is, hopefully, to protect Canadians in the transportation of dangerous goods as part of a broader strategy that actually makes Canadians more secure. I would hope that she would do that.

Government Orders

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, safety management systems are very important to this bill. The deregulation of the railroad industry has allowed safety management systems to be implemented. A recent rail traffic study talked about the culture of intimidation and fear that was felt by railroad workers who are supposed to report to the system. Deregulation is very important to this aspect because the components connect together.

The Conservatives are arguing that they are doing this for public safety on one side, but let me give a specific example of what they are doing with deregulation on the other side and the consequences.

CP Rail has filed to fire and move 25 safety inspector officers in Windsor. They will be relocated elsewhere. There will not be an evaluation of rail transportation support from Chicago to Toronto and to Montreal. In between will be left vacant. The minister has yet to respond to this issue to protect those jobs. There has been a refiling request from CP Rail. The reality is that in the upcoming weeks, there could be the potential withdrawal of these workers.

How can we be saying to the United States that we want to do this and at the same time take away inspection for all of southern Ontario?

Mr. Peter Julian: Mr. Speaker, that is the key issue. It is the difference between appearance and reality. The Conservative government is very good at spin. It tries to use the title of the bill to say that we must be for the transportation of dangerous goods because we are opposed to the bill, rather than looking into the details and seeing what the implications are. The implications about where the government is moving in other areas obviously show that the government has not been very responsible when it comes to safety issues.

Coming back to the previous question that was asked by the member for Portage—Lisgar, the whole issue of how farmers are impacted by this bill is a wide open question, because any regulations that are put into place can be changed by the minister. The bill that the government is looking to have adopted is a blank cheque that allows essentially the minister to do whatever he or she pleases regardless of the consequences.

That is why the NDP is saying that this needs to be reworked. If the government is sincere, rather than its ideological drive, on handling dangerous goods, there is a wide variety of things that needs to be brought into play, including investments. We would certainly support the government in that and we would certainly support a reworking of this bill.

● (1705)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am very pleased to be speaking to this bill at third reading.

I want to comment at the outset that the member for Portage—Lisgar asked a question a few minutes ago and I want to assure her that she should not be personally affronted by comments made on this side of the House. We want to assure her and all members opposite that we are very serious in trying to make this legislation good legislation. We want to do it right, and we want to do it right the first time. There is no advantage to the government in having legislation that will be attacked in the courts or that may not be workable in the long run.

We are doing our job. We were elected as opposition members. If our constituents had wanted us to come here and rubber-stamp everything the government wanted to do, they would have elected Conservatives or, as my colleague said, Liberals, but they would not have elected NDP members. However, they did elect NDP members and have done so for years. They will continue to do so in the future.

It is our job to point out mistakes that the government is possibly making, to try to make improvements before bad legislation gets on the books, or gets on the books and is knocked down or thrown out by the courts.

The member from Vancouver had mentioned a very gaping area of security in the fact that 99% of containers coming into this country are not inspected. News organizations have done investigations in the past in Canada and in the United States and they have found a lot of illegal substances coming in in containers. It is very easy to load drugs into containers and get them through the borders. If the government wants to look at very serious breaches of security, that is certainly one area it should be looking at. We would encourage the Conservatives to do that.

We also think there are some improvements that can be made. We have made amendments at second reading and at committee, and so far, the government has chosen to ignore them, although there are signs, and the parliamentary secretary was telling us recently that he would be willing to talk about an amendment that needed to be made. I think that if we were to give ourselves a little bit more time here, we could possibly get this resolved to the betterment of the bill and a better situation for Canadians.

Therefore, I move:

That the motion be amended by deleting all the words following “That”, and replacing them with “Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992, be not now read a third time, but be referred back to the Standing Committee on Transport, Infrastructure and Communities for the purpose of reviewing clause 5.2 with a view to reviewing the procedures on security clearances”.

● (1710)

The Acting Speaker (Mr. Barry Devolin): The amendment is in order.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I want to thank my colleague for moving the amendment. I will have a chance to speak to it a little bit later. In the meantime, I want to ask him a question.

Perhaps he could describe some of the conversations we have had on this particular bill. Perhaps that would explain why we feel it is appropriate to move this amendment at this time.

Mr. Jim Maloway: Mr. Speaker, the member has made an important observation. I am quite familiar with the ability in some jurisdictions of ministers to be a little bit independent in their actions and their thoughts and to make good amendments and even cooperate with the members of the opposition to arrive at a successful conclusion.

Government Orders

The parliamentary secretary seems to be a little bit different from some of the members opposite in that regard. I think there is potential here. I believe he has expressed some interest and concern that perhaps one or two of the NDP amendments could be worked upon at the third reading stage. Perhaps we could come up with a compromise that the member for Western Arctic could support and the NDP caucus could support in support of this bill in an effort to get it through.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I commend the member for moving the amendment and trying to reach a consensus on this issue. We all want to improve rail safety.

I think it is important to provide a couple of examples to make sure that people understand the context of what could happen. On the border in my region, with 40% of Canada's daily trade, often there are people who are caught within legislation with unintended consequences. I do worry about the powers of the minister with regard to the screening process. Even now we are seeing some extreme behaviour by current ministers who are denying a British MP entry into Canada and other types of behaviour that have not really been effective in terms of the original intent of their discretionary power.

In Windsor often it is the issue of someone having a marijuana charge from back in the person's teens. There are people who drive trucks for just-in-time delivery for the auto industry who 25 or 30 years ago committed an offence that prohibits them from having access to different programs and screening. Not only that, it depends upon the interpretation and discretionary power of the people they encounter at the U.S. border.

I will give a particular example of a worker who worked at a major auto company for 25 years and had an outstanding employment record. The worker, who as a teenager had one charge of having a marijuana cigarette, was detained every time at the border for two to four hours. We had to work that through to stop that from happening. I commend the member for making sure that these types of situations could be resolved before they create a drag on the economy.

Mr. Jim Maloway: Mr. Speaker, that is certainly a very good observation. We have an economic slowdown at the moment. We are looking at putting a lot more restrictions on workers when all they are trying to do is their jobs.

We have a government which for a number of years now has been attempting to repeal the long-gun registry on the basis that it is going to make criminals out of farmers and duck hunters. The argument it makes is that the criminals are still going to get the guns.

I see a parallel here, because the same government that is trying to eliminate the gun registry is now attempting to put in regulations that possibly could put big restrictions on people. We just had a letter given to us by the Canadian Association of Agri-Retailers, who are very concerned that their compliance costs with this legislation are going to be very high. They are going to have a lot of difficulty with this type of legislation. We should be listening to these people and trying to work around the problems rather than trying to ram this bill through.

● (1715)

Ms. Candice Hoepfner (Portage—Lisgar, CPC): Mr. Speaker, the committee worked very hard on this bill. In the short time I have been on the committee, I have seen members from every side of the House work together. We brought in a variety of witnesses and all the stakeholders. I believe that the work we did at committee has brought this bill to the place it is and the consensus that has been built on this bill. The amendment as it stands is something on which I do not think we need to move forward.

Mr. Jim Maloway: Mr. Speaker, I would encourage the member for Portage—Lisgar to reconsider those comments. This legislation not only has to make it through third reading in this House but also has to go to the Senate to be dealt with before it becomes a law of the country. I have already mentioned that if we develop legislation that is simply going to be challenged by the courts and end up being ruled out of order at the end of the day anyway, we have not really accomplished much.

As the member said, we have spent a lot of time on this bill. However, the fact of the matter is that we are just asking for a little bit more consideration here. That is why we moved the amendment at third reading.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, this is what I find a little incomprehensible. The Conservatives did not get the job done. They did not put together a bill that did not have huge flaws in it. They did not listen the first time around when the member for Western Arctic brought forward those amendments. They did not listen to the testimony and the letters from organizations that raised real concerns about the impact on farmers and longshore workers.

We have a government that did not want to do the job right, and now it is being confronted with an amendment that says sorry, but this House requests that it gets the job done and that the government does it right. Yet, there are Conservative members who seem to object.

My question for the member for Elmwood—Transcona is quite simple. Why would the Conservatives object to getting the bill right? Why did they not choose to get the bill right in the first place and actually listen to what people were saying about it?

Mr. Jim Maloway: Mr. Speaker, those are very good comments as well. In many respects, the Conservatives in some ways do not realize they do not have a majority government. They think they do, but they do not. They have to deal with all the parties in the House and on a proper basis.

We have had a third reading procedure in Parliament for many years now. An hon. member who is new here, as I am, will recognize at some point that the bill must get through all the stages. One does not get it to second reading and demand that a vote be taken because one sat on a committee for a few days and heard a bunch of presenters.

There are numerous people across the country who do not know about this bill at all. As a matter of fact, we have dealt with another bill dealing with charities and 90% of the charities do not even know this bill exists. It has now gone through at least three parliaments in six or seven years.

Government Orders

For the hon. member to think that somehow the Canadian Association of Agri-Retailers and its members know about this bill, I think she is sadly mistaken. I am sure they do not and there are many others who are going to wake up one day and find out this bill is in effect and they were not even aware of it. There is no harm in taking a little more time to hear more people's concerns and do more study on this bill.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, as the member knows, the Olympics are coming. The Olympics are very important to all Canadians from coast to coast to coast who are preparing for them.

One of the reasons this bill is very important is that Canadians expect the government will take care of them. That is what this bill does. This bill ensures that Canadians will be protected and that people who come to visit the Olympics will be protected.

I find it amazing that the hon. member has voted against security at the border and the military. When he has had the option to make sure that Canadians are protected, he has constantly voted against it. Now we have another opportunity to protect Canadians and the hon. member is trying to delay it yet again. Could the hon. member comment on that?

