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OFFICIAL REPORT
(HANSARD)

Thursday, May 7, 2009

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, May 7, 2009

The House met at 10 a.m.

[English]

Prayers

ROUTINE PROCEEDINGS

• (1000)

[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 six petitions.

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SENATE ETHICS ACT

Hon. Steven Fletcher (Minister of State (Democratic Reform), CPC) moved for leave to introduce Bill C-30, An Act to amend the Parliament of Canada Act and to make consequential amendments to other Acts.

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

* * *

[Translation]

INTERPARLIAMENTARY DELEGATIONS

Mrs. Shelly Glover (Parliamentary Secretary for Official Languages, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian Parliamentary delegation of the Canadian branch of the Assemblée parlementaire de la Francophonie to the seminar of the Assemblée parlementaire de la Francophonie (APF) network of women Parliamentarians on the role of women Parliamentarians in conflict resolution in the Francophonie and the Convention on the elimination of all forms of discrimination against women held at Kinshasa, Democratic Republic of the Congo, March 30 and 31, 2009.

COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Justice and Human Rights.

I am pleased to report that the committee has considered the main estimates under Justice for the fiscal year ending March 31, 2010, and reports the same.

AGRICULTURE AND AGRI-FOOD

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Agriculture and Agri-Food in relation to the potato cyst nematode in Quebec and Alberta.

* * *

CRIMINAL CODE

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.) moved for leave to introduce Bill C-381, An Act to amend the Criminal Code (trafficking and transplanting human organs and other body parts).

He said: Mr. Speaker, I am pleased to introduce my private member's bill.

There is a horrific underground industry in the trafficking of human organs and body parts, victimizing the most vulnerable in developing countries and totalitarian regimes. This harrowing and depraved industry is a consequence of three global trends coinciding during the last decade: first, the development of medical technology, allowing the inexpensive transplantation of virtually any body organ; second, the immense increase in global income disparities between the rich and powerful and the poor and vulnerable; and finally, easy and accessible travel by wealthy westerners to any corner of the globe.

Last year, Canada became associated with this repugnant trade when news broke about the million dollar business of “Dr. Horror” and his Canadian connections, a doctor who illegally harvested the kidneys of some 500 poor labourers in New Delhi, India.

A spotlight was also placed on the illegal harvesting of organs of prisoners of conscience in China's penal system in the 2007 Matas-Kilgour report entitled “Bloody Harvest: Revised Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China”.

Routine Proceedings

By enacting this legislation, Canada will become an international leader in combatting the sinister underground trade in human organs and body parts.

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

* * *

•(1005)

EXCISE TAX ACT

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP) moved for leave to introduce Bill C-382, An Act to amend the Excise Tax Act (no GST on literacy materials).

She said: Mr. Speaker, I am pleased to reintroduce this bill yet again because it is important from the point of view of achieving literacy among all citizens. This bill seeks to eliminate the goods and services tax on materials used in literacy development.

This has been a long-standing battle by many in our community. It has been supported by organizations everywhere, especially in Winnipeg, with the open doors adult literacy program, the Luxton School's adult learning program, the Literacy Partners of Manitoba, the Urban Circle Training Centre and the Winnipeg Adult Education Centre. They are all working very hard to promote and raise levels of adult and family literacy in Winnipeg and Manitoba. Like so many other organizations right across Canada, they believe, and have recommended to me and to all members of Parliament, that we work steadfastly to remove the GST on all literacy materials.

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

* * *

TOBACCO PRODUCTS

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, there have been discussions among all parties and I believe you would find unanimous consent for the following motion. I move:

That the House recognize the need to strengthen efforts to reduce and prevent tobacco contraband in order to protect public health, public revenue and public safety from the harm caused by high and growing levels of illicit trade of tobacco products.

The Speaker: Does the hon. member for Winnipeg North have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

* * *

PETITIONS

SRI LANKA

Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.): Mr. Speaker, this morning I have the pleasure to table a petition signed by people from my riding of Mississauga—Streetsville and other parts of the greater Toronto area who are concerned about the ongoing war in Sri Lanka. They seek to halt the violence and begin the peace process.

Those who have attached their names are particularly concerned with innocent people whose lives are threatened and for the well-

being of countless innocent civilians. A quarter of a million people are trapped in this war zone. These innocent victims are desperately in need of food, medicine, care and protection.

The petitioners call on the Government of Canada to use every diplomatic means at its disposal to seek an immediate ceasefire and to work with the international community to pressure the government of Sri Lanka and its military to respect the human rights of the civilian Tamil population. They also call to end the embargo on food, medicine and other essential items to the combat zone, and restore freedom of the press and freedom of the movement of the UN.

Last, they call for immediate negotiations toward a political solution to the war after the ceasefire.

RIGHTS OF THE UNBORN

Hon. Gurbax Malhi (Bramalea—Gore—Malton, Lib.): Mr. Speaker, I rise today to present a petition on behalf of my constituents. As citizens of a country that respects human rights and, under the Charter of Rights and Freedoms, the petitioners draw attention to the right to life, even for the unborn.

The petitioners call upon this Parliament to pass legislation that will guarantee protection of human life from the time of conception until natural death.

INCOME TAX

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, it is my pleasure to rise today to present a petition on behalf of approximately 850 fishers who sold their licences under the Atlantic groundfish licence retirement program.

The petitioners come from the Straits area of Labrador and they have a long and historic attachment to the fishery. The petitioners assert that these fishers were treated unfairly under the income tax laws and ask the Minister of National Revenue to review these cases with a view to providing them the proper tax treatment as prescribed by the law. They seek fairness for the approximately 850 fishers and their surviving family members.

* * *

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. 90 and 91 could be made orders for returns, these returns would be tabled immediately.

•(1010)

The Speaker: Is that agreed?

Some hon. members: Agreed.

Points of Order

[Text]

Question No. 90—**Hon. Larry Bagnell:**

Since January 2006 to present date have Canadian aircraft responded to near border violations by foreign aircraft and, if so: (a) what was the date and location of each incident; (b) what was the response by Canadian aircraft, including the number of aircraft involved and the point of contact with the foreign aircraft; (c) was Canadian airspace actually breached and, if so, to what extent; (d) what was the country of origin of each of the implicated aircraft; (e) who ordered each of the interceptor flights and what was the rationale behind the threat risk; (f) what was the purported mission of each of the implicated foreign aircraft; (g) what was the outcome of each interception, the cost of each response mission, the damage to Canadian aircraft if any and what were the risks involved for the pilots; (h) for each incident, was a diplomatic note filed with the country in question and what was the response from the involved country; and (i) under the same criteria used above what is the response to any incursions or near incursions into Canadian territory by naval vessels or land based forces?

(Return tabled)

Question No. 91—**Hon. Larry Bagnell:**

With regard to the Federal Student Work Experience Program (FSWEP), since 2006 for all 308 constituencies: (a) what are the names, address and contact information of employers that hired FSWEP students, (i) what is the number of students hired, (ii) what is the amount of money received by each student and by each employer; (b) what criteria are followed in order to hire a student; (c) what are the number of points scored by the employers receiving the students; (d) what is the number of students that moved on to further secondary or post-secondary studies; (e) what is the number of students hired that completed the FSWEP; (f) what is the exact amount of money spent per constituency for the program as broken down to actual hiring; (g) what are the program administration costs by the department; and (h) what is the program cost on budget or over budget and to what extent?

(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.

* * *

POINTS OF ORDER

PRIVATE MEMBERS' BUSINESS—BILL C-280

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, on February 25 you made a statement with respect to the management of private members' business. In particular, you raised concerns about five bills that, in your view, appeared to impinge on the financial prerogative of the Crown. One of the bills you mentioned was Bill C-280.

I am, therefore, rising on a point of order regarding Bill C-280, An Act to amend the Employment Insurance Act (qualification for and entitlement to benefits).

Without commenting on the merits of the bill, I submit that Bill C-280 contains provisions that would change the purposes of the Employment Insurance Act, which would require new spending and, therefore, would require a royal recommendation.

Bill C-280 would lower the threshold for becoming eligible for employment insurance benefits. The bill would introduce a new benefit rate calculation method of the best 12 weeks in the past 12

months, reduce the qualifying period before receiving benefits and remove the distinctions made in the qualifying period on the basis of the regional unemployment rate.

The Department of Human Resources and Skills Development estimates that the measures contained in Bill C-280 would cost a minimum of \$2.3 billion per year.

Precedents demonstrate that the proposed changes in Bill C-280 would require new spending for employment insurance benefits not currently authorized under the Employment Insurance Act.

On March 23, 2007, the Speaker ruled, in the case of Bill C-265, An Act to amend the Employment Insurance Act (qualification for and entitlement to benefits), which is identical to Bill C-280:

...the changes...envisioned by this bill include lowering the threshold for becoming a major attachment claimant to 360 hours, setting benefits payable to 55% of the average weekly insurable earnings during the highest paid 12 weeks of the 12 month period preceding the interruption of earnings, and removing the distinctions made to the qualifying period on the basis of the regional unemployment rate. ...would have the effect of authorizing increased expenditures...in a manner and for purposes not currently authorized.

In the same ruling, the Speaker concluded:

...those provisions of the bill which relate to increasing employment insurance benefits and easing the qualifications required to obtain them would require a royal recommendation.

Bill C-280 is identical to Bill C-265 from the 39th Parliament, which was found to require a royal recommendation. Therefore, I submit that Bill C-280 must also be accompanied by a royal recommendation.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I have two points I would like to make. First, as you are more aware than I am, your pattern of ruling on these motions by the government with regard to the royal recommendation is to wait and see the outcome of the bill or motion as it passes through second reading here. I would argue that you should pursue that same practice in the case of Bill C-280.

In addition, with regard to the issue itself, there is a very strong argument to be made that a royal recommendation is not necessary here because the funds that we are talking about are not government funds. They belong to the employers and the workers of this country and they are not revenue from the government in its traditional manner of looking at revenue.

Mr. Speaker, for that reason, there is no need for the royal recommendation and I would urge you to make that ruling if you are so inclined.

The Speaker: I thank the hon. members for their submissions on this point. I will review the matter with care and come back to the House in due course with a ruling on the matter.

Mr. Robert Oliphant: Mr. Speaker, I rise on a point of order. I would seek permission to revert to petitions for a moment if there is unanimous consent.

The Speaker: Is there unanimous consent to revert to presentation of petitions?

Some hon. members: Agreed.

Government Orders

●(1015)

PETITIONS

PEACE IN THE WORLD

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, I would like to table a petition from several thousand members of the United Church advocating for peace in the world. They are promoting the United Nations Declaration on the Rights of Indigenous Peoples, a resolution to the Israeli-Palestinian conflict, Palestinian peace, Filipino peace and a resolution to the conflict in Colombia. This is from the constituents in my riding, as well as residents from other ridings.

ANIMAL WELFARE

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, I would also like to table a petition on animal welfare and support for the Universal Declaration on Animal Welfare today.

GOVERNMENT ORDERS[*Translation*]**ENERGY EFFICIENCY ACT**

The House resumed from May 6, 2009 consideration of the motion that Bill S-3, An Act to amend the Energy Efficiency Act, be read the third time and passed.

The Speaker: The last time this bill was debated in the House, the hon. member for Brome—Missisquoi had the floor and he has 13 minutes left for his remarks.

The hon. member for Brome—Missisquoi.

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, yesterday in the first part of my remarks, I commented that the government has laboured mightily and given birth to a mouse in the form of this energy efficiency bill, Bill S-3. Even though we are in agreement with the bill and will be voting in favour of that mouse, we would have much preferred to vote for something far larger like an elephant. Yesterday I listed everything that this little bill contained and today I would like to speak about what it does not contain.

This bill contains nothing about buildings, yet Canadian buildings consume 45% of all of the energy used in this country. I will come back to that later. It contains nothing to do with transport, trucking in particular, a sector that has been long neglected but is now reawakening thanks to the introduction of hybrid and economical diesel trucks. Yet there is nothing in the bill about this. Nor any mention of the EcoLogo symbol. There should be a program to replace these vehicles with fuel efficient trucks, but we do not get the impression that the government intends to do that.

When we speak of transport, we also need to speak about reducing the number of truckers who are not using their full capacity. The federal government did a study. In a city like Montreal, trucks are on the road with only 20% of their potential load, and this represents an incredible waste of energy. There needs to be rationalization of energy efficiency in this area.

The same goes for trains. Hybrid locomotives and lighter cars are now available and there could be a replacement program, or at least an examination of energy efficiency, which would demonstrate just how far behind rail service is in the way it uses its cars on the same rails. Our archaic laws require passenger cars to be as heavy as freight cars. The situation in Europe, China and Japan is totally different. Their attitude is different. This all shows the lack of concern for energy efficiency.

The same goes for agriculture. This bill ought to encourage the change from synthetic fertilizers to traditional ones. But once again, nothing on that. Energy efficiency also means having digesters on farms to produce electricity. Nothing in the bill on that. Nothing about mandatory labelling. All motor vehicles should have ecoEnergy labels, but no; in fact, no mention of anything of consequence.

The manufacturing sector has also been left out entirely. There is no incentive for the sector to improve energy efficiency or avoid wasting energy. There are very few efficient assembly lines, and they use a lot of energy.

Street lighting would also have been a good thing to tackle in this bill. In Canada, we use some three times more electricity for night-time lighting than in Europe, and we use about twice as much as the United States, our neighbours to the south. Our systems are utterly inefficient, which means that we waste a lot of electricity. Anyone taking a walk at night will see high-intensity stadium and park lights on all night. These lights are poorly designed and light up the sky more than they do the area that needs to be lit. For example, the Mont-Mégantic Observatory, which is struggling with government funding shortfalls just now, has shown just how much electricity and energy could be saved by using more efficient lighting that directs the light downward rather than toward the sky.

●(1020)

So much energy could be saved by using better street lights, but the legislation does not even touch that. I do not believe that the government actually wants to change anything.

If the legislation had touched on all of these sectors, we could have made huge energy efficiency gains.

What can the government achieve by reviewing American and Mexican standards regularly? Not much. We know that energy efficiency standards in those two countries are not exactly cutting-edge.

Why not choose Europe, Germany, Sweden or Japan instead? No, the government wants to compare us to our next-door neighbours, even though almost nothing is going on there on the energy efficiency front, especially not in Mexico. The government chose the easiest targets, and the Office of Energy Efficiency will be comparing us to them every three months or every three years, as it sees fit, but that is as far as it will go.

The government will also periodically review the outcomes of the Energy Efficiency Act. Under this bill, nobody will be reviewing energy efficiency progress in Canada; rather, the government will simply check on any progress brought about by the legislation. If this bill is a mouse, well, every now and then, the government will make sure it is still alive. That is all.

All the other aspects of energy efficiency that are not affected by this bill will never be checked. We will never see whether any progress has been made in these areas or whether we have lost ground.

Reducing greenhouse gas emissions depends on energy efficiency. The government says it is going to reduce greenhouse gas emissions by 20% between 2006 and 2020. In fact, as far back as 1990, the harmful effects of greenhouse gases were known and real efforts were made to reduce them. Yet if we look at the figures since 1990, we can see that greenhouse gas emissions will increase by 3% by 2020. The government talks about reducing emissions, but we will not even manage to reduce our emissions to 1990 levels. We will not even get back to those levels.

The current government clearly has no intention to save the planet, which is grappling with climate change. That is not the government's goal. Yet American presidents like Reagan who were not inclined to take steps to improve energy efficiency still managed to reduce fuel consumption in the United States by 15%. Fifteen per cent of what all cars and trucks used is a lot, and the government accomplished that simply by reducing the speed limit.

This bill could have imposed a mandatory speed control device, as this comes under federal jurisdiction. I know that the speed limit on highways comes under provincial jurisdiction, but the federal government could have required that all cars sold in Canada be equipped with a speed control device.

These devices were developed for trucks, and they work quite well. It would even have been possible to reduce the number of police officers required to watch for speeders. People would have been forced to comply with speed limits.

I have not yet talked about a very important area, and that is air conditioning in Canada. In the afternoon, we freeze in this House. The thermostat is at 15°C. Yesterday, I checked, and the temperature at my desk was 69°F. We use air conditioning too much, in a country that has very little need for it. In Canada, buildings using hybrid ventilation have won awards. A hybrid system uses air conditioning only during heat waves, when it is extremely hot. This is familiar technology.

• (1025)

The rest of the time, air ventilation either comes from a cooler area, or the air is simply circulated using fans. With fans, we can go up to 89°F. I apologize for giving the temperature in Fahrenheit, but the engineers here always use Fahrenheit. We are right next to the United States, so there is still a tendency to use it.

Comfort is very important and we can find a way to be very comfortable.

In short, this bill aims to update the Office of Energy Efficiency regulations and standards. It is not an energy efficiency act. There is a difference between the two. The standards have been updated, but new legislation has not been created—even though it is being called the energy efficiency act—which would have made more significant changes.

Thousands of scientific articles have been written on energy efficiency and possible ways of reducing overall energy consump-

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tion. I would like to read just a few lines from an article that appeared in the Université de Sherbrooke's *VECTEUR environnement*. It states:

There are numerous strategies that contribute—not “would contribute”—to reducing a building's energy consumption—thereby reducing greenhouse gases—for instance, the use of energy-efficient lighting products, geothermal power, high-performance boilers, centralized control systems, improving the building envelope by insulating the walls and the roof and by installing energy-efficient windows (argon gas filled, low-E coating, low conductivity spacers), etc.

It says “etc.” So as we can see, it is not a question of not knowing how; rather it is a lack of will on the part of the government.

Energy efficiency has a significant environmental impact on climate change by reducing greenhouse gases. We are a long way from reaching our goals in order to meet the commitments we made in 1998. Action is urgently needed in terms of reviewing our building codes and reassessing how we do things in terms of energy efficiency.

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, I would like to congratulate my colleague from Brome—Missisquoi on his very informative speech. We know that, not so long ago, he was an architect specializing in the environment and energy conservation. Thus, we are pleased in this House to benefit from his experience.

Bill S-3 definitely has very little impact on energy efficiency. I would like to ask the member a question. Does he believe that the Conservative government really wants to improve energy efficiency or is Bill S-3 just a means of silencing those, such as the member, who are truly concerned about energy efficiency, in order to someday conserve energy and reduce greenhouse gas emissions?

• (1030)

Mr. Christian Ouellet: Mr. Speaker, I thank my colleague from Trois-Rivières for her excellent question.

The government did have the knowledge base. It had the Office of Energy Efficiency behind it. In each province there is a wealth of information about the potential for energy efficiency. Every province has employees working on this and they would even be able to assist federal public servants.

Thus, there was a real opportunity to take action and also to create a decentralized, green economy in Canada, which would have led to the creation of employment even in rural regions. During an economic crisis that is very important. The government simply put that aside to protect the big energy producers, to avoid scaring them and to remain on friendly terms with them.

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am fascinated by my hon. colleague's dissertation because I think the real question is, where do we go as a nation? There is no other country on the planet that has the resources this country has and there is probably no other country, except perhaps the United States, that has wasted natural resources, whether it is water, wood or energy.

Government Orders

When we talk about an energy strategy, we see a government that is throwing billions of dollars into the tar sands, turning us into an international pariah for environmental credibility. When we look at the money that could be spent on saving the energy that is being wasted in homes, buildings and public institutions, there seems to be no willingness or plan from the Conservatives to address energy efficiency. Rather, the government is looking at the massive expansion of the tar sands.

I would like to ask my hon. colleague this question. Why does he think it is that in the 21st century we have a government that has no interest in a green decentralized economy that could help every single community, household and business in this country and would rather throw money into the tar sands?

[*Translation*]

Mr. Christian Ouellet: Mr. Speaker, I thank my hon. NDP colleague for his question.

He is quite right. At this time, we have an enormous amount of energy in Canada and we are wasting it. Yet we have no reason to waste it. We should be conserving it for future generations. There is no urgent need to take everything we can easily extract from the tar sands. We could leave it there and use it later. We will always need oil. It will continue to be an important resource, especially for aviation.

How is it that we are not doing more to look to the future and practice sustainable development? The magic words are “sustainable development”, but the government does not seem to know what that means, which I find unbelievable. People do not care about future generations. People are using natural gas as much and as quickly as they can, because it brings in a lot of revenue. However, they are forgetting about future generations. They are forgetting that Canadians will still be around 10 years from now. What will we do then?

Some natural resources, including certain minerals like tin and zinc, will disappear within the next five to seven years. There will be none left, simply because we did not think about the future and use those resources only when necessary. We are doing the same thing with our energy resources. We are wasting them, instead of using them only when absolutely necessary.

I think this government behaves as it does because it is so backward thinking. Its archaic way of thinking dates back to a time when we did not need to think about the future.

[*English*]

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, we sit here day after day listening to people in that corner of the House demonstrate their wilful cluelessness about what is actually going on in the oil sands in Alberta, the wilful cluelessness about the progress that has been made by the oil companies, the government and people who take the environment responsibly.

I have a number of questions for my hon. colleague across the way. Does he have any idea how many jobs are created by the oil sands and the resource sector in the province of Quebec, that have been created in the past, and will be created in the future?

Does he have any idea how much money goes into pension funds in Canada, the Canada pension plan, the Quebec pension plan, the Ontario Teachers Pension Plan?

Does he have any idea of the amount of taxes that pay social programs in the province of Quebec and the rest of the provinces that come out of the oil patch in Alberta? Does he have any clue about the benefits?

I wish he would stop being clueless about what is actually going on.

• (1035)

[*Translation*]

Mr. Christian Ouellet: Mr. Speaker, I did not say that we should stop exploiting the oil sands. That is not what I said. I would like to ask my colleague if he knows how many jobs could be created with a green economy. Does he have any clue how many people in Quebec could be employed making energy-saving appliances and making buildings healthier in a green economy? Does he have a clue? We could create far more jobs than with the oil sands.

The members on the other side of the House do not understand what we are facing. They see the future through a rear-view mirror.

Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ): Mr. Speaker, I would like to congratulate my colleague from Brome—Missisquoi on his excellent speech. Along the same lines, we have to look at the opportunities and at what the government can do to usher in a more sustainable economy and create jobs in that sector.

Recently, the government has made a lot of major purchases, such as conventional gas-guzzling military trucks and buses. All of the trucks here on the Hill are conventional. The government has shown no sign of working toward a more sustainable economy that includes hybrid vehicles. I would like the member to comment on how this government might use its influence to change things.

Mr. Christian Ouellet: Mr. Speaker, I thank my colleague for the excellent question.

It is true that, at present, the government is not setting an example. He rightly mentioned the trucks on the Hill. Another example right nearby is the Confederation Building, which only has single-pane windows. That is right, single-pane windows. In 1920, that was the only type of window available. However, windows with at least two panes of glass have been available for 50 years. We now have specialty glass and some are even filled with argon gas. But, in that building, there are only single-pane windows. The government does not even set an example for the general population by looking after its own property. We could have just hybrids. It could ensure that engines are shut off while waiting in a vehicle in winter. Drivers could come inside to stay warm and turn off their cars. But that is not the case. The engines are always running. Not even the trucks are turned off. That is unbelievable.

Why not require the installation of a small device on trucks and cars that would automatically turn off the engine after idling for 10 seconds. It is inexpensive, costing only a few dollars. The truck would not idle indefinitely and the government would also save money. I believe the government should set the example.

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Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to speak on behalf of the Bloc Québécois about Bill S-3, An Act to amend the Energy Efficiency Act.

My colleague from Brome—Missisquoi gave a very fine speech, and the Bloc Québécois will support this bill. However, even though the government presents it as a fight for better energy efficiency, this bill has only eight clauses and three pages, not including the cover pages. The government, especially the Conservative government, tends to exaggerate this fight against climate change.

My colleague compared this bill to a mouse. I would say it is a lead balloon. Obviously, it provides us with an opportunity to initiate a real debate on energy efficiency. My colleague from Brome—Missisquoi tried to show that the government could wage a real battle and set an example by increasing its own energy efficiency if it wanted to, but it has not done so. I will therefore read my text, which describes the scope of the debate.

It seems at first glance that the proposed changes to the Energy Efficiency Act are an improvement because they target unregulated products and toughen the standards for other products.

It is impossible to know, though, whether this is real progress or just the updating of standards already regularly done by the Agence de l'efficacité énergétique.

That is the problem: the government has overstated the impact of this bill to amend the Energy Efficiency Act. All it is doing is updating energy efficiency standards for companies and suppliers that had already begun updating their standards in other countries. It is important that we have a clear understanding of the government's role.

The reaction by industry representatives is understandable:

Industry greeted the proposed regulations with a shrug. A spokeswoman from Sony Canada said they would have little bearing on the company's line of consumer electronics. "All Sony televisions consume less than one watt of power in standby mode, and Sony is continually developing innovative technologies that improve the energy efficiency of our products," Candice Hayman said in an e-mail.

This bill also upgrades the standards, to try to achieve a balance that is consistent with the requirements that are increasingly gaining global recognition. This is important. There are Conservative members, as we have just seen, who rise in this House to defend the oil sands, job creation, their contribution to pension plans, and so on. But it has to be said that the Conservative Party supports non-renewable energy and oil. We understand that this creates a lot of jobs in Alberta, but we must never forget that Quebec is the only province of Canada that could have achieved the objectives in the Kyoto protocol. It would have participated in a carbon exchange that is already operating.

Together with the leader of the Bloc Québécois, I attended a meeting with the mayor of Rivière-du-Loup, which could have sold credits on the international market by capturing gas on its landfill site after it closed. He went to the effort of calling the European and American exchanges to tell them he would have credits to sell by capturing carbon and reducing his greenhouse gas emissions. He was told that Canada was not a signatory and was not in compliance with the Kyoto protocol. And so no Canadian company can participate in the European and American carbon exchanges.

• (1040)

This is very difficult to understand. We must never forget that Quebec's hydroelectric development was carried out without any money from the federal government. Those are the facts. Quebec's hydroelectric development was paid for entirely by Quebeckers. The federal government contributed nothing, not a penny, to Quebec. And yet it has contributed billions of dollars for oil development in Canada; we need only think of Hibernia or the oil sands. Even though Quebec developed its own hydroelectric network with no federal contribution, Quebec paid 25% of the bill for the oil developments.

Today, we are told that Quebec does not understand the situation. On the contrary; it understands the situation all too well. If Quebec were a country, it could sell credits on the international carbon exchange, and that would benefit its businesses, particularly paper and aluminum mills. Those industries have significantly reduced their greenhouse gas emissions as compared to 1990, the Kyoto protocol base year.

Quebeckers, and especially the Bloc Québécois, which represents Quebec's interests every week and every day and stands up for the interests of Quebeckers in this House, cannot be blamed for this. Quebec is a society that wants to be a green society. It is open to any green innovation anywhere in the world. Canada, on the other hand, is still bogged down in the oil sands. The oil sands project is currently the biggest polluter in the world. I understand that they want to work on it, they are trying to make efforts and the federal government is offering financial assistance to oil companies in the oil sands to try to make them reduce their greenhouse gas emissions. That is fine. The problem is that during all this time, Quebec is paying 25% of the bill.

Quebec is developing its hydroelectric network and its wind network at its own expense. The wind network gets a contribution of about 5% to 10% from the federal government. But when it comes to hydroelectricity, the costs are paid entirely by the people of Quebec, through their taxes, their income taxes and the electricity charges they pay every month. Those are the facts.

There are two concepts in Canada. First, there is Quebec's concept, which is one of clean, green energy. Quebec is prepared to meet the Kyoto standard and the post-Kyoto standard. Then there is the rest of Canada's, which is not prepared and relies a lot on non-renewable energy. That is the reality. People can try, as the Conservative Party is doing, to introduce and support bills like S-3. The government can try to tell us they are fighting hard for energy efficiency. They say they want to be more and more energy efficient, but in reality they are just serving up ideas developed in other countries. Canada is always trailing along behind other countries.

According to what the new American government says, even the United States wants to go green. Canada will be the only delinquent left in the world. That is the reality. Canada leads the list of polluting countries thanks to its tar sands, which are the most polluting industry in the world.

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Instead of stridently defending this industry, they should be encouraging Quebec and investing as much as possible there. At least Quebec is close to achieving all the targets. They should invest as much money as necessary to make Quebec an example to the world. What they are doing instead is making the tar sands an example to the world. Nobody is fooled by that. There are big stories in international magazines showing that the tar sands are clearly the dirtiest industry in the world.

● (1045)

The Conservatives would do well to listen to the Bloc rather than stridently opposing it. We agree with Bill S-3 but have a much broader view of the situation. If they want to fight for energy efficiency, they have to start by setting an example. My colleague from Brome—Missisquoi just gave some examples and my colleague from Rivière-des-Mille-Îles also had some fine things to say. He eloquently defended the rights of workers in the automobile sector.

Quebec industries like Kenworth and Nova Bus specialize in building hybrid trucks and buses. But when the government signs contracts for army trucks, it chooses foreign companies. Companies from Quebec and Canada do not get these contracts. We have oil, and so they fall back on conventional ideas and vehicles that consume a lot of energy rather than requiring hybrids. They could, however, have used this opportunity to set an example rather than to sell oil and gas to the army to operate its equipment.

They will always be able to sell oil, but this is a non-renewable industry. It always surprises me to see the hon. members from the west rise to defend the tar sands. They do not understand that some day there will be nothing left. This is non-renewable energy. They are trying to tell us today that this industry is keeping Canada alive. I hope they will be broad-minded enough to realize that there will not be any more oil in 35 or 40 years. They will not have this money any more and will have to find something else. Maybe they will be proud to see that Quebec has new ideas that can help them develop their economy. In the meantime, the government is not investing in hydroelectricity and is leaving Quebec to its own devices. We hope that by then Quebec will be a country that can negotiate equal to equal with the rest of Canada over all the outstanding innovations and technologies we have developed.

The reality is that there are two philosophies in Canada, namely the philosophy of Quebec, which is focused on a green environment, and the philosophy of the rest of Canada, which is based on non-renewable energies such as oil and nuclear energy. They would even have us believe that nuclear energy is clean energy, when they cannot even find a dumping ground for nuclear waste and are considering burying it in Quebec. The fact is that Quebec could shut down its only nuclear facility tomorrow morning. Canada is trying to keep it in operation so that the Conservatives can say that part of all the money they spend in the energy sector they are actually investing in Quebec.