• (1720)

Mr. Jim Maloway: Mr. Speaker, the hon. member is ranting and raving. His government lets 99% of cargo containers into this country without screening. If the hon. member is concerned about security, why does he not deal with that issue?

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I am really happy to see that we are actually debating this in more detail. Some of the questions raised deserve more attention. The hon. member for Portage—Lisgar pointed out that many witnesses were before the committee. There were a few witnesses in front of the committee, but I might jog her memory about some of the witnesses who talked about the amendments.

I have committee transcripts from Tuesday, March 10, where the government representatives presenting evidence to the committee on the amendments that I put forward did not understand the amendments and had to admit in the transcripts that they had it wrong on two out of three of the amendments. In fact, when they presented the departmental view on the amendments, it was an incorrect view. It did not speak to the actual substance of the amendments. Officials had to retract those statements and agree with them. So what we saw was a lack of interest on the part of the bureaucrats in this process in informing the committee members of the nature of the amendments.

The member for Portage—Lisgar said we did a very detailed job on this. This is not the case. Quite clearly the transcripts show what happened in the committee meetings. We did not give this enough time. We did not see enough witnesses.

The hon. member for Portage—Lisgar brought up the point about farmers and the fact they are protected under regulations. Are they protected under statutes which can hold them free of the conditions that the minister could apply to them under the statute we are passing? When we talk about the farming industry, we were not presented with information at committee. There is no mention of

farmers at committee. That issue was not dealt with. Quite clearly, once again, we have more work to do.

The issues raised in the House of Commons at the time of this debate are actually very serious issues when we are talking about the imposition of very onerous conditions that can be imposed on any industry in this country by the minister through regulations, through governor in council, without any further opportunity for parliamentarians, who are the ultimate judge of legislation. That means we have not done our job. We should take the opportunity that has now been given us, through this amendment, to go back and look at the amendments again to ensure that we get this right.

This is not a delaying tactic. This is an opportunity to make good legislation. What else do we stand in the House for other than to provide the very best of service with our thoughts and our directions as parliamentarians? I take my work seriously. I look at the legislation. My staff takes its work seriously. If we make mistakes, they are honest mistakes, and we want to be corrected. We want to ensure that what we are saying, the principles, the philosophy, and the direction the legislation applies will carry through in that fashion when it is applied to Canadians. That is our job here. There is no smaller job. There is no larger job. That is our job.

When we see that is not being accomplished, we have to go back to make it happen. We are not here simply to engage in partisan politics. This is not why we get up in the House of Commons and talk about issues like this. I really hope that perhaps we can come to some understanding on the bill through a process that would allow us to go back to the committee, allow us to continue the work needed to be done on this legislation and bring it forthwith to Parliament and get third reading done, and then moved on to the Senate in good fashion where it would not have questions about it. Let us get it out to the public where the public is satisfied with what we have created. All those things are the work that we should be doing here.

• (1725)

As a New Democrat, as a person who has worked with legislation at a municipal level, who understands what happens when we put in legislation that is not appropriate, we have to do things right. We have a chance to do things right. I am very happy that my colleague has brought forward this amendment. I trust that this amendment will pass and that we will be able to deliver to Canadians, in a timely fashion, a good piece of legislation.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I think it is very important that this amendment has been brought forward by the member for Western Arctic, who is very concerned about how farmers are treated in this bill, how longshore workers are treated in this bill.

It is interesting to note that where there are more Conservative MPs, farmers are worse off. In Manitoba, where there are fewer Conservative MPs, they actually have much better farm receipts. Saskatchewan is worse. In Alberta, where there are more Conservative MPs, they have the worst farm receipts in the country. So, I can gather from that, that the Conservatives do not seem to care much about farmers and people in the agricultural sector. They just seem to sell them out. It is tragic.

Government Orders

However, we have an opportunity. Essentially what the member for Western Arctic has done, since the government failed the first test, is allowed the Conservatives, is allowed the government, a retake on this exam to actually get the bill right, subject to the testimony that has already been provided and the letters that have come in about the major flaws and problems in this bill.

My question for the member for Western Arctic is this. Why would the Conservatives not snap up this offer on a retake on an exam that they failed so horribly the first time?

Mr. Dennis Bevington: Mr. Speaker, I do not really think the Conservatives have failed here. This is not a question of fail or pass. This is a question of production of good legislation. It is a complex business. Sometimes we want to move things ahead because we have other agendas. Perhaps we have concerns about things like the Olympics that say this has to be done and if we allow the other parties to interfere with the process, it might not get done.

We are not talking about interfering with the process here. We are talking about sending the bill back to committee so that we can top it off with a couple of days on the one item alone, so that we can deal with it in a good fashion and ensure that it is completely correct, that all the committee members understand how this works, that the government understands how it works, that we do not get fed information that is not correct from the government witnesses, and that everything is lined up in good fashion. That is my feeling about it.

Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I did have an opportunity to talk to the member while speeches were going on. I tried to answer a couple of questions he did have that he was not able to do his own homework on, and I provided specific information in relation to the Privacy Act and one of the concerns he had. In fact, we cannot go against the terms of the Privacy Act, and the government cannot. I want to make sure I put that on the record so he clearly understands that the balance between the two cannot be compromised. The Privacy Act protects Canadians and their privacy, and we are going to continue to do that. So, that is not an issue on this particular question.

It is good to see the NDP members stand up for big business like agri-retailers. I really appreciate that because we hear a lot of them talking about farmers. I think they should let me stand up for my constituents, just like all of the Conservatives will continue to stand up for farmers across this country, the only party in this House that has done so. Indeed, I have a huge portion of farmers in my riding and I have heard clearly that they are in favour of this legislation.

However, I do wonder why he is putting off such an important piece of legislation. We have heard from members, from expert witnesses, who have come forward to say that we need this for the Olympics. Why would he put this back on the burner when I have already satisfied those questions?

My question for him today really is this. Why did he vote in favour of moving this particular bill out of committee and into the House? Because it was unanimous. If he were to check the record, he would see that he actually voted to move this out of the committee. I asked him three times if he had an opportunity to talk about a compromise on any particular piece of legislation that the

government could live with. He never talked to me before he put through his amendments. He never talked to me after he put through his amendments. He talked to me today, after it is back in the House. So what more can we do? We listen, we act, and we are reacting. But we have to do this in the best interests of Canadians, and I wonder why he supported this bill at committee to move it on if he is not supporting it today. He is playing games.

• (1730)

Mr. Dennis Bevington: Mr. Speaker, I find that statement to be a bit absurd. The legislation was on the order paper for a later time. We had considered putting amendments at the report stage. The Conservative government moved the bill ahead very quickly on the order paper. In fact, it delayed the work it was doing on Bill C-2 today in order to push the bill forward so our amendments could not come forward in the proper sequence, which would have been as the bill came forward.

The question of how the bill is in front of us now is an issue. Quite clearly, in the last committee meeting, we had a lot of testimony that was not correct, and the witnesses had to agree. That is in the transcript of the committee meeting.

When it comes to offering up amendments, the hon. member across had the opportunity in the committee meetings to provide amendments to my amendment and the members chose not to even talk about it, partly because the information the government officials were providing to the committee was incorrect. Therefore, we had a problem.

Now it is in front of the House and we have to have this debate, which is fine. Canadians can hear a bit about what we are doing in the House. We are not trying to slow down this legislation.

Perhaps some of these questions would be better dealt with at a Senate committee meeting, where the Senate could ship it back to us once it had amended it.

What we should do is get the work done in a correct fashion, as I pointed out.

Mr. Peter Julian: Mr. Speaker, the amendment offered by the member for Elmwood—Transcona, seconded by the member for Western Arctic, is a real gift to the government. Basically we have said that we will work with the government to work out the major flaws that have been identified, not by us but by others across the country. Letters from people, from farmers and longshore workers, were read into the record, letters that said these were major flaws. The government seems to be giving the back of its hand in saying, no, that it does not want anyone to work with it to improve the bill, that it does not want to have anything happen that will make the bill —

Mr. Brian Jean: Mr. Speaker, I rise on a point of order. The member has referred to letters from farmers who oppose the bill. I would like him to produce those. I have not seen any. I would like him to produce all these letters that he suggests oppose the bill. If he is going to refer to that in the House, I think it is fair that he provide those to us.

Government Orders

The Acting Speaker (Mr. Barry Devolin): If the hon. member for Burnaby—New Westminster has any letters that he would like to table, he would need the unanimous consent of the House to do that. Failing that, he can continue with the rest of his question.

Mr. Peter Julian: Mr. Speaker, I will speak more slowly so the Conservatives across the way can understand. I said that we had read into the record letters that have indicated the concerns raised among farmers and longshore workers. I ask my colleague and other Conservative members to check the blues because the NDP gave it all out them. We provided all that information. The member for Western Arctic did as well.

Essentially the NDP has said that there are deep flaws with the bill. We have produced the letters that have indicated what those deep flaws are. What we have said is that we are willing to help the Conservatives govern right.

• (1735)

Mr. Dennis Bevington: Mr. Speaker, I do not know how much more I can add to what I have said already. I trust we can move ahead with this motion, we can do the work that is required and that should be enough.

Mr. Brian Jean: Mr. Speaker, I did not receive an answer to my previous question. I am simply asking why the member voted to move the bill out of committee, if there were such deep flaws. I am sure he has a colleague behind him from the NDP giving him advice on it. Why did he vote to move the bill on, out of committee and into the House if there were such deep flaws? He raised his hand. It was unanimous. All the members around the table realized the importance of the Olympics and the importance of the bill.

Why yesterday was it good and today it is not? Is he playing politics?