There is nothing for hydroelectricity and only crumbs for wind energy. The Conservative government is investing only in oil and nuclear energy. In Quebec, we simply do not need that. We could shut down our only nuclear plant tomorrow morning, and that would not even affect Quebec's energy capacity. Using our money, we were

able to develop a new way to meet our energy needs, and that way is the way of the future. The hon. member for Brome—Missisquoi was absolutely right when he said that the Conservatives and the Liberals, including the Liberal leader, are stridently defending tar sands development. They are looking in the rear-view mirror to see what lies ahead. Instead, they should be looking through the windshield, because it is a good way to avoid accidents. This may explain why the Conservatives are having such a hard time these days. They are looking in the rear-view mirror to see what lies ahead, and run into a problem almost every week.

● (1050)

I find it amusing, because even though there are many Conservatives on board, 140 to be exact, not one of them has figured out that they should be looking ahead. Some people in Quebec support the Conservatives. There are certain things in politics that are unfathomable and this is one of them. How can some Quebecers vote for the Conservative Party? Still, we accept that. In time, they will figure out who is looking through the windshield, not the rear-view mirror, and we will see how many Conservatives are left in Quebec after the next election.

The political choices made by the Conservatives are always bad choices, and this bill is a prime example. They did not really seize the opportunity provided by this legislation. The title is interesting. It is "An Act to amend the Energy Efficiency Act". People who do not read the three pages of that bill may think that the Conservative government has really decided to move forward on this issue, but that is not the case.

There are examples of what it could have done. While dealing with energy efficiency, the government could have used this opportunity to at least try to make up for the pollution that is occurring in the oil sector, and for greenhouse gas emissions generated by the development of tar sands. However, the government did not even take time to do a thorough job and to come up with innovative measures that would have allowed Canada to distinguish itself by increasing its energy efficiency. No, that is not important for the government. What is important for it is to develop the oil and nuclear sectors. The rest is not worthy of its attention.

That is disappointing because the Bloc Québécois has always been very aware of the problem and has proposed some very good solutions. In both of our economic recovery plans, we allocated specific moneys to targeted interventions. The green economy is all about economics. It creates jobs. That is a fact. Both the Conservative members and the Liberals need to understand that the environment is no longer just an expense. It used to be an expense because it required investment, it was new, and so on, but now the environment is an industry. It creates jobs, and it brings in tax revenues. They have to understand that. But it is clear that the Conservatives and the Liberals just do not get it.

And that is not for lack of trying on the part of the former leader, the member for Saint-Laurent—Cartier. He proposed a green shift, but his party members did not get on board. But that is what we need. This goes to show that the Liberals are still bogged down in the old ways. That is disappointing.

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The Conservatives have always been bogged down in the old ways, but the fact that the Liberals are hesitant to get behind new technologies is worrisome. The Liberals have done their best to promote liberalism the world over. I attended their convention, and I saw the huge posters promoting liberalism. Once again, what the party has become has more to do with old-fashioned liberalism than with anything else. The party has reshaped itself in the image of its new leader, a man who compares himself to Mr. Trudeau. That is the past. The Liberals have decided to do things the way they used to be done. That suits us just fine. We can handle another election campaign any day. They want to live in the past. They will soon see that Quebeckers do not. We have decided to move toward the future.

This is a sad situation. We could laugh, but it is really not funny. It is obvious that renewable energy and anything to do with sustainable development have no place in the consciousness of this House. This is of great concern for us, but even more so for our children and grandchildren.

There is one big question still in my mind. Politicking is going on, pressure from political lobbies. I understand the Conservatives and Liberals because often power leads to madness. Not naming any names, I will just say the signs are already there in certain people. It is sad, nevertheless. We are here and we should be thinking of no one except the people who sent us here, and the generations to follow. This is the best legacy we can leave them.

• (1055)

[English]

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, again I listened with interest to the cluelessness and lack of true knowledge of what is going on, or maybe the member just does not care.

Is my hon. colleague aware that it takes less than half of the water to generate a barrel of oil today than it did about 10 years ago? Is he aware of the billions and billions of dollars the companies themselves are spending to develop new and cleaner technology and better ways of extracting oil out of the ground or does he simply not care? Is he aware that the greenhouse gas emissions from the oil sands account for less than 5% of Canada's greenhouse gas emissions or does he just not care?

The resources in Canada are an accident of geography. Alberta and Saskatchewan have large oil and gas reserves. That is an accident of geography. All of Canada benefits from that. Quebec has hydroelectric power. That is an accident of geography. All of Canada benefits from that.

One thing I would like to see is oil and gas discovered in Quebec. I wonder how long the attitude of self-righteous pomposity would last if that happened.

[Translation]

Mr. Mario Laframboise: Mr. Speaker, I find this surprising. First of all, my colleague does not get it, that the entire oil sands industry is the most polluting industry in the entire world. I hope he reads international publications, as we do.

I cannot understand that he does not get the point: if the Government of Canada put as much money into hydro-electric or

renewable industry as it does for polluting and non-renewable industry, we would have some hope for the future.

Quebec invests in clean energy, without a single cent from the federal government. The Government of Quebec footed the whole bill for its hydro-electric development, and the federal government has not invested a cent. Imagine what a strong position Quebec would be in if Canada had given it the same amount as it put into non-renewable energy. We would be a force in the world. We would have electric batteries, electric cars, but no, the federal government has always opted for investing in non-renewable energies. That is the harsh reality.

Today we are getting lectures from westerners, but I will never accept that, for the pure and simple reason that we paid for 25% of their development and they are not even capable of giving us a thank you.

• (1100)

Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ): Mr. Speaker, I would like to congratulate the member for Argenteuil—Papineau—Mirabel for his excellent speech on the important role of the federal government in developing green energy. Unfortunately, the government is not forward thinking, as my colleague was saying, and it continues to look through the rear-view mirror. Americans have embraced the green shift and this will lead to the creation of hundreds of thousands of jobs—the jobs of the future. As my colleague pointed out, oil is a non-renewable energy source and, in the not too distant future, there will be none left. That may be the fate of the Conservatives. They may not be around to see the disaster they have caused.

We did not support their last budget because there were not enough measures in support of sustainable, green energy. I would like to hear what my colleague from Argenteuil—Papineau—Mirabel has to say about developing these energy sources and the jobs that would be created.

Mr. Mario Laframboise: Mr. Speaker, I thank my colleague from Rivière-des-Mille-Îles.

He just gave a very good example when he posed a question to our colleague from Brome—Missisquoi on trucks. I know my colleague has been working very hard to keep jobs in Quebec. Companies such as Paccar and Nova Bus are going green. Quebec companies have developed hybrid trucks and buses.

My colleague mentioned that when the Conservative government decided to purchase military vehicles, it chose traditional, gas-guzzling vehicles rather than vehicles of the future that use renewable energy sources. We cannot remain indifferent because Quebec picks up 25% of the tab. In Quebec, we have companies that can build the equipment of the future. But they did not go that route. The Conservatives did not think to include it in the specifications and that is unfortunate because it could have led to the creation of jobs in Quebec and Canada and tax revenue. In fact, the vehicles were not even built in Canada.

Once again, I thank my colleague from Rivière-des-Mille-Îles for raising this issue. I appreciate his experience and his disappointment with respect to the government's decisions.

Government Orders

Mr. Roger Pomerleau (Drummond, BQ): Mr. Speaker, I also want to thank my colleague from Argenteuil—Papineau—Mirabel on his brilliant speech, in which he demonstrated how much Quebec has contributed to Canada to develop energies outside Quebec, whether Atomic Energy of Canada or Hibernia's oil fields. Quebec never got a red cent, though, to develop its own industry, even though it is cleaner than all the others. That is a good point my colleague made.

In response to what my colleague said, we were told by members on the other side that the Alberta oil industry creates lots of jobs in Quebec. I would like my colleague to tell us about all the jobs created in Quebec when the rising price of oil caused the Canadian dollar to soar and reduced Quebec's exports.

• (1105)

Mr. Mario Laframboise: Mr. Speaker, my colleague from Drummond is quite right. In regard to the Borden line, I hope that you and the people listening to us realize that not one litre of western oil is sold in Quebec. We are buyers and therefore importers of oil. When the price of oil rises, our companies all suffer the consequences and we do not benefit. The provinces that benefit are Nova Scotia, Newfoundland and Labrador, Alberta and Saskatchewan, but not Quebec.

My colleague pointed out that we developed our hydroelectricity on our own, without any federal funding. Just think of Hydro-Québec, which worked on electric batteries for all its equipment but had to sell the concept to the Europeans because it did not have the means to develop it further. No federal politician dared hope or say that this might be a very good idea. Instead of investing in oil, they could have helped Hydro-Québec develop this battery, which would have been the battery of the future. The day a battery is developed that can power vehicles is the day we will have beaten greenhouse gases. But no, there was not one red cent. No federal politician ever rose to say that this technology was developed in Canada and that we should invest in it, rather than selling it to the Europeans. Once again, Hydro-Québec was abandoned and Quebec alone paid. No one here ever wanted to do that. This is the reality. This is why, as we said earlier, Canada is still looking at the future in the rear-view mirror rather than through the windshield. There was every reason to sit down with Quebec, but they did not do it because all the money and tax credits were taken. They are still giving tax credits to the oil industry while there is nothing for the energy that Quebec develops, especially hydroelectricity with all its advantages. That is the bitter truth for Quebeckers, who pay 25% of the cost of developing the nuclear and oil industries but do not get any help with their hydroelectricity.

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 motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, bill read a third time and passed)

CREE-NASKAPI (OF QUEBEC) ACT

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC) propose que le projet de loi C-28, An Act to amend the Cree-Naskapi (of Quebec) Act, be read the second time and referred to a committee.

He said: Mr. Speaker, it is my honour to rise today to begin the debate at second reading of Bill C-28, An Act to amend the Cree-Naskapi (of Quebec) Act.

[*English*]

The amendments to Bill C-28 hold important consequences for our country, for the province of Quebec, and most significantly for the Cree of Eeyou Istchee, the people of the eastern James Bay and southern Hudson Bay region of northern Quebec.

Bill C-28 helps settle long-standing differences between the Government of Canada and the Cree of Eeyou Istchee, resolving disputes. Perhaps most importantly, the bill sets the stage for a revitalized relationship between the federal government and the Cree of Eeyou Istchee.

I will explain the provisions of this legislation and provide some detail of how Bill C-28 will encourage greater prosperity, social development and self-determination for the Cree of Eeyou Istchee. First, let me take this opportunity to tell the House a little about these people and how we have moved forward to this important step here today.

On February 21 of last year, I was in Mistissini, Quebec to sign the new relationship agreement with the Cree of Eeyou Istchee. Mistissini is located about 850 kilometres due north of here, in some of the most breathtakingly beautiful natural surroundings anywhere in the world.

Mistissini is one of nine Cree communities in northern Quebec. Some 30 years ago, residents of these communities expressed their deep disagreement with plans by the Government of Quebec to build and expand hydroelectric developments on their traditional lands.

• (1110)

[*Translation*]

The Cree of Eeyou Istchee and the Inuit of Nunavik thought this project, one of the most ambitious civil works projects ever considered in Canada, threatened their traditional way of life. To address the concerns expressed by the Cree of Eeyou Istchee and the Inuit of Nunavik, the Quebec and Canadian governments entered into negotiations with those peoples.

[*English*]

The result of these negotiations was the James Bay and northern Quebec agreement. Signed in 1975, the agreement is the first modern treaty reached in Canada, resolving land claims that date back to the late 1800s. It also accommodated the interests of the Cree of Eeyou Istchee and the Inuit of Nunavik on the development of natural resources on their traditional lands. In 1978, the Naskapi people of the region reached a similar accord, the northeastern Quebec agreement.

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Together, these two agreements facilitated development of hydroelectric dams and related infrastructure in northern Quebec and ushered in an era of unprecedented economic development, not just in the James Bay region but throughout northern Quebec. At the same time, the agreements established new governance regimes to manage the delivery of social services to Cree communities in the region and administer the growing relationship between Cree authorities and provincial and federal governments.

There was one problem, though. These agreements were struck without the benefit of a coherent policy backdrop, such as the comprehensive claims policy and the inherent right policy, which we have today, and without detailed implementation plans, essential components of the claims process that negotiators, policy-makers and legislators rely on today.

Because the agreements lacked the precision we now expect from such accords, challenges arose. The parties to the agreements, the federal government, the provincial government, the Cree of Eeyou Istchee, the Inuit of Nunavik and the Naskapi Nation of Kawawachikamach encountered substantial difficulties interpreting and then acting upon obligations outlined in the agreements.

In 1984, the Government of Canada adopted the Cree-Naskapi (of Quebec) Act. The act is the first piece of self-government legislation adopted in our country. It was an obligation under the James Bay and northern Quebec agreement and under the northeastern Quebec agreement. The landmark law set up a system of land management and recognized the authority of local Cree and Naskapi governments to make bylaws to protect the environment, manage natural resources and provide health services to band members. Provisions of the act also enabled the federal government to further address the needs of the Cree Eeyou Istchee and the Naskapi Nation of Kawawachikamach through government programs, sectoral funding agreements and joint action with the government of Quebec.

Despite these constructive efforts, the Government of Canada continued to bear the brunt of criticism for its alleged failure to implement its obligations under the James Bay and northern Quebec agreement and the northeastern Quebec agreement in an adequate and timely manner.

However, in 2002, a new dawn began to break in the relationship between the Cree of Eeyou Istchee and the provincial and federal governments. In February of that year, the Cree of Eeyou Istchee and the government of Quebec signed the "Paix des braves". Under the terms of this agreement the Cree of Eeyou Istchee agreed to assume major provincial obligations with regard to socio-economic development and community infrastructure in Cree communities.

In exchange, the government of Quebec made three commitments: first, to pay \$3.5 billion over 50 years to a new Cree development corporation; second, to provide ongoing funding for Cree health, policing and justice regimes; and third, to share with Cree communities the revenues and contracting and employment opportunities generated by natural resources development on traditional Cree lands.

Cree leaders then approached the Government of Canada and proposed a similar arrangement to resolve their outstanding differences. After close to six years of rigorous study, consultation,

negotiation and ratification, we signed the agreement concerning a new relationship between the Government of Canada and the Cree of Eeyou Istchee, a landmark accord that does what its title suggests; it establishes a new relationship between the Government of Canada and the Cree of Eeyou Istchee.

I was deeply honoured to participate in that signing ceremony in Mistissini in February 2008. I was proud to join hundreds of residents and more than a dozen current and former elected leaders of the region's nine Cree communities to celebrate the beginning of a revitalized relationship between the Government of Canada and the Cree of Eeyou Istchee.

● (1115)

[*Translation*]

Today, more than a year after that memorable event, we are gathered here in this House to consider Bill C-28 and enshrine in Canadian law a crucial part of the new relationship agreement between the Government of Canada and the Cree of Eeyou Istchee. But what is in that agreement, and by extension, in the bill?

[*English*]

With regard to its second goal, funding and ongoing financing, the new relationship agreement calls for the federal government to provide \$1.4 billion in compensation to the Cree of Eeyou Istchee. This funding is divided into three parcels. The first portion is a cash payment of \$1.1 billion. These funds have been transferred when the agreement was signed and put an end to significant lawsuits initiated by the Cree of Eeyou Istchee against the federal government.

The federal government will provide the Cree Regional Authority with an additional \$100 million within 30 days of Bill C-28, this bill, receiving royal assent. A third payment of \$200 million will be made within 30 days of royal assent being given to a future bill that sanctions a distinctive Cree Nation government.

Equipped with this new funding and ongoing financing, the Cree of Eeyou Istchee are poised to take on a number of essential regional functions, including policing, sanitation, firefighting services and several vital economic development initiatives such as job training, recruitment and placement.

This is where Bill C-28 comes in. The Cree Regional Authority must be granted the legal authority to carry out these functions. Accordingly, Bill C-28 amends the Cree-Naskapi of Quebec Act to provide the Cree Regional Authority with by-law making powers, similar to those now enjoyed by the eight local Cree governments.

As its name suggests, the Cree Regional Authority is the governing body that regulates affairs throughout the entire region, and Bill C-28 provides the Cree Regional Authority with powers that truly correspond with its title. The bill also incorporates a ninth Cree band, the Oujé-Bougoumou, and brings it under the jurisdiction of this regional governing body.

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These forward-thinking provisions dovetail perfectly with the third goal of the new relationship agreement, modernization of Cree governance. Upon passage of Bill C-28, the agreement pledges the Government of Canada to work with the Cree of Eeyou Istchee, to continue to transform their current governance regime. This modernization process will involve development of a Cree constitution and establishment of a Cree Nation government.

Indeed, Bill C-28 serves as a stepping stone for the Cree of Eeyou Istchee as they continue their journey toward genuine, full-fledged self-government. Through the agreements they have concluded with the governments of Canada and Quebec, they have shown their willingness to take greater control of their lives, establish high quality social services in their communities, safeguard their culture and chart a clear, self-sufficient course for their future. In doing so, the Cree of Eeyou Istchee have earned the respect and admiration of all Canadians, aboriginal and non-aboriginal alike.

At the same time, the names of distinguished Cree leaders have earned an honoured place in the history of our country. Grand Chief Billy Diamond signed the James Bay and Northern Quebec agreement and then used the agreement as a springboard to launch his people along the road to greater economic prosperity, social development and cultural preservation.

Grand Chief Matthew Coon Come fought to ensure that his people were assured a fair share of the wealth generated by the natural resources found on Cree lands.

Grand Chief Ted Moses helped develop and then sign La Paix des Braves with the government of Quebec, and was a powerful force in enabling his people to gain formal recognition as a consultative, non-government organization at the United Nations.

Now, as a signatory of the agreement, current Grand Chief Matthew Mukash takes his rightful place alongside these great Canadian leaders. I salute Grand Chief Mukash for his inspired leadership in shepherding the agreement through to ratification, and thank him for the enormous contribution he has made, not only to the life of his community but also to the prosperity and vitality of our country.

I also take this opportunity to salute Bill Namagoose, the chief negotiator of the Grand Council of the Crees, and Raymond Chrétien, the chief negotiator for the Government of Canada. These wise, skilful and patient men played indispensable roles in helping us strike an agreement and forge this new relationship. Simply put, without their diligent effort, firm commitment and determined leadership, an agreement would not have been reached and Bill C-28 would not be before us here today.

Finally, I would like to acknowledge the indispensable role played by the Cree of Eeyou Istchee themselves. During a referendum held to cast judgment on the agreement, they voted overwhelming in favour, some 90% of all ballots cast, and in doing so, expressed their deep faith in the value of and their firm desire to establish a revitalized relationship with the Government of Canada.

● (1120)

[*Translation*]

In the same spirit of optimism, partnership and trust clearly demonstrated by the Cree of Eeyou Istchee, I ask my colleagues to do their part.

[*English*]

I encourage my colleagues to adopt Bill C-28 and enshrine in the law of our land a vital element of the new relationship agreement. I encourage all members to play their part in revitalizing the relationship between the Government of Canada and the Eeyou Istchee, to play their part in helping usher in a new era in that people's distinguished history, an era of greater prosperity, self-determination, fulfillment and harmony for us all.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I will have the opportunity to tell the minister what the Bloc Québécois thinks in a few minutes. I can assure him that he will have our support on this issue, which we feel is extremely important. Not only will he have our support, but we will cooperate to make sure that things move forward even faster and that this bill is studied quickly in committee. I will elaborate on this shortly, but it is important to the Cree and Naskapi communities, especially the Cree community of Oujé-Bougoumou, that this issue be addressed once and for all.

But there is something that concerns me, and I would like the minister's reassurance. What is happening with regard to the Naskapi? Without going into detail, there is some fluidity in determining land boundaries and related rights. I would like to know whether the department has found common ground with the Naskapi community, which is closely related to the Cree community near Kawawachikamach. If not, are discussions underway to that end?

Hon. Chuck Strahl: I thank the member for supporting this bill. It will be very important to the Naskapi people, the Cree of Eeyou Istchee and ourselves.

An agreement that establishes a new relationship between these peoples and ourselves is necessary, but it is even more important to have a good overall agreement.

[*English*]

The issue with the Naskapi is an important one and people should be aware of this. There have been consultations with the Naskapi as we put this bill together. Their issues are somewhat separate. They are not covered under this bill. We want to be clear that there are other issues that are outside of this. The Naskapi, the Cree of Eeyou Istchee, the Inuit of Nunavik, all understand those issues must be settled and that we must proceed as quickly as possible to find a way to address those issues. There is not a bill to cover this but there is an understanding with the Naskapi that those issues they have raised will be addressed.

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In the meantime, it is important that the bill goes ahead in its current form because it addresses most of the issues that are important to the Cree, but that certainly the Naskapi issues, if I can call them that, must be addressed. They are separate issues and all parties to this agreement understand that we need to work together in order to address them. Whether they are boundary issues, issues of leasing, issues of referendum or other issues that are important to the Naskapi that they have raised repeatedly, we all agree we must move together to settle them as quickly as possible.

• (1125)

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, while I support the bill, there are a number of logistical housekeeping items that need to be addressed. Will the minister assure Canadians that this act will remain on his priority list until the needed corrections and amendments are made to the act?

Hon. Chuck Strahl: Mr. Speaker, I thank the hon. member for his indication of support for this important legislation. He is well aware of the need for this to go ahead not only for the monetary interest but more importantly, for the development of the eventual self-government package that will accompany it.

The new relationship document that we signed last year deals with things like mediation and arbitration. We have already appointed negotiators to talk about the governance package, which is the next step, and those negotiators have already started discussions. We will be able to move very quickly.

These are not just words on a document. This new relationship document is significant and very real. This new relationship will allow us to move to serious negotiations quickly.

Agreements were signed in the early days without implementation packages, which, in hindsight, was a tremendous flaw. Under this new relationship agreement that we have signed, everyone understands the importance of getting to a settlement quickly and addressing these outstanding issues quickly. There are timelines in the government's package, for example, on how quickly we can get to it. We are committed to meeting those deadlines.

Most important, because of the relationship we have established in getting to this stage, I expect these negotiations will go very well.

[*Translation*]

Mr. Daniel Petit (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I would like to ask my colleague a question.

I know that this issue is very important to him, and he is a fine Minister of Indian Affairs and Northern Development.

Seeing as our government practises open federalism, did my colleague consult with the Government of Quebec when this bill was being drafted? Did he hold consultations with the Government of Quebec throughout the drafting process?

Hon. Chuck Strahl: Mr. Speaker, I thank the hon. member for his question.

There was no formal obligation to consult with the Government of Quebec while drafting this bill.

[*English*]

We have already given a copy of our proposal to the Quebec government based on the new relationship document that it has already agreed to and is comfortable with. Now that the details are before it, I am quite sure it will be comfortable with it. It is based on the new relationship that we have all seen and signed off on.

As I said, it is not a formal obligation, but we wanted to make sure that the Government of Quebec understood what we were doing, so we have been keeping it in the loop, so to speak, and gave it a copy of our proposal early on.

Mr. Greg Rickford (Kenora, CPC): Mr. Speaker, I want to revisit a few points that the minister raised in his presentation. Bill C-28 is the first step toward self-government and it is a great piece of legislation for the Cree. Could the minister expand a bit more on how this legislation would advance self-government for the Cree? We heard a myriad of things that it would benefit, but if he could just focus on self-government that would be great.

• (1130)

Hon. Chuck Strahl: Mr. Speaker, I would describe this as kind of an incremental move toward self-government. This is not uncommon in the country. There are different places across the country where first nations have approached us and suggested and we have been willing partners to say they may not be ready for full self-government today but they can see a road map. They can say, "We want to do this today, and then we want to move ahead with maybe a tripartite agreement on education", and move toward self-government. That is a good way to do it for those first nations that want to approach it that way.

This is a step along that line, although in a sense it is more formalized. With the Cree Regional Authority we have been able to take the government arrangements that have already been given to the nine Cree first nations in the territory and expand that to the Cree Regional Authority, and now the new relationship document talks about how that will then flow from the Cree Regional Authority and expand to the Cree nation government.

The negotiations that will take place subsequent to this will allow us to talk not only about the monetary part of it, as there are a couple hundred million dollars to facilitate that happening on the government side, but more importantly, there is a process established that is part of a continuum. There is a settlement, we have implemented it, we have expanded it to the Cree Regional Authority with this legislation, and then, importantly, the Cree nation governance will flow from that quite quickly and naturally, based on the new relationship agreement. The dollar figures and all of that are already established, so my sense is the authorities will be relatively easy to negotiate.

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, it is my pleasure to speak to Bill C-28, An Act to amend the Cree-Naskapi (of Quebec) Act of 1984. I want to thank the minister and the government for bringing this legislation forward in a rather expedited manner.

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Essentially, this particular piece of legislation stems from land claims and the implementation of what we call modern-day treaties. The first such modern-day treaty was the James Bay and northern Quebec agreement of 1975, which I am going to speak about a little more as we move forward.

Negotiation and implementation has been difficult. It has been tough, time-consuming and burdensome, but these treaties have also been signs of hope, opportunity and promise. In 1975, the James Bay and northern Quebec agreement signalled a new time in the history of Canada and a new relationship with aboriginal peoples. However, even though it has been a new relationship and new processes have taken place, they have not been without their trials and tribulations.

Since 1975, there have been a number of comprehensive land claims signed in the country, in places such as the Yukon, the Northwest Territories, British Columbia, Nunavut, Quebec and Labrador, with a broad range of aboriginal peoples and nations: the Teslin Tlingit, the Gwich'in, the Nisga'a and the Inuit, but unfortunately, to date, no comprehensive land claim specifically with the Métis people.

If we want to look at the implementation of these particular treaties, the aboriginal peoples across the country signed these treaties with a profound sense of importance. I want to sum up that profound sense of importance in a Cree prophesy:

Only after the last tree has been cut down
 Only after the last river has been poisoned
 Only after the last fish has been caught
 Then will you find that money cannot be eaten.

In that particular prophesy, and because of the nature of land claims where aboriginal people had to give up lands or give up certain rights for money, the negotiations are profound, because they come with a certain sense of permanence as well. The sense among elders in the community that in fact we sometimes have no right to give up land, that we are caretakers and stewards of it, makes these particular negotiations ever more heartfelt.

I say that because when we get to the implementation there are often difficulties in terms of interpretation and consistency. We will often hear this phrase amongst aboriginal people: We have signed this agreement, the government has certain responsibilities, both the federal crown and the provincial crown, but the honour of the Crown, what the Crown has promised, is not being kept to; there is not a sincerity.

I can say that it is happening with the Nisga'a, with whom I have met. They say, "Listen, we signed an agreement, and it has taken now seven or eight years to negotiate other aspect of the agreement, such as the financial framework agreements."

I talked to the Teslin Tlingit, and they talk about the fact that it has been now over a decade and some of the aspects of their comprehensive land claim, such as the devolution of justice and enforcement, has not happened.

I even talk about the Nunatsiavut government in Labrador. "Nunatsiavut" means "our beautiful land". I know these people. I know them well. Many are relatives. They say that even since 2005 there have been problems with implementation.

It is in this broad context that I talk about Bill C-28. I want to refer to Labrador specifically because I know it well. We have three land claims at various stages. I mentioned the Nunatsiavut government comprehensive land claim that was signed in 2005, which I was happy to be part of and was in this House when it was ratified.

• (1135)

There is also the Innu, which have signed a New Dawn agreement. They want to move forward to full ratification of their particular agreement because it creates some certainty for development, economic prosperity and social progression.

Of course, there is the Labrador Metis Nation, which I was president of for 11 years. It has had a claim with the government since 1990. It submitted additional information in 1996 and is still waiting for the Government of Canada to come to the table and negotiate outstanding issues.

Against this entire backdrop and in this context, we have Bill C-28. As I mentioned, in 1975, there was the James Bay and northern Quebec agreement. It did not contain implementation plans, and this gave rise to a whole series of disputes about interpretation and litigation.

There was also the northeastern Quebec agreement with the Naskapi in 1978, and then in 1984, the Cree-Naskapi (of Quebec) Act was established, which arose out of the James Bay and northern Quebec agreement. The Cree-Naskapi (of Quebec) Act has been termed Canada's first aboriginal self-government type of legislation. It provided for local governance for Cree bands on their own lands.

Within this debate are the precursors of what is happening in society today: the first modern land claim in 1975, and the first self-government type of agreement in 1984. Even though these agreements were signed, there were problems with implementation, and a series of court actions arose. To attempt to get some of these issues settled, there was an agreement with the Inuit and the Naskapi in 1990, but no agreement with the Cree of Eeyou Istchee.

In 1992, Canada and the Cree of Eeyou Istchee signed the Canada—Oujé-Bougoumou agreement. In 2002, the Cree signed an agreement with the Province of Quebec, the Paix des Braves agreement, covering a period of 50 years and dealing with resource development, policing and compensation to allow certain resource developments to go forward. It also has within it a process, as I understand, to resolve outstanding issues.

Then, in 2008, there was a new relationship agreement, called the Chrétien-Namagoose agreement, between the Government of Canada and the Cree of Eeyou Istchee. This agreement was ratified by the Cree, as were the agreements referring to the Cree that I have already mentioned.

The people themselves were at the table. They looked at it, it was brought to their communities, and they ratified it. Many have termed it an out-of-court settlement; and in essence, it was. This new relationship agreement had a 20-year term, and there were a series of payments. The payments would amount to \$1.4 billion in three separate stages.

Government Orders

I want to sum up with the words of the Cree-Naskapi Commission to describe to how this has unfolded over the last three decades. This comes from the chairman of the Cree-Naskapi Commission, which came out of the Cree-Naskapi (of Quebec) Act of 1984:

The James Bay and Northern Quebec Agreement...(which did not include an implementation plan), was signed in 1975. During the thirty-three years since the signing there have been numerous disputes and frequent litigation concerning the obligations under, and the implementation of the agreement. This in turn has led to a difficult relationship between the Cree Nation of Eeyou Istchee and Canada and Quebec. Through the efforts of the Crees, Canada and Quebec, that has changed. The Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Quebec...addressed outstanding issues between the Crees and Quebec [for a term of 50 years]. The Agreement Concerning a New Relationship Between the Government of Canada and the Crees of Eeyou Istchee of 2008 addressed in parallel fashion outstanding issues between the Crees and Canada. These agreements have been ratified by the Cree people as well as by Quebec and Canada. They represent a major achievement in resolving problems through negotiation.

● (1140)

[T]here is some evidence that the federal and Quebec governments have learned from the James Bay experience. Over most of the past thirty-plus years governments, through both their actions and their words appear to have regarded the Crees from what was essentially an adversarial perspective.... [T]he traditional structures and decision-making processes of government were ill-suited to negotiating much less implementing treaties and land claims settlements with First Nations.... [The] 1982 amendments to the constitution changed that.... Aboriginal and treaty rights (including land claims agreements) were moved beyond the scope of governments' ability to ignore or change them unilaterally. Now, as the Supreme Court said in *Badger*, "Treaties...create enforceable obligations..."

On the signing of this new relationship agreement, the current Cree Grand Chief Mukash said, "It also sets in motion what is probably the most important initiative since 1975, the development of a new Cree government".

The new relationship agreement set out a way of moving forward and called for a two-phased approach: commitments by Canada to amend the Cree-Naskapi (of Quebec) Act of 1984, which we are talking about today, and the negotiation of Cree self-government agreements with a Cree constitution and their own powers.

Bill C-28 deals with the first of these undertakings and can be summarized under two headings: amendments to the Cree Regional Authority and the Oujé-Bougoumou amendments. I just want to run down what those would entail.

The proposed amendments regarding the Cree Regional Authority would allow the Cree Regional Authority, which is basically the administrative body of the Grand Council of the Crees: to act as a regional government on category IA lands, which are basically the lands that they own under the 1984 Cree-Naskapi act; to regulate essential sanitation services, housing and buildings used for the purposes of regional governance; to use, manage and administer moneys and other assets; to promote the general welfare of the members of the Cree bands; and to promote and preserve the cultural values and traditions of the members of the Cree bands.

In terms of the Oujé-Bougoumou amendments, the Crees of the Oujé-Bougoumou were not recognized in the James Bay and northern Quebec agreement as a distinct Cree band. The individual members of this community were listed on the band list of the Mistissini Cree Nation and have been beneficiaries under the agreement since its inception. Since 1975, the Crees of Oujé-Bougoumou have sought to be recognized as a distinct band under

the James Bay and northern Quebec agreement and the Cree-Naskapi (of Quebec) Act. The Government of Canada has committed to amend the agreement and the act to meet this objective.

The amendments in this bill deal with such issues as incorporation, transitional matters in relation to councils, boards of directors and bylaws, residence and occupation rights, right of access to land, exploration activities, tax exemptions and exemptions from seizure.

That outlines in broad strokes what Bill C-28 would do.

We have spoken with the government representatives about consultation. We have been assured by the government that it has carried out adequate and efficient consultation. We have also spoken with the Cree who were intimately involved in the drafting of Bill C-28 and who were a signatory, as well, to the new relationship agreement. We have talked with the Naskapis and they have assured us that they are comfortable with these particular amendments. We have talked as well with the Inuit.

We have also been given assurances that due to Bill C-28, there would be no infringement on the rights and interests of other aboriginal peoples.

As such, I am delighted on behalf of the Liberal Party to support Bill C-28. I want to commend the efforts of all those involved. At the end of the day, this is about helping people and supporting people in communities. I do not like to use the word "allowing" people to have self-government because it seems to be an oxymoron. People have self-government and had self-government.

● (1145)

The Crees of Eeyou Istchee had their own self-government. What we do now is recognize that in further processes under the new relationship agreement. As I understand it they are hoping to have an agreement within five years. As I understand it, they are hoping to have an agreement within five years. That is an admirable timeframe given that some land claims and self-government negotiations have gone on for three decades, and many would say for a century. The Nisga'a often say they started their land claim back in the late 19th century.

This legislation is a move in the right direction, and I am happy to support it. It is good to see the full involvement of aboriginal people in the drafting of this piece of legislation. It sets an example that when aboriginal people are involved in the drafting of legislation that impacts them, things go much more smoothly.

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, I would like to thank the hon. member and his party for their support of this important legislation.

My question has to do with a comment the member made regarding this new relationship agreement having a second phase, that being step two, the governance agreement with the Cree. He spoke of it briefly, but I wonder if he might talk a bit more about the extent to which he feels the second step would be part of continuing that process for the Cree.

Government Orders

Mr. Todd Russell: Mr. Speaker, it is my understanding from the new relationship agreement between Canada and the Cree of Eeyou Istchee that there will be no movement toward the more fundamental piece of a self-government agreement with the Cree, a Cree constitution and fuller Cree governance, without the passage of Bill C-28. Bill C-28 is an essential step in moving toward these more fundamental agreements.

I have not fully read the new relationship agreement, but I understand that the types of parameters that will guide the negotiations over the next five years toward self-government for the Cree of Eeyou Istchee are outlined in it. I will leave it to the negotiators in terms of what is finally put in the agreement.

Grand Chief Mukash, the commissioners of the Cree-Naskapi, and the negotiator, Bill Namagoose, see Bill C-28 as essential, but they also look forward to the promise of more comprehensive negotiations on this self-government agreement.

I understand there will be some recognition of the traditional governance of the Cree people. It is important to recognize what was there before settlers arrived, before there were other forms of government. It is essential because it lifts people up and it makes them feel valued.

I look forward to the day when we have new Cree governance structures and a new Cree constitution. I hope I am around to celebrate with the Government of Canada, the Government of Quebec and the Cree people themselves.

• (1150)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I listened carefully to the hon. member, and I think he made thoughtful observations.

I would like to know if such an agreement could apply to communities in the province of Newfoundland and Labrador. Also, regarding such a proposed agreement, I would like to know if Bill C-28 could, without applying integrally, serve as a basis for negotiations on territorial agreements, or on self-government for communities located in the member's riding.

[*English*]

Mr. Todd Russell: Mr. Speaker, every part of Canada and different aboriginal peoples have a different sense of history and a different sense of tradition. In Labrador we have the Inuit, the Métis and the Innu. In Labrador we already have a comprehensive land claim and self-government agreement. It is called the Nunatsiavut agreement and it was ratified in June 2005. They already have moved to an area where the Cree of Eeyou Istchee want to be. It may not reflect the same type of parameters or powers, but this is where Bill C-28 helps the Cree move.

The Innu have their own vision of self-government and where they want to go. They are negotiating with the province of Newfoundland and Labrador and the Government of Canada. There has been some signing of an initial agreement called New Dawn with the Government of Newfoundland and Labrador, and I understand the negotiations continue with the Government of Canada.

To resolve land claims in Labrador and aboriginal rights and title, I have encouraged the minister and the government to seriously look at the comprehensive land claims as were submitted by the Métis Nation of Labrador so that all people in all of our communities are included, that they feel there is some settlement and resolution, that their aims and aspirations are taken as seriously as the other aboriginal peoples in Labrador and elsewhere in the country.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Mr. Speaker, I would like to congratulate the Minister of Indian Affairs for bringing this bill forward, and more important, the member for Labrador for supporting this good initiative.

My problem is not with the minister or the member. My issue is with the Prime Minister. Any time bills that are important to the Canadian people have been brought forward, in order to protect his own job, he has prorogued the House or called an election. Look at the crime bills where 95% of the bills were supported by the Liberals. The Prime Minister either prorogued the House or called an election and those bills died on the order paper.

How would the member like to see the bill proceed in a timely manner so the people of the Cree of Eeyou Istchee get the legislative powers to have self-government?

Mr. Todd Russell: Mr. Speaker, my colleague from British Columbia represents the people in Newton—North Delta so well.

Yes, we have often had difficulty with getting government legislation through the House. I think that is about different visions of our country and where we want to go.

On this particular piece of legislation, the fact that it was developed with the aboriginal people themselves, in this case the Cree of Eeyou Istchee, makes it so much more palatable, so much easier to support. I believe we should also recognize that it is the fulfillment of a commitment that the Government of Canada has already made and this helps build trust and understanding among aboriginal and non-aboriginal people. Only with that trust and understanding can we really build new relationships and move to a self-government that is recognized by other people in Canada and indeed throughout the world.

• (1155)

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, there is a significant financial component associated with the new relationship agreement. Could the member expand on how this will benefit the Cree?

Mr. Todd Russell: Mr. Speaker, I am always hesitant to say how it is going to benefit someone. It is up to the people themselves how they prioritize and utilize those funds, basically how they spend the money. It is what most people would consider to be a substantial sum. It is hard to put a value on land, a value on tradition. We can think of that Cree saying that when the trees have been cut, the fish have been taken and the rivers have been poisoned, money cannot be eaten. However, I would leave it to the Cree themselves in that they are the best judges of what is important to them, of what their community priorities are, where they have to put the dollars.

Government Orders

It will be significantly important and it will benefit them personally. How that happens is going to be up to the Cree people themselves. That really is a part of self-government. If it is going to be real self-government, we do not tell people what to do, we let them exercise it.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, first, I would appreciate it if you could let me know when I have one minute left, because I think I could go on for at least 25 to 30 minutes. Since I only have 20 minutes, I will try to be brief.

I want to salute the students of the Polyvalente Natagan, located in the community of Barraute, in my riding. They are here today as part of a visit to Parliament Hill. I salute them. I am going to give them a brief geography and history lesson, and I hope that it will be part of their June exam.

We are witnessing a historic moment here, and I think it is important to mention it. I would like to pay tribute to the Minister of Indian Affairs and Northern Development, who worked on this project, and also to Matthew Mukash, Grand Chief and President of the Grand Council of the Crees, to Ashley Iserhoff, Deputy Grand Chief and Vice-President of the Grand Council of the Crees, to Roderick Pachano, authorized representative of the Chisasibi Cree nation, to Losty Mamianskum of the Whapmagoostui First Nation, to Rodney Mark of the Wemindji Cree nation, to Lloyd Mayappo of the Eastmain band, to Steve Diamond of the Waskaganish Cree nation, to Josie Jimiken of the Nemaska Cree nation, to John Kitchen of the Waswanipi band, to John Longchap of the Mistissini Cree nation, and to Louise Wapachee, authorized representative of the Oujé-Bougoumou Eenuch Association.

These people represent hundreds of Cree who signed a critically important agreement that led to Bill C-28. In this agreement, which I have here, it is clearly mentioned that a bill—and that is Bill C-28—would propose amendments to the government and to the Parliament of Canada, within 18 months of the coming into force of the agreement, which was signed on February 21, 2008.

It is now very important, not to say urgent, that we respect the signatures that appear on this document. This is why the government had to introduce a bill in this House to ratify the agreement. I am telling the students that this agreement must be ratified. It covers a huge territory in northern Quebec, north of the Abitibi-Témiscamingue region, on the edge of James Bay. That territory surrounds all the hydroelectric dams that Quebec wants to build. Therefore, it is a very important agreement that will help the Cree fulfill their desire to achieve self-governance.

It is important that I indicate that the Bloc Québécois will support this very important bill. The Bloc Québécois recognizes the right of the aboriginal peoples to self-government. This agreement gives effect to that right for the Cree nation. Obviously the bill does not solve all the problems. I think many of us would quickly vote for a bill if that were all it took to end poverty, alcoholism, diabetes and serious crime in isolated communities. Unfortunately, things do not always work as we would like. Some of the more frequent problems in aboriginal communities are inherent in living in what we call remote communities. It is important that we realize, that we sit down and negotiate with the aboriginal people, because one day we will

have to understand that we are living on aboriginal land. Even this Parliament, in Ottawa, is on aboriginal land, Algonquin land.

● (1200)

We will have to understand that one day, and agree to negotiate and share this land with the aboriginal communities.

The Bloc Québécois recognizes that the aboriginal peoples are distinct peoples with a right to their cultures, their languages, and their customs and traditions, and with the right to determine for themselves how to develop their own identity.

This bill is a step in that direction, in my opinion, and that is why I have recommended that my colleagues in the Bloc Québécois not only support the bill, but do so as quickly as possible, to expedite the implementation of the bill. I therefore hope that our Senate colleagues will give it speedy consideration so that Royal Assent can be given before the June recess.

Madam Speaker, before you took the chair, I said I would like you inform me when I have one minute left, or else I would have enough to say to fill at least half an hour or three quarters of an hour. I am not sure that some of my colleagues would appreciate it if I took part of the afternoon to talk about the importance of this bill, which has a direct impact on the aboriginal people in a region that certainly needs the agreements that will result from these bills.

It is rare for us to be able to say that the government has acted in concert with the Cree communities. In this case, it must be said. In fact, unstinting work has been done by the Grand Council of the Crees, but I also think that there was work done jointly, not only with the Cree communities but also with the government of Quebec and with the communities concerned. What we must not forget is that this affects the Naskapi communities. In Kawawachikamach—and I am eager to see how that will be translated and typed—there is a Naskapi community on the border of Labrador and it is affected by this agreement.

I asked the Minister the question and I got the answer I expected. This kind of agreement will have to be made for the Naskapi nation because it is a question of the development and survival of the aboriginal nations, and in particular Kawawachikamach, a very isolated community north of Schefferville. I would add, for my students who will have to look on a map to see where that community is, it is in the extreme eastern point of Quebec where it meets Labrador. The Kawawachikamach nation is a very important part of this.

Let us remember that this bill flows from the James Bay and Northern Quebec Agreement, which was signed in the 1970s. The Government of Quebec had made hydroelectricity a priority. As a result, it was necessary to divert rivers and construct hydroelectric dams. That produced the power stations known as La Grande-1, La Grande-2, La Grande-3, and now La Grande-4. They were influencing rivers that affected James Bay.

Government Orders

The problem was that nobody spoke with the Cree, who had been living on that land for thousands of years. There were lawsuits, injunctions and many legal proceedings before the government stopped and admitted that they were right in the middle of Cree ancestral land. They were obliged to sit down with them before planning to develop those hydroelectric dams. That led to the James Bay agreement that is now known as the James Bay and Northern Quebec Agreement.

Nine years after that agreement was signed, the first settlement agreements were reached. The Government of Quebec was concerned because of the hydroelectric basins; but the federal government was also directly involved because of the ancestral lands and the land claims of the Cree people.

Bill C-28 is the result of the agreement between the Government of Canada and the Cree of Eeyou Istchee that was signed February 21, 2008. The terms of the agreement call for it to be implemented within 18 months, and, if I count properly, those 18 months have almost expired. That is one reason why the Bloc Québécois will support this bill without reservation and will do its utmost to see that it is adopted at all stages.

● (1205)

I want to explain how that process works for the benefit of my students. Once the bill has been adopted here, it must be sent to a committee for review. We agreed this morning at the Standing Committee on Aboriginal Affairs and Northern Development that this bill would be reviewed and adopted quickly so that it will come into force before the end of the session, or the beginning of September, at the latest. That is absolutely necessary. Large sums of money are at stake.

I can respond immediately to a question from my colleague from Churchill about the amounts involved. One billion and 50 million dollars will be distributed over a number of years. The parties agree that within 30 days of royal assent, \$100 million will be distributed to the Cree communities involved. That is why the bill must be adopted. Within 30 days of royal assent, the government must pay out another \$200 million, so that a total of \$300 million will be distributed very quickly after royal assent. One may think that is a lot of money for the Cree, but keep in mind the development of the Oujé-Bougoumou community alone cost \$110 million.

A huge number of things remain to be done, and major issues need to be settled. I repeat, money will not solve the problems of alcoholism, health issues, school drop-outs and crime in the communities. Money will probably help isolated communities to take control of their situation, provide broader access to water, get their schools working better. Aboriginal people absolutely must take over control of their lives. This funding will be used to train tomorrow's leaders of the Cree community. There are some leaders now but more are needed. This money will go to help the communities.

The communities are experiencing a phenomenal growth spurt. Their annual birth rate ranges between 3% and 5%. In our fine communities, everything is great. We get the necessary services, garbage is picked up, drinking water is available at the turn of a tap. In aboriginal communities, water pipes have to be installed, housing has to be put up on land that is very often not that easy to build on.

The funds will go to help the Cree communities to take charge of their future.

Another important point: this bill, which confirms the agreement, will allow the Cree community to enact bylaws in areas that affect it directly, public health and safety, protection of the environment and prevention of pollution, as well as all other sectors that are administrative in character such as the administration of justice and economic and social development. Last year, the Cree-Naskapi Commission, which administers and oversees agreements between the Cree and the Naskapi, made recommendations to us and Bill C-28, which I hope to see passed promptly by this House, will implement those recommendations.

There is also an agreement on what is termed the land. There are three categories, and I know this is highly complex, but there are Category I, II and III lands. I could make a comparison with chicken grading. Those in what would correspond to Grade A, which is Category I, are the best, the closest to them. Then comes Category II, which are a bit further away, under provincial jurisdiction, for instance, and then Category III is Quebec crown land.

● (1210)

I have shortened my remarks so that I would not take up several more minutes of the members' time. What I want to say is that an agreement has finally been reached with the Cree. We now have an Agreement Concerning a New Relationship between the Government of Canada and the Cree of Eeyou Istchee and can proceed with the definition of the land categories. This is very important and even the very heart of the agreement. There is not just money involved. We will finally know that this parcel of land is category I and that one is category II.

I will provide an example. We have even agreed that category II lands will cover an area of 155,000 square kilometres. These lands will be administered by the Cree and the regional authority. This is Quebec land too and authority is shared. We still have to determine who can hunt and fish, identify ZECs or controlled harvesting zones, agree on how ZECs will be organized, who will have fishing licences, and when they can go fishing. These are the category II lands.

Category I lands are under federal jurisdiction and they too are also in part under Cree jurisdiction.

The Cree and Naskapi have exclusive rights—and this gets important—over Category III lands. These lands cover 911,000 square kilometres, which is hard to imagine but let us try. My riding is 152,000 square kilometres, so these lands are five or six times as large. This is a huge area over which the Cree and Naskapi—agreements still have to be signed but talking for the moment about the Cree—will have exclusive rights and where their communities will participate in the administration and development of the land.

In the category IA lands—because there are I, IA, IB lands—it gets very complex and I would therefore like to congratulate everyone who worked on this project for so long, both personally and on behalf of the Bloc Québécois. Speaking of land categories, negotiations are currently being held with the Innu and the same debates will arise.

Government Orders

It is the same with the Attikamek south of Lake St. John. The entire reservation stretching toward Lake St. John and even a bit beyond is Attikamek territory. Beside it are Innu lands. All these divisions and definitions of lands will be very important and might be used—as time will tell—with the communities and grand councils, such as the Grand Council of the Cree. The Grand Council of the Attikamek and the Grand Council of the Innu will also be affected.

If I have one wish, it is that some day—and I am sending my Algonquin friends a message here—the Anishnabe will also form a single Grand Council of the Algonquin Anishnabe so that they can pool their knowledge and efforts and ensure that the government stops—I am weighing my words—exploiting them and confining them to small areas of land. They are not even consulted in connection with hunting, fishing or mining.

Since you are indicating that I only have two minutes left, I will go a little faster. I am going to conclude by saying that this is a very important bill which is the result of a good consultation process—and I mean that—between the federal government and the nine Cree nations. I do not think I am wrong when I say that, based on the information that I received, the 10 nations—because a tenth one will soon be recognized—are very pleased with this agreement, and they hope that it will be conveyed and adopted through Bill C-28, at the earliest opportunity.

•(1215)

[English]

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Madam Speaker, this is close to home for the member, so he knows a great deal about it and is able to give us a good history lesson on how he got here and any experience in Quebec related to the relationship between aboriginal people and different levels of government. I thought all of it was very useful.

I would like him to comment on this. It has been my experience that a strong and vibrant aboriginal government is a good news story for everyone. It is good for the province. It is good for the federal government and for the aboriginal people that it represents. We are getting that with this agreement.

We are strengthening further the already good work that the Cree of Eeyou Istchee, Naskapi and others have put together over the years and have been able to formalize, in increasingly detailed ways, to ensure they represent their people strongly when it comes to resource development and revenue sharing, relationships, which are all described in the “New Relationship” document, and much more. Everything from the day to day issues, such as fire protection to important things like environmental standards, all become enhanced when there is a good, strong government, and this will move us to that quickly.

He had mentioned something in passing, and I know it is an issue about which he is concerned, and that is how a strong, regional government of the nature we talk about for the Cree of Eeyou Istchee could be useful to the Algonquin people.

He is right. There is a message in there that it not only strengthens the hands of the Algonquin people, but by strengthening that

opportunity, it provides other opportunities for other levels of government to engage more formally to get good things done for people at the community level.

Could he talk a bit about why he thinks this kind of a regional government, and eventually the Cree nation government, allows for not only good economic opportunity, but good social development in those regions and how it might apply in other regions with willing partners?

•(1220)

[Translation]

Mr. Marc Lemay: Madam Speaker, usually, we are the ones who put questions to the minister, who then thanks us. This time, I am the one who is thanking the minister for his question.

We are still working very hard on this issue. For the benefit of my colleagues, I should point out that this issue—and specifically Bill C-28—applies directly to my colleague's riding, namely Abitibi—Baie-James—Nunavik—Eeyou. I am very involved in this issue, which is very important and which I have been following very closely for a number of years. Even when I was working as a lawyer, I would follow these negotiations with great interest.

I will respond to the minister by saying that he is absolutely right. There should be such aboriginal governments in place. Since my reelection in 2006, I have been the Bloc Québécois critic on aboriginal issues. The main problem that comes to my mind is the lack of continuity. At some point, we will have to sit down and ask ourselves whether aboriginal community chiefs should be elected for a period of four years, instead of two years. We are giving this some thought. Personally, I am thinking about this issue. There is a lack of continuity, and that is the first problem.

The second problem is that it is impossible to have seven Algonquin communities that barely speak to each other, if at all. Yet, they have the same problems. I know the Algonquin nation well, because almost all of its members live in my riding, with the exception of the members of the Kitigan Zibi community, located in Maniwaki, in the riding of Pontiac, which is represented by the Minister of Foreign Affairs. However, these ridings are all adjacent.

So, why not sit together, make the same claims, and perhaps meet with the government to negotiate a similar agreement? After all, it is not a bad agreement. It is true that some communities may have a bit of a problem with that. In order to get along, it is important to sit down and talk about the same claims. Currently, if a mining company wants to conduct mining exploration in the Abitibi-Témiscamingue territory, it must deal with five communities. Why not consult the tribal council of the Anishinabeg Algonquin nation? Right now, companies consult the Attikamek, and they will consult the Cree communities. I personally think that we will have to go in that direction, because there are too many important issues affecting these communities.

Mr. Bruce Stanton (Simcoe North, CPC): Madam Speaker, I would like to thank my colleague for his speech this afternoon. He is working hard to support Canada's aboriginal peoples.

Government Orders

Will this bill enable the Cree Regional Authority to pass bylaws related to certain regional issues?

Mr. Marc Lemay: Madam Speaker, I would like to thank my colleague for his question. I should point out that he is the chair of the Standing Committee on Aboriginal Affairs and Northern Development, where he is doing very good work. I should also point out that his French has improved dramatically. If I am not mistaken, just six months ago, he spoke no French at all. He has gotten much better.

The answer to his question is, yes, absolutely. The Cree people will now have full jurisdiction in a number of areas, such as health and hygiene. They will decide where to put the hospital. They will decide whether they need 14 doctors in the next five years. They will decide that doctors need to be trained. They will find out whether AIDS is less prevalent in their community than diabetes. Diabetes is a huge problem for them.

Alcoholism is another problem that requires urgent attention. The Cree people will have full jurisdiction in these areas.

The bill also covers environmental protection and pollution prevention. On the practical side, that includes landfill management. They will be responsible for water and waste water systems. They will make the decisions. The federal government will no longer be telling them where to put things. They will decide where, and they will also be in charge of the administration of justice in the north. The Cree people will decide where to put their courthouse, how much money to spend on it and where to build their prison. They will be responsible for all of these matters.

For that reason, and that reason alone, this agreement, which will be sanctioned by the bill, should come into force without delay and serve as an example to other Attikamek, Innu and probably Algonquin councils.

•(1225)

[English]

Mr. John Duncan (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, CPC): Madam Speaker, my question for a fellow committee member, and a very enlightened representative on the committee, also deals with the mandate that the Cree government will have under the bill, which is much of its legislation will be allowed to meet or exceed provincial or federal standards. This allows individual governments at the community level to make their own choices.

Does my colleague think this is a good way to go?

[Translation]

The Acting Speaker (Ms. Denise Savoie): The hon. member for Abitibi—Témiscamingue has 30 seconds for a very brief response.

Mr. Marc Lemay: Madam Speaker, yes, I think it will help them. My colleague is quite right. My answer does not need to be any longer. The answer is yes.

[English]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Madam Speaker, like my other colleagues in the House, I am pleased to rise today in support of Bill C-28, An Act to amend the Cree-

Naskapi (of Quebec) Act. This is important legislation and I believe there will be agreement on all sides of the House to expedite it.

From the government's own briefing documents, I want to put this into context.

The Cree-Naskapi (of Quebec) Act is considered to be the first aboriginal self-government legislation in Canada. It recognizes local aboriginal government and established a system of land management before the federal government's 1995 inherent right policy.

The act came into force in 1984 in fulfilment of the Government of Canada's obligations under two historic agreements: the James Bay and northern Quebec agreement and the northeastern Quebec agreement.

The James Bay and northern Quebec agreement contains specific obligations in relation to the Cree Nation and the Inuit of northern Quebec. The northeastern Quebec agreement contains specific obligations in relation to the Naskapi Nation.

There is a lot more historical information but I want to get to the proposed amendments that are before the House. This is a very brief summary of them. The proposed amendments would carry out two main objectives: first, equip the Cree Regional Authority with additional responsibilities and powers, including bylaw-making powers, so that the authority is better able to receive and carry out certain specific responsibilities that were assumed by the federal government under the James Bay and northern Quebec agreement; and second, recognize the Crees of Oujé-Bougoumou as a separate band and local government under the Cree-Naskapi (of Quebec) Act.

I wanted to provide the House with that historical context because I also want to talk about the process.

It is important that the people who are actively involved in this be heard in the House through a member of Parliament, because, of course, community members do not have the right to speak in this place. Rather than my paraphrasing, I will use the words of some of the commissioners who came before committee on May 5. They talked a bit about the process and their support for this legislation and what else needs to be done.

We have before the committee Mr. Richard Saunders, the chair of the Cree-Naskapi Commission; Commissioner Robert Kanatewat, who is a Chisasibi on James Bay; and Philip Awashish, from the Mistissini of the Eeyou Istchee interior.

The commissioners came before committee because they wanted to talk about the Cree-Naskapi commissioner's report that appears biannually. Over a number of years, the commissioners, on behalf of their people, have raised the need for these amendments. We are talking about a 19 year process here.

Part of the reason that we are looking at these kinds of amendments is because when the initial agreement was signed in 1984 there was no parallel implementation plan and no requirement for an implementation plan in the legislation. Without that implementation plan, there were delays in moving forward on initiatives that would have benefited the Cree-Naskapi.

Government Orders

In a briefing note that was provided to committee by the commissioners, they talked about this implementation plan. They said:

Typically, the process of implementation, as in the case of the Cree-Naskapi (of Quebec) Act, has been that Parliament enacts legislation and its administration and implementation remains the responsibility of the Minister of Indian Affairs and Northern Development.

As a parenthesis here, I must say that the current Conservative government has inherited many of the problems that were seen under previous government regiments.

They go on in their briefing notes to say:

Throughout this traditional form of implementation, the Cree and Naskapi peoples are denied a meaningful role in the decision-making process even though they (the Cree and Naskapi) are most impacted by the application, administration and implementation of the Cree-Naskapi (of Quebec) Act. The conventional style of implementation is frequently insensitive to the actual needs and aspirations of the Cree and Naskapi peoples and has resulted in symbolic implementation that amounts to no real change in how decisions are made and in how things are done.

In the actual testimony before committee, when the chair of the commission was talking about this particular act and the proposed amendments and report, he said:

There's really not much disagreement on the part of anyone about that. It's really both a symbolic and housekeeping amendment and we're glad to see it. We would note, without being unduly cynical about processes, that this has been promised for the last 19 years and finally the amendment is here. Hallelujah!

● (1230)

That 19-year time frame reflects missed opportunities. It reflects the fact that governments over any number of years have disregarded the ongoing reports by the commissioners calling for these amendments.

The chair of the commission pointed out that this bill was largely a housekeeping bill and that there were other uncontested non-contentious amendments that were very necessary. The Cree is asking that the legislation be expedited and that the process that was used to get to these amendments, which has sped up over the last couple of years, be used to look at the rest of the non-contentious amendments so the peoples of that territory are not waiting 19, 20, 25 years for the next series of amendments that are largely housekeeping.

He goes on to talk about some of these other potential amendments. He says:

If I might just let me say where our concerns lie. This also reflects to some extent what the Cree leadership have told us many times. Recommendations for change to the act, housekeeping amendments, all sorts of things have been recommended, as I noted for 19 years some of them.

Some of these changes are things like referenda. He cites a particular instance:

If the Crees want to transfer a piece of land in a community to the Cree school board to build a Cree school on, they've got to have a referendum. Think about it. In your communities, how many folks would come out to vote on a referendum for the municipality to transfer a piece of land to the school board.

The Crees agree that in some cases a referendum is appropriate but they are saying that so many other levels of government do not require referenda to make decisions in their communities, nor do they have to meet the kinds of percentage levels that are required under the referendum parts of the original 1984 act. That is one housekeeping amendment that they are suggesting, and there are

many more. Some are around how band council elections are conducted.

I would urge the current government to use the process that it has already put in place to get to these amendments to ensure we can expedite the next series of amendments.

While I am talking about that kind of process, I want to reference the United Nations declaration on indigenous rights, which talks about many different things, but in the context of this particular legislation before the House, it applies prior and informed consent and the right to make decisions on lands that are within the first nations' traditional territories. This legislation reflects that there is prior informed consent.

What we have heard from the commissioners and other representations is that the Cree-Naskapi and Oujé-Bougoumou feel that they have been included in the process that led up to this legislation and it does reflect the use of their own lands.

A number of members have talked about self-government. I want to use the words of the commissioners who appeared before the committee. They stated:

One of the things we've been pushing for years is the need to make the law accommodate and empower the Cree way of doing things, consistent with the charter and so on to make it a tool for the communities to use so that when the community decides to do something and it's a legitimate decision, then there is legislative capacity to give that effect and to protect it from attack from people who want to argue that the election was a day late and therefore it's invalid.