Mr. Dennis Bevington: He should read the transcripts, Mr. Speaker. That would indicate where my dialogue was. We do not need to play silly games.

The Acting Speaker (Mr. Barry Devolin): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Barry Devolin): The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Barry Devolin): All those in favour of the amendment will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Barry Devolin): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion the nays have it.

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Call in the members.

And the bells having rung:

The Acting Speaker (Mr. Barry Devolin): The vote stands deferred until the end of government orders today.

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ENVIRONMENTAL ENFORCEMENT ACT

Hon. Tony Clement (for the Minister of the Environment) moved that Bill C-16, An Act to amend certain Acts that relate to the environment and to enact provisions respecting the enforcement of certain Acts that relate to the environment, be read the second time and referred to a committee.

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I am pleased to participate in the second reading of Bill C-16, the environmental enforcement act, which addresses the important issue of enforcement of our environment and wildlife protection and conservation laws. I would like to compliment the work of the Minister of the Environment for making this bill a priority.

Our government has taken a number of steps since coming into office three years ago to protect our water, air and land through stricter enforcement measures.

The environment enforcement act will complement the \$22 million commitment that we made in budget 2007 to increase the number of enforcement officers by 50%, a commitment that has led to the hiring of 100 new enforcement officers, the last recruits of which will be trained by this August.

Among these new officers, nearly two-thirds will concentrate on the legislative and regulatory requirements of the Canadian Environmental Protection Act, known as CEPA, 1999, and the Fisheries Act, while the rest will be assigned to commitments under wildlife legislation.

The work they do will be further enhanced by this government's commitment in budget 2008 of \$12 million over two years to Parks Canada for the implementation of an enhanced law enforcement program within Canada's national parks and \$21 million over two years to enhance Environment Canada's enforcement operations by improving scientific and technical support during enforcement operations, including forensic analysis, expert witness participation and improved laboratory capacity, establishing two major case units dedicated to investigations requiring highly specialized skills and enhancing compliance and intelligence monitoring systems.

These budget commitments will increase the effectiveness of Environment Canada and Parks Canada enforcement officers and help them do their jobs. These commitments will also ensure enforcement activities are able to more effectively support prosecutions.

However, both enforcement activities and support for prosecutions will only lead to long-term results if prosecutions of enforcement offenders result in stringent sentences that act as strong deterrents, that denounce unlawful activity that threatens the environment and that contribute to the restoration and remediation of environmental harm resulting from environmental offences.

Government Orders

Bill C-16, the environmental enforcement act, proposes to introduce sweeping changes to the offence, penalty and enforcement provisions of nine environmental protection and wildlife conservation statutes to ensure they achieve all of these goals.

The application of the bill's amendments to nine different statutes ensures its impact will be far-reaching. Six of the statutes that would be amended by the bill are the responsibility of the Minister of the Environment. These include CEPA, 1999, the Canadian Environmental Protection Act, one of Canada's most important environmental protection laws. This act addresses the prevention and management of risks posed by toxic and other harmful substances and the environmental and human health impacts related to biotechnology, marine pollution, disposal at sea, vehicle, engine and equipment emissions, fuels, hazardous wastes and environmental emergencies.

The statutes that would be amended by the bill also include the Migratory Birds Convention Act of 1994, a key tool for protecting migratory birds in Canada.

The bill would also strengthen the enforcement, fines and sentencing provisions of Canada's trade and endangered species legislation, which forbids the unlawful import, export and interprovincial transport of species on the Convention on International Trade in Endangered Species of Wild Fauna and Flora control list and of foreign species whose capture, possession and export are prohibited or regulated by the laws of another country.

● (1740)

In addition, the environmental enforcement act would strengthen the enforcement provisions of the Antarctic Environmental Protection Act, which implements a protocol to the Antarctic treaty and the Canada Wildlife Act under which national wildlife areas are established and maintained for wildlife conservation and research activities.

The bill would significantly strengthen the International River Improvements Act, a statute that governs the construction, operation and maintenance of large projects such as dams on rivers flowing from Canada into the United States.

Bill C-16 would strengthen the enforcement, fines and sentencing provisions of three other statutes for which the Minister of the Environment is responsible as the Minister for Parks Canada. These include: the Canada National Parks Act, under which our national parks and reserves are created and managed; and the Canada National Marine Conservation Areas Act, which authorizes the creation and management of marine conservation areas that are representative of the Atlantic, Arctic and Pacific Oceans, and the Great Lakes.

Bill C-16 would amend the Saguenay-St. Lawrence Marine Park Act which protects the Saguenay-St. Lawrence Marine Park for the benefit of this generation and generations to come.

Hon. members of this House may question why the provisions of Bill C-16 are not applied to the Species at Risk Act. As members know, the Species at Risk Act, known as SARA, was recently referred to the House of Commons Standing Committee on Environment and Sustainable Development for its required five

year review. Out of respect for that process, amendments to the Species at Risk Act were not included in this bill.

The government recognizes that the Species at Risk Act may benefit from many of the provisions introduced in Bill C-16. I urge my colleagues on the environment committee, many of them here today, to consider the application of Bill C-16 on the Species at Risk Act as we review that act.

The need for the amendments proposed in the environmental enforcement act are clear. At the Global Judges Symposium held in Johannesburg, South Africa in 2002, where Canada's Supreme Court was represented, the Johannesburg Principles on the Role of Law and Sustainable Development were adopted.

The principles include the following statement:

We are strongly of the view that there is an urgent need to strengthen the capacity of judges, prosecutors, legislators and all persons who play a critical role...in the process of implementation, development and enforcement of environmental law... especially through the judicial process....

Current fines are too low to be effective deterrents. Furthermore, they do not adequately express society's strong disapproval of environmental offences. Finally, when fines are collected, they are currently most often directed toward the consolidated revenue fund. Our government has proposed amendments in Bill C-16 that would see those fines made available for remediation of the harm caused by that environmental offence.

On the issue of fines, although some of the statutes amended by Bill C-16 already provide for up to \$1 million in fines per day for an offence, imposed fines have never approached these amounts. In fact, the highest financial penalty imposed under the Canadian Environmental Protection Act to date is \$100,000. Given that most offenders convicted under the Canadian Environmental Protection Act are corporations operating in a regulated sphere, there is a risk that fines of this quantity may simply be seen as the cost of doing business.

This greatly reduces the deterrent value of fines, not to mention poorly represents society's disapproval of environmental offences. To put this in perspective, we need to consider that penalties for environmental offences in the United States often reach millions of dollars. Bill C-16 would address this issue by providing guidance to the courts in appropriate fines for introducing minimum fines, requiring courts to consider aggravating factors and increasing most of the minimum and maximum fines.

● (1745)

If the environmental enforcement act becomes law, fines for individuals who commit the most serious offences will range from a minimum of \$5,000 to a maximum of \$1 million per day. Large corporations that commit the most serious offences will be liable to fines ranging from \$100,000 to \$6 million per day of an offence.

Government Orders

Beyond increasing fines, the bill would also improve sentencing guidance by introducing purpose and principle clauses that recognize the sentencing objectives of deterrence, denunciation and restoration and the importance of taking into account the aggravating factors.

It would also ensure courts have access to a full suite of powers to order offenders to undertake certain activities, including remediating harm caused by their offences, compensating those who take remedial action or who lose property as a result of the offences, and contributing to communities harmed by the environmental offences.

The bill would further enhance the deterrent effect of convictions by improving public disclosure of environmental offences, especially with respect to corporate offenders. It would add a provision to each act obliging the minister responsible for the act to maintain, in a registry accessible to the public, information about convictions of corporations for offences under the act. The objective is to encourage compliance given the importance of public opinion on corporate success. Furthermore, the bill would oblige courts to order corporate offenders who have shareholders to inform their shareholders of the convictions.

Beyond its focus on the outcome of prosecutions, the bill would give enforcement officers better tools for addressing offences that require immediate attention by allowing officers to issue compliance orders.

The bill also sets out the legislative authority needed to establish an administrative monetary penalty scheme for responding to less serious environmental infractions that might otherwise go unaddressed because of the prohibitive cost and time associated with prosecution.

These administrative monetary penalties are relatively low financial penalties that are appropriate enforcement tools for responding to violations of law that are relatively minor in nature.

The new act would authorize the Governor in Council to make regulations needed to implement the administrative monetary penalty scheme, including regulations identifying for what offences administrative monetary penalties may be used and a method for calculating the fine amount. The new act would restrict the amount of these monetary penalties to \$5,000 for an individual and \$25,000 for any person or ship, creating a continuum of enforcement responses from warnings to compliance orders to administrative monetary penalties to charges.

Persons issued an administrative monetary penalty may have them reviewed by an administrative tribunal to ensure fairness that may determine whether the person committed the violation and, if the tribunal determines the penalty for the violation is not determined in accordance with regulations, it may correct the amount of the penalty.

Finally, as I have already alluded to, the bill would help address the harm resulting from environmental offences by directing all fines collected under the statutes amended to the environment damages fund. Currently, the fines collected under most environmental protection statutes are directed to the Receiver General, from which they are not necessarily available for environmental restoration and protection projects. Moneys in the environment damages fund,

however, are available for individuals and organizations for the purpose of supporting restoration and protection projects.

Ineffectual enforcement of environment and wildlife conservation and protection laws make them ineffective. Canadians expect these laws to be enforced and that their enforcement will lead to meaningful sentences.

● (1750)

The budget commitments that this government has made, including the additional officers and now Bill C-16, combine to form a comprehensive, modern and effective enforcement regime for Canada, one that will protect the rich natural resources that define our nation and make us as Canadians so uniquely appreciative of the land that we cherish and so proudly call our home.

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I have a few questions for my hon. colleague, the Parliamentary Secretary to the Minister of the Environment, including this one in particular.