The problem is that very frequently the act doesn't sufficiently empower the communities. With all due respect, it's a great improvement over the Indian Act, but it suffers from some of the same straightjacket that the Indian Act has always imposed, and that's inevitable. Yes, it was written with negotiation but it was ultimately written by people who have written things like the Indian Act for years. There's a need to break out of that box and to make sure that traditional and customary law, to the extent possible.... And we all recognize the charter, the Criminal Code, and other instruments that we all respect and share, but within those contexts there's a need to make this act a tool of empowerment for the Cree community so they can get on with doing things.

In that context, the bill does not specifically deal with that. The next series of amendments that are required is to really take a look at implementing full self-government. As the commissioner pointed out, this is certainly within the context of the Canadian charter and other legislative frameworks, but what the Cree-Naskapi is asking for, not only asking for but is entitled to, is full self-government and a legitimate request that they be treated on a nation-to-nation basis.

● (1235)

We have heard from other nations that in the ongoing negotiations with the present government and previous governments, there has been a great deal of difficulty in recognizing that nation-to-nation status.

We heard this morning at committee from treaty one in the treaty land entitlement committee, that nation's nation status continues not to be recognized and, arguably, that we would see improved conditions in many first nations communities with that autonomy, that control over their own destiny, and so would look to the government to use this process that they have used to get to this new relationship agreement, to look at these amendments, because that could have a meaningful impact on communities.

Government Orders

I just want to touch for a moment on the new relationship agreement between the Government of Canada and the Cree of Eeyou Isctchee. This is a framework that was hammered out and part of the legislation today deals with a couple of elements in this framework agreement.

The dispute resolution process is not part of the legislation but I want to touch on it briefly because it is an important part. In other land claims implementation agreements, we have seen that the dispute resolution mechanism has not worked very effectively. Often the Government of Canada has simply stepped away or not consented to be involved in the dispute resolution if it does not see it as being to its benefit.

Under this new dispute resolution process, there will be a Cree-Canada standing liaison committee that will be the first place where disputes can be brought for resolution. I understand from the parties involved that they are optimistic that this will be much more successful in dispute resolution so that things do not get dragged out for decades before there is some conclusion to the differences in opinion. The Cree-Canada standing liaison committee is a first step. If that is not resolved, then there is an opportunity for mediation and then, ultimately, arbitration, although my understanding is that at the arbitration level the government must commit to going to arbitration if that is required.

I wanted to comment on that because it has been largely ineffective in other agreements. I look forward to seeing how this works. I am hopeful that this does expedite some of these claims and differences of opinion so that nations can get on with the kind of economic and social development that is so important for the lifeblood of their communities.

I want to touch on one other thing. Although it is outside the context of the act, it does bear raising attention. When the commissioners came before the committee on Tuesday, they raised a number of issues that they had raised during their appearances before the committee about two years ago, and housing continues to be an issue. As part of this current legislation, a substantial amount of money will go into the communities, but there is still an obligation on the government's part around housing.

I want to point out some of the differences in these communities. Part of it is that in other first nations communities people are leaving reserves. The commissioners were very careful to point out that this is actually not the case on the Cree territories. They are saying that the Cree has a 95% retention rate of their young people. The very success of those communities, economically, educationally and otherwise, is part of the pressure that is created on increased population growth.

This is about the fact that there is inadequate housing in the Cree communities. They wanted to point out that a template or a model that is used to create housing for some nations does not work in their territory because of the 95% retention rate. We have healthy, vibrant communities where young people want to stay, get their education and work. Therefore, we need policies that are not those template policies that are just applied across the board.

Quebec is looking for regional formulas that actually reflect the regional needs. I believe this legislation is an opportunity for us to

raise some of these other issues and encourage the government to be proactive in working with the Cree communities in order to resolve some of these other issues.

The NDP is fully supportive of Bill C-28 and see it as something that can be used as an encouragement for other nations and for the Cree themselves in looking forward to some progress in some of those long outstanding areas.

• (1240)

Mr. John Duncan (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, CPC): Madam Speaker, I listened with interest to my colleague on the committee. We have certainly enjoyed the testimony in dealing with this act. There is all-party agreement that this should proceed.

I was interested in the member's comments about the dispute resolution process. I know this was something she asked specifically about at the briefing provided yesterday.

Before I do that, I want to mention that last week I was at Stoney Nakoda, in Bighorn, Alberta. They have a very extensive reserve, with three major communities that are quite separate geographically, in southern Alberta as well as up near Rocky Mountain House.

Despite that difference and a large population, they have a 93% retention rate, very similar to the retention of people living in the Cree communities we are talking about. My point is that the regional differences the member is pointing out are not restricted to one part of the country.

However, going back to the dispute resolution issue, the member has looked at the language and she has a distinct interest. Is there anything in the language that could be written in a different way, or is she simply going to wait to see how it performs as a new model?

Ms. Jean Crowder: Madam Speaker, the parliamentary secretary and I served together on the committee. I do appreciate the hard work of all the committee members. It is one of the committees that functions quite well in this House, and I think that is a tribute to all members on the committee.

The thing I like about the dispute resolution process is the fact that the Canada-Cree standing liaison committee is the first step. Because there has been a drastic improvement in relationships between the Cree and the Crown, in this case the current government, we look forward to the shift in that relationship. People are coming to the table with goodwill to work on some of the issues.

Bill C-28 is symbolic of that. When the commissioners came before the committee two years ago, that was not the case. In fact they said in their 2006 report that it was essentially a poisonous relationship between the government and the Cree-Naskapi. We have seen a shift over the last couple of years in that relationship, and a willingness.

This dispute resolution process signifies that shift in relationship. The fact that we have this mechanism with the Cree-Canada standing liaison committee to refer matters to first, and if they cannot be resolved they are referred to mediation, is a positive step.

Government Orders

The parliamentary secretary asked me if I had any suggestions for improvement. I would hope that if matters end up having to go to arbitration the government would not stand in the way. I know that, generally speaking, parties have to agree to arbitration, but the government's track record in terms of going to arbitration has not been stellar. It simply has not agreed to do that. Again, it is not just this government, it was past governments as well.

• (1245)

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Madam Speaker, I listened with interest to my critic's comments today. I appreciate her party's support for this important legislation. I know she has a special interest, as has already been mentioned by the parliamentary secretary, in the mediation and arbitration sections of this new relationship. I encourage her not to hesitate about congratulating the current government. I think we are doing a very good job. She talked about the difference between the relationship in 2006 and the subsequent relationship. Once in a while she could give us a bit of credit, but we will not dwell on that today.

I think she twigged on something that is quite important here. When we codify something like a mediation and arbitration process and put it in an agreement, like we have here, two things happen. One is that it finally clarifies the rules.

In this early agreement, Canada was completely new to this process of implementing new treaties. Frankly, not only did we not have any framework to do it, we did not have any experience in doing it. It was a difficult learning experience, obviously, for the aboriginal people, but I also think it was difficult for the different governments and bureaucracies to think through how to handle this.

However, when we codify it and put in language like this, two things happen. One is that it establishes the rules, and we are better for that. It makes it very clear. I would point out that it is not always just the government that does not want to zero in on arbitration; often the first nations do not want to be compelled to go to arbitration. The first nations may want to discuss it without feeling they could be forced to go to arbitration against their will. It is a two-way street on arbitration, I think.

I will point out another example, the Specific Claims Tribunal Act, which all parties again supported in this House last year. Once we codify how the relationship is established and we put in place the rules as to how it will go forward, in that case an actual tribunal, then everybody gets serious about those other relationships. We settled a record number of specific claims last year because people realized they should get serious about mediation, discussion and negotiations because that legislation was hanging over their heads.

I think this will do the same thing. It will bring good efforts, from all sides, to come to conclusions on a mediation and a discussion process through the commission that has been set up.

Ms. Jean Crowder: Madam Speaker, it must be a shock for the minister. Though he was not able to hear it, I actually acknowledged that the process over the last two years was fair and reasonable and that I appreciated how it was expedited. Maybe I did not actually get the words "Conservative government" out there, but there certainly is a shift in relationship, and I think it is a positive shift.

With regard to arbitration, I believe I did say that both parties have to agree to arbitration. I acknowledge it is important that first nations have the right to not go to arbitration.

We have seen in the past, and I am referring to the land claims coalition, that it has indicated the government has been unwilling to go to arbitration. In fact the land claims implementation is a very sore point for other nations that have signed land claims or self-government agreements. Again, it does not rest with the current government that in the past the land claims implementation has been a slow and painful process. I have looked at some of the previous Auditor General reports stating that governments not only need to implement the letter of the agreement, they need to look at the spirit and the intent. We have seen in the past with regard to land claims agreements that the department has crossed every *t* and dotted every *i* and looked for every possible way to not implement those agreements.

I know the land claims coalition will be in town next week. In the spirit of Bill C-28, since we have seen this move to improve relationships, I am ever hopeful that we will see some movement in terms of implementing those agreements in a fulsome way, honouring the spirit and intent of them.

With regard to the dispute resolution, I think it is going to be important for us to review how successful the dispute resolution mechanism has been once it is fully implemented and people have had an opportunity to use it. If it is successful, that may be a model that other nations want to look at adopting aspects of, as it fits their particular communities.

• (1250)

[*Translation*]

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Madam Speaker, thank you for giving me the opportunity to rise here today to take part in the debate on Bill C-28.

I listened to the constructive comments made a member of the Standing Committee on Aboriginal Affairs and Northern Development, the hon. member for Nanaimo—Cowichan. It is nice to see such a constructive debate on a bill introduced by my hon. colleague, the Minister of Indian Affairs and Northern Development, the hon. member for Chilliwack—Fraser Canyon. It is nice to see the work accomplished by my colleague, the minister, in this file. As we have just seen, the best compliments we can receive are those of the opposition. We have just heard some very constructive comments in that regard. He was also supported by the team from Indian and Northern Affairs Canada, which I had the pleasure to serve, unfortunately not with the current minister, for obvious reasons. Nevertheless, I believe that this bill is the result of very hard work under the leadership of our minister.

Why is Bill C-28 so important? Because it amends the Cree-Naskapi (of Quebec) Act. Consider, for instance, the James Bay Cree and the Naskapi in the communities of Schefferville. This legislation enshrines their rights in Canadian law through a new relationship, as we have just heard. It was negotiated and signed by representatives of the Government of Canada and the Cree of northern Quebec.

Government Orders

The agreement concerning a new relationship is not an ordinary political document; nor is it a measure aimed at correcting an oversight or eliminating a loophole in existing law. Neither is it a standard commercial contract to be put aside as soon as the ink is dry.

The agreement concerns a new relationship and it marks a real milestone in the history of our country. It settles long-standing disagreements between the federal government and the Cree of northern Quebec. It assigns federal responsibilities in key policy fields to the Cree regional administration. It makes available to all governments—federal, provincial and Cree—a clear, equitable and logical method of achieving the essential objective of ensuring that the Cree people of northern Quebec will have genuine self-government.

As a matter of fact, if it succeeds in these three important objectives, the agreement concerning this new relationship will have accomplished what we should expect, that is, the establishment of a solid base on which the Government of Canada and the Cree can build this new relationship.

This is a relationship based on principles such as equality, confidence and mutual respect, which integrates the Cree more closely into the economic and political life of Quebec. It is a relationship that takes us out of the courtrooms and lawyers' offices and brings us together so that we can devote our time and energy to something truly worthwhile, namely, working to develop aboriginal communities, to strengthen families and to build communities where education, housing, and occupational, recreational, community and economic activity can fully develop. Those are the noble objectives at the heart of this agreement concerning this new relationship.

What is more important is that it not only provides tangible benefits to all the parties; but it turns loose some powerful forces within first nations communities, because they have ambitions. I am thinking, as I mentioned, of the nine communities in northern Quebec that lie east of James Bay and south of Hudson Bay. I think, among others, of Joe Linklater, chief of the Gwitchin Vuntut First Nation in the Yukon, who has spoken forcefully of the continuing usefulness of the kind of treaty that we are discussing today and of its impact on first nations communities. Here is what he said last year in his testimony to a Senate committee: "I keep telling people that these agreements have not been negotiated to obtain resources for us; they are negotiated to give us the ability to take charge of our lives and to become self-reliant."

He speaks of taking charge and becoming self-reliant. Those few words sum up exactly what the Cree of northern Quebec expect from this new relationship. That is precisely what Bill C-28 will help them to accomplish by putting into law certain aspects of the agreement on a new relationship.

• (1255)

The solid footing and permanence of an agreement like this, and by extension Bill C-28, are no accident. They are the outcome of genuine consultations between federal government officials and the Cree communities, and between the Cree leaders and the people they represent. That means there were broad, far-reaching consultations at each stage of the process, from the negotiation of the agreement to

the drafting of Bill C-28, including efforts to find new areas for collaboration.

This is what I mean by collaboration. The consultations started when negotiations began. They were not held at the upper level only, negotiator to negotiator. The leaders of the nine Cree communities in the region played an active role in the discussions about the main issues involved and in advising the negotiators on those issues.

The Cree leaders, with the negotiators, focused particularly on the question of governance. More specifically, they brought their experience and their perceptions to the negotiating process. They gave the managers of crucial community operations presentations on specific subjects and on important technical issues in connection with the agreement. In addition, the residents of the nine Cree communities were kept constantly up to date on the plans.

The virtually complete support given by the residents affected by the agreement is testimony to the value of those consultations. A majority of the Cree residents voted in a referendum and an overwhelming 90% majority of them voted in favour of the agreement. Today, it is clear to parliamentarians that the other party is in complete agreement with the kind of project developed by my colleague the Minister of Indian Affairs and Northern Development.

This agreement is the product of meetings between the federal representatives and meetings with the Cree leaders during the preparation of the bill, to ensure that it reflects the intention of the negotiators and assigns responsibilities to the regional authority so it can take over certain federal jurisdictions. As a result, Bill C-28 offers a promise for the future.

I would like to add that this consultation-based approach has continued and is still going on today. The governments of Canada and Quebec, with the Crees, have established a number of discussion forums. Those forums offer the three governments a structured process for negotiating the possible transfer of additional federal and provincial powers to the Cree Regional Authority.

I am convinced that this process of consultation and open participation in the new framework that has been developed in the last two years, with a relationship based on goodwill and trust, offers a fine illustration of the collaboration that has developed between the Canadian government and the first nations communities in this country. These values, of equality, respect and trust, are what are needed to promote self-determination by aboriginal communities and their progress toward self-government.

In conclusion, I of course urge my colleagues to support this bill, on which there is broad consensus. Naturally there are other challenges, but by working together with the first nations, who are a force for change—and we need only think of all the young people in aboriginal communities who can make a contribution to our economy and our social, cultural and community development—our society will be able to make an investment and reap the fruits of that investment.

I will be happy to answer any questions about this speech.

Government Orders

• (1300)

[*English*]

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Madam Speaker, the hon. member gave an important overview of our government's position. We recognize the need to do proper consultations with first nations. There is no question in our mind that when we do this, and we have an obligation to do it, and when we do it successfully, we get this kind of legislation, legislation that has broad support in the local communities and from what I hear today, broad support in the House of Commons.

Another good example is the Specific Claims Tribunal Act, where we sat down with the Assembly of First Nations and drafted the legislation. The first nations have been waiting for 40 years, ironically the same period of time as the James Bay Cree agreement, to get to this next stage, and that too long. It points out the need to have good faith negotiations. It is key to good consultation and gets this kind of good agreement.

Could the member comment, in general, on what his impression is in the province of Quebec on the relationship between first nations and our government? I do not get there as often as I would like, because I have to be in all 10 provinces and 3 territories, but I am there often. It seems to me it is going well. When I was there to sign the agreement a year ago, my sense was that people were very pleased with the degree of consultation.

[*Translation*]

Mr. Steven Blaney: Madam Speaker, I would just like to tell this House that some former work colleagues of mine happened to meet the minister in the elevator in their workplace, which shows that he is close to the people who work at Indian Affairs. That also helps maintain a healthy relationship between Indian Affairs and Northern Development and aboriginal communities, whether they are southern communities—because the department works more with them—or Cree communities.

What we are doing today is the latest in a series of milestones. The first was in 1975, when the James Bay and northern Quebec agreement was signed. That was the first agreement. In 1984, there was another important agreement: the Cree-Naskapi (of Quebec) Act. Now, in 2009, we have scored a hat trick by enshrining this new relationship in legislation.

I feel that two elements of this agreement are important, and I congratulate the minister on them. The first has to do with governance, although there is still the issue of accountability and responsibility for public money. That is an important aspect of governance. The other element is the dispute resolution mechanism. We can expect more money to be allocated to education, health care and housing and less to legal fees. This is a positive step that completes what was started with the James Bay and northern Quebec agreement in 1975, a milestone for Quebec and aboriginal peoples across the country.

Mr. Roger Pomerleau (Drummond, BQ): Madam Speaker, I thank my colleague over there for his excellent work and the speech he has just given.

He knows that the Bloc Québécois will support the proposal for this new agreement because we recognize that the aboriginal peoples have the right to self-government, as far as possible. Since he has mentioned the James Bay and northern Quebec agreement, he ought to acknowledge that, from the point of view of Quebec, the purpose of that agreement signed by Mr. Bourassa, the Cree, the Inuit and perhaps the Naskapi, was in large part to ensure that the lands did indeed belong to Quebec. A clear right was necessary before embarking on anything like the James Bay project.

Will the components we wish to build now come in conflict with this, or be in continuity with it? I would like to hear my colleague's opinion on this.

• (1305)

Mr. Steven Blaney: Madam Speaker, I thank my colleague for his question.

I would like to reassure him. The Cree will take over new, federal responsibilities, mainly with respect to the administration of justice and social and economic development, that is to say community centres, essential services, public health, fire protection, the courts, and training. The agreement will focus more on those three aspects. Negotiations are still under way, however, with a view to a more general agreement within the same context as the principles have set out, and of course with the good will of all parties to the negotiations.

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Madam Speaker, all across Canada, people have looked to the James Bay Cree of Quebec for having set the standard for negotiating land rights.

When I worked in the Abitibi region of Quebec with the Algonquin nation, it looked at what had been accomplished through many years of hard negotiations, but these were clear commitments in terms of treaty rights and access to economic development.

We look at other areas of Canada, such as the west side of the James Bay in Ontario, where there are horrific levels of poverty, a lack of infrastructure, a lack of development and a lack of commitment.

I am looking at what is in this treaty in terms of the financial commitments being made to move the treaty forward. Could my hon. colleague to explain how this money will be used to continue to foster economic development for the Cree on the James Bay? At the end of the day, if we do not have a plan for economic development, we will have no sustainability in any of these communities. I am very interested to know how the money will roll out and how it will be used to further the development of the James Bay Cree.

[*Translation*]

Mr. Steven Blaney: Madam Speaker, I have the same concerns as my colleague, but as I said, the principle of responsibility is important in the context of a relationship based on respect. Of course the funding connected to this agreement, around \$100 million, is earmarked for building community centres and community infrastructure for sports, recreation and education.

Government Orders

These investments are made in the communities in order to support the economic development of northern Quebec and the training of its youth. Parallel efforts are being made by Indian Affairs and Northern Development.

Several billion dollars are being invested in the communities for housing and infrastructure. What is more, the minister has implemented a strategy to improve drinking water quality in the communities. That strategy dates back several years and its purpose is to ensure that infrastructure and basic services are in place in our communities.

The efforts are ongoing. The needs are great, of course, but our government is there to meet the needs within a context of good government and responsibility.

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Madam Speaker, I have always asked myself why there was a shortage of work in Abitibi-Témiscamingue and in the riding of Abitibi—Baie-James—Nunavik—Eeyou. If my NDP colleague came to work eagerly as he did in his youth, he performed many duties and that took work away from the people of Abitibi.

A bill has been tabled. Given the mindset of the Bloc and our vision of Québec in the recognition of first nations, the Bloc Québécois can only support this bill.

However, some recommendations should have been taken into consideration, which perhaps might have slightly delayed tabling the bill. On the other hand, that would have shortened the time for obtaining more complete approval. It would not have taken very much more time and it would have been a great deal more profitable.

The bill gives legal rights to the communities. It is all very well to recognize a Cree community and to say that it is the ninth community to become part of the James Bay agreement and the James Bay rights. It provides the power to regulate many things within its territory; but what, in fact, is its territory? We still have not given it a defined territory. I believe it would have been beneficial, in that respect, to define the territory belonging to this community so that it could really govern within that area.

One of the recommendations made by the Cree and Naskapi committee emphasized the urgency of making changes to the law. There are eight recommendations, including the need for revisions related to the Corbière decision, where it has an impact on the Cree and the Naskapi. The chronic need for improved housing is another priority that I have been highlighting for the past four years. In addition, we must act to ensure effective and uniform application of administrative regulations. First, there must be regulations. In that regard, we need to devise and approve an ethical framework and administrative regulations. It probably would have been wise to include a regulation immediately concerning the demands of the Cree of Washaw Sibi Eeyou, which is also a territory where new legislation is required. I have just included one of them. Why were there no negotiations for the other territory?

Canada, Quebec and the Cree Regional Authority must examine the provisions of the James Bay and northern Quebec agreement affecting Cree trappers. The three parties must sit down together. In and of itself, this option would not have justified delaying the bill. However, I believe that it could have been justified if only to provide

the flexibility required to establish or provide what is required to exercise the legal authority that we are granting to the first nations. I hope this will not be a dead end. Making regulations is fine but what must the regulations cover? We may come up against a wall, a dead end.

Having said that, the Bloc members unanimously believe that, in the 21st century, all peoples should be autonomous and have the right to their own cultures, languages, customs and traditions. They have the right to direct the development of their own identity. The Cree and Naskapi nation, of which I am very proud, has proven that it is capable of doing this. Although incomplete and still to be rewritten, this bill deserves to be studied in committee and therefore the Bloc Québécois will support it.

• (1310)

In 2004, even before this government was elected, the leader of the Bloc Québécois said:

The peace of the braves agreement ratified by the Government of Quebec and representatives of the Cree nation has paved the way for this type of negotiation by demonstrating that major development projects must be negotiated with mutual interests in mind. The Bloc Québécois supports the first nations in their fight for emancipation. That is why we are asking Ottawa to follow this example to negotiate a similar agreement with the Cree.

I would like to take this opportunity to remind this House that in 1966-1967, René Lévesque himself conducted negotiations concerning the James Bay and northern Quebec territory, with both the Cree and the Inuit. Before the hydroelectric projects that were part of René Lévesque's vision for the development of Quebec and its hydroelectric power started, time ran out and the negotiations were not completed. The Cree were putting great pressure on Quebec in the United States, and an agreement had to be reached more quickly. Certainly, as a result, there were omissions that Bernard Landry, when he was premier of Quebec, was able to remedy to a large extent by signing the peace of the brave. The agreement was signed in February 2002. The federal government has needed to do something similar for some time.

Today, we have a bill that confirms this settlement. The bill grants the additional power to make regulations. The Cree nation of Oujé-Bougoumou is recognized, and I am very proud of this. As I said, to make regulations somewhere, there has to be a territory. When we do not have our own land, it is difficult to make any regulations at all.

There are three categories of land in James Bay. Category I land is where the Cree live. It is situated in and around the communities. Category IA land is under federal jurisdiction. Category IB is under Quebec's jurisdiction, and the laws and regulations of the government of Quebec apply there. Category II land consists of about 155,000 square kilometres. Hunting, fishing, trapping and the development of tourism and forestry operations will be managed jointly by the Cree and the regional authorities. Category III land is public land of Quebec where the Cree and Naskapi have the exclusive right to exploit certain aquatic and animal species. This category consists of about 911,000 square kilometres where the communities share in the administration and development of the land.

Government Orders

The bill amends section 9 of the act. It contains new provisions that allow the Cree Regional Authority to make bylaws and adopt resolutions within Category IA and III lands, subject to certain provisos.

The new section 9.1 reads as follows:

A by-law of the Cree Regional Authority made under this Act may have application within the following territorial limits:

- a) Category IA land;
- (b) Category III land situated within the perimeter of Category IA land and the ownership of which was ceded by letters patent or by any other method before November 11, 1975.

Then the new section 9.2 states:

A by-law of the Cree Regional Authority made under this Act may prohibit an activity.

• (1315)

The new section 9.3 states:

The Statutory Instruments Act does not apply to a by-law or resolution of the Cree Regional Authority made or adopted under this Act.

The bill goes on to describe the objects of the Cree Regional Authority:

- (a) to act as a regional government authority on Category IA land;
- (b) to regulate essential sanitation services — including water and sewer services, drainage and solid waste management — and housing situated on Category IA land and to regulate buildings used for the purposes of regional governance that are situated on those lands;
- (c) to use, manage and administer moneys and other assets;
- (d) to promote the general welfare of the members of the Cree bands;
- (e) to promote and preserve the culture, values and traditions of the members of the Cree bands.

The Cree of Oujé-Bougoumou are very active and very proud people. They will make it their mission to promote their community and to exert the necessary pressure to get this agreement finalized and agree on the body of powers that will enable them to really achieve total self-government someday—and I wish that for them. Quebec's participation has been extremely constructive.

I would remind the House that in a press release dated June 21, 2004, the leader of the Bloc Québécois called on the federal government to immediately enter into good faith negotiations with representatives of the Cree Nation in order to reach an agreement similar to the peace of the braves. He was joined by Ted Moses, who was the Grand Chief of the Cree at the time. At the time, it was said that the peace of the braves—reached in 2002 between the Government of Quebec and representatives of the Cree Nation—is an excellent example of Quebec's approach and how Quebec has its own way of doing things.

The peace of the braves ratified by the Government of Quebec and representatives of the Cree Nation has paved the way for these kinds of negotiations and demonstrated that major development projects have to be negotiated with mutual interests in mind. The Bloc Québécois supports the first nations in their fight for emancipation. That is why we are asking Ottawa to follow this example—

That is what the government is doing today. In that regard, I do not see how we could oppose progress like this, as minimal as it may be. Not having full its full powers prevents and undermines a nation's rapid emancipation.

Ted Moses understands the spirit of this agreement very well. That is why, at this time, the Grand Chief describes his relationship with

the Bloc Québécois and Quebec representatives as excellent. He hoped to see the same thing for all of Canada.

This morning, it was just terrible to hear the residents of Manitoba who appeared before the Standing Committee on Aboriginal Affairs and Northern Development. Seeing the point these people are still at, even now in the 21st century, reinforces how proud I am to be a Quebecker and a friend of the first nations peoples of Quebec.

• (1320)

Mr. John Duncan (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, CPC): Madam Speaker, I welcome the remarks of the member for Abitibi—Baie-James—Nunavik—Eeyou.

I would like to ask him a brief question. How does this bill respond to the aspirations of the Oujé-Bougoumou band to be recognized as the ninth Cree band?

Mr. Yvon Lévesque: Madam Speaker, we can only rejoice in the situation of the Oujé-Bougoumou council, although we had hoped that the government of which my colleague is a member would have taken the opportunity to also include an agreement with Washaw Sibi. There have been claims on that matter since at least 2004-2005. The Washaw Sibi Eeyou claims are justified. Taking perhaps four or five additional months in the negotiations to include recognition of the two communities in the bill would have helped the bill to go forward more quickly. I find it unfortunate that the Minister of Indian Affairs and Northern Development will be obliged to table another bill. Let it be said that I am always glad to see him. I even invite him from time to time. He does not always come, but he is always invited.

• (1325)

[English]

The Acting Speaker (Ms. Denise Savoie): Resuming debate. Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Ms. Denise Savoie): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Acting Speaker (Ms. Denise Savoie): I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Aboriginal Affairs and Northern Development.

(Motion agreed to, bill read the second time and referred to a committee)

* * *

ELECTRONIC COMMERCE PROTECTION ACT

Hon. Josée Verner (for the Minister of Industry) moved that Bill C-27, An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act, be read the second time and referred to a committee.

Government Orders

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Madam Speaker, I am pleased to rise today to begin second reading of Bill C-27, the electronic commerce protection act. This is a bill to protect and promote the Canadian economy to allow electronic commerce to reach its full potential and to increase confidence in the e-economy.

We need to take strong steps to protect the integrity of the electronic marketplace by reducing the harmful effects of threats to the online economy. The Internet has emerged as a significant medium for the conduct of commerce and communications, both in Canada and around the world. An efficient and dynamic electronic marketplace can boost the competitiveness of an economy.

In the past decade, online commerce and e-business has continued its rapid growth in Canada and around the world. In fact, Canada has become one of the most connected countries in the world and Canadians are avid users of the Internet, but there are some areas of Internet use where we should not be proud of our distinction. When measured by the percentage of spam that originates in a particular country, Canada stands in fourth place worldwide, behind Russia and just ahead of Brazil. Some 4.7% of the world's spam originates in Canada.

All hon. members are familiar with spam. It is unsolicited electronic commercial messages. Most of us have become accustomed to turning on our computers and finding the in-baskets of our email cluttered with these unwanted messages. Some of them are just a nuisance, but many of them are much more harmful. Some of them are fraudulent such as the Nigerian bank account scam. Some spam is used to invade privacy, including phishing. These are emails that lure recipients into providing personal information.

Spam is used to infect computers with malware, designed to gain control over a computer, communications device, or network. Malware is becoming increasingly sophisticated. Sometimes it connects infected computers so that they become part of a botnet and their processing power and bandwidth are made available to others. Botnets are often used to send out massive amounts of spam.

The issues surrounding spam are more than a simple nuisance. They deter consumers from participating in the online marketplace. Malware represents some of the most harmful aspects of spam. But even in the apparently least harmful, the unsolicited email that gets dumped into our in-baskets urging us to buy mail order drugs, or show up at some New York City nightclub, even these nuisance messages exact a toll on the economy.

Spam represents about 87% of email traffic around the world. It is estimated that last year a total of 62 trillion spam emails were sent.

In June 2007, Ipsos Reid found that Canadians received an average of 130 spam messages each week. This is up 51% from the previous year. In April 2008 an EKOS survey showed 72% of Canadians considered spam a major problem. In spring 2008 Phoenix surveyed Canadian CEOs and senior executives, and found that 80% considered spam to be a problem for their company; 21% considered it to be a big problem. Their greatest concern was wasted time and reduced productivity. More than two-thirds believed that the Government of Canada should bring in anti-spam legislation.