As we know, Bill C-16 identifies a number of aggravating factors for the purposes of sentencing. A number of those aggravating factors are listed in the bill, including the following: the offender failed to take reasonable steps to prevent the offence, despite having the financial means to do so.

Why did the government decide to list a number of factors for the purposes of sentencing? Why did the government insist on defining what it considers aggravating factors?

● (1755)

[*English*]

Mr. Mark Warawa: Mr. Speaker, I thank my colleague from the Bloc and I look forward to continuing our hard work in the Standing Committee on the Environment. I hope he will support Bill C-16 as it is well needed.

I want to share with the member that there have been over 500 convictions under the laws amended by this bill in the past five years. A conviction on indictment is only one type of conviction. A prosecution can proceed on indictment or on summary conviction. In fact, most prosecutions under the statutes amended by this bill proceed by way of summary conviction.

It is accurate to say that we have not often proceeded with prosecutions on indictment. The decision to proceed by indictment or summary conviction is a complex decision made by prosecutors and is dependent on the specific facts and circumstances of a particular case.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I thank the parliamentary secretary for his presentation of the bill.

Government Orders

When the Minister of the Environment presented this bill at his press conference, he presented it as an updated modernization of the bill as consistent with what we see around the world. I am puzzled. If this is an updating of all of the acts and laws, why does this bill not include updates for the Federal Fisheries Act, the Canadian Environmental Assessment Act and the Navigable Waters Protection Act?

Why are we not including in these bills the opportunity to also include the right to receive part of the fine if one does a private prosecution?

Mr. Mark Warawa: Mr. Speaker, the Minister of the Environment has the authority to deal with these nine statutes. We could also deal with SARA but the Fisheries Act would be a different minister. These are acts for which the amendments in Bill C-16 would apply.

If the other ministers would like to see these kinds of amendments, that could be done but it would be up to that minister in another bill. However, Bill C-16 deals with specific statutes for which the Minister of the Environment is responsible.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the government seems a bit schizophrenic on the environmental protection of bridges and dams. I think it is a good initiative. I am supporting stronger penalties for people who are doing the wrong things. It is going through the proper process, through committee and through the House so that we can debate it, which is excellent. The minister had a good briefing, which I went to.

However, on the other hand, it sneaks the changes to the Navigable Waters Act, which affect the same bridges and dams, through Parliament in the budget when it knows we cannot have debate. It rushes it through. It is a bit disappointing that on one hand it shows this concern for protection, which I sincerely think it agrees with, but on the other hand it tries to totally avoid it and sneak through Parliament the changes to the Navigable Waters Act which we were not allowed to change.

Mr. Mark Warawa: Mr. Speaker, Bill C-16 is there to enhance enforcement, to provide direction to the courts with minimum and maximum sentences. This will also give tools to the enforcement officers.

As the member knows, we have increased by 50% the number of enforcement officers from just under 200 to over 300 officers. We need to have those officers, but we also need to have the legislation and Bill C-16 does that. It provides much stiffer penalties and consequences which will act as a deterrent. However, we believe it needs to pass quickly through the House and I look forward to the member's support.

• (1800)

Ms. Linda Duncan: Mr. Speaker, with all due respect to the parliamentary secretary, I will give him a chance to answer my question again.

In fact, the Minister of the Environment is responsible for the contaminated substance provisions of the federal Fisheries Act, so it would be normal and rational that he would bring forward those changes to fines and enforcement provisions as well, or encourage his colleague to bring that forward in an omnibus bill. The federal Minister of the Environment is also responsible for the enforcement

of the Canadian Environmental Assessment Act, so I will give the member an opportunity to perhaps pursue that again.

I would also like my second question to be answered. Why, if we are modernizing the legislation, are we not bringing forward into all environmental statutes the provision, if there is a private prosecution, that it can claim half of any fine that is imposed on conviction?

Mr. Mark Warawa: Mr. Speaker, if there were any additional statutes that are under the responsibility of the minister, for example, SARA, Species at Risk Act, those could be made at the Standing Committee on the Environment and Sustainable Development.

As I shared in my comments, the minister is respecting the committee because of the review. If there are any other statutes that are under the responsibility of the minister, that would be the place to make those suggested amendments to Bill C-16. I look forward to the member's work and her help to get this through quickly.

Hon. Larry Bagnell: Mr. Speaker, as the member is an experienced parliamentarian, if we were to bring in other acts and amendments, would not the chair of the committee rule them out of order because they are going to committee after second reading?

Mr. Mark Warawa: Mr. Speaker, the member makes a good point, but we are doing the Species at Risk Act review as it is a legislative requirement after five years. We will likely be making recommendations to amend SARA, so that would be the opportunity to also have this added to the statute as part of the recommendations of the standing committee.

Mr. Peter Braid (Kitchener—Waterloo, CPC): Mr. Speaker, I want to thank the parliamentary secretary for his great work on this file. I certainly appreciate the opportunity to work with him on the Standing Committee on the Environment and Sustainable Development. Bill C-16 seems quite heavy with respect to fines, but fines do not achieve anything if there is no political will to enforce them. I want to ask the parliamentary secretary, how does the government plan to ensure that our environmental laws will be enforced?

Mr. Mark Warawa: Mr. Speaker, I want to thank my colleague for his hard work and I enjoy working with him two days a week at the Standing Committee on the Environment and Sustainable Development. He works very hard and I want to thank him for his very good question.

As evidence of how much of a priority this is, in budget 2007 there were \$22 million to hire more environmental enforcement officers. We have done it there and we are now providing the legislative changes in the statutes. I believe we have the people and now we will have the legislation. There will be a strong deterrent. With some benchmarks or guide posts for the courts with minimum and maximum sentences, I am quite optimistic this will be a tool that will make sure that we do not have environmental damage. Corporations will not be able to make a profit with this new legislation. They will have to pay back any profit that results from that offence.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I am pleased to be here tonight to speak to Bill C-16, the government's environmental enforcement act.

I would like to, first, congratulate the legislative drafting team at Justice Canada, through the legal services division of Environment Canada, for their hard work on putting together this very large bill.

Government Orders

I would like to thank all the Environment Canada officials who have worked on this feverishly now for several years, many of whom of course were originally involved in the drafting of the architecture of environmental enforcement in this country, 80% to 90% of which was accomplished over three successive Liberal governments. Many of those individuals I know personally. I know they have been working feverishly on this bill for many years and it is the culmination of so much of their investment in serving Canadians on this front. I would like to congratulate those officials on behalf of all parliamentarians for their good service.

This is really quite a sweeping bill. It is a 225-page document, with far-reaching consequences. Subject to study at committee, the official opposition intends to support the bill going forward. We do, however, have an awful lot of questions about the motivation behind the bill, questions around the constitutionality of the bill, and questions around the evidence that might or might not backstop this bill.

As I said, it moves to strengthen and standardize penalties that polluters across all of the federal government's environmental laws would face and it builds on the substantial architecture set in place by successive Liberal governments.

We know that requiring violators to pay to repair, for example, environmental damage on top of paying fines is an important step. It is a step in the right direction in ensuring that pollution is not just part of the cost of doing business.

We are also pleased the government is building on the 1995 environmental damages fund created by the former Liberal government. We wish only that the government was this aggressive and forward-looking, and prepared to build on the good work of the previous government on climate change. It is too bad it was not as aggressive and forward-looking on its climate change work.

In that regard, I would like to share with Canadians a few impressions of the official opposition about the state of climate change and the degree to which Bill C-16 might apply to the climate change crisis.

The parliamentary secretary rightly pointed out that the Species at Risk Act is being examined now by the Standing Committee on Environment and Sustainable Development, a mandated five-year review, which the former Liberal government brought to bear for Canada.

We have heard from the critic from the NDP that there is an obvious and gaping omission with the absence of the Fisheries Act. For the parliamentary secretary to suggest that it is because it does not fall within the purview of the Minister of the Environment, I am not sure if that washes with Canadians. There are probably improvements to be made under the Fisheries Act and it is a mystery, still, as to why it has not been woven into these series of acts that are all being amended under this one bill.

However, the real elephant in the room for Canadians is climate change. How is this environmental enforcement act going to apply to the climate change crisis?

I feel for my colleague, the parliamentary secretary, because he is in a very difficult situation. I think the government is now in a very

difficult situation because it has no climate change plan. The plan that it put forward under the last Parliament has been withdrawn. We have no regulatory framework. Eleven independent groups, from the C.D. Howe Institute to the Pembina Institute to RBC Dominion Securities to a series of third-party groups, have examined the government's claim that it would, for example, reduce greenhouse gases by 20% from 2005 levels by 2020. Every single group, including Deutsche Bank, and every group that has examined the government's plan has simply said it will not work.

• (1805)

We have no plan and now we are waiting for the United States, where 535 Congress people are trying to craft a single cap and trade scheme for delivery to the president, and a renewable energy plan, but we have no matching plan to bring to the table.

We have a dialogue of the deaf because we have a government that purports to be in conversations, no "negotiations", with the new Obama administration, but we see no independence being manifested by the government on behalf of this country. We are not acting like a sovereign state on climate change. There are no negotiations. There is no special envoy. The Minister of Finance does not know what the price of carbon is in the international markets. There are no timelines.

For that matter, we are not even sure what the government will do with the Kyoto Protocol Implementation Act, a legislative tool that was brought to bear by members of the opposition and forced on to the government after, of course, it withdrew its Clean Air Act from the last parliament because it was re-written and greatly strengthened by all opposition parties. However, the government did not like the bill, did not like the new improved Clean Air Act, so it did what it does best, it censured debate and it prorogued Parliament.