There are ways to combat spam. Most Internet service providers have put up filters to try to screen out spam. The filters tie up their resources and their bandwidth, but spam manages to get through to consumers and businesses nonetheless.

Technology represents part of the solution, but it is not the whole solution. Other countries have found that one of the most effective ways to combat spam is through effective anti-spam legislation. Take the example of Australia. A few years ago, like Canada, it was on the top 10 list of countries where spam originated. After introducing anti-spam legislation in 2003, and with the help of a carefully crafted public awareness campaign, Australia dropped off the top 10 list by 2005. Anti-spam legislation works.

Canada represents the only G8 country and one of only four OECD countries without anti-spam legislation. It is time that we joined with our key global partners, including the U.S., the U.K. and Australia in passing strong domestic laws to combat spam and related threats.

The bill before us will reduce the burden of spam on Canadian businesses and the risks to individual Canadians. Our goal is to ensure continued confidence in electronic commerce by addressing the personal privacy and security concerns that surround Internet spam and related threats.

The foundation of the bill before us is to create laws based on the federal trade and commerce power. The bill proposes a scheme of regulation designed to discourage forms of commercial practices which are detrimental to the economy.

● (1330)

The bill proposes an opt-in approach for all forms of unsolicited commercial electronic messages without a pre-existing business relationship or consent. It would introduce a regime that would follow the money. This would ensure that anyone who benefits commercially from the spam would be held as equally responsible as the person who sent the spam.

At the same time, I want to assure hon. members that businesses that use email to market their products to Canadians would be able to do so within the parameters of the ECPA.

The regime would allow for email marketing based on a consumer opt-in approach long practised by the Canadian Marketing Association and reflected in its code of conduct. Businesses will need to get consent prior to sending commercial emails or have a pre-existing business relationship with the customer.

The bill before us provides two different kinds of remedy to eliminate spam and related online threats. One is a regulatory approach. The other involves actions that can be taken by individuals and businesses. Let me describe each to the House.

On the one hand, we have the regulatory approach in which the enforcement agencies would be the CRTC, the Competition Bureau and the Privacy Commissioner. The CRTC would be able to investigate and take action against the sending of unsolicited commercial electronic messages, installation of computer programs, and the altering of Internet addresses without consent.

Government Orders

The CRTC would be able to take action on these matters in a manner that will be technology neutral. The bill prohibits certain spam-related activities regardless of the network technology employed for its distribution. However, it does not include voice telemarketing as this is already regulated by the CRTC under the do-not-call regime. We see no need to merge the spam and the do-not-call provisions at this time. The Competition Bureau would be responsible for those aspects of spam that relate to unfair and deceptive marketing practices, including false headers and website content.

Under the bill before us, both the CRTC and the Competition Bureau would be able to impose administrative monetary penalties, or AMPs, to those who violate the act. The AMPs would be substantial. This law will have teeth. The amounts of the penalties would not exceed \$1 million for individuals and \$10 million in all other cases. In other words, the penalties would amount to much more than simply a cost of doing business. They would disrupt the spam business model, making it less profitable to continue their operations in Canada.

The third agency in the regulatory approach is the Office of the Privacy Commissioner, which would address the misuse of personal information. This would include specific provisions added by amendments to the Personal Information Protection and Electronic Documents Act. This would deal with the electronic compiling or supplying of lists of personal electronic addresses without consent.

Here are three regulatory agencies that would use their respective mandates to combat spam and related online threats: the CRTC, the Competition Bureau and the Privacy Commissioner. Just as important, the bill before us would give these bodies the ability to share evidence and information with one another, as well as with counterparts in other countries. This will help us pursue violators beyond our borders.

Consistent with this bill, we would establish a spam reporting centre which would monitor the legislation's effectiveness through trend analysis and metrics. It would also manage the public awareness campaign that would build awareness of the new act and ensure its success.

I have been describing the first of two remedies that this bill would create to help combat spam and related online threats. It would provide tools to government regulatory agencies. The second remedy involves the power of each of us as citizens, consumers and businesses to pursue remedies against spammers.

The bill before us would provide a private right of action that would allow consumers and businesses to take civil action against anyone who violates the act. This remedy has been very effective in the United States and it is one example of how we have taken best practices from around the world and incorporated them into this bill.

Under the private right of action provisions, Internet service providers would be able to take action against spammers who use their networks without the threat of subsequent legal action from the spammers. Spammers should be aware that this bill would provide significant penalties for those who send or benefit from spam. The CRTC will be going after them, the Competition Bureau will be going after them, and the Privacy Commissioner will be going after

them. Individual consumers and businesses who have been affected will be going after them and network users and providers will be going after them.

• (1335)

The proposed legislation will not eliminate spam altogether, but very soon there will be no place left in Canada for spammers to hide. That is how we will reduce spam. That is how we will reduce the cost that spam inflicts on individuals, businesses and the economy in general. That is how we will uphold the integrity of the online marketplace and, by the same token, promote the adaptability and flexibility of the Canadian economy.

Anti-spam legislation has been long overdue in our country. It has been four years since the release of the report on the task force on spam. One of the report's recommendations was strong anti-spam legislation.

One of the unforeseen benefits of the delay in bringing forward legislation is that we have been able to design the bill based on best practices in other countries. However, over the years in which we have looked at other countries' experience, several parliamentarians have been outspoken in championing the cause of anti-spam legislation.

There have been private members' bills introduced both in the House of Commons and in the other place. The champions have come from various political parties. No party in this Parliament has a monopoly on the issue of anti-spam and for that reason, I am confident that we will be able to secure swift passage of this bill.

There are two individuals in particular whom I want to acknowledge as performing outstanding service in bringing forward measures to combat spam and related online threats. Both of them have enjoyed very distinguished careers in the other place. One is Senator Donald Oliver, whose proposed bills in the other place helped to set the tone for the creation of the task force on spam. The other is Senator Goldstein, who introduced Bill S-220, an act respecting commercial and electronic messages, in February. This was the third such bill that the senator introduced in the other place. He has been a champion of anti-spam legislation for several years. I want to thank the senator for his co-operation and goodwill and I want to assure him that we will continue to promote the bill as a high priority in our legislative agenda.

Senator Goldstein is set to retire this month. I believe I speak for all members of the House when I thank him for his years of conscientious service to Canada and wish him many happy years of retirement.

It is with the spirit of crusaders, such as Senator Goldstein and Senator Oliver in mind, that I ask all members to join me in supporting quick passage of the bill.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Madam Speaker, when I sat on the access to information committee, I received a tremendous amount of letters on this issue.

The government promised 2,500 new police officers, but it never delivered on that promise. When it comes to enforcement of this legislation, what type of resources will the government provide to ensure it is implemented properly and aggressively?

Government Orders

● (1340)

Mr. Mike Lake: Madam Speaker, the bill puts the power for regulating the Internet not in the hands of law enforcement, but in the hands of the CRTC, the Competition Bureau and the Office of the Privacy Commissioner, enforcement agencies already in place. They have the mechanisms necessary to deal with this kind of situation. The bill would give them additional mechanisms that fit the parameters of their mandates in the first place.

We have studied the best practices of organizations around the world that have dealt with this kind of issue effectively, such as Australia. The bill would put similar mechanisms in place that would enable us to operate equally effectively in Canada. The bill would allow us to work with partners around the world.

The other part of the equation is the need to deal with spam originating outside our borders. The bill would allow us to work with agencies around the world to ensure we can put an end to that, as well as an end to the issue of spam originating in Canada and going outside our borders.

There are significant enforcement mechanisms in the bill that will actually be very effective to deal with this issue.

Mr. Charlie Angus (Timmins—James Bay, NDP): Madam Speaker, I am very interested in the move to bring in an anti-spam bill. I think it affects every element of the competitive digital world in which we live.

Buried within the bill the government has given itself the powers to strip the provisions of the do-not-call registry, with which we have had many problems, and that concerns me.

My question is two-fold.

First, why do the Conservatives not just come out and say that they are going to strip the do-not-call registry as opposed to burying it within a bill?

Second, it appears it is being replaced on the presumption that the telemarketers would need prior consent to call in now, so that would somehow replace it. Yet when we look at the enforcement mechanisms of the do-not-call registry, they get 20,000 complaints a month, and over the entire time, the CRTC has only ever sent out 70 warning letters.

I do not know how the Conservatives expect to deal with spam and the problems with the do-not-call registry, when clearly the CRTC does not have the resources to address it. Would my hon. colleague please explain why they decided to kill the do-not-call registry, while putting it within the bill on anti-spam?

Mr. Mike Lake: Madam Speaker, I will start by correcting the hon. member. The bill clearly does not abolish the do-not-call registry. In dealing with the issue at hand, one of the important points to be made is we have had the real opportunity to benefit, in the drafting of the bill, from the study of best practices around the world.

In dealing with the substance of the bill, I will talk a little on a personal experience. A lot of people think spam is nothing more than a nuisance. Previous to my being elected in 2006, I worked for the Edmonton Oilers Hockey Club. At one point I was the director of ticket sales and as such, I had my email address on the website for

the Oilers. At some point someone harvested that email address and sold it to spammers and I began to get completely inundated by spam. It was so bad it eventually got to the point where I had to change my email address. Members can imagine what goes in to changing an email address. It meant changing business cards. It meant the people who had my email address could no longer reach me.

This happened to several people within the organization. It meant we had to hire additional IT staff or put our IT resources to combat this through measures to block spam. Significant resources had to be allocated to that problem. It is estimated that the cost of problem is \$3 billion to the Canadian economy per year.

If we multiply the effects I experienced and the efforts we had to take for the Oilers with thousands and thousands of companies across the country, including many small businesses that do not have IT professionals, the cost is significant.

I look forward to the member's support.

● (1345)

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Madam Speaker, when I first introduced legislation back in 2003, I was the first member of Parliament to do so and the first member of Parliament from a Liberal party that took this issue very seriously.

I am glad to see my hon. colleague, the Parliamentary Secretary to the Minister of Industry, has joined with us after many years of effort. It was a very tough thing over the years to try and manage 15 or 16 different files. I am very pleased to say that I know the parliamentary secretary is doing due diligence on that committee, a committee on which I am very proud of having worked over the years. Many of the issues that we raised many years ago are now starting to bear fruit.

I am happy to see the government is finally taking action on spam, what all of us will know is unsolicited electronic mail. Many of us who have computers, all know how dangerous and how much of a problem this is for both Canadian consumers and businesses.

In 2003 it was estimated that spam cost the economy over \$27 billion worldwide. Since then, the problem has only grown worse. I am sure there is more updated information which the parliamentary secretary and others may be able to illustrate. However, to say the least, we are now looking at a far more serious problem, which hopefully will be corrected by the bill, as it relates to issues such as identity theft, phishing and spyware, all of which give concern to Canadians and to the world. We have to deal with this in legislation both locally and internationally.

In the early 2000s, the Liberal Party recognized the problem that spam created. In 2003 I tabled a private member's bill to make spam illegal. Unfortunately, the bill never made it to second reading. However, on the strength of Bill C-460, introduced in mid-2003 in the 37th Parliament, the minister of industry struck a committee to examine the issue of spam and to report to the minister about how the government could most effectively stop this obvious and serious, growing problem.

Government Orders

That report entitled "Stopping Spam: Creating a Stronger, Safer Internet" was released in May of 2005. The report was created by a committee of 10 experts on information technology and Internet law. The task force also worked with dozens of stakeholders in the technology industry to develop sound proposals and to look at and observe best practices at the time.

The primary recommendations of the task force were that the government legislate prohibitions on the following: the sending of unsolicited email; the use of false or misleading statements that disguise the origin and the true intent of the email; the installing of unauthorized programs such as spyware; and the unauthorized collection of personal information and email addresses, particularly by using fake websites, through the selling of lists where those on the list were not told the list would be sold to another third, unknown party.

The official opposition supports the bill as it follows through on the recommendations of the committee, which was created by the Liberal government. However, much more remains ahead of us and much more needs to be done.

The committee highlighted the need for the government to play a central role in coordinating the actions of both government and the private sector. All actors agree that spam needs to be stopped. Internet service providers, web hosts and online marketing agencies need a set of best practices for email solicitation. The government must work, in coordination with industry partners, to establish a strong code of practice that prevents the proliferation of electronic emails that are unsolicited, unwanted and constitute spam.

These days spam is no longer a problem exclusive to email. In 2004 and 2005, when the committee was writing the report, spam was starting to move to other electronic platforms. Today Canadians must contend with cellphone spam, either by means of text message or by something we may not all be familiar with, robo calling.

It is important that the act recognize the facts and is technologically neutral, encompassing all forms of commercial electronic communication. I believe the legislation must meet that test to ensure there is proper, effective and adaptable application to current, existing and future modalities that may be able to circumvent not only technologies to prevent and to protect consumers in business, but also to remain faithful to the act.

This is why I hope the act can be revisited on a yearly basis as technology evolves. It is something the Liberal Party will look to see the government amend or to look at in committee.

● (1350)

Moreover, the issue of text message spam is being aggravated obviously by yet another announcement of a major cellular service provider over the last year to start charging for received text messages.

There has been plenty of discussion among members of Parliament. It is obvious to everyone that it is unfair, to say the least, that consumers are charged for something they had no choice whatsoever in receiving. Spam is not just a Canadian problem, as I indicated earlier. Given the borderless nature of the Internet, it means that spam can originate from anywhere and be delivered to anywhere.

I strongly point out that the legislation takes measures within Canada. There has to be, obviously, an attempt to work internationally with our other partners so that we can also go after those companies and those organizations that are doing this remotely from other countries that do not have the same level of proposed enforcement or legislation. As a result, because of the international nature of this problem, any government that is serious about combatting spam must be willing to engage other governments around the world in an international strategy to reduce this ongoing problem.

The government's ability to combat spam is not simply about legislation. I am asking, and I am hoping, and my party calls on the government to show its concern by raising this internationally at all international fora and working with other governments to produce a coordinated international anti-spam and anti-counterfeit strategy. The effectiveness of this law will be measured by the government's commitment to enforcement.

I take the comments that have already been raised in the parliamentary secretary's presentation of Bill C-27, that we have to ensure there is adequate support for enforcement of the legislation, which is being complimented and certainly being recommended here.

That is tall order. There is no point in putting forth legislation if there is a reasonable chance that the legislation will not have the intended impact of deterring, stopping, correcting and preventing what is continuously more than just a nuisance, but a very costly one at that.

Of course, policing Internet traffic is incredibly difficult because any Internet crime crosses jurisdictions and borders, both provincial and federal. This is why the attempt to control or to stop spam in the report called on the government to create a central office that would coordinate anti-spam activities. I am looking at the parliamentary secretary, hoping that in fact he will move diligently on that if speedy passage is indeed given to this piece of legislation.

According to the minister, Industry Canada is being designated the official coordinating body. I would like to ask the government what kind of resources Industry Canada is being given to coordinate the three other agencies that the parliamentary secretary has referred to that have responsibilities under this act, those being the Privacy Commissioner, the CRTC and the Competition Bureau, as well as, of course, the RCMP.

What resources can we see coming from the government with respect to these offices so that we can in fact see spam corrected in this country?

I realize that question may come back to me, but it is certainly a question that I would think the government will have to answer time and again here to ensure that we have a correct and appropriate measure.

*Statements by Members**[Translation]*

It is extremely important that, everywhere in Canada, we can have confidence in the legislation proposed by the government. I expect that the Standing Committee on Industry, Science and Technology will deal quickly with the issue before us. We have been waiting for a bill for six years. I had hoped that my bill in 2003 would be adopted. It was deserving; but that was not the case.

● (1355)

[English]

Central to this issue, if the government passes legislation and walks away from the issue, all these initiatives that are proposed, well-intended, well-researched and up-to-date, will indeed fall. I believe that legislation, to be correctly brought forward, must also ensure that we have proper resources and effective coordination so that it is understood how this is going to take place. The more rapid response we can have to correct this problem, I think, will ensure that those who see Canada as an opportunity, as a target, will find another place. But we also want to make sure that other place is blocked. We simply want to put an end, where possible, to these practices, which have as their origins and as their sense the undermining of the credibility and integrity of communicating and the effectiveness of legitimate use of the Internet, which belongs to us all.

I was here in 1993 and 1994 when the industry minister at the time, Mr. John Manley, talked about the great opportunities of the Internet as the superhighway, as we used to call it at the time, because it was the wonderful dawning of new age.

Unfortunately, that superhighway has become badly clogged, to the point where I think it is fair to say that there have been serious traffic jams, if not serious accidents, along the way. Therefore, this legislation is timely, it is necessary, and I hope it has a reasonable opportunity to in fact pass.

The government must follow up on the legislation with real action and real enforcement resources. It must actively engage all partners everywhere and industry internationally. It must continue the consultation process and develop longer term opportunities to combat spam. So I ask the government what plans it has, moving forward, to engage industry partners in building strong codes of this practice.

We will have to ensure that it is not just based on a blue-ribbon panel that was struck some years ago but that in fact we have an ongoing ability to ensure that partners, stakeholders and consumers, those who have been tremendously affected by this, will be able to benchmark and give us feedback as to how effective this legislation will be, particularly from the point of enforcement.

What plan does the government have to work with our international partners in building a strong international effort to combat spam? Spam can be incredibly destructive. Besides consuming time and bandwidth, spam is a delivery vehicle for malware, programs that access one's computer without authorization and can do a number of nasty things. Malware includes viruses and spyware, which attack the individual user. However, some of these programs turn the user's computer into a zombie on a botnet, which then can be used to attack major websites on the Internet.

This is something that we could not have contemplated three, four or five years ago, but it is currently taking place. Many consumers and many constituents have talked to me about this and have talked to other members of the House. We need to ensure that we have a pragmatic policy, a pragmatic document that is capable of changing with changing times as Internet and electronic information becomes more sophisticated.

All these attacks have serious economic impacts when websites like eBay or Google are brought down. Even for a few hours, billions of dollars are lost. Spyware can be used for identity theft, which is a constantly growing threat in the Internet age.

I do not need to say that even our own electronic system here in the House of Commons has been subjected to several attacks over the past several months. These have caused enormous difficulty for many of us as we communicate. I notice some members of Parliament sporting a BlackBerry, and others, a computer. It is important that we get the platform, or the framework, of this legislation correct.

I call upon all members to support the bill at second reading so it can go to committee. However, I have serious concerns about the will or the interest of the government in enforcing these rules and to work co-operatively with other stakeholders and with other governments.

[Translation]

Madam Speaker, I will end there but I am eager to hear the comments and questions of my colleagues.

The Acting Speaker (Ms. Denise Savoie): The honourable member for Pickering—Scarborough-Est has about six and a half minutes remaining in the time allotted for his remarks on this bill.

Statements by members. The honourable member for Calgary—West.

STATEMENTS BY MEMBERS

*[English]***JUSTICE**

Mr. Rob Anders (Calgary West, CPC): Madam Speaker, no one can argue against the fact that while an offender is in jail they cannot terrorize our streets or victimize our communities.

The mandatory minimum penalties that this government brought in for serious firearms offences and now for serious drug offences are aimed at disrupting criminal enterprise. By incarcerating a member of a gang, one weakens the criminal organization and disrupts their illegal activities. Mandatory minimum sentences provide uniformity in sentencing.

Judges should not agonize over what are appropriate sentences for the crimes in question. Take the case of James Lemmon, a Calgary man who has been sentenced to 13 years in prison for sexual assault. One of his victims was his 10-year-old niece. It is outrageous that this is his fourth conviction.

Statements by Members

Constituents in my riding want to see mandatory minimum sentences for crimes that involve the harm and sexual exploitation of children.

* * *

● (1400)

SPINAL CORD INJURY AWARENESS

Hon. Maria Minna (Beaches—East York, Lib.): Madam Speaker, May is Spinal Cord Injury and Canadian Paraplegic Awareness Month. Today, members are participating in a very important event on Parliament Hill to bring about awareness of disability and poverty among the most vulnerable in our society.

The CPA was formed in 1945 by veterans with disabilities returning from World War II. The importance of the CPA is that it creates direct links with Canadians who suffer from spinal cord injuries, as well as their families and caregivers, to the many services and peer-networking programs.

As I have witnessed first-hand today, physical access determines where one can go, what one can do, and to some extent, who one can be with.

Today alone, there will be three new spinal cord injuries in Canada, and approximately 1,000 new injuries a year. The government has a role to play in assisting those who suffer from spinal cord injuries.

I wish to thank all members for raising awareness on this very important issue and the many problems people with disabilities face.

* * *

[*Translation*]

FRANCIS JALBERT

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Madam Speaker, yesterday evening, on the television program *Tous pour un* on Radio-Canada, a young man in his twenties from Saint-Bruno-de-Montarville, Francis Jalbert, impressed viewers with his knowledge of and his curiosity about Cirque du Soleil.

Mr. Jalbert is finishing his first year in public relations at UQAM, and his dream is to do an internship in public relations with Cirque du Soleil. His appearance on *Tous pour un* could help him a great deal.

Tous pour un is a smart, tough, accessible quiz show that tests the knowledge of passionate contestants who think nothing of spending hours studying the topic of the program they have signed up for.

Once again, this shows the important role that the Canadian Broadcasting Corporation plays in Quebec and why the government should support it financially.

* * *

[*English*]

VOLUNTEERING

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, volunteers are the cornerstone of every community. They drive the ill, care for the weary, talk to the lonely and cook for armies of the hungry.

Volunteer Cowichan was established in 1977 to raise volunteer awareness in my riding. Volunteer Nanaimo has been serving my constituents for almost 30 years. Both organizations have created programs that enhance quality of life by increasing the impact that individuals can have on their community. Volunteer Cowichan and Volunteer Nanaimo work with partners to respond to community needs.

Through programs like Volunteer Cowichan's Youth on Our Journey, which provides young aboriginals a chance to enjoy traditional canoe races, arts and crafts, storytelling and dance performances, or Volunteer Nanaimo's DebtFree program, which helps people minimize or eliminate debt by learning about budgeting and credit card abuse, these organizations clearly contribute to our community.

I wish to thank everyone who generously donates their time and energy to others and I wish to recognize those who are so deserving of our respect and appreciation. Thank you, volunteers.

* * *

HEALTH

Mrs. Shelly Glover (Saint Boniface, CPC): Mr. Speaker, I would like to take the opportunity today to recognize and congratulate those Canadians who, under the guidance of Dr. Frank Plummer, completed work on decoding the genetic makeup of the H1N1 flu virus.

This is the first successful sequencing of virus samples from different countries. This achievement is not only a major step forward for Canada, but for the entire world. Canada has access to a top-notch lab in my city of Winnipeg and some of the best scientists in the world.

Thanks to investments by this Conservative government, Canada is a world leader on pandemic preparedness. Our public health experts remain vigilant to ensure the health and safety of Canadians. The Minister of Health has been clear that we have a plan in place and that we are acting on it.

All Canadians can be proud of the work being done at the National Microbiology Lab. It is a great example of Canada's scientific strength and ingenuity.

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● (1405)

PERSONS WITH DISABILITIES

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, May is Spinal Cord Injury Awareness Month. A number of parliamentarians are spending the day, except for question period, in wheelchairs due to the leadership of the Canadian Paraplegic Association.

Statements by Members

Today alone there will be three new spinal cord injuries in Canada. There are 1,100 per year. The highest incidence is in young men between the ages of 18 and 24 years, but recently there has been an increase in injuries to seniors. This is not an issue of politics but of people.

We need to do more to assume inclusion of employment, of access and of opportunity. People with disabilities have much higher rates of poverty, much higher than should be the case in a country as wealthy as Canada.

It is time for Canada to invest more in improving the lives of Canadians with disabilities. We can do it through investment, we can do it through legislation, but we must do it for individuals to achieve their potential and for Canada to achieve its potential.

I salute the CPA and its work to help Canadians achieve independence and full community participation. Next year is the 65th anniversary of the Canadian Paraplegic Association. Let us have 65 parliamentarians in wheelchairs next year.

Congratulations to the CPA.

* * *

[Translation]

LUC PLAMONDON

Ms. Monique Guay (Rivière-du-Nord, BQ): Mr. Speaker, today, the Speaker of the National Assembly of Quebec will present lyricist Luc Plamondon with the medal of honour in recognition of the 30th anniversary of the rock opera *Starmania*. Mr. Plamondon will be joined by artists who have helped make this work famous in Europe and Quebec.

Mr. Plamondon has written a number of well-known works, including *Notre Dame de Paris*, but *Starmania* remains a standard against which other rock operas are measured. In addition to making a name for artists such as Bruno Pelletier, Isabelle Boulay and Jean Leloup, the songs in this opera are some of Mr. Plamondon's best-known compositions. Just think of *I Would Love to Change the World—The Businessman's Blues*, *The World is Stone* and *Les uns contre les autres—You Have to Learn to Live Alone*.

Mr. Plamondon, the brother of the dean of this House, is a prolific artist who has certainly played a major role in musical history, not only in Quebec, but throughout the French-speaking world.

That is why my Bloc Québécois colleagues and I also want to pay tribute to Luc Plamondon.

Long live *Starmania*!

* * *

[English]

CAREGIVERS

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, former U. S. first lady Rosalynn Carter once said that there are only four kinds of people in the world: those who have been caregivers, those who are caregivers, those who will be caregivers, and those who will need caregivers.

Today the Canadian Caregiver Coalition, a diverse group of dedicated individuals and organizations, hosted a parliamentary luncheon to recognize and respect the enormous and indispensable contribution of some four million caregivers across this country, joined by the Canadian Cancer Society, which counts many caregivers among its membership.

Providing care and assistance to family members of all ages, caregivers are both the invisible yet indispensable backbone of the health care and long-term care system, contributing an estimated \$25 billion worth of unpaid care each year.

With an increasingly aging population whose baby boomers have now turned 60, the role of family caregivers in this country has become increasingly vital. Today, on behalf of all parliamentarians, I say to caregivers that they are the true heroes of our society. They are the soul of our health care system. We celebrate them. We salute them and we thank them.

* * *

FOREIGN AFFAIRS

Mr. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, recently the Russian government expelled two Canadian diplomats. What is unfortunate about this is the Liberal Party's foreign affairs critic showed no outrage or concern that the Russians had arbitrarily expelled two Canadian diplomats. Rather, he said that Canada was being too aggressive with Russia.

The Conservative government is standing up for Canadian sovereignty and the national interest. While the Liberals did nothing to protect our sovereignty in the north, this government is taking real action. Do the Liberals really believe they should be siding with the Russians and against Canada on these important issues?

While the Liberal leader muses about international public parks for the Arctic, we are investing in icebreakers, Arctic patrol ships, research stations and Arctic training centres for the Canadian Forces. We are not afraid to stand up and defend Canadian interests, be it against Russia or any other country. We hope the Liberal Party will do the same, rather than adopting a blame Canada attitude.

Instead of siding with the Russians, why does the Liberal leader not side with Canadians and drop his plan to raise taxes?

* * *

PERSONS WITH DISABILITIES

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, this is Spinal Cord Injury Awareness Month and it is time to recognize the achievements of persons living with disabilities, especially those with spinal cord injuries and all of their advocates through the Canadian Paraplegic Association now serving over 41,000 Canadians.

Statements by Members

The best way to pay tribute to people living with this disability, some of whom are here on the Hill today, is to stop the empty promises and to act. It is time to admit that persons with disabilities are twice as likely to live in poverty. It is time to acknowledge that in an economic recession it is even tougher for persons with disabilities to find financial security.

It is time for the federal government to stop hiding behind the rhetoric and piecemeal tax credits and start investing in what people with disabilities need for self-sufficiency and inclusion. It is time for national leadership, not more rhetoric.

The federal government should start in its own back yard and create employment opportunities and accessible housing instead of huge tax breaks for corporations. Only action can end Canada's shame.

* * *

● (1410)

[Translation]

LEADER OF THE LIBERAL PARTY OF CANADA

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, the Liberal leader has a tax program that he continues to update and Canadians are starting to feel scared. They imagine the Liberal leader approaching them and saying, “Your money or your life.”

The Liberal leader has already mentioned on several occasions that he will consider all options including, as we have heard before, higher taxes.

If he is keeping his options open, will he also cut social programs and employment insurance, in addition to hiking taxes?

What unpalatable measures will he force on Canadians—tax hikes or massive cuts to social programs?

He should stand up and tell us right now.

At least on this side of the House we have the decency and the realism to do everything in our power to lighten the tax burden for Canadian citizens in these times of global economic crisis.

* * *

ABITIBIBOWATER

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, AbitibiBowater recently applied for court protection because of its massive debt. We have learned that the former executive chairman, John Weaver, will receive a severance package of US\$17.5 million. The company also agreed to pay Mr. Weaver's moving expenses.

That is scandalous and shows a lack of respect for AbitibiBowater workers who, for too long, have been feeling the impact of the forestry crisis and the whims of its greedy executives. Given that thousands of workers paid into a pension fund that is now at risk, it is unthinkable that executives would be compensated for creating the company's financial woes.

The priority in the current restructuring of AbitibiBowater is to safeguard its facilities, jobs and pension funds. The workers and the population have the right to say no to such bonuses.

* * *

[English]

NATIONAL HOCKEY LEAGUE

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, the air around the city of Hamilton is charged with excitement today in anticipation of the return of the great one. Relax, my Conservative friends, I do not mean Sheila Copps, rather the great one himself, Wayne Gretzky.

In a move that is driven by his great passion for hockey and his deep belief in the potential of southern Ontario, Jim Balsillie is once again trying to bring the NHL to its senses and a team to the region.

Now, being a lifelong Toronto Maple Leafs fan, I really understand the jokes that are coming, such as, if southern Ontario gets an NHL team, then Toronto will want one, too. I think the potential of regional rivalries in a battle of Ontario with a third combatant is great stuff.

I appreciate the league's valiant attempt to grow a fan base in the Arizona desert, but the experiment has been scorched. It is time the NHL recognized the huge potential that exists in southern Ontario and the opportunity to bring into its fold one of this country's most progressive and successful entrepreneurs in Jim Balsillie. I really hope that this transaction is allowed to go forward.