As a result, the new and improved Clean Air Act evaporated into thin air and the government is now without a climate change plan, waiting for the United States and not acting like an independent country. There are no negotiations. There is no envoy. There are no timelines. The Department of Finance has not crafted a tradeable permit scheme for this country, so we are now in a situation where, when we look at environmental enforcement, we are led to ask the question: why this and why now? If we are in desperate need of enhanced environmental enforcement, how will it apply to the single, greatest crisis civilization has ever known, and that is the climate change crisis and temperature increases? That is a line of questioning that we hope to pursue at committee with the government when we do see the bill there.

What has motivated the government? I believe it is motivated by good faith, but I also believe that it is part and parcel of the government's recent quarterly law and order communication agenda. That is okay because most Canadians know, as tens of thousands of them lose their jobs, that the government is not performing, when it comes to the economy, the way they expect.

Government Orders

The government has pursued an aggressive agenda, what I call a shock and awe law and order communications agenda. I hope, as one parliamentarian, that this does not fall prey to the government's penchant for Republican style law and order communication tactics. I hope this will survive that kind of approach and get to committee and be debated in a meaningful way.

If it is to be debated, then we need to see from the government some evidence. In so many of the law and order measures brought forward by the government, there is just so little evidence to backstop the proposed measures. There has been an awful lot of ideology, but there is not often a lot of evidence. Where is the evidence of the need for such sweeping reform on environmental enforcement, on fines, on penalties, on mandatory disclosure of corporate pollution, for example, and prosecutions? Where is the evidence that these changes will actually have an effect on pollution levels? We are not saying that it will not, but as a government, it has an obligation to bring forward the evidence to substantiate its claims.

The parliamentary secretary said fines are too low to be an effective deterrent. How many fines have there been in the last three and a half years of Conservative government? How high have those fines been? If the fines will be used for restorative purposes, what about pre-existing liabilities?

• (1810)

There are 38,000 to 40,000 contaminated sites in existence in our country as we speak. How will this environmental enforcement deal with pre-existing liabilities for the municipalities, cities, towns and regions across the country that are inheriting toxic sites, brownfields, blackfields, contaminated sites? Will this deal with that troubling issue?

The court may indeed order compensation and restoration payments. I believe there will be questions about constitutionality. There will be questions about the federal-provincial division of responsibilities. Courts can suspend or cancel permits for those who commit environmental offences. This is a good thing, a provision which did not exist before.

The registry of environmental offenders was referenced by the parliamentary secretary, so we get to publish names of corporate environmental offenders. What about the preponderance of Canadian companies that are not incorporated? Eighty per cent of all jobs in Canada today hail from small and medium-sized enterprises with less than 100 employees. How will they be brought into the fold? That outstanding question has to be answered as well.

Will the government inspire itself from the decade-old experience in the United States, where publicly-traded corporations have to reveal not only how much they are spending on corporate social responsibility, environmental sustainability, fines and prosecutions, but also have to disclose, for example, to what extent they are involved in litigation?

There is an agreement between the United States Environmental Protection Agency and the Securities and Exchange Commission that compels the sharing of information so institutional and retail investors in our capital markets can make better and more informed choices about where to place their investments. How will the bill deal with capital flows in capital markets so we can encourage

investments in those companies and organizations with better environmental performance? That remains to be answered. That is the kind of evidence we need brought to bear with respect to the bill.

All offenders must now pay a fine equal to the benefit received as a result of committing the offence, in addition to paying the fine for the offence itself. What does that mean? How will that be monetized? How will that be quantified?

What if another Exxon Valdesse were to occur or an on-land Exxon Valdesse equivalent were to occur and Canada were to lose significant wetlands? Canada has 26% of the planet's wetlands. They are millions of years old and are perfect and free water and air filtration systems. If we were to have a significant tailings pond spill and lose, for example, pre-eminent wetlands in a sensitive region in the country, how is the court expected to monetize and calculate that loss of eco-service? The notion of natural capital is not something about which the government has ever talked.

The government continues to pretend that carrying capacity out there is limitless, that we can continue to put as much greenhouse gas into the atmosphere as we wish because it will keep assimilating it. We know that is not the case. This is an interesting measure. How exactly is the court going to order fining equal to the benefit received as a result of committing the offence in addition to paying the fine for the offence itself? Surely the government is not going to be instructing courts to ignore carrying capacity and eco-services in Canadian natural settings.

The good news about the bill is it began well before the last election in 2008. Officials have confirmed its drafting began some two and a half to three years ago. I hope sincerely that the bill has been inspired largely by the terrible example of what can happen when a jurisdiction begins to ignore environmental standards such as the example in the province of Ontario under a previous Conservative government, where four front line cabinet ministers of the present government served, as well as the Prime Minister's chief of staff, and fired half of the province's water inspectors, leading to the terrible disgrace and tragedy of Walkerton.

• (1815)

I hope the government is going to deeply study the O'Connor report and insist that the learnings that were derived are implemented fully in the bill. It is extremely important to learn from past mistakes, but I am glad to see the previous minister of the environment, who was a minister in that unfortunate Michael Harris government that gave rise to that Walkerton crisis and tragedy, appears to be learning from that past and unfortunate experience.

Those are some of my first comments, but I want to pick up on a theme raised by my colleague from Yukon. It is passing strange that just last week, on a break week, the Minister of the Environment was in Calgary announcing to Canadians that he was single-handedly going to decide how environmental assessment was going to be conducted in Canada going forward. It is interesting because the first environmental assessment brought into the country was in 1992 by the former Mulroney government. It was a fine and important step for Canada.

Government Orders

In the last Bill C-10 budget bill, the government laced it with nine poison bills, not the least of which was the Navigable Waters Protection Act changes. There again was zero evidence presented to suggest that it was necessary to give a minister of transport and infrastructure unfettered discretion to decide when and when not an environmental assessment ought to occur in a bill which is over 115 years old, an act, the Navigable Waters Protection Act, set out originally to protect natural waterways in Canada forever.

However, it is worse because last week the Minister of the Environment stood up in Calgary and gave a speech announcing that he was going to go further. Without parliamentary notice, without public consultation, without engaging the committee, without anything apparently now under the guise of getting money out the door as quickly as possible for stimulus purposes, the Minister of the Environment was facilitating the undermining of environmental assessment. That is rich.

The Minister of the Environment has now announced that he will change the Canadian Environmental Assessment Act, change the function of the Canadian Environmental Assessment Agency to weaken EAs as they go forward. This is something that the opposition, as the official opposition, will not tolerate.

We will be watching and asking questions about how the government intends to reconcile so-called tough on environmental crime measures in the bill, while speaking out of the other side of its mouth and announcing that it is either poison building its budget bill by forcing changes to environmental assessment or the Minister of the Environment freelancing in Canadian society, saying that he knows best and he will decide how 20 years of environmental assessment practice ought to be changed without notice.

Those are the kinds of changes we will be protecting against. Those are the kinds of issues that we intend to raise. It will be very important now for the government to come to committee and explain to Canadians, to go back to what I was saying a moment ago, how the bill will take us one metre farther, one yard farther down the field in dealing with the elephant in the room, which it is unprepared to admit exists in the room. That is the climate change crisis.

Environmental enforcement is all for naught if we see a 3° to 4° centigrade temperature increase on this planet in the next 50 to 100 years. It is all for naught. The government now has to stop the window dressing and come to ground on the climate change crisis.

• (1820)

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I want to congratulate my colleague on his speech on Bill C-16. I would like to focus on the real changes that will result from this bill. As my colleague said, it is sort of a “law and order” approach. The question is whether this approach will really bring about significant changes and improvements in the environment. Here is an example.

In February, the federal government charged Syncrude Canada with violating the Migratory Birds Convention Act, 1994, by releasing toxic material into tailing ponds in northern Alberta, which led to the death of 500 ducks.

Under this act, this company is liable to a \$300,000 fine or six months in prison. Does my colleague believe that Bill C-16 will really change the behaviour of corporate polluters?

• (1825)

Mr. David McGuinty: Mr. Speaker, quite simply, nobody knows. Nobody knows if this bill will have a real impact on everyday decisions made by companies large and small or by Canadians. Nobody knows. However, we know that, by itself, a law and order approach to the environment has never worked in either the United States or the European Union. But there is a spectrum.

[*English*]

For example, why is the government not tying law and order and environmental enforcement to intelligent use of fiscal choices? It costs \$2,500 a tonne to reduce greenhouse gases. The government brings in a tax deductible transit pass, which has zero impact on driving up ridership.

Instead of investing in silly games like that, why is the government not using fiscal policy to achieve higher environmental performance? They are linked. My colleague is right.

In Europe, for example, the European Union has excelled in a concept of eco-covenants, where industry, government, NGOs and communities sign contracts together. Over five years, they are implementable, one against the other. It is a very interesting tool that is absent in this debate. It is simply and apparently still all about law and order.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, this is another example of the government introducing a huge omnibus bill with a whole bunch of different items in it. Bill C-16 is 216 pages long.

The member red-flagged the Fisheries Act. Why does the member think the Fisheries Act was not included in the bill? It seems to have everything else.

Mr. David McGuinty: Mr. Speaker, far be it for me to apply a divining rod to the government or to find the water. I do not know. It might be that the government is embarrassed by the fact that twice in a row it announced that by now it would already have a national water strategy for our country.

There is no national water strategy, which is why the Minister of the Environment, having cut the funding for the GEMS project with the University of Waterloo in water testing, reinstated it the day before World Water Day, Saturday past, to perhaps pick up the slack there.