* * *

TAXATION

Mr. Tim Uppal (Edmonton—Sherwood Park, CPC): Mr. Speaker, our government's economic action plan is delivering real results for Canadians. Canadians have asked for leadership from their federal government, and that is what we are providing.

At this critical time when families need it most, we are reducing taxes on Canadians, creating jobs and helping Canadians who are hardest hit by this global recession.

This is in stark contrast to the Liberals, who over the weekend reaffirmed their commitment to raising taxes on Canadians. The Liberal leader supported the risky carbon tax scheme during his first leadership race, and the Liberals adopted the carbon tax policy again at their convention. We also know that they want to increase the GST and end the universal child care benefit. As if that were not enough, the leader of the Liberal Party recently said, “We will have to raise taxes”.

The Liberal Party is just reaffirming its economic hopelessness. When will the Liberal leader come clean with Canadians and tell them which taxes will he raise, and by how much will he raise them, and who will be forced to pay these higher taxes?

*Oral Questions***ORAL QUESTIONS**

●(1415)

*[English]***FOREIGN AFFAIRS****Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker—**Some hon. members:** Hear, hear!

The Speaker: Order, order. The hon. member for Toronto Centre has the floor. We have to be able to hear what the hon. member is going to say.

Hon. Bob Rae: I appreciate the expressions of support, Mr. Speaker, as late in the day as they may be.

I would like to ask the Minister of Foreign Affairs a question. Now that the official for the United Nations who is responsible for the travel ban list has stated very clearly that in his opinion there is no barrier to Mr. Abdelrazik's coming back to Canada, in light of the fact that he is on the United Nations list and that this is seen to be such a major aspect of the government's case in court with respect to Mr. Abdelrazik's situation, I wonder if the minister could now explain to us, what is the problem that the government has with allowing this Canadian citizen to come home?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, in the case of Mr. Abdelrazik, he does remain on the 1267 United Nations list of al-Qaeda and Taliban suspected terrorists.

This individual is on that list and the issue is now before the courts. I will refrain from making any additional comments on that issue.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, first the government said and the minister signed letters saying that he is not on an RCMP list and he is not on a CSIS list. Then the government said that if he could get a passport and it agreed to give him a passport, but then the government pulled back from giving him the passport. Then the government said he could get a ticket, and hundreds of people have been prepared to give him a ticket.

He is not on anyone's list except for the travel list. Now the UN official said, "Whether it is Abdelrazik or anybody else, it is up to the state in question", that is to say, Canada, "whether they want to allow the person to come back or not".

The minister can no longer hide. There are no second-class citizens in this country. Why is he not taking appropriate action?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, this does not change anything. The Government of Canada takes its international obligations very seriously.

In that regard, I reiterate, he is still on the 1267 list. As I mentioned before, this case is before the courts and I will not make any more comments on this issue.

[Translation]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the way the government is treating Mr. Abdelrazik makes no sense. They say that he is a threat to global security, but he is inside the Canadian embassy. What kind of terrorist do they let stay in the embassy? That

makes no sense. Why are they doing this? The UN has made it clear that it sees no barriers to transferring Mr. Abdelrazik back to Canada.

What is the problem? There is no problem. When will the minister acknowledge—

The Speaker: The hon. Minister of Foreign Affairs.

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, I would like to remind my hon. colleague that somebody at the United Nations commented on the matter, but that person was not associated with the 1267 committee, which considers the individual in question to have been charged. His name is on the list because he is considered an associate of al-Qaeda and the Taliban.

That being said, I want to make sure that everyone understands that this matter is currently before the courts. I will not comment further on this issue. It is up to the courts to decide.

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●(1420)

*[English]***EMPLOYMENT INSURANCE**

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the most painful part of a recession is lost jobs affecting hundreds of thousands of families.

The Conference Board of Canada said yesterday the jobless rate will skyrocket this year to nearly double digit levels, but thousands of these victims will not qualify for EI. Existing rules were designed for boom times, not a recession, but rules can be changed to fit the new reality.

Why have the Conservatives dug themselves in so rigidly on the uncaring side of this very human issue?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, let me be very clear here. The hon. member and his party designed the current system that he said, and has said prior in the House, was designed for boom times.

That member should understand that any one person who loses his or her job through circumstances beyond his or her own control is not living in boom times. Those are hard times for that person and for that person's family.

We are taking care of them. We are doing the job. We have expanded the benefits. We have expanded accessibility. All the Liberals are expanding is rhetoric and taxes.

Oral Questions

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, those are the Conservatives who solemnly promised never to tax income trusts and then broke that promise. They levied a brutal Conservative tax that destroyed \$25 billion in the savings of over two million ordinary Canadians. Worse, they are now presiding over the biggest economic disaster since World War II, 380,000 full-time jobs destroyed. Because they are so uncaring and because the minister gives that answer all the time, this has become their Conservative recession.

When will they fix EI?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, as I said, any person who loses his or her job is a hard time story for that person and that person's family.

While the member opposite is calling for fixes to EI, we must remember that he and his party designed it.

The *Winnipeg Free Press* said, “—the Liberals were the architects of the distortions in the EI programs—”. The *Ottawa Sun* said that the Liberals gutted EI in the nineties.

We put forward our improvements to the EI system so that we could help those unfortunate enough to lose their jobs. The Liberals voted for it without a single amendment. All they want to do is raise rhetoric and raise taxes.

* * *

[*Translation*]

PULP AND PAPER INDUSTRY

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Fraser paper mill in Thurso has been forced to close its doors because of unfair competition from the Americans, who have been able to reduce their production costs because of a biofuels credit. So far, the Canadian government has done nothing to help the pulp and paper industry.

How long will the government carry on bowing and scraping to the Americans and not doing anything to help?

Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC): Mr. Speaker, we are very concerned about the issue the member raised. We are very concerned about the impact of these credits on Canada's forestry industry. We are looking into the matter and considering all possible solutions.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, paper mills in the United States have access to a tax credit that gives them an unfair advantage worth about \$200 per tonne. Paper mills in Quebec and Canada cannot compete with that. That is why the Fraser mill announced plans to lay off 330 people in May.

When will the government put pressure on the United States to change the tax credit rules and get rid of this unfair subsidy?

Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC): Mr. Speaker, as I said, we will consider all possible solutions. Allow me to share a comment someone made recently.

The government did not kill the forestry industry; the market did. The government did not drop the prices on wood or pulp and paper; the market did. Our solutions

have to address the real problem: the fact that nobody can buy our products because we are in the middle of a global recession.

That is what Avrim Lazar, president of the Forest Products Association of Canada said.

● (1425)

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, the survival of the Thurso plant depends on diversifying its revenue through a program of cogeneration. Without funding, the company has been unable to proceed with its 35 megawatt project.

Will the Conservatives at last provide loan guarantees to the forestry industry so that the Thurso plant can move ahead on this and ensure its survival?

Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC): Mr. Speaker, I thank my colleague for his question.

As we announced previously, under the auspices of my colleague, the Minister of Natural Resources, we have put in place a Canada-Quebec task force in conjunction with the Government of Quebec, and it is working very hard on all forestry issues. We have entrusted it with six sectors of activity and it will be providing us with its findings by May 15. All of the data will be tabled before long.

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I will provide the minister with an update from the President of the Forest Products Association of Canada. This morning Avrim Lazar called upon the Conservative government to counter the unjustified U.S. black liquor tax subsidy and ensure industry has access to credit.

Will the Conservatives take off their blinders and provide access to credit through loan guarantees and tax credits?

Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC): Mr. Speaker, as I just said, this is one of the subjects being addressed by the Canada-Quebec committee that is currently at work. But I too would like to quote Mr. Lazar.

He also said this morning:

Governments can provide a safety net that lessens the pain for displaced workers and prepares them for new jobs. They can also assist community adjustment. This is a role they are embracing and playing well and which was a large part of the last federal budget.

They need to look at what is in our budget, as Mr. Lazar said this morning.

*Oral Questions***FOREIGN AFFAIRS**

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the government's conduct in the case of Mr. Abdelrazik is truly appalling and absurd. He has been stuck in the Canadian embassy in Sudan for the past year, and Ottawa refuses to give him the documents he needs to travel.

According to the UN, there is nothing stopping the government from taking action. It has no court orders and no documents from the UN. It has no more excuses.

Why does the government refuse to do what is right and bring Mr. Abdelrazik back to Canada?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, I repeat, this is an extremely complex case that emerged under the Liberal government.

This case is currently the subject of testimony and representations before the courts, and I will refrain from commenting further on the matter.

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, it is a bogus argument to suggest that Mr. Abdelrazik is on a list and that somehow prevents him from being brought back to Canada. That has been made very clear by the United Nations official, Richard Barrett, who is the one in charge of the whole program.

Why is the Conservative government pursuing an argument that the UN Security Council says is wrong? Either it does not understand its rights and obligations under international law or, worse, it is deliberately misleading this House and the court at the same time. When will it stop and bring him home?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, it does not make any difference what the leader of the NDP says in this House and whether he casts aspersions on myself and the government.

What I am saying to him, quite clearly, is that individual is still on the 1267 list that has been put together and that reunites people who are identified with al-Qaeda and who are identified with the Taliban. It is in front of the courts and that is where this litigation will be handled.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, every document that has come to light, every report that has been done and all the information that becomes available, whether from the RCMP, from CSIS or from the United Nations, all clear Abdelrazik and they show how much contempt the government has for basic human rights of Canadian citizens.

If the government thinks he has done anything wrong, there is something it can do about it. It can bring him back, lay charges and put him on trial, but it will not do that.

How much longer is the government going to leave this man on a cot in a Canadian embassy in the Sudan?

• (1430)

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, I want to reassure the colleague that we take our responsibility in terms of safety and security and in terms of our international obligations very seriously. In that regard, we will

assume our responsibilities. The case is now being pleaded in front of the courts and we will wait for a decision on that.

* * *

EMPLOYMENT INSURANCE

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the economy has deteriorated since the Conservative budget and Canada needs extra stimulus. Economists agree that EI is the way to go. In fact, dollar for dollar, the EI system is eight times as effective as the entire tax system in mitigating the impact of a recession.

When will Conservatives stop seeing EI as a problem and see it for what it is; part of the solution?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the hon. member really should stop with the generalizations about everyone and all because she is inaccurate. Just this morning there were reports that many people were saying that this investment we are making through our economic action plan should see us through.

We hope that is the case but we are taking action. We have taken action to improve access to EI, to improve the benefits for those who are unfortunate enough to lose their jobs. One of the really good things that I am pleased with is that through our work-sharing program, we have been able to protect 93,000 jobs right across the country.

[Translation]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the C.D. Howe Institute does not agree with them. The Toronto Dominion Bank does not agree with them and President Obama's economic adviser has said that employment insurance is an especially effective stimulus measure. Every dollar spent on employment insurance injects \$1.61 into our economy. President Obama understands this, but not the Conservatives.

When will the minister wake up and improve access to employment insurance for all workers—

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

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, this is nothing but more rhetoric.

We are improving access to employment insurance and its benefits. That is what we have already done and we have seen positive results.

I would also like to report what someone said in English:

[English]

I don't believe we need to make further improvements in EI...

[Translation]

Who said that? The Liberal member for Beauséjour.

[English]

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, while the Conservatives peddle their myth of a fair EI system in B.C., where there is one of the highest qualification requirements, unemployment has increased at a rate faster than the rest of the country. This week, eBay announced the layoff of 700 workers in metro Vancouver, moving operations to Salt Lake City.

Will the government introduce a uniform, 360-hour eligibility requirement and provide equal help to struggling B.C. workers?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we do recognize that there have been a lot of challenges in British Columbia and that far too many people have lost their job. However, where the member is wrong is that the EI system is now allowing those people to qualify for EI with three weeks less work and they are collecting benefits for anywhere from nine to eleven weeks longer. The system is supporting them.

What we are also doing is helping those people who may have been attached to the workforce for a long time but who have limited skills to try new jobs. We are helping them get the training they need, whether they are on EI or not. The others would rather just talk about it and raise taxes.

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, the minister continues to miss the point. One must qualify to get any kind of benefits. B.C. used to be a low employment region in 2003.

Some hon. members: Oh, oh!

The Speaker: Order, please. We do not measure the popularity of members during question period. I would urge silence so we can hear the question and then the response.

The hon. member for Vancouver Centre has the floor.

• (1435)

Hon. Hedy Fry: Mr. Speaker, the minister continues to miss the point. B.C. used to be a low unemployment region in 2003, when the CEO of eBay said, “we couldn't be happier” going to Burnaby due to its highly skilled workers.

Today, in 2009, B.C. is one of the provinces hardest hit by unemployment.

When will the minister get her head out of the past and respond to today's recession, and change—

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

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, no matter how much the hon. member waves her hands, it is not a magic wand that will fix things, unfortunately.

As I just pointed out, we have recognized that things are tough in B.C. and that is why benefits have gone up and access to employment insurance has gone up.

Over 80% of those who have paid into the system and who have lost their jobs involuntarily are able to access those benefits. Even those who are not on EI and who are not eligible can access the \$500 million in additional training that we are making available to them so

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they can have the jobs of the future and increase their opportunities, instead of taxes.

* * *

[Translation]

FOREIGN AFFAIRS

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, the arguments used by the Conservative government to prevent the return of Mr. Abdelrazik have just been shredded. Richard Barrett, the UN official responsible for monitoring al-Qaeda's activities, stated that Ottawa is mistaken and that Mr. Abdelrazik could be repatriated, even if the aircraft taking him back to Canada flies over other countries.

According to the UN official, if Canada has any doubt, it can go to the security council committee.

Has such a request been made?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, as I have mentioned on a few occasions, this individual's case is going to be heard by the courts. Representations will be made by both sides. I should add that the fact that this individual's name is on list 1267 does not change anything. He is suspected of being involved with the Taliban and with al-Qaeda. For this reason, he has not been removed from the list. His name is still on that list, regardless.

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, the government claims that flying over a country is equivalent to transiting through that country, as if going over the United States when flying from Mexico to Canada is transiting through the U.S. One can only stretch the truth so much. Flying over a country is not transiting through that country.

Instead of resorting to all sorts of excuses and meaningless answers, what is the government waiting for to repatriate Mr. Abdelrazik at the earliest opportunity?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, we are not relying on excuses, or on a convoluted definition that the hon. member would like us to reveal. The fact remains that this person is on a list that is said to include the names of individuals who are suspected of being with al-Qaeda and the Taliban. That person remains on that list, which is made up by the United Nations. We will respect our international commitments and we will state our views before the courts.

* * *

AGRICULTURE AND AGRI-FOOD

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, following on the heels of vegetable producers and food processors, poultry producers in Quebec have expressed their concerns about the “Product of Canada” label. Because of a trade agreement with the United States, Canada has to import 3% of its chicks. The new rule prevents poultry producers from marking their products with “Product of Canada” because of this 3% that is imported, which violates the 98% Canadian content rule.

Will the Minister of Agriculture and Agri-Food stop being so stubborn and review this ridiculous rule?

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Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, once again, I want to remind the member that our goal is to make consumers aware of what they are getting when they purchase products on supermarket shelves. As for the 98% Canadian content requirement, consultations were held with the industry, and people were in favour of this. That does not mean that problems will not arise. We can always look at the situation. But we have to remember that for a product to be marked as Canadian, it must have 98% Canadian content. Otherwise, it can be marked with “Made in Canada” or “Made in Canada from Lac Saint-Jean blueberries”. That is always possible.

• (1440)

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, it would be great if the real Minister of Agriculture and Agri-Food could come out of his shell and meet with poultry producers on the ground. They will tell him that his measure is out in left field and that this rule does not make any sense.

The Minister of State for Agriculture told producers, and I quote: “We will review any wording you are not happy with.” He said that. Yet in this House, he says—and he said it again just moments ago—that the government is going ahead with this.

Who will have the courage to admit that this new rule is a mistake and must be changed? Who?

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, I had an opportunity to meet with poultry producers, and they told me about this situation. I want to say again that these people and all the stakeholders in the processing industry were consulted. They also knew that we were trying to clarify things for consumers. That does not mean that there will not be any problems. This sort of thing happens when legislation is amended. Our goal is still to let consumers know what they are getting and for this to be clear for everyone. But we are still listening.

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[English]

FORESTRY INDUSTRY

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, the Conservative government has abandoned thousands of families that are suffering because of growing job losses in the forestry sector. The industry was virtually ignored in the budget, and it is clear it has been written off by the government.

Its silence is stunning when it comes to the \$860 million in direct subsidies being given to the U.S. pulp and paper industry. Why is it missing in action when it should be standing up for our forestry workers?

Hon. Lisa Raitt (Minister of Natural Resources, CPC): Mr. Speaker, in fact this government has acted very quickly. We have also acted very convincingly in how we are supporting the forestry industry.

I thank the member for the question, though, on this specific point, because I think it is important to discuss it in a clean manner. The subsidy to which the member is referring is one we are taking very

seriously. In fact I have written to the secretary of energy, Mr. Chu, on the issue.

It is something that does cause us concern domestically in terms of our competitiveness, and we are taking a look at all the options available.

I offer my ability to speak with the member to keep him updated on the matter.

[Translation]

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Mr. Speaker, one after another, kraft pulp mills in Canada are closing their doors: AbitibiBowater in Thunder Bay, Domtar in Dryden, and now Fraser Papers in Thurso.

The Americans subsidize their mills by providing a tax credit on black liquor equivalent to 60% of the cost of production. That is killing Canadian mills.

Why does the Prime Minister have nothing to say about this? Why has he abandoned Canadian workers?

[English]

Hon. Lisa Raitt (Minister of Natural Resources, CPC): Mr. Speaker, I definitely think it is important to understand the facts associated with this subsidy. In reality what is happening is that a tax subsidy that is there in order to encourage the use of clean energy in the United States is being utilized. It is taking away from the green energy and actually utilizing fossil fuel in order to gain this tax subsidy. That is something we find unacceptable. We have written the secretary about this, in the United States.

We are looking at our options here in order to deal with the domestic forestry industry. Indeed, we are in contact with the industry, and we are working with it on options.

* * *

INTERNATIONAL TRADE

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, thousands of Canadian jobs are at risk because of U.S. protectionism.

Yesterday the industry minister was absolutely wrong when he said that the government only needs to make sure the Americans live up to their trade obligations. What the minister did not know was that NAFTA and WTO trade rules do not protect Canada against U.S. state and local government protectionism.

Why does the Conservative government not understand its own free trade agreements, and when will it start fighting for and protecting Canadian jobs?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, CPC): Mr. Speaker, nothing could be further from the truth. The reality is that the Canadian government and the Minister of International Trade have been protecting Canadian jobs and standing up for Canadian industry in the United States.

We expect President Obama to live up to his own words and his own standards. He said that protectionism is a slippery slope, that it is the wrong thing to do in the world economy and it will only lead to more protectionism around the world. We expect fair rules, fair trade and free trade with the Americans.

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● (1445)

[Translation]

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, in the United States, a significant portion of the stimulus money will be spent by individual states, but local government contracts are not protected by trade agreements. The U.S. has asked Canada to change that, but in order to do so, the Prime Minister has to work with the provinces.

When will he show some leadership by working with the provinces to protect Canadian jobs?

[English]

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, CPC): Mr. Speaker, nothing could be further from the truth. The Prime Minister has spoken directly with President Obama. The Minister of International Trade is speaking directly with his counterpart in the U.S. We are protecting Canadian jobs, and we will continue to do that.

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STATUS OF WOMEN

Mrs. Alice Wong (Parliamentary Secretary for Multiculturalism, CPC): Mr. Speaker, Canadians pride themselves as a country that welcomes immigrants, and certainly immigrant women make a valuable contribution to our country.

Would the Minister of State for the Status of Women inform the House what our government has been doing for women, and in particular immigrant women?

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, I would like to thank the member for Richmond for her excellent work in representing immigrant women. Recent media reports underscore why we must continue to foster immigrant women's participation in all spheres of Canadian life.

This year our government, through Status of Women, is investing \$1.8 million in projects that help train and mentor immigrant women and help them out of very dangerous and precarious work situations.

While our government is working hard for abused women, I find it very difficult to understand why the Ontario labour minister would in fact ignore their complaints.

* * *

AUTOMOTIVE INDUSTRY

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, the government is hypocritical when it comes to its involvement in industry. When our forestry sector needs help, we are told it cannot interfere. When questions are raised about food safety, we are told it cannot interfere. Yet when it comes to auto workers, who have already given up so much, the government tells them to give up more while it eliminates their jobs.

Why is the industry minister only interested when he can force workers to pay more?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, as everyone who has studied the issue knows, the fact of the matter is that in order for there to be a proper functioning and restructuring of the auto sector, everyone has to do his or her part. There has to be a

massive restructuring of the management, absolutely. Bond holders have to be part of the restructuring.

The Government of Canada and the Government of Ontario have to be part of the restructuring, and also the workers and their unions have to be part of the restructuring. That is only fair, and that is the only way forward if this industry is going to be cost competitive in the future.

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, there have been four agreements in four years. I would say the auto workers have been more than fair.

Workers account for only 7% of the cost of a GM car. Yet, the government is forcing workers to accept 100% of the pain.

When CPP executives gave themselves multi-million dollar raises after they lost \$20 billion, the government did nothing. Yet when GM faces a crisis, the government turns to the workers and tells them to pay up.

Workers will not get their wages back, but bond holders and shareholders will recover their money. Maybe it is time they faced some cuts.

When will the minister get on side with workers rather than bailing out his Bay Street buddies?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, what the hon. member fails to understand, of course, is that we are trying to move forward with an industry that will still be in Canada with 20% of the production capacity of continental North America.

What will not work is if the union heads do not want to be part of the solution. Then the choice of the workers is to have a job that is cost competitive or to have no job at all. Maybe that is what the NDP would like, but that is not what we would like for the people of Canada.

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*[Translation]***COMMUNICATIONS SECURITY ESTABLISHMENT
CANADA**

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, the Conservative government has decided that the Communications Security Establishment Canada would in future be administered in partnership with the private sector. This is hard to understand when we know that the establishment's mission is to provide and protect information on behalf of the government.

Given the highly sensitive nature of the information handled by this establishment, how can the Minister of National Defence justify such a transfer to private interests?

● (1450)

[English]

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, as the hon. member would know, the Government of Canada is constantly looking for ways to partner in some instances, to respect taxpayers' money first and foremost when we make major infrastructure investments.

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Whether it is telecommunications, whether it is issues related to procurement, the Government of Canada is committed, of course, to being responsible with taxpayers' money, not being a one issue party, but looking at the best interests for the whole country. Whether it is industrial regional benefits, whether it is Canadian content, we will put taxpayers' interests in the mix when we are making these decisions.

[Translation]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, the minister's answer does not hold up.

The establishment deals with thousands of pieces of information every year, in particular a very considerable amount of personal information that is protected by law.

By administering this establishment with the private sector, does the minister not realize that he is not only jeopardizing people's privacy but, worse still, he is opening the door to uncontrolled misuse of that same information? This is totally unacceptable.

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, as usual, what the Bloc member is saying is completely wrong. It is incorrect to say that we need a Canadian silo to protect Canadian information.

It is always necessary to be able to develop partnerships with the private sector.

[English]

We will always protect Canadian information. What is not intelligent is to get up and throw aspersions on a file that the member knows really nothing about.

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RCMP

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, in Vancouver, the Prime Minister made a promise to give RCMP officers pay parity with other police, to treat them equally. It was followed by a signed contract and then ripped up, the promise broken. The Prime Minister turned his back on front-line officers.

Today the Prime Minister went further. He appealed the right of RCMP officers to decide their future, ripped them of their right to make a democratic choice to collectively bargain or not. This appeal is an affront to the very people we count on to keep our streets safe.

Exactly how low do the Conservatives want to drive police morale?

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, as you know, our government has stood clearly with the police in respect of issues of law and order. We also have responsibilities to the broader taxpayer in respect of collective agreements and that issue.

Having said that, I understand an appeal has been filed and I am not allowed to say anything further.

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, we see the realities. The Conservatives are soft on crime but tough on cops. The Prime Minister made a promise to the people to keep us safe every day, people for whom trust is everything. He broke the promise. Now to those same RCMP officers, he appeals their right to

decide their future. Not only does he feel they should not be paid the same as other police, he feels they should not have the same democratic rights either.

If that is the Conservative idea of standing up for police, it most certainly is not ours. When will the government reverse this betrayal and finally treat front line officers honestly and with the respect they rightfully deserve?

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, that is a member of a party who said that the police officers had no place on the judicial advisory committee and that they did not have a right, like other Canadians, to have input in that. That is a member who said that, in respect of issues of house arrest, arsonists could burn down houses and then go home and enjoy the comforts of their own house.

That is a person who has been soft on crime, not this party.

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EMPLOYMENT INSURANCE

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, last week I introduced a bill to fix EI so new moms could access their regular EI benefits if they lost their jobs during or after their maternity leave. I challenged the government to act by Mother's Day. That is this Sunday, and new moms are still waiting. The meagre EI extension that the minister constantly trumpets does absolutely nothing for a new mom who cannot access those regular EI benefits in the first place.

Women deserve more than flowers and chocolates this Mother's Day. They deserve fairness. Will the minister give new moms fair access to fair benefits today?

● (1455)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, in our economic action plan, we put forward major enhancements to the EI program, including five additional weeks of regular benefits and expanding the maximum benefits that anyone could claim. We also made access easier.

While we were expanding work-sharing, providing training to long-tenured workers and making it easier for those older workers to get new skills for new jobs, the NDP members voted against every one of those initiatives. They really should learn to respect Canadians.

[Translation]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, in the early 1990s, the fisheries industry was in crisis in the Atlantic provinces and in Quebec. At that time, the Liberals found nothing better to do than to cut employment insurance, thus abandoning workers. Today they are trying to pass themselves off as the champions of employment insurance.

Will the government show more respect for unemployed workers than the Liberals did? The House has voted in favour of changes to employment insurance. When will the Conservatives abolish the waiting period and reduce eligibility to 360 hours as the NDP has called for?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, in our economic action plan, as I have just said, we added five weeks of benefits. We expanded the initiative for older workers so that they could get new skills for the jobs of the future.

We are doing our utmost for the unemployed, for those who have lost their jobs, but the NDP has voted against each one of our efforts.

* * *

[English]

INTERNATIONAL AID

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, Canadians have watched the situation in Sri Lanka with great concern. International organizations, world leaders and the United Nations have called on the Sri Lankan government to implement an immediate ceasefire. Reports have indicated that thousands of Tamil civilians are trapped in the war zone. With the number of displaced persons increasing, it is becoming critically important for NGOs on the ground to have unhindered access.

Could the Minister of International Cooperation tell Canadians what this government is doing to help the victims of this devastating conflict?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, in response to this humanitarian crisis and the Tamil community in Canada, which is the largest Tamil diaspora globally, I went to Sri Lanka and met with the president, foreign minister and other high-ranking officials. I called for a ceasefire directly as well as unhindered humanitarian access for the victims of the conflict.

Canada's primary concern is for the civilian victims in Sri Lanka. That is why our government has increased its humanitarian aid in more food, water and shelter. This is a serious situation and that is why this government is acting.

* * *

EMPLOYMENT INSURANCE

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I received the following email from Anna in my riding of York West. It states:

It has been extremely frustrating trying to connect with anybody at the employment office other than literally wasting my entire day from 8:30 am appearing in person; and starting the line up at the door of the employment office (like scavengers waiting for food)...

Anna was laid off in February. It is now May. What happened to all that extra staff the minister said she was going to hire to help people like Anna and hundreds of other Canadians waiting in that line?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, there is no question that there has been a dramatic rise in the number of applications for employment insurance, sadly. In fact, just in the first three months of this year, applications were up nearly 50% over a year ago. That is

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why another 900 new people are working on getting the claims processed as quickly as possible. We are in the process of hiring another 400 people to do the same thing.

We have also expanded the hours at our call centres. I would suggest for people who are really having a challenge getting through to try on a Saturday. They are open then, too.

* * *

● (1500)

[Translation]

SPORTS

Mr. Pascal-Pierre Paillé (Louis-Hébert, BQ): Mr. Speaker, Défi sportif de Montréal is the only sports event in the world for athletes with all types of disabilities. It hosts more than 3,000 athletes from 15 countries competing in 13 adapted sports. In 2006, the Conservative government adopted the Policy on Sport for Persons with a Disability. However, in reality it does little to help sports. Défi sportif applied for \$100,000 from Sport Canada and only received \$75,000 despite the pressing need.

The question is simple. Why is Sport Canada stubbornly refusing to give Défi sportif the additional \$25,000 it requested and what does the minister plan on doing?

[English]

Hon. Gary Lunn (Minister of State (Sport), CPC): Mr. Speaker, first, I would like to congratulate and commend Défi sportif for the great work it does. It brings 3,000 disabled athletes from 15 different countries, with 9,000 volunteers and they do a great job.

Our government has been supporting it. It has received the same amount for the last three years. There were \$25,000 that were ineligible, but we are proudly working with it.

[Translation]

Our government will continue to contribute to Défi sportif and the development of sport in Canada.

* * *

[English]

STEEL INDUSTRY

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, it has been 66 days since the layoffs at U.S. Steel, 66 days of instability and worry for steelworkers and retirees in Hamilton, 66 days of fear, while waiting for the minister to act. It is insulting for the minister to pat himself on the back for finally taking action yesterday after waiting two months to do anything.

New Democrats demanded action 65 days ago. Could the minister explain this dithering to those workers who have lived in fear for two months?

Business of the House

Hon. Tony Clement (Minister of Industry, CPC): I can, Mr. Speaker. It is called the rule of law. There are certain procedures that I have to go through in terms of giving an honest review of the situation. I went through those procedures.

I came to the conclusion that U.S. Steel was in violation of the undertakings it made with the Government of Canada when it took over Stelco. I have sent a demand letter to U.S. Steel to rectify the situation within 10 days or face court action. I made this decision with seriousness.

This is a serious issue. The last thing we need is rhetoric from the NDP. All it does is have rhetoric on the situation, when we are acting on behalf of the interests of Canada and the employees of U.S. Steel.

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DEMOCRATIC REFORM

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, today our government introduced legislation to ensure all parliamentarians would be subject to consistent ethical standards.

Could the Minister of State for Democratic Reform explain why, even before reading the bill, the Liberal opposition is rejecting it?