I do not know why the Fisheries Act was an omission. It certainly would be interesting to hear from the minister himself. Given the powers the Fisheries Act officers have and the impact on fresh water, it will be very important to see whether this omission can be addressed and whether the bill can be amended.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member has put it in context in that we have a bill that will deal with environmental enforcement issues and fines and penalties. When it gets down to it, I think Canadians want to see that we support our laws and that the penalties and the fines are appropriate, but in its essence it totally ignores the environmental risk in the history of humanity, the threats to the planet. We also have, as examples in the budget, changes that will affect the effectiveness of our federal Environmental Assessment Act, which would in fact weaken existing legislation.

There seems to be a contradiction in the agenda of the government. Would the member help us to understand how we should move forward on these matters?

Mr. David McGuinty: Mr. Speaker, we need good environmental enforcement. We need proper fiscal signals being sent to the marketplace. We need new creative approaches like eco-covenants. We need to reward good voluntary behaviour. We need to provide the demand pull that only a federal government can with procurement systems. There is a whole suite of measures that will actually drive up environment performance. As of now, we do not see a coherent approach.

• (1830)

The Acting Speaker (Mr. Barry Devolin): When debate resumes on this matter, the member will have four minutes remaining in questions and answers.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

The House resumed from March 12 consideration of the motion.

The Acting Speaker (Mr. Barry Devolin): It being 6:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion to concur in the third report of the Standing Committee on Foreign Affairs and International Development.

Call in the members.

• (1855)

[Translation]

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 30)

YEAS

Members

Allen (Welland)
Angus
Asselin
Bagnell
Beaudin
Bellavance
Bevilacqua
Bigras
Blais
Bouchard

André
Ashton
Bachand
Bains
Bélangier
Bennett
Bevington
Black
Bonsant
Bourgeois

Brison
Cannis
Carrier
Chow
Coderre
Cotler
Crowder
Cuzner
Davies (Vancouver Kingsway)
DeBellefeuille
Deschamps
Dewar
Dhalla
Dorion
Dryden
Dufour
Duncan (Edmonton—Strathcona)
Eyking
Folco
Fry
Gameau
Godin
Gravelle
Guay
Basques)
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)
Hall Findlay
Harris (St. John's East)
Hyer
Julian
Karygiannis
Laforest
Lavallée
LeBlanc
Lemay
Lessard
Malhi
Maloway
Martin (Sault Ste. Marie)
Mathysen
McKay (Scarborough—Guildwood)
Ménard (Hochelaga)
Mendes
Mourani
Murphy (Charlottetown)
Neville
Pacetti
Paquette
Pearson
Pomerleau
Rae
Ratansi
Rodriguez
Savage
Scarpaleggia
Silva
Simson
Szabo
Thibeault
Trudeau
Vincent
Wilfert
Zarac — 141

Routine Proceedings

Brunelle
Cardin
Charlton
Christopherson
Comartin
Crombie
Cullen
D'Amours
Davies (Vancouver East)
Demers
Desnoyers
Dhaliwal
Dion
Dosanjh
Duceppe
Duncan (Etobicoke North)
Easter
Faillie
Foote
Gagnon
Gaudet
Goodale
Guamieri
Guimond (Rimouski-Neigette—Témiscouata—Les

Holland
Jennings
Kania
Kennedy
Laframboise
Layton
Lee
Leslie
Lévesque
Malo
Marston
Masse
McGuinty
McTeague
Ménard (Marc-Aurèle-Fortin)
Minna
Murphy (Moncton—Riverview—Dieppe)
Nadeau
Oliphant
Paillé
Patry
Plamondon
Proulx
Rafferty
Regan
Roy
Savoie
Siksay
Simms
Stoffer
Thi Lac
Tonks
Valeriotte
Wasylcia-Leis
Wrzesnewszky

NAYS

Members

Abbott
Aglukkaq
Allen (Tobique—Mactaquac)
Ambrose
Anderson
Ashfield
Benoit
Bezan
Blaney
Boucher
Braid
Brown (Leeds—Grenville)
Bruinooge
Calkins
Cannon (Pontiac)
Casson

Ablonczy
Albrecht
Allison
Anders
Arthur
Baird
Bernier
Blackburn
Block
Boughen
Breitkreuz
Brown (Newmarket—Aurora)
Calandra
Cannan (Kelowna—Lake Country)
Carrie
Clarke

Government Orders

Clement	Cummins
Davidson	Day
Dechert	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fast	Finley
Flaherty	Fletcher
Galipeau	Gallant
Glover	Goldring
Goodyear	Gourde
Grewal	Guergis
Harris (Cariboo—Prince George)	Hawn
Hiebert	Hill
Hoepfner	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Lake	Lauzon
Lebel	Lemieux
Lobb	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	MacKenzie
Mayer	McColeman
McLeod	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill-Gordon
Obhrai	Oda
Paradis	Payne
Petit	Poilievre
Preston	Raith
Rajotte	Rathgeber
Reid	Richards
Richardson	Rickford
Ritz	Saxton
Scheer	Schellenberger
Shea	Shipley
Shory	Sorenson
Stanton	Storseth
Strahl	Sweet
Thompson	Tilson
Toews	Trost
Twedd	Uppal
Van Kesteren	Van Loan
Vellacott	Verner
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wong	Woodworth
Yelich	Young— 134

PAIRED

Members

Cadman	Crête
Freeman	Hoback
Holder	Lalonde
Ouellet	Prentice
Smith	St-Cyr— 10

The Speaker: I declare the motion carried.

GOVERNMENT ORDERS

[English]

TRANSPORTATION OF DANGEROUS GOODS ACT, 1992

The House resumed consideration of the motion that Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992, be read the third time and passed, and of the amendment.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the amendment to the motion at third reading of Bill C-9.

● (1905)

[Translation]

(The House divided on the amendment, which was negated on the following division:)

(Division No. 31)

YEAS

Members

Allen (Welland)	Angus
Ashton	Bevington
Black	Charlton
Chow	Christopherson
Comartin	Crowder
Cullen	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Dewar
Duncan (Edmonton—Strathcona)	Godin
Gravelle	Harris (St. John's East)
Hyer	Julian
Layton	Leslie
Maloway	Marston
Martin (Sault Ste. Marie)	Masse
Mathysen	Rafferty
Savoie	Siksay
Stoffer	Thibeault
Wasylycia-Leis— 33	

NAYS

Members

Abbott	Ablonczy
Aglukkaq	Albrecht
Allen (Tobique—Mactaquac)	Allison
Ambrose	Anders
Anderson	André
Arthur	Ashfield
Asselin	Bachand
Bagnell	Bains
Baird	Beaudin
Bélanger	Bellavance
Bennett	Benoit
Bernier	Bevilacqua
Bezan	Bigras
Blackburn	Blais
Blaney	Block
Bonsant	Bouchard
Boucher	Boughen
Bourgeois	Braid
Breitreuz	Brison
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Bruinooge	Brunelle
Calandra	Calkins
Cannan (Kelowna—Lake Country)	Cannis
Cannon (Pontiac)	Cardin
Carrie	Carrier
Casson	Chong
Clarke	Clement
Coderre	Cotler
Crombie	Cummins
Cuzner	D'Amours
Davidson	Day
DeBellefeuille	Dechert
Del Mastro	Demers
Deschamps	Desnoyers
Devolin	Dhaliwal
Dhalla	Dion
Dorion	Dosanjh
Dreeshen	Dryden
Duceppe	Dufour
Duncan (Vancouver Island North)	Duncan (Etobicoke North)
Dykstra	Easter
Eyking	Faille
Fast	Finley
Flaherty	Fletcher

Adjournment Proceedings

Folco	Foote
Fry	Gagnon
Galipeau	Gallant
Garneau	Gaudet
Glover	Goldring
Goodale	Goodyear
Gourde	Grewal
Guarnieri	Guay
Guergis	Guimond (Rimouski-Neigette—Témiscouata—Les Basques)
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	
Hall Findlay	
Harris (Cariboo—Prince George)	Hawn
Hiebert	Hill
Hoepfner	Holland
Jean	Jennings
Kamp (Pitt Meadows—Maple Ridge—Mission)	Kania
Karygiannis	Keddy (South Shore—St. Margaret's)
Kennedy	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Laforest
Laframboise	Lake
Lauzon	Lavallée
Lebel	LeBlanc
Lee	Lemay
Lemieux	Lessard
Lévesque	Lobb
Lukiwski	Lunn
Lunney	MacKay (Central Nova)
MacKenzie	Malhi
Malo	Mayes
McColeman	McGuinty
McKay (Scarborough—Guildwood)	McLeod
McTeague	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Mendes
Menzies	Merrifield
Miller	Minna
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Mourani	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Nadeau
Neville	Nicholson
Norlock	O'Connor
O'Neill-Gordon	Obhrai
Oda	Oliphant
Pacetti	Paillet
Paquette	Paradis
Patry	Payne
Pearson	Petit
Piampendon	Poillievre
Pomerleau	Preston
Proulx	Rae
Raitt	Rajotte
Ratansi	Rathgeber
Regan	Reid
Richards	Richardson
Rickford	Ritz
Rodriguez	Roy
Savage	Saxton
Scarpaleggia	Scheer
Schellenberger	Shea
Shipley	Shory
Silva	Simms
Simson	Sorenson
Stanton	Storseth
Strahl	Sweet
Szabo	Thi Lac
Thompson	Tilson
Toews	Tonks
Trost	Trudeau
Tweed	Uppal
Valeriotte	Van Kesteren
Van Loan	Vellacott
Verner	Vincent
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilfert	Wong
Woodworth	Wrzesnewskyj
Yelich	Young
Zarac — 243	

PAIRED

Members

Cadman	Crête
Freeman	Hoback
Holder	Lalonde
Ouellet	Prentice
Smith	St-Cyr — 10

The Speaker: I declare the amendment lost.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

THE ENVIRONMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, climate change is the defining issue of our era, with its impacts on our economy, health and security potentially large and irreversible. Climate change is a comprehensive challenge. There is no silver bullet solution.