Hon. Steven Fletcher (Minister of State (Democratic Reform), CPC): Mr. Speaker, our government remains committed to reforming the Senate to reflect the ideals of a 21st century democracy. The bill introduced today would bring the Senate ethics code under the jurisdiction of the Conflict of Interest and Ethics Commissioner, eliminating the separate ethics officer for the Senate and ensuring that ethical standards are constantly applied to all parliamentarians.

Why do the Liberals say that it is a non-starter before reading it? Why are the Liberals so defensive? Why are the Liberals portraying themselves as being against Senate reform and Senate ethical standards? Why are the Liberals acting guilty? It would be much more helpful if they would support this government's Senate reform agenda.

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[*Translation*]**PRESENCE IN GALLERY**

The Speaker: I would like to draw the attention of hon. members to the presence in the gallery of the recipients of the Governor General's Performing Arts Awards.

[*English*]

There is a list so I urge hon. members to withhold their applause until the end.

For Lifetime Artistic Achievement in the Performing Arts: Peggy Baker; Édith Butler; R. Murray Schafer.

The Ramon John Hnatyshyn Award for Voluntarism in the Performing Arts: James D. Fleck.

The National Arts Centre Award: Paul Gross.

Some hon. members: Hear, hear!

The Speaker: I invite all hon. members to meet the recipients at a reception in Room 216-N after question period.

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● (1505)

BUSINESS OF THE HOUSE

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I have the usual Thursday question about the program the government has in mind for the rest of this week and the week laying ahead.

I would specifically like to ask the government House leader if he is in a position today to designate the dates upon which the committee of the whole will meet for the purpose of examining the estimates of two departments, in particular, the Department of Agriculture and Agri-Food and the Department of Fisheries and Oceans. It would be helpful if the minister could inform us of the dates he has selected during the month of May for that examination.

I have a specific suggestion to make to him about Bill C-29, the bill having to do with agricultural loans, which is both useful and to the largest extent, non-controversial. I wonder if we might be able to agree to have that bill called on Monday and see if we might be able to dispose of it at all stages before the end of next week.

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I appreciate the questions and the suggestion from my hon. colleague, the House leader for the official opposition.

For today and tomorrow, we will continue debate on Bill C-27, the anti-spam bill, which is at second reading. If we complete Bill C-27, it is my intention to call Bill C-20, the nuclear liability bill and Bill C-8, the matrimonial real property bill. All of these bills are at second reading.

On Monday, we will begin debate at the second reading stage of Bill C-29, the agricultural loans bill, to which the member just referred. Once that bill is completed, we will continue with the unfinished business that I mentioned earlier plus Bill C-30, the Senate ethics bill.

It is my intention to give top priority to any legislation that is reported back from committee next week.

Finally, in response to my colleague's question about committee of the whole, I would like to designate Thursday, May 14 as the evening the estimates of the Department of Agriculture and Agri-Food Canada are considered in committee of the whole pursuant to Standing Order 81(4).

I will be announcing the date of committee of the whole study of the estimates of the Department of Fisheries and Oceans at a later date.

As to the member's suggestion about debating all stages and moving Bill C-29, which is so important for our agricultural producers heading into the spring planting season, I would note that one of the reasons we are not debating it today is because there was a request from his critic, the member for Malpeque, who will be returning to the House on Monday. Therefore, we have scheduled that for Monday.

In trying to continue in our spirit of working together with all opposition members, I would certainly be open to his suggestion. I know the Minister of Agriculture would be eager to work with the three opposition parties to try and move Bill C-29 through the House at all stages and get it down the hall to the other place as quickly as possible.

GOVERNMENT ORDERS

[English]

ELECTRONIC COMMERCE PROTECTION ACT

The House resumed consideration of the motion that Bill C-27, An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act, be read the second time and referred to a committee.

The Speaker: When the bill was last before the House, the hon. member for Pickering—Scarborough East had the floor. There are six and a half minutes remaining in the time allotted for his remarks.

I therefore call upon the hon. member for Pickering—Scarborough East.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, I hope to be able to encapsulate some of the thoughts that I have before the House with respect to this important piece of legislation.

I was concerned not just about the international implications but that Canada must demonstrate a greater willingness to co-operate, to work collectively, and to find solutions that are certainly concurrent with new developments in technology, particularly those who are involved with spam, the illegal sending of electronic information, phishing and that sort of behaviour, including the use of malware. We must be able to ensure that we have at our disposal the availability of the best technologies, and that the best practices in consultation with the provinces, the international community and the federal government are brought to bear.

One of the concerns I also have is the economic damage that spam has created. Given my work on this file, going back to Bill C-460, back in October 2003, I have always been troubled with the penalty, not just the question of resources to ensure that we enforce but of course the penalty. The penalty is a significant, on paper, administrative monetary penalty.

I realize that this is the way we have gone in Canada, but the bigger concern is that the damage done to the industries or consumers is never fully and properly compensated. Sooner or later we are going to have to recognize that administrative, monetary penalties, while they may form a deterrent and while industries or consumers may in fact receive, ultimately, proper payment from those who have purveyed or who have been accused and charged, and ultimately convicted, the fact is that victims will continue in this context to remain victims.

Government Orders

I would hope the moneys that the federal government will be getting when it catches those who are involved with the use of illegal forms of electronic messaging are in fact moneys that could be used for better training, to be reinvested in ensuring that we have proper, best practices that can be advocated, that we can share with small and medium sized enterprises, and that we can help to educate in our schools. So we are not just saying, “Here is \$1 million to stop the problem”, but once we seize those assets, once we get that kind of money, it should in fact be reinvested into the very resources, the very force, the very effectiveness of this legislation.

[Translation]

As I pointed out earlier, this bill has good intentions. However, if it cannot be vigorously implemented, it will not give the desired results. Therefore, my expectation is that the Standing Committee on Industry, Science and Technology and the other committees that may examine this issue should be prepared to take into consideration the evidence of witnesses in order to adopt the most important practices. We must reassure people that this bill will not just be a document but that it will also represent the demands of people who work very hard to combat this problem, which continues to be a veritable impediment for consumers and businesses.

With regard to spam, this issue understandably affects everyone, especially in a country such as ours where we use BlackBerries and receive messages from businesses.

• (1510)

[English]

I cannot emphasize how wrong it is for all of us to have cellphone companies actually charge people for spam that they neither asked for nor did they in fact encourage. So it seems to me it is attacks on a problem that Parliament has missed for years. I am hoping that we can actually address this issue and that we also reach out to cellphone companies, and stop this practice of billing Canadians for something that is no fault of their own. It is the result of negligence perhaps by Parliament over the years not to get a proper model together.

As it turns out, the legislation in terms of other jurisdictions may be behind the eight ball. We may have been a little slow in getting off, but nothing stops us from working with the various software companies and large computer companies to make sure that we avail ourselves of the best, the most modern, the most up-to-date best practices, and best abilities to detect those fraudsters who, in my view and I think the view of all parliamentarians, are engaging in a practice that undermines the integrity of one of the premium and most important forms of communication that we have in the modern age.

Since the time that I presented my bill and the time in which my party has been interested in this, we have gone through several ministers of industry. I am hoping and I challenge the current industry minister to put his rhetoric aside and to continue to focus on the importance of having this legislation passed. The importance of the legislation passed also means taking in necessary amendments as they become available. I have mentioned some that could be considered.

Government Orders

I look forward to questions and I also look forward to a speedy third reading debate to get this into the Senate, so that we can give Canadians a modicum of assurance that Canada is acting in a way that is not only consistent with the best practices around the world but we are acting in a way that ensures that above all we are protecting consumers in this country.

As a Liberal, I am proud of the fact that my party has taken this issue very seriously. We began the blue ribbon panel. I am seeing that several years later the Conservatives have finally realized how important a consumer issue this is. Be it as it may that it is late, I think we can stand together and ensure that this legislation, with some modification, should pass as soon as possible, assuming of course proper and appropriate parliamentary due diligence.

• (1515)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I want to thank the member for an excellent presentation. I do recall hearing a lot from him over the last few years on consumer issues, particularly the high price of gasoline, when he has actually been ahead of his party on consumer issues. I really appreciate him doing that. He indicated he introduced the first bill in 2003 and certainly had his battles with his own government at the time because he could not get it to move. But I applaud him for sticking with his principles and sticking to the issues by taking positions that were not always consistent with his government at the time.

He indicated the way the bill is structured and set up by the government. He also talked about the poor resources that Industry Canada may have and the problems it has with coordination. Does he have any suggestions for amendments that would make this a much tougher, easier and forceful bill?

Hon. Dan McTeague: Mr. Speaker, as new as the hon. member may be to this Parliament, he is certainly a quick study on a number of consumer issues and I have noticed that from a number of other members. This grey hair is now starting to show the amount of time I have spent on some of these issues.

It is critical that if we are going to properly resource enforcement in this country, particularly as it relates to the CRTC and to the Competition Bureau, that the money the government acquires under administrative monetary penalties be added to the resources which the government contemplates thereby ensuring that we stamp out spam to the extent that we can.

[*Translation*]

In fact, I am asking the government to not use these monies prior to making a commitment to vigorously strengthen the bill. I am proposing that it provide more money.

[*English*]

This is the least we can do because if we are not going to actually compensate the victims who have been badly hurt by the wanton attempts by spammers, as is done in many other jurisdictions including the United States, my view is that the money at the very least should be given back to better resources, to acquire the best modalities, so that we can continue to be one step ahead of this.

I know that in my neighbourhood, in Pickering, there are hundreds of people I have spoken to in the past two or three years whose computers have been completely destroyed by this, costing them

several hundreds of dollars. They do not ask for money. They just ask that the federal government stand up, stamp out this problem, and stop using Canada as a sieve to export the problem externally, which is something that Parliament has to consider. It is not just saying we are going to stop it here in Canada. We have to recognize once and for all that spammers in Canada are doing this nation a disservice and creating a black eye for our country as they export this problem to other countries as well.

[*Translation*]

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, it is always a privilege to rise in the House, especially on a matter that affects the vast majority of people.

I am referring to Bill C-27, whose purpose is to promote the efficiency and adaptability of the Canadian economy by regulating certain fraudulent commercial practices that use email. To do this, the bill would amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act and the Personal Information Protection Act.

With all the modern means of communication at our disposal, we are constantly being solicited. This bill seems at first glance, therefore, to be a good idea. When the House of Commons passed the Telemarketing Act in 2006, a national do not call list was established to reduce telephone solicitation. People who so desire can now put their telephone number on the list, which greatly reduces telephone solicitation.

I say “reduces” because there are still regulations that allow solicitation, although the new act clearly stipulates that if a person asks not to be called any more, the company must immediately stop contacting him. In addition, companies or individuals who want to have the right to contact people must be registered on the list.

Under the act, any person or organization that is not registered or fails to comply with the regulations under the act is liable to a maximum fine of \$1,500 for an individual or \$15,000 for a corporation.

Initial results show that the list created in September 2008 seems to have had a major effect on solicitation.

There is a simple connection I wanted to draw with the telephone do not call list. All email users are very familiar with spam, that is to say, email sent to sell us products and offer prices and many other annoying things.

In short, I do not know whether other members have noticed, but there seems to have been a considerable increase in the amount of spam over the last few months. It makes me wonder whether companies have not just changed the way they contact consumers.

I do not know specifically whether this Bill C-27 to protect electronic commerce will have the same effect as the telephone do not call list, but it goes without saying that the vast majority of email users I know would greatly appreciate an initiative of this kind.

Government Orders

Bill C-27 has a number of objectives. Its main purpose is to prohibit the sending of commercial electronic messages without the prior consent of the recipient.

Another objective is to protect the integrity of data transmissions by prohibiting other practices related to the unauthorized installation of computer programs. It seems only natural we would want to avoid the use of consumers' personal information to send spam.

Bill C-27 would therefore prohibit the collection of personal information by means of unauthorized access to computer systems and the unauthorized compiling and distribution of lists of electronic addresses.

It is hard to be against motherhood and apple pie, and we in the Bloc Québécois think that companies that want to email consumers should obtain their consent first.

This bill has some fine objectives therefore. How the act will actually be enforced, though, appears rather complicated. It seems to me upon reading it that three agencies will be involved.

- (1520)

The CRTC must take the necessary steps to take action against the sending of unsolicited commercial electronic messages.

At the same time, the Competition Bureau must address misleading and deceptive practices and representations online, including fraudulent emails from financial institutions.

The Office of the Privacy Commissioner must also take measures against the collection of personal information via access to a computer and the unauthorized communication of lists of electronic addresses. Lastly, the Telecommunications Act will be amended by the provisions that provide the framework for this new dimension.

I know the government wants to tackle spam, and I agree that it should. Will this bill successfully prevent an American company, for instance, from sending information by email to electronic companies in Quebec and Canada? That is an important question.

I know that a number of countries have established measures like the ones proposed in Bill C-27, and they seem to be producing positive results. In Australia, the United States and Great Britain, the various pieces of legislation to combat spam seem to be making a real difference.

Those countries probably also have a mechanism to reduce the amount of spam coming from other countries.

At first glance, Bill C-27 deserves to be studied further in committee. Establishing measures that will help prevent as much spam as possible from being sent by people who use false representation, prohibited software or who exchange information about email addresses appears to be a good idea.

Of course, we would like to examine the bill's impact and application more carefully with witnesses. We are in favour of the principle of this bill, but we would like it to go to committee so we can hear from and consult with witnesses, and see if Bill C-27 would really meet needs. We would also like to know if it will properly address the spam that consumers are currently receiving.

The Bloc Québécois supports the principle of Bill C-27. It appears to respond to a problem. Unsolicited commercial electronic messages are becoming a serious social and economic problem that undermines the personal and commercial productivity of Quebecers.

Spam is a real nuisance. It damages computers and networks, contributes to deceptive marketing scams, and invades people's privacy. Spam directly threatens the viability of the Internet as an effective means of communication. The Internet is supposed to be an effective means of communication but clogging it up with spam decreases its effectiveness. It undermines consumer confidence in legitimate e-businesses and hinders electronic transactions.

This is a constantly evolving problem, and the government has finally presented a bill four years after setting up a spam task force. That bill is C-27, the Electronic Commerce Protection Act.

Essentially, this Electronic Commerce Protection Act governs the sending of messages by email, text messaging or instant messaging without consent. Transmission of spam to an electronic mail account, telephone account or other similar account would be prohibited.

- (1525)

The only circumstances under which spam may be sent is when the person to whom the message is sent has consented to receiving it, whether the consent is express or implied.

Here are some of the other prohibitions: No person may alter the transmission data in an electronic message so that the message is delivered to another destination. Nor may they install a computer program on any other person's computer system or cause an electronic message to be sent from that computer system without the owner's consent.

Bill C-27 suggests a number of administrative recourses, such as a fine of up to \$1 million for an individual and \$10 million in other cases. The CRTC would be responsible for investigating all complaints and must have the appropriate powers to do so.

Bill C-27 also proposes the provision of a private right of action that would enable companies and individuals to institute proceedings against any wrongdoer, which is similar to a law that has been passed in the U.S. .

Any organization covered by Bill C-27 may, on its own initiative, transmit to the CRTC, the Privacy Commissioner, or the Commissioner of Competition any information in its possession if it deems that information to be related to a violation of the Electronic Commerce Protection Act. These three bodies must also consult each other and may exchange any information in order to fulfill the responsibilities and activities they carry out under their respective statutes. Under certain conditions they may also provide such information to the government of a foreign state or an international organization.

Canada is not the only country to legislate the protection of electronic commerce. As mentioned earlier, other countries have adopted legislation in this regard. I heard one of my colleagues say that Canada is lagging behind in terms of introducing spam legislation.

Government Orders

I also looked at one country among others, France, which introduced a law called “law to support confidence in the digital economy“. This law was adopted in June 2004, and had a six-month transition period. Apart from specific rules set out in the postal and electronic communications code as well as the consumer code, France is required to ensure that solicitations by email, no matter their nature—business, charitable, political, religious, or membership, for example—are subject to personal information protection legislation.

Bill C-27 is not unique when we look at what other countries are doing. The Bloc Québécois is in favour of the principle of this bill. It meets several objectives that I mentioned earlier and that I would like to summarize. It will prohibit unsolicited emails from a business, protect the integrity of data transmitted by prohibiting practices related to the unauthorized installation of computer programs, prohibit the collection of personal information by accessing computers without the consent of the individuals involved and prohibit the unauthorized compiling or distribution of electronic address lists.

I will close my statement by repeating that the Bloc Québécois is in favour of the principle of Bill C-27, which seeks to assign responsibilities to three organizations we are familiar with and which will regulate email in order to have a much more efficient system of Internet communication.

• (1530)

The proposed legislation is interesting. We are prepared to support it, in principle, so that the bill can be studied in committee.

Ms. Niki Ashton (Churchill, NDP): Madam Speaker, I would like to thank my colleague for his very detailed remarks on the matter before the House today.

Before I ask my question, I would like to say a little bit about myself. I am one of the youngest members here. I belong to a generation of people who use the Internet constantly, not just in our professional lives, but in our daily lives to stay in touch with friends through email or Facebook. Those of us who use a lot of online resources get a lot of spam and so forth that slow down our communications.

I believe that Canada is a leader in many respects, but this is one big exception. Canada is way behind the rest of the world. Worse still, Canada is part of the problem for the rest of the world because it does not have legislation that covers this and because many of those who send troublesome emails to us and to others are based in Canada.

I would like my colleague to comment on that and on the fact that Canada has not really shown leadership on this issue.

• (1535)

Mr. Robert Bouchard: Madam Speaker, I thank the member for her question.

As I said earlier, some countries have passed legislation to regulate, reduce and perhaps even eliminate spam. It has to be said that Canada is lagging behind a bit on this aspect of protecting electronic commerce.

I believe that this bill is a good initiative, even though it comes a bit late. At first glance, we support the bill in principle, but we think it should be referred to committee for study. That way, comprehensive consultations will be held to make sure that the bill better meets the needs of young people, as I said earlier, and all users.

We also have to recognize that electronic commerce is a very good thing in and of itself, but when it gets bogged down in spam, it becomes much less efficient.

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I would like to commend the member for a very good presentation. I do have some concerns. They are not necessarily regarding the legislation, because we in our party do support the legislation. We think that it should have been brought in long ago because we are behind the curve in this area.

What we have here is a pro-business government. It is not really known for being a leader in consumer-type legislation. The issue becomes whether one trusts the government. We could have the fanciest, most comprehensive legislation in the world, but if the enforcement is not there, we really have not accomplished much.

I would like to know whether the member and his party have any ideas on how we can not only make the best legislation possible here in the House but also limit the possible loopholes the government might have for not giving it the full enforcement that it deserves.

[*Translation*]

Mr. Robert Bouchard: Madam Speaker, as I said earlier, the Bloc Québécois supports this bill. It is designed to protect electronic commerce, which is a good thing in and of itself. We also want the committee to hold consultations on the bill in order to make sure that it really meets people's needs.

At this point, we do not necessarily have any changes or proposals to make. We want to hear what businesses and the people concerned have to say about this bill.

We want the bill to benefit the public. We want the Internet to be an efficient system. Currently, because of the huge amount of spam people receive, the Internet has problems and is less efficient, when it should be more efficient. We want to make the Internet more efficient by combatting spam.

• (1540)

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Madam Speaker, I am pleased to speak to Bill C-27, the electronic commerce protection act, on behalf of New Democrats. We will be supporting the bill, in principle, but we feel that it is important for it to go to committee for extensive review to ensure we get it right. I will be speaking a little later about some previous legislation where we did not get it right, and, in fact, the correction is buried in this bill.

Government Orders

I thank the member for Windsor West for the good work he has done on this file and look forward to more comments from him when it gets to committee.

I want to talk about some key elements of the bill, why it is needed, the cost of spam to business and citizens and some other details that are in the bill that are not directly related to electronic commerce protection.

When the government came forward with this bill it said that it was about protecting the privacy and personal security concerns associated with spam, counterfeit websites and spyware. It said that spam and related online threats were a real concern to all Internet users as they can lead to the theft of personal data, such as credit card information, which is identity theft; online fraud involving counterfeit websites, phishing; the collection of personal information through illicit access to computer systems, spyware; and false or misleading representations in the online marketplace.

The proposed legislation would also treat unsolicited text messages or cellphone spam as—

The Acting Speaker (Ms. Denise Savoie): Order, please. I apologize but there is a conversation happening very close to me. I would ask the members to leave the House to continue that conversation if they wish.

The hon. member for Nanaimo—Cowichan.

Ms. Jean Crowder: Madam Speaker, I have a couple of key points from the background information that was provided on the bill. It reads:

The bill also addresses the legislative recommendations of the Task Force on Spam, which brought together industry, consumers and academic experts to design a comprehensive package of measures to combat threats to the online economy.

The intention of the proposed legislation is to deter the most dangerous and damaging forms of spam from occurring in Canada and to help drive spammers out of Canada.

This bill proposes a private right of action, modelled on U.S. legislation, which would allow businesses and consumers to take civil action against anyone who violates the ECPA. The proposed ECPA's technology-neutral approach allows all forms of commercial electronic messages to be treated the same way. This means that the proposed bill would also address unsolicited text messages, or "cellphone spam", as a form of "unsolicited commercial electronic message".

The bill would establish a clear regulatory enforcement regime consistent with international best practices and a multi-faceted approach to enforcement that protects consumers and empowers the private sector to take action against spammers.

An important proponent of the proposed ECPA is the enforcement regime whereby the Canadian Radio-television and Telecommunications Commission (CRTC), the Competition Bureau and the Office of the Privacy Commissioner would be given the authority to share the information and evidence with their counterparts who enforce similar laws internationally....

It goes on to talk about the administrative monetary penalties of up to \$1 million for individuals and \$10 million in all other cases. It talks about the CRTC role and the role of the Privacy Commissioner.

I know that many of the people listening to this debate know what spam is but I want to give a definition because, like anything else, spam means one thing to one person and something else to another. Spam is identified as the abuse of electronic messaging systems, including most broadcast mediums' digital delivery systems, to send unsolicited bulk messages indiscriminately. While the most widely recognized form of spam is email spam, the term applies to similar abuses in other media instant messaging: news net news groups

spam, web search engine spam, spam and blogs, wikispam, online classified ads spam, mobile phone messaging spam, Internet forum spam, junk fax transmissions and the file sharing network.

Spamming remains economically viable because advertisers have no operating costs beyond the management of their mailing lists, and it is difficult to hold centres accountable for their mass mailing. Because the barrier to entry is so low, spammers are numerous and the volume of unsolicited mail has become very high.

The costs, such as lost productivity and fraud, are borne by the public and by Internet service providers, which have been forced to add extra capacity to cope with the deluge. Spamming is widely reviled and has been the subject of legislation in many jurisdictions.

I want to talk briefly about the costs. There are certainly costs to business when we talk about the filters and all the mechanisms that they need to put in place in order to prevent spam from getting into their systems, whether it is their cell phone systems or their Internet or email systems.

There is also the cost to workers. Many times when we are talking about businesses in the House, we are often talking about productivity and efficiency. In some of the previous work I have done, when we talked to businesses about how to improve productivity and efficiency, we often looked at time management techniques. One of the statistics that came from looking at time management techniques was that every time people were interrupted at a task, it would take them seven minutes to get back to the level where they left off.

Every time workers have their systems infiltrated by spam, we see a direct impact on the productivity of that company. Even if workers set time aside to look at their email, when they are dealing with junk email, it prevents them from dealing with the other activities before them. We know it takes a significant amount of time to get back to the place they left off. Therefore, there is a direct impact on worker productivity.

Many of us in the House have experienced spam on what should be a fairly highly protected system. It is an annoyance, a cost factor and extremely disruptive.

Some citizens are more vulnerable to spam. Fraud is involved, both in terms of stealing identity and in terms of having vulnerable people being hooked into purchasing goods and services that they do not need and which are often not of the quality and substance one would expect.

● (1545)

Therefore, there is a very real cost to businesses, to consumers and to the average citizen.

Government Orders

The important thing to point out about this legislation is that Canada is the only G7 country without anti-spam legislation. We often like to tout ourselves as being a proactive and progressive country and here we are lagging seriously behind. In fact, Canada ranked fifth worldwide as a source of web-based email spam, trailing only Iran, Nigeria, Kenya and Israel. It is a pretty sad track record to say that we are one of the countries that is a haven for spammers. Our track record is so bad that we are considered almost lawless when it comes to preventing spam.

Part of what we know about this is that companies anxious to target Canadian-based spammers have been forced to turn to other countries to do the job because we do not have legislation. They actually need to go to international law enforcement agencies that look at criminal spam activities. However, they have difficulty enforcing any legislation because the Canadian authorities lack the requisite investigatory powers.

Michael Geist said:

The fact that organizations are forced to use U.S. courts and laws to deal with Canadian spammers points to an inconvenient truth — Canadian anti-spam laws are woefully inadequate and we are rapidly emerging as a haven for spammers eager to exploit the weak legal framework.

We can see that there is sufficient information out there to say that Canada needs to take action and it is long past due.

In an article from December 16, 2008, CBC News, it says:

Canadian computers — many of them unwittingly — send out over nine billion spam e-mails a day, almost five per cent of all global spam traffic, according to a report from network and internet security firm Cisco. In an annual security report... Cisco estimated almost 200 billion messages per day, or 90 per cent of all e-mails sent worldwide — can be defined as spam, double the volume of the previous year.

I talked earlier about the cost to business, the cost to workers and the cost to citizens. When we look at that volume, it is shocking. Again, Canada has known about this problem for many years and it is only now that we are getting legislation.

I want to talk briefly about some of the key components of the legislation. There are three primary prohibitions. This bill would require all senders to obtain express consent before sending commercial electronic messages, including email, instant messages and so on, and to include contact and unsubscribed information. It would also require provisions designed to counter phishing, spyware and botnets used to send spam.

Various sections deal with this but I want to deal with three requirements: the form, consent and jurisdiction. The law requires that the identification of the person sending the message, as well as on whose behalf it is sent is included, contact information of the sender, because I think many of us have ended up with messages that we have no idea who is behind the sending, and an unsubscribe mechanism. The unsubscribe mechanism must allow for an easy opt-out by email or hyperlink that remains valid for at least 60 days after the message is sent. The sender has 10 days to comply with the unsubscribe request, and currently we know that spammers use the unsubscribe button to actually send more spam. If this is truly enforced, this unsubscribe mechanism, it will actually cut off some of the junk email that we are currently getting.

I want to touch briefly on the enforcement provisions. What we know is that the enforcement provisions do not have any real teeth.

We can put all the fines we want in the act, but if we do not have the resources and the tools to commit to enforcement, they are meaningless.

I want to briefly talk about the do-not-call list because some changes to that legislation are embedded in Bill C-27.

In an article by Geist, he says:

Government Quietly Lays Groundwork For Overhaul of Do-Not-Call List...

We know in this House that there have been some serious problems with the do-not-call list. When I talked earlier about the need to have this bill go to committee, what we want to do is ensure the bill accurately deals with the problem that is before this House. We saw this with the do-not-call legislation and with the voter identification where a bill was put before the House but the government did not get it right and it had to make amendments to the bills, which was time-consuming and costly.

● (1550)

Therefore, it is very important that the bill comes before the committee and has a full and extensive review to make sure that the bill is actually going to deal with the spam problem.

In Geist's article, he said:

Four years after the National Task on Spam unanimously recommended that the Canadian government introduce anti-spam legislation...the Government took action by tabling Bill C-27...

While the introduction of anti-spam legislation is long overdue, one of the most significant changes was not reported or even included in the government's briefing materials. Buried at the very end of the 69-page bill, are provisions that would lay the groundwork to kill the National Do-Not-Call list.

It is interesting that it was buried at the end of the bill and not included in any briefing documents, because what it actually says is, "Oops, we blew that initial piece of legislation".

He continued:

The proposed approach is very complicated, but boils down to the government repealing the provisions that establish and govern the do-not-call list. In its place, the ECPA approach of requiring an opt-in would apply, meaning that Canadians would no longer need to register their phone numbers on a do-not-call list. Instead, the presumption would be that telemarketers could not call without prior consent. The ECPA would also bring with it stronger penalties (up to \$10 million) and fewer exceptions.

Although the do-not-call list is less than a year old, change cannot come soon enough. It faced severe criticism earlier this year when it was reported that out-of-country telemarketers, who are out of the regulatory reach of the Canadian Radio-television and Telecommunications Commission, were accessing the list and making unwanted calls to Canadians. With more than six million numbers now registered on the list, the prospect of do-not-call registration leading to more calls rather than less instantly became a disturbing reality for millions of Canadians.

What that is talking about is people who registered their numbers, and then telemarketers outside of the country accessed the do-not-call list to call people. That seems like a pretty good gap in the legislation.

Government Orders

I hear some of my colleagues calling it a boondoggle. I would certainly say that it is a serious problem when the very legislation that is supposed to protect consumers actually results in more calls to them.

This is buried in this piece of legislation, changing the goof-up.

Geist said:

While the misuse of the do-not-call list remains a concern, a review of thousands of pages of internal government documents released under the Access to Information Act reveal that it is only the tip of the iceberg. In addition to lax list distribution policies, the enforcement side of the do-not-call list raises serious alarm bells with the majority of complaints being dismissed as invalid without CRTC investigation, the appearance of a conflict of interest in sorting through complaints, and a regulator that has been content to issue to “warnings” rather than levying the tough penalties contained in the law.

He went on to say:

The proliferation of the do-not-call list is certainly disconcerting, but [the] picture that emerges about its enforcement is even more troubling. The documents reveal that the CRTC receives over 20,000 telemarketing complaints each month, many involving the do-not-call list (some complaints may relate to other telecommunications rules that cover automated dialers or curfews).

The article goes on to talk about the fact that the initial evaluation of complaints is handled by Bell, which manages the do-not-call list rather than the CRTC. Here we have industry policing the do-not-call list and deciding whether complaints are legitimate or not. It goes on to talk about the fact that, for example, in January, Bell reported there were only 42 valid *prima facie* national do-not-call violations, while 3,033 national do-not-call complaints were ruled invalid. That is, in 42 out of 3,033 complaints, it was ruled by industry, Bell, that the complaints were not valid.