The Conservative government must build partnerships with national governments worldwide, business, consumers, local authorities and the energy sector. It must find abatement solutions and increase incentives for climate friendly research and development to protect Canada's competitiveness.

Unfortunately, Canada's research and development has now fallen to just less than 2% of GDP, below the OECD average. Our country's number of triadic patents also remains under the EU-25 and OECD averages. In stark contrast, our country's scientific and technological workforce experienced steady growth in research personnel between 1995 and 2004, with annual growth over 4%, well above the OECD average.

Today, Canada is falling behind its international competitors. The U.S. stimulus plan allocates six times more funding per capita on science and technology research, renewable energy and energy efficiency development than Canada.

Just four days ago, Minnesota's largest private foundation, McKnight, announced that it will spend an unprecedented \$100 million over the next five years to address global climate change. McKnight is joining forces with other large U.S. foundations, including the David and Lucile Packard Foundation and the William and Flora Hewlett Foundation, in pledging more than \$1 billion to prevent climate change. McKnight's president, Kate Wolford, called climate change an "extraordinary challenge" that must be addressed within the next decade to prevent irrevocable harm to the planet.

What specifically is the Conservative government investing in climate change innovation from people to process to research to marketing? Was there an increase to the Canadian climate and atmospheric science fund? The Liberals had a strategy in 2002.

Adjournment Proceedings

Research and development is a key driver of long-term sustainable economic growth. The past experience of countries such as Finland and Korea shows that reforms aimed at strengthening innovation can help countries emerge stronger from a crisis and help put them on a more sustainable growth path.

What is the government investing in climate change innovators, as most knowledge is embodied in people rather than the firms and institutions that employ them? What action is the government taking to prevent climate researchers from leaving Canada as their funding dries up? What investment is the government making to expand the number of available climate friendly technologies and their mitigation potential?

• (1910)

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, the government remains deeply committed to sustaining Canadian research capacity in the climate change and atmospheric sciences. Our government supports world-class climate change research in many ways, including through university and government research projects. This February, Laxmi U. Sushama of the Université du Québec à Montréal became a new Canada research chair in regional climate modelling. This was part of \$120.4 million to fund 134 new or renewed Canada research chairs in 37 Canadian universities.

Several Canadian scientists have taken leading roles in the intergovernmental panel on climate change. We are working hard to maintain or improve our strong position in this area through many new science and technology initiatives, as outlined in the 2007 Federal S&T Strategy: Mobilizing Science and Technology to Canada's Advantage.

As part of the clean air agenda, we have invested \$1.5 billion in several priority research areas, including climate change adaptation. This includes \$15 million for research to improve climate change scenarios and \$14 million for a program to assist northerners in assessing key vulnerabilities and opportunities for adaptation.

Furthermore, the recent economic action plan allocates more money for green initiatives than any budget in Canadian history, and I thank the member for supporting that, with \$1 billion over five years for clean energy research development and demonstration projects. We are one of the world leaders in this technology, including carbon capture and storage. We also invested over \$150 million in the International Polar Year, more than any country.

The Federal S&T Strategy lays out a comprehensive, multi-year plan to make Canada a world leader in science and technology and a key source of entrepreneurial innovation and creativity. A cornerstone of the plan is developing, attracting and retaining the highly skilled people we need to thrive in the modern global economy.

We are working hard to build up our scientific capacity through increased funding to the Canada research chairs program, for instance, and the creation of the new Vanier scholarships. This was launched in September 2008 to support 500 Canadian and international doctoral students with scholarships valued at up to \$50,000 per year.

Overall, Canada remains the second largest spender, after Sweden, on R&D through higher education among OECD countries. An

independent study in 2006 concluded that Canada ranks among the top five countries in the field of climate, meteorological and atmospheric science.

• (1915)

Ms. Kirsty Duncan: Mr. Speaker, there are considerable time lags in the climate system and, therefore, many impacts of global warming are already locked in for the coming decades.

Within decades, many more millions of people will experience flooding due to sea level rise and suffer disease due to drought, floods and heat waves. In 2003, 35,000 died in Europe as a result of the heat.

Globally, the costs of adaptation could range from tens of billions to several hundreds of billions of dollars. Investing in adaptation to these impacts is therefore an immediate priority.

What specific investment is the government making in climate change adaptation here in Canada? Finally, what is the government doing to reduce the costs of available or emerging emission-reducing technologies to fight earth's most pressing threat?

Mr. Mark Warawa: Mr. Speaker, the question that rings throughout the hall is from the hon. member's leader asking why we did we not get it done, speaking to the Liberal Party. What a shame that the Liberals did not get it done after 13 long years.

In addition to attracting and retaining the best and brightest scientists, we are providing them with the tools necessary to conduct world-class research.

The economic action plan includes over \$2 billion to support deferred maintenance and repair projects at post-secondary institutions and federal laboratories in order to improve our research capabilities. Again, evidence that we are getting it done on the environment.

ACCESS TO INFORMATION

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, on February 23, my question for the government concerned the lack of transparency from the government with respect to the listeriosis outbreak.

The question related to why the Prime Minister's office has refused to release the notes from conference calls related to its role in managing the listeriosis crisis of last summer, a crisis that resulted in the largest food recall in Canadian history which came about as a result of contaminated meat products that led to the death of 20 people.

Adjournment Proceedings

We know there were concerns about the increase in listeriosis as early as June of last year and that it was not until mid-August that CFIA appears to have become involved.

We also know that at a July 24 meeting involving CFIA, the issue of listeriosis was discussed when it was originally denied. I want to be clear that although this discussion was, in a general sense, not a specific situation, it was information that was withheld and I want to note that the issue was discussed.

We know a number of meetings between representatives of the company involved and senior government officials, including ministers, took place through the summer and into the fall. The question is: What was discussed during these meetings?

The fact is that the PMO is denying access to information as required by law. As well, increasingly there are questions about the Prime Minister's investigator.

As I said in my original question, the investigator has no authority to subpoena documents, no authority to subpoena witnesses and, in fact, reports to the very minister who is in charge of the food safety system in this country and that minister will decide whether or not all or parts of a report will be released.

Perhaps the government would care to provide the House with answers to the growing questions concerning the independent investigator. For example, under the section "Conduct of the Investigation", it states that the independent investigator will "not have any personal or other conflict of interest or any bias in relation to any of the matters relating to the investigation".

Is it not also important that there be no perception of a conflict of interest and, if so, how does the government explain that the investigator occupies offices on the Agriculture and Agri-Food Canada Experimental Farm site, that the investigator remains active on the Prime Minister's Advisory Committee on the Public Service and that two senior staff members are seconded from the federal government?

Does this lady have a coffee with the Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board in the morning? They are within sight distance of each other. This is not the perception that we want to instill. The other point is that she can allow individuals who will be interviewed to attend the interview with counsel.

What authority does the investigator have then to compel witnesses if legal counsel instructs the client not to cooperate? According to the guidelines, there is no authority.

Why is the Prime Minister's office denying information and why does this investigator have no authority to do what she ought to do in an investigation?

• (1920)

Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, I would like to speak this evening regarding the member's earlier question and Canada's access to information laws.

As said before in this chamber, the member opposite is trying to create the impression that decisions about what information to

release are driven at the political level. This is absolutely false. Access to information requests are never handled by ministers or political staff. Professional and trained access to information staff in the public service perform the work across departments and agencies. It is the heads of those departments and agencies who are responsible for the administration of this program within their organizations and we expect everyone to obey the law in every respect.

The Federal Accountability Act, which was introduced by our government, brought into force the new access to information policy. The act and its companion action plan instituted an unprecedented level of rigour and scrutiny across the federal public sector. It contains the most extensive amendments to the Access to Information Act since its introduction in 1983.

This government takes Canadians' right to access to information very seriously. To ensure that the Access to Information Act is complied with, we have created an inventory of best practices to raise employee awareness of their information management responsibilities. In the past year, 628 members of the ATIP community have participated in 51 training sessions to ensure compliance with the act. The latest statistics show that the government has been effective, accessible and transparent with access to information requests and the government continues to strengthen openness and transparency in government operations.

The Treasury Board Secretariat, for example, has developed a framework for the management of information in the Government of Canada to strengthen management across the public service. To suggest that it is the ministers or their staffs who decide what is to be released and what is not to be released is a complete misunderstanding of how the system works. The member opposite knows this.

In his testimony before committee, the Information Commissioner stated, "We have not found through our investigations direct political interference in the processing of access requests".

This government is committed to openness and transparency with respect to government operations. In fact, 69 new institutions are now accountable to Canadians through the ATIA. For the first time ever, Canadians can see how these institutions spend their tax dollars. In 2007-08, the government processed a record number of requests, an increase of 38% over the last five years. These are tremendous steps toward openness and transparency.

I thank the member opposite for the question. This government does take Canadians' rights to access to information very seriously.

Hon. Wayne Easter: Mr. Speaker, is that not sweet? The government blames the reason for the lack of information on the bureaucracy. It blames it on the bureaucracy for the information not being provided.

The Conservatives are the government and we now know that one of the worst records on access to information in the world is coming from the Conservative government. The information is not being provided. The spirit of the act and the letter of the law are in fact being violated. For the member to talk about the government's Federal Accountability Act, the spirit of that one was broken long ago.

Adjournment Proceedings

The fact is that the government does not know what openness and transparency mean. What is the reason? Is there something to cover up here? We do know that it is violating the spirit of the act.

• (1925)

Mr. Andrew Saxton: Mr. Speaker, this government takes Canadians' rights to access to information very seriously, as I mentioned before. We are the ones who fought for the rights of Canadians to know how their government operates. We opened up the Wheat Board, the CBC and dozens of other institutions to the Access to Information Act, something the Liberals failed to do.

Our Federal Accountability Act contains the most extensive amendments to the Access to Information Act since its introduction in 1983. Sixty-nine new institutions are now accountable to Canadians through the ATIA. For the first time, Canadians can see

how these institutions spend their tax dollars. This government is committed to openness and transparency with respect to government operations.

Let us look at the facts. ATIA requests are up 14% thanks to our changes. That is almost 30,000 requests in 2007 and more than 25,000 since 2005. These are tremendous steps forward with openness and transparency, steps the Liberals never took.

The Acting Speaker (Mr. Barry Devolin): The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:27 p.m.)

CONTENTS

Monday, March 23, 2009

PRIVATE MEMBERS' BUSINESS

Supreme Court Act

Mr. Godin	1765
Bill C-232. Second reading	1765
Mr. Rodriguez	1767
Mr. Nadeau	1767
Mr. Blaney	1768
Mr. Rodriguez	1769
Mr. Nadeau	1770
Mr. Allen (Tobique—Mactaquac)	1771

GOVERNMENT ORDERS

Canada-EFTA Free Trade Agreement Implementation Act

Bill C-2. Third reading	1773
Mr. Stoffer	1773
Mr. Martin (Sault Ste. Marie)	1774
Mr. Cannan	1774
Mr. Masse	1775
Mr. Julian	1775
Ms. Leslie	1775
Mr. Martin (Sault Ste. Marie)	1777
Mr. Julian	1778
Mr. Masse	1778
Mr. André	1781
Mr. Julian	1781
Mr. Martin (Sault Ste. Marie)	1782
Mr. Cardin	1782
Mr. Julian	1784
Ms. Leslie	1785
Mr. Bevington	1785
Mr. Cannis	1787
Ms. Leslie	1787
Mr. Julian	1787
Mr. Cannis	1788
Mr. Masse	1788

STATEMENTS BY MEMBERS

Norouz

Mr. Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	1788
---	------

Simani

Ms. Foote	1788
-----------------	------

Aboriginal Women

Ms. Faille	1788
------------------	------

Manufacturing Industry

Mr. Christopherson	1789
--------------------------	------

Richard Rumas

Mr. Schellenberger	1789
--------------------------	------

International Day for the Elimination of Racial Discrimination

Ms. Duncan (Etobicoke North)	1789
------------------------------------	------

Wild Rose, Alberta

Mr. Richards	1789
--------------------	------

RCMP Public Complaints Commission

Mrs. Mourani	1790
--------------------	------

Bloc Québécois

Mr. Petit	1790
-----------------	------

Richard Rumas

Mr. Szabo	1790
-----------------	------

Canadian Forces

Mr. Poilievre	1790
---------------------	------

Scott Francis Vernelli

Mr. Martin (Sault Ste. Marie)	1790
-------------------------------------	------

Fernand Lindsay

Mr. Paquette	1791
--------------------	------

Canadian Forces

Mr. Norlock	1791
-------------------	------

Doug Frith

Mr. Rae	1791
---------------	------

The Economy

Mr. Wallace	1791
-------------------	------

ORAL QUESTIONS

Canadian Forces

Mr. Ignatieff	1791
Mr. Harper	1791

The Economy

Mr. Ignatieff	1792
Mr. Harper	1792
Mr. Ignatieff	1792
Mr. Harper	1792

Employment

Mr. McCallum	1792
Mr. Flaherty	1792
Mr. McCallum	1792
Mr. Flaherty	1792

Forestry Industry

Mr. Duceppe	1793
Mr. Lebel	1793
Mr. Duceppe	1793
Mr. Day	1793

Employment Insurance

Mr. Lessard	1793
Ms. Finley	1793
Mr. Lessard	1793
Ms. Finley	1793

Mr. Layton	1793		
Mr. Harper	1793		
Mr. Layton	1793		
Mr. Harper	1793		
Mr. Layton	1794		
Mr. Harper	1794		
Mr. Eyking	1794		
Ms. Finley	1794		
Mrs. Jennings	1794		
Ms. Finley	1794		
Science and Technology			
Mr. Garneau	1794		
Mr. Goodyear	1794		
Mr. Garneau	1794		
Mr. Goodyear	1795		
Department of Foreign Affairs			
Ms. Deschamps	1795		
Mr. Cannon	1795		
Ms. Deschamps	1795		
Mr. Cannon	1795		
Arts and Culture			
Mrs. Lavallée	1795		
Mr. Moore (Port Moody—Westwood—Port Coquitlam)	1795		
Mrs. Lavallée	1795		
Mr. Moore (Port Moody—Westwood—Port Coquitlam)	1795		
Foreign Affairs			
Mr. Rae	1795		
Mr. Cannon	1795		
Mr. Rae	1796		
Mr. Cannon	1796		
Justice			
Mr. Dosanjh	1796		
Mr. Nicholson	1796		
Mr. Dosanjh	1796		
Mr. Nicholson	1796		
National Defence			
Mr. Wallace	1796		
Mr. Hawn	1796		
Le Réveil Newspaper			
Mr. Mulcair	1796		
Mr. Blackburn	1797		
The Conservative Government			
Mr. Mulcair	1797		
Mr. Blackburn	1797		
Finance			
Mr. Dorion	1797		
Mr. Lebel	1797		
Mr. Dorion	1797		
Mr. Flaherty	1797		
Oil and Gas Industry			
Mr. McTeague	1797		
Mrs. Ablonczy	1797		
Mr. McTeague	1797		
Mrs. Ablonczy	1798		
Campaign Advertising			
Mr. Siksay	1798		
Mr. Moore (Port Moody—Westwood—Port Coquitlam)	1798		
Mr. Siksay	1798		
Mr. Moore (Port Moody—Westwood—Port Coquitlam)	1798		
Intergovernmental Affairs			
Mr. Blaney	1798		
Ms. Verner	1798		
Multiculturalism			
Ms. Dhalla	1798		
Mr. Kenney	1798		
Science and technology			
Mr. Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	1799		
Mr. Goodyear	1799		
Search and Rescue			
Mr. Harris (St. John's East)	1799		
Mr. Hawn	1799		
Seal Hunt			
Mr. Weston (Saint John)	1799		
Mrs. Shea	1799		
Infrastructure			
Mr. McGuinty	1799		
Mr. Baird	1799		
Presence in Gallery			
The Speaker	1800		
ROUTINE PROCEEDINGS			
Government Response to Petitions			
Mr. Lukiwski	1800		
Committees of the House			
Procedure and House Affairs			
Mr. Preston	1800		
Nowruz Day Act			
Mr. Wilfert	1800		
Bill C-342. Introduction and first reading	1800		
(Motions deemed adopted, bill read the first time and printed)	1800		
Committees of the House			
Procedure and House Affairs			
Mr. Preston	1800		
Petitions			
Income Trusts			
Mr. Szabo	1800		
Justice			
Mr. Anders	1800		
Health of Animals Act			
Mr. Bagnell	1801		
Omar Khadr			
Ms. Chow	1801		
Citizenship and Immigration			
Mr. Wrzesnewskyj	1801		

Canada-Colombia Free Trade Agreement	
Mr. Julian	1801
Canada Post	
Mr. Dhaliwal	1801
Questions on the Order Paper	
Mr. Lukiwski	1801
Starred Questions	
Mr. Lukiwski	1802
Questions Passed as Orders for Returns	
Mr. Lukiwski	1802
Committees of the House	
Procedure and House Affairs	
Mr. Preston	1804
Motion for concurrence	1804
(Motion agreed to)	1804

GOVERNMENT ORDERS

Transportation of Dangerous Goods Act, 1992	
Bill C-9. Report stage	1804
Mr. Hill (for the Minister of Transport, Infrastructure and Communities)	1804
Bill C-9. Motion for concurrence	1804
(Motion agreed to)	1804
Bill C-9. Third reading	1804
Mr. Jean	1804
Mr. Bevington	1806
Ms. Hoepfner	1807
Mrs. McLeod	1807
Mr. Maloway	1807
Mr. Dhaliwal	1808
Mr. Shory	1808
Mr. Laframboise	1809
Mr. Bevington	1811
Mr. Maloway	1813
Mr. Julian	1813
Ms. Hoepfner	1814
Mr. Julian	1814
Ms. Hoepfner	1817
Mr. Masse	1818
Mr. Maloway	1818
Amendment	1818

Mr. Bevington	1818
Mr. Masse	1819
Ms. Hoepfner	1819
Mr. Julian	1819
Mr. Calandra	1820
Mr. Bevington	1820
Mr. Julian	1820
Mr. Jean	1821
Division on amendment deferred	1822
Environmental Enforcement Act	
Mr. Clement (for the Minister of the Environment)	1822
Bill C-16. Second reading	1822
Mr. Warawa	1822
Mr. Bigras	1824
Ms. Duncan (Edmonton—Strathcona)	1824
Mr. Bagnell	1825
Mr. Braid	1825
Mr. McGuinty	1825
Mr. Bigras	1828
Mr. Maloway	1828
Mr. Szabo	1829

ROUTINE PROCEEDINGS

Committees of the House	
Foreign Affairs and International Development	
Motion for Concurrence	1829
Motion agreed to	1830

GOVERNMENT ORDERS

Transportation of Dangerous Goods Act, 1992	
Bill C-9. Third reading	1830
Amendment negatived	1831

ADJOURNMENT PROCEEDINGS

The Environment	
Ms. Duncan (Etobicoke North)	1831
Mr. Warawa	1832
Access to Information	
Mr. Easter	1832
Mr. Saxton	1833

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