That does sound a little bit like the fox in the henhouse to me. So when we are talking about enforcement, as the member for Windsor West has rightly pointed out, there are some concerns about whether the enforcement mechanisms in the bill will actually be applied.

Geist goes on to say:

Complaints that survive Bell’s initial round of scrutiny go to the CRTC for further investigation. To date, the CRTC has sent out approximately 70 warning letters where it believes there are reasonable grounds to conclude that the organization is not in compliance with the do-not-call list legislation. Recipients of the letters are asked to take “corrective action” to address the concerns and warned that failure to do so could lead to penalties of up to \$15,000 per violation for corporations. Notwithstanding that threat, the CRTC has yet to levy any fines.

• (1555)

When we have legislation that proposes a maximum penalty for individuals of \$1 million, and \$10 million for any other person, it sounds like pretty hefty fines. However, we need to put forward a mechanism that, first of all, allows appropriate investigation without interference by industry.

With regard to Bell, I do not know about anybody else, but I certainly receive messages from Bell. If I were to complain in regard to the do-not-call list and Bell is the investigator, I wonder what kind of independent scrutiny would be paid to that investigation.

The enforcement piece of this is critical. Canada’s reputation internationally with regard to spam is in shreds. In order for us to tell the international community that we are going to walk the talk on this, we need to ensure that resources are put in place to make sure that the enforcement mechanism actually happens.

In conclusion, the New Democrats are in support of sending this bill to committee. I want to reiterate our position that it is very important that we have experts and technical witnesses who can deal with the content of this bill to ensure that Canada will actually be able to say, “Yes, we have anti-spam legislation that is going to stand up to international scrutiny, has appropriate enforcement mechanisms, and will actually protect businesses, consumers and Canadian citizens against both fraud and impact on the cost to productivity in this country.

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Madam Speaker, notwithstanding the fact that the member spoke more about other legislation than this legislation, it sounds as though the NDP will be supporting this. I have a few comments after listening to what she had to say.

First, I will talk about one difference in the piece of legislation she was talking about versus this one. One of the things this bill has in it is a need to opt in. From a business standpoint, if a business wants to send a consumer emails advertising something, the consumer has to opt in to that. The company has to make sure that in the normal course of business it acquires a person as a customer or it advertises to the person who then indicates in some way that he or she actually wants to receive things from that company. That is different from what she was talking about being one of the problems of the do-not-call registry.

She also talked a bit about time. While it is clear that there is a need for this type of legislation, one of the advantages in having taken the time is that we have the opportunity to learn from best practices around the world that have been used in places like Australia, the U.S. and the U.K., and to implement those best practices into this legislation.

As well, we have the opportunity to set up a mechanism that allows us to work with jurisdictions around the world to ensure that we have enforcement that reaches beyond our borders, because of course, this is a cross-border issue. It is a global issue. This bill would allow the agencies charged with enforcement to work with similar agencies in other countries to ensure that we are able to tackle the issue of spammers sending spam to Canada from other countries, and also deal with our own issues of Canadian companies, organizations or individuals sending spam to other countries. We can now be made aware and then act according to the new rules that are in place.

I will wrap up with a question. Given that the NDP intends to support this bill and that there was some concern expressed about the time it has taken, and particularly given the fact that we are in another minority government context and do not know at which point Parliament might dissolve and we might be forced into another election and all legislation would die again, how dedicated would the NDP be to ensuring that this legislation gets through committee quickly, gets properly studied but becomes a priority for the committee, and then is brought back and passed through the House as quickly as possible?

• (1600)

Ms. Jean Crowder: Madam Speaker, I would like to correct a piece of information the member has put out there.

Government Orders

When I was talking about the do-not-call list, I was specifically talking about Bill C-27. I could refer the member to page 56 of the bill, and the clause relating to sections 41.1 to 41.7, which specifically relate to the do-not-call registry. Therefore, I was talking about the current piece of legislation.

When the member talks about what the NDP will do around the passage of this bill, it is incumbent upon members of this House to ensure that when they pass legislation, it actually is going to do the job that it purports to do. Again I just need to reference the do-not-call registry to demonstrate how we now have another bill having to deal with a past mistake. That is a waste of this House's time. We are now having to talk about the do-not-call registry once again because we did not get it right the first time. New Democrats will ensure that they study this bill very carefully to make sure that it is going to do the job it is supposed to do.

I also want to go back to the member's statement about businesses getting their customers' consent, and I specifically did say that. What I said was that the bill requires all senders to obtain express consent before sending commercial electronic messages. That is an important aspect of this bill and we would support getting permission to receive mail from a business.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Madam Speaker, I want to ask the member, in light of the request of the parliamentary secretary to consider passing this bill as quickly as possible, if she and others have considered the true, massive complexity lying behind our attempt to regulate this field. I will just ask her one question as an example.

The bill deals with freedom of communication. It deals with what is actually a charter right, a very conspicuous charter right. I wonder if anyone has noticed that the bill prohibits the sending of a commercial electronic message to an address, not a person but an address. It then says it can only be done if there is consent. It is an offence if it is done without the consent of the person to whom the electronic message is sent, but the offence has been framed as one where a message is sent to an electronic address, not a person.

There does not appear to be any place in the bill where the electronic address is actually matched up with a person. I think we are going to have to get out the chalkboard at the committee and go through this very carefully to try to get it right.

If it is the view of the government that it just wants to throw some Jell-O at the wall and see if it sticks, so that at least we are seen to be doing our job here in advance of an election, there is some rationale for that in politics, but I think we had better try to get this right and I have concerns on the technical side as to whether this is going to pass muster.

• (1605)

Ms. Jean Crowder: Madam Speaker, the member makes a very valid comment. This is a very complex bill. It is 69 pages in length, I believe, and it is very important that parliamentarians do their due diligence.

Again, I talked about the do-not-call registry. What is important is that they fully study the aspects of this bill and look at the impact on business, on workers and on Canadian citizens, to make sure that there is no inadvertent impact.

The member across was quite correct when I talked about the voter identification bill. There was a bill that essentially prevented about a million rural voters from voting. That is an unintended consequence, unless of course there was a Machiavellian plan to cut off rural voters, which I am sure there was not.

We do not want to have a bill that has an impact that we did not foresee, so it is very important that the committee does its due diligence. It is a responsibility as a parliamentarian, when we are examining legislation, to do a 360° review. We need to make sure that this legislation is actually going to do what it is supposed to do and that it has the resources.

I talked about enforcement. It is meaningless if we put measures in a bill and do not devote the resources to making sure it can happen. We see that enforcement problem in other pieces of legislation. The do-not-call registry was a good example of it.

I would argue that it is incumbent upon parliamentarians to take the time to look at the bill, to make sure we understand what its impact would be, and to define some of those vague terminologies that were not quite clear on how we are going to enforce them or patrol them.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I want to follow up on the question by the member of the Liberal Party.

In around 2000 I had the good fortune in Manitoba to be the coordinator to bring in the electronic commerce act, which was the most comprehensive of its kind in Canada at the time. We put in a consumer provision for residents to be reimbursed by credit card companies if they purchased a product or service online and they did not receive it. At the time, there were only two or three states in the United States that had such a provision.

I am not sure whether it would be under this bill, but I wonder whether consumer legislation like that could be added to this bill.

Ms. Jean Crowder: Madam Speaker, I appreciate that the member is very aware of the need for consumer protection in any number of areas, including for airline passengers. He has done some very good work in that area.

Anything we can do to protect consumers is important. I would expect that when this bill goes to committee, one of the things that people will be looking at is consumer protection. Often consumers unwittingly end up on lists, whether they are credit card lists or other kinds of mailing lists, and their names get distributed all over the place. I would urge the committee to look at consumer protection as an aspect of this bill.

[*Translation*]

Ms. Denise Savoie: Before resuming debate, 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 Don Valley East, Employment Insurance; the hon. member for Mississauga East—Cooksville, The Economy.

Government Orders

[English]

Mr. Terence Young (Oakville, CPC): Madam Speaker, I am very pleased to speak in support of Bill C-27, the electronic commerce protection act. The key reason is that for eight years I operated my own business out of my home like thousands of other Canadians. I can say from first-hand experience that spam is bad news.

High speed Internet communication by email has become the predominant communication tool worldwide. It is the greatest enabler in the information age for small business and the self-employed. It allows thousands of small-business operators and the self-employed in every province to start their businesses and operate them at a profit. That includes writers, people in public relations, journalists, photographers, engineers, lawyers, event managers, fundraisers and many other occupations.

Email and high speed Internet allow thousands of disabled persons to operate businesses and to work from home. It creates almost a level playing field in that situation for disabled persons. It is an incredibly valuable tool for the disabled to communicate with business people and their family and friends.

Parents benefit hugely from home offices and email. The Internet has been a boon to parents who choose to stay at home with infants and children, which my wife and I have done in the past. They want to work in the evenings or do their email during their children's nap time or playtime if they have infants, as does my friend in Oakville, who operates a home business and is a mother as well. She has a little one-and-a-half-year-old. She can do them simultaneously. She is connected by her notebook computer to her clients, associates and, in fact, the world.

Aside from the travel costs, the most important common denominator and resource for self-employed people in small business is their time. I would suggest that time for the self-employed and small business people is actually priceless. It is almost a currency. When someone or some organization, without any invitation or permission and with no previous business relationship, at a very little incremental cost that is too small to measure, sucks up that time by using trickery and stealth marketing to steal that time with spam, it should be stopped.

Unsolicited, unlimited junk mail trying to sell people watches and many other products of very dubious value should also be stopped. Forwarding fraudulent messages designed to dupe innocent people and cheat them out of their savings should be stopped. For example, I would expect most of the people in the House today have received an email from a prince in Nigeria who only needs a little bit of money to get out of prison and is willing to share his resources for the rest of his life. The sad part is that if enough of those emails are sent out and enough mud is thrown against the wall, somebody will respond and somebody will be duped.

The key problem is that in normal marketing and in normal business, the legitimate kind, those wishing to sell goods and services are restrained to reasonable efforts by cost. It costs money to send letters, to make phone calls, to place ads and to get the attention of consumers and other businesses. In fact, the average cost for a letter is 70 cents to a dollar. However, on the Internet, the cost per contact for spam is actually too small to measure. It is not even

pennies. Technology, which is our greatest tool, is also subject to abuse.

The Internet is a precious resource. Effectively it belongs to all of us. As subscribers to telephone and Internet services, we pay a fair amount and we are allowed fair usage. Millions of Canadians rely on the telecommunications network to conduct business. They move goods across continents and the oceans. They keep industry moving to help provide thousands of jobs in thousands of businesses. We share this resource, the Internet, to our mutual benefit.

However, there are limits to this shared network. The network cannot carry an unlimited number of messages. People who have ever tried to call their mother on Mother's Day might have had a busy signal, because that happens to be the busiest day of the year on the telephone network. If they try again and again, they will finally get through. Christmas morning and New Year's Eve are similar. There is a limit to the network.

● (1610)

When a relatively few companies, often not owned or operated by Canadians, send out millions of unwanted and unwelcome messages, they utilize more than their fair share of the network. They use a proportion of resources they have not paid for in fairness and they slow down or stop the email messages everyone else is trying to send or receive. They rob us again of more of our time. These spam senders suffer no significant costs when they send out thousands of emails and demonstrate a wanton disregard for the time of others.

Unfortunately, they are some of the most clever and seedy people on the planet. They devise ways to interrupt our shared network and waste the time of thousands of business people. It is very difficult to put a value on that time, but it is certainly in the millions of dollars. They pitch some products that few people would ever buy. It gets worse.

Recently, my own PC network adviser, Paul Lebl, explained to me that these spammers have developed viruses or worms. The emails have very deceptive subject lines and if the wrong email is opened, the virus or worm will search the hard drive and find every email address on the hard drive and send the spam to every one of those email addresses as well. It is a very insidious practice. I view it as vandalism and it has to be deterred or stopped.

No one is saying that this legislation is going to end all spam in Canada or worldwide, but it will help us work with other countries to reduce spam worldwide. It is about improving Canada's competitiveness in the electronic marketplace as well as protecting Canadian consumers from the most dangerous types of spam. Boosting the competitiveness of our economy and protecting Canadians are two primary priorities of our Conservative government.

Since taking office a little over three years ago, our government has taken action to improve the competitiveness of Canadian companies and of our economy as a whole. Budget 2009 continued to create a competitive advantage which will drive our economy forward for years to come.

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We are taking steps to enhance our traditional industries with new knowledge and to create opportunities for the development of new industries.

While our economy obviously faces significant challenges as a result of the dramatically reduced demand in the United States, the proactive initiatives of this government have lessened the blow. The good news is we are positioned to come out of this crisis faster than other countries.

Some members of the House have expressed interest in introducing new taxes and raising existing ones. Our government believes that this would be the wrong approach.

New measures taken by our government have been aimed at improving competition and not just filling government coffers or satisfying special interests.

As mentioned, this bill is about continuing to improve Canada's competitiveness. We are already leading the way in e-commerce, but our online economy is under threat from unsolicited commercial email which undermines consumer confidence and hurts productivity.

The global cost of this unsolicited email, or spam, is estimated at \$100 billion a year. Spam costs Canada an estimated \$3 billion annually. As has been mentioned, spam represents about 87% of the email traffic around the world at 62 trillion spam emails during that time period.

Spam is a nuisance. It undermines competitiveness and it puts Canadians at risk. Our proposed electronic commerce protection act would deter the most dangerous forms of spam, like identity theft, phishing and spyware. It would help drive spammers out of Canada and allow us to work with our international partners to pursue spammers outside the country.

As usual, our Conservative government is taking action to protect consumers and businesses. We are not just talking. We are acting. This initiative will mean a lot to individuals and to businesses. Individuals will be more confident when they choose to shop online. Businesses will be able to more effectively protect their brand and their online reputation while improving their productivity.

As well as being consistently committed to competitiveness, our Conservative government has always believed in acting when people break the rules. This bill is accompanied by significant and tangible penalties. Offences carry fines of up to \$1 million for individuals and \$10 million for businesses. Spammers beware.

There are a number of other aspects of this issue which I want to quickly highlight before I conclude.

• (1615)

First, the bill covers text messaging or cellphone spam. The provisions in the bill are not limited to certain types of technology. They target all spam and will continue to be relevant as technology evolves.

Second, this will not affect legitimate or responsible businesses that contact customers or potential customers who have signalled their desire to be contacted.

Third, this approach has been implemented in many other countries with substantial success. Australia, the U.K. and the U.S. have passed strong domestic laws combatting spam, similar to this one. In Australia, for example, the spam act significantly reduced the country's proportion of global spam. Some Australian spammers shut down altogether.

Unfortunately, the bill would not eliminate spam altogether, but it would serve to deter the most dangerous, destructive and deceptive forms of spam, especially those that facilitate other criminal activities, like identity theft.

Finally, the bill would deliver on a commitment made in our 2008 election platform, I am proud to say. That platform stated:

A re-elected Conservative Government led by Stephen Harper will introduce legislation to prohibit the use of spam (unsolicited commercial email) to collect personal information under false pretences and to engage in criminal conduct. The new law will reduce dangerous, destructive and deceptive email and web site practices, and will establish new fines for those who break the law.

We made a commitment, and we are getting the job done. We are improving competitiveness and we are protecting Canadians.

• (1620)

The Acting Speaker (Ms. Denise Savoie): I would remind the hon. member that it is forbidden to use the names of sitting members in the House. One must refer to them by their title.

Questions and comments, the hon. member for Timmins—James Bay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Madam Speaker, while I have read the bill very carefully, and I listened to my hon. colleague's position on it, the one thing that has been left out is a lot of very legitimate businesses make a lot of money on spam, such as the phone giants.

Every time a spam message goes to some teenager's cellphone, the teenager has to pay. The spammer does not get paid, the phone giants get paid. Kids, with their little cellphone accounts, have no ability to stop these spammers. The messages come in and they have to pay, month after month.

I would think it would be incumbent upon us, if we are truly to protect people from spam, to put into the legislation that the phone giants cannot make backhanded money off people who are dependent on their phones and get hit by these spammers.

Does the member not think it would be prudent for us to say that there should not be charges levied against people who are innocently victims of spam?

Mr. Terence Young: Madam Speaker, I presume when the member talks about the phone giants, he means the large telecommunications companies. I think what he is talking about is young people who already are paying, competitively compared to worldwide, too much for their cellphone bills are now paying too much for unsolicited messages.

That is part of the benefit of the bill. As spam reduces, young people will get fewer unsolicited emails and those bills will go down.

Government Orders

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, Internet security has been an emerging business, growing very rapidly over the last number of years now because of issues such as this.

Ten years ago the Manitoba government had security people earning \$100,000 a year. We could not keep them because the banks were hiring them at more than double the price. This has been the effect of not having legislation in place all these years, allowing these spammers to be running free in our market.

The question really comes back to how committed the Conservative government is to this, beyond getting a nice press release out and some good coverage, like they did on the do-not-call legislation last year, but then doing very little enforcement?

It is incumbent upon us to tighten the noose around the government as much as we can to make certain that it has no option to get out of enforcing a very strong act.

Mr. Terence Young: Madam Speaker, I want to point out what I mentioned in my remarks earlier, and that is the bill is accompanied by significant penalties.

Offences carry fines of up to \$1 million for individuals and \$10 million for businesses. These are not cost of doing business fines. These are very significant fines. Working in conjunction with authorities in the other parts of the world, where the Internet is getting clogged with spam and people's time is being wasted, we think they will be quite effective.

• (1625)

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Madam Speaker, I was talking earlier about the do-not-call list. Page 56 of Bill C-27 talks about repealing sections 41(1) to 41(7) of the act, and that has to do with the do-not-call registry. Could the member comment on the fact that we saw some pretty serious problems with enforcement with the do-not-call registry and the do-not-call list?

I mentioned the fact that the first level of complaint was Bell. If Bell determined there was a valid complaint, it would then be referred to the CRTC. The CRTC issued 70 warning letters and levied no fines in relation to the do-not-call registry, even though the ability to levy a fine was within the act.

The fines in this legislation are much more serious. However, could the member specifically comment on the requirement for enforcement and what he sees as being important aspects of that enforcement?

Mr. Terence Young: Madam Speaker, enforcement is a matter of the words of the bill and the regulations in the bill and how the various parties want to enforce it.

It should be noted that the electronic commerce protection act will not abolish the do-not-call list. I think the member might be aware of that. There are published reports to that effect, and it is not true.

For greater certainty, there is a section of the bill that remains dormant until it is made law by an order-in-council and by regulation.

Section 6.7 of the electronic commerce protection act carves out telemarketing and interactive voice communications to be treated differently, but it does not repeal the do-not-call list.

On the matter of enforcement, I understand the bill is going to committee. There will be discussion at committee and we look forward to hearing the comments of the other parties on how that might be achieved.

Mr. Charlie Angus: Madam Speaker, I hope we will get the bill to committee. I have heard from the member and the parliamentary secretary that there is no power to cancel the do-not-call registry. Yet sections 41.1 to 41.7 of the act is the do-not-call registry.

Either the Conservatives are slipping it in the bill or they are not sure it is in the bill. Maybe they want to work with us at committee and go through the bill. I would be very wary about us going too far out front on giving our imprimatur to a bill that clearly is doing something the members are telling us it is not.

Mr. Terence Young: Madam Speaker, I want to reassure the member opposite that there is no intention to repeal the do-not-call list.

Mr. Charlie Angus: Madam Speaker, why, then, is it in the bill? Should we strike it now before we send it to committee?

Mr. Terence Young: Madam Speaker, I will go over it again for the member. The electronic commerce protection act does not abolish the do-not-call list. Clause 6.7 carves out telemarketing by exempting interactive voice communications, facsimiles and voice recordings to telephone accounts from the application of the act.

The provision at the end of the bill, which is clause 86, allows for the repeal of the do-not-call list at the time of the government's choosing in the future. It does not repeal the list. It leaves the door open for greater certainty. Clause 86 will remain dormant until the government chooses to enact it by order-in-council.

Mr. Charlie Angus: Madam Speaker, I am very glad we finally dragged it out of the hon. member. It is in the bill, but it is not in the bill unless the government decides to enact it, so we would be giving the government the power to do that. The Conservatives have told the House again and again that it is not there, but now we finally see it is there, but they will only enact it when they choose to enact it.

Again, why is it in the bill? Why does the government not at least have the guts to come out and say that it completely blew it on the registry. It had no enforcement plan. This has been a complete debacle.

Now the Conservatives are slipping it in the bill and whenever they feel comfortable, they will remove it. Why not just tell the House of Commons that they blew it and they have to fix it? They put it in an anti-spam bill and they do not want to say that.

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•(1630)

Mr. Terence Young: Madam Speaker, it is worth going back to the purpose of the act. The intention of the proposed electronic commerce protection act is to reduce the most damaging and deceptive forms of spam and other computer-related threats that discourage the use of electronic commerce and undermine personal privacy. It will address spam that is malicious in content, those emails that attempt to lure Canadians into fraudulent transactions or counterfeit websites.

A recent scheme, of which the member may be aware, was the UPS re-shipping fraud scam. A fraudulent company, posing as UPS, sent out a spam in an attempt to lure individuals into receiving shipments and sending that shipment, which would usually be overseas, to a second party in turn for payment. Of course the payment never came.

The bill would provide tools for businesses and network providers to better protect the networks on which we purchase products and do our banking. It would provide better protection for our personal information online and prohibit the bulk sharing and compilation of electronic addresses.

I hope that helps the member.

Mr. Charlie Angus (Timmins—James Bay, NDP): Madam Speaker, I am very glad to rise to speak to this somewhat bizarre bill.

It is very clear that the government is setting up a bill to kill the do-not-call registry. It is talking about fraud. It is talking about fax machines. We push the government on question after question, and it tells us that just because it is in there does not mean it is actually in there. Then it asks us to speed the bill through. I would be very concerned about rushing through a bill brought forward by the Conservative government without doing due diligence.

Legislation is like trying to push a glacier. It is very cumbersome. People want to develop legislation for this, that or the other, and they tell us we have to have a law. Then we put in a law and we see the concerns. Any time the Conservatives try to bring in a law, they start howling up and down that the opposition are not willing to push it through right away. It tells us we are soft on crime because we do want to actually study a bill on mandatory minimums for furniture theft or whatever else they bring forward.

There are all kinds of booby traps in legislation. Legislation always has unintended consequences. If we do not do the due diligence, we end up using a hammer to whack a bunch of little pieces all over the place without necessarily getting what we wanted.

When we look at a bill, it has to be focused, and it to be focused right. So what are we focused on right now? The bill is focused on the issue of spam.

Is spam a problem? Spam is a big problem. Spam is a problem on two or three different levels. It is an irritant, number one. I get it all the time on my BlackBerry. There is a woman in some cafe who is waiting to meet me and she thinks I look great. This woman who emails me never has my first name. I go on my BlackBerry and someone is selling me products to make certain parts of my body bigger than they need to be. Then I go on my BlackBerry and someone is selling me a beautiful condo on a malaria-infested

swamp. Those are irritants, and so I erase them. Sure it costs me a bit of time, but it is not that big a deal.

The bigger problem with spam is the use of it to defraud people across the world. Of course we know about the Nigerian 419 scam. When I ran my magazine, in the days when the fax machine was cutting-edge technology, we got these faxes from Nigeria or Bosnia, or wherever there was a crisis, from someone trying to get out of the country who needed some money. If we gave them money, we would get money back. Everybody knows the 419 scam. But it was cumbersome. It was slow. It had to be done on fax machines. It actually cost them money to do it, so they had to limit the number of scams they could get away with. Surprisingly, a lot of people got snagged in these kinds of frauds.

However, when we moved to digital technology, the ability of these fraud artists anywhere in the world to inundate millions and millions of Internet subscribers with fraudulent claims jumped astronomically, and the costs for doing it became almost nothing.

The vast majority of us look at those fraud emails, and we might be a little upset or we might laugh at them, and we erase them. However, they only need one in a thousand people or one in ten thousand people to succeed. People have lost their savings. There have been senior citizens who have been defrauded, or young people who have lost money. It is so hard to track these fraud artists down. An international effort is needed to deal with them. We have to be able to root these players out, and we have to be get them off our servers.

The other major problem with spam is the use of spyware technology and the use of Trojans, the malignant attempt to destroy people's personal or office computers. That is a level of destruction in our corporate economy that no jurisdiction should be willing to put up with. For all too long in Canada we have sat back and said it is the cost of doing business. However, it should not be the cost of doing business. We need a very clear set of laws to go after spammers, especially given the ability of spam artists to burrow into our computers, take our lists and reproduce them, or use our computers to send spam further and further afield.

The issue is that we need spam legislation. The New Democratic Party will be supporting spam legislation going to committee to ensure we have the tools to shut these operators down.

•(1635)

That being said, there needs to be due diligence. We need to look at this bill carefully, because it is a very large and cumbersome bill. There are a number of elements of this bill that are concerning. They really relate to how the Conservative government bungled the do-not-call registry.

We will go back to the do-not-call registry at a further point. But the idea behind the registry was great. That is how many laws are started. People phone an MP's office and say they are sick and tired of people calling them at home every day and they want something done about it. The government says, "Everyone is upset. We are going to act on it. We are going to have a do-not-call registry".

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Then we look at what happened with the do-not-call registry. The glaring gaps left millions of people who trusted in it exposed.

When there are unknown firms with cryptic names, such as “my broker office”, paying \$50 so they can purchase all the numbers on that list in Toronto, we have a big problem. And when the CRTC allows companies with very dubious names to download those lists, we have a big problem.

When I am at work and I see a phone number on my BlackBerry and somebody is selling me a dodgy vacation in the Cayman Islands, I am thinking about how they got my parliamentary phone number. I think back to someone, somewhere paying \$50 to get the list of all the Canadian phone numbers. That is a huge glaring problem.

Of course I could stand here and beat up on the Conservative government for completely blowing the registry and not thinking about it, but I am not going to do that. I am going to say that it meant well. Legislation is difficult. It set up a registry because it was responding to a problem. But there were gaping holes in it, and now we have a bigger problem.

The problem was that the lists were left open and all kinds of dodgy operations got access to them. Who knows where they are? They are not subject to Canadian law. They could be calling, for pennies, from anywhere around the world. We are stuck.

Our consumers are being exposed to fraudulent claims. I do not know how many times I have been told that the warranty on my car is just about done. Obviously they have never seen my Pontiac Sunfire or they would know the warranty was done on that a long, long time ago.

The other problem with the do-not-call registry is the enforcement mechanism. The government turned it over to the CRTC. The CRTC deals with just about everything under the sun. Being on the heritage committee, I am not going to beat up on the CRTC, but it can barely keep track of all the broadcast issues and the telecommunications issues.

The CRTC has the job of policing the do-not-call registry. Twenty thousand complaints a month are brought forward. As my colleague from Nanaimo—Cowichan put forward, Bell reviews those and decides which are the serious ones and which are not. Many of those get tossed out. I am not saying that Bell is tossing out the ones that might implicate itself, but at the end of the day there have been only 70 letters sent out calling for “corrective action”.

Of the 308 members in this House of Commons, how many have received dodgy phone calls from which this list is supposed to protect them? I bet there are 70 right here alone. Then we add our family members and people who phone our constituency offices and there are a lot more than 70 people who have had reason to complain.

For all the registry's hoopla, we have allowed millions of names to be siphoned off by fraud artists. There have been only 70 letters calling for corrective action. That is a big issue. It is an issue that needs to be addressed.

Talking about the complete failure of the phone registry brings us back to Bill C-27. There is one view that Bill C-27 might try to change the registry by saying there is an opt-in clause as opposed to

an opt-out clause, that Canadians would not have to receive a message from anybody unless they have given prior consent.

● (1640)

This is where I have a problem with the enforceability of the bill. Requiring someone to get prior consent before they contact people, I think in the digital age is going to prove almost impossible. There might be people, who are not very active in the digital world, who do not want to be called unless they call the other people first, but the vast majority of transactions are happening without prior consent.

This is where we get into some real problems with the enforceability of the act. If we try to draw too wide a net on spammers, we are going to get caught up with a whole bunch of business transactions. Some of them are very legitimate and some are less so, but will we get to the spammers? I am concerned about this. I think we need to bring this to committee to hear from witnesses on how practical that provision would be.

If the government brings in an opting-in clause rather than an opting-out clause in this spammer's bill, then conceivably the opt-out clause for the phone registry would not be needed any more. Contrary to what the Conservative Party is telling us, on page 56, clause 86 says that sections 41.1 to 41.7 of the act would be repealed. That is the do-not-call registry.

We are being assured, after many, many questions to the Conservative ranks, that repealing the do-not-call registry is not the same as repealing the do-not-call registry. We would only repeal the do-not-call registry if it becomes law and then we decide to enact it.

We are being asked, as opposition members, to quickly push this legislation through so that once again we show we are tough on spammers. If it is in this legislation, then why not say it is in this legislation? Why not say we had a problem with the phone registry, we blew it and it is not working. The opt-out clause does not work so we are going for an opt-in clause. Put that on the table. The Conservatives did not do that. They have hidden it in the microscopic print.

That is not the way to enact legislation. Legislation is not hiding things in a bill and then calling on the opposition members to quickly vote for it to show they are supporting the government. We need to make sure this legislation will work.

The idea of multi-million dollar fines for major spam fraudsters is a perfectly reasonable solution. If we are going after the malignant spyware out there, we need serious criminal penalties. That has to be in the bill. The NDP supports that.

The problem, again, goes back to the dodgy way the phone registry played out with enforcement. Can we really expect that the CRTC, with its inability to respond to the 20,000 calls a month it got about the phone registry, is going to have the tools to go after these operators? That is the question.

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I suggest that we need to look at thinning the bill down, making sure our legal teams have the clear mandate to go after the people we really need to go after, draw the net a little smaller and make sure we can do this under police powers. We are never going to get the spam cleared up until we have a way of enforcing it. At the end of the day it is very bulky, slow moving legislation that ends up being challenged in the courts. We support moving forward with this legislation, but it has to be done right.

In my time, I have seen many bills crafted in the House and passed with many nods, only to reveal a month or six months down the road that we did not see something.

• (1645)

For example, there was the voter registration bill. It went through once. New Democrats certainly were raising a hue and cry about problems with the bill at that time and a million rural people were disenfranchised. The bill had to be brought back a second time and there were still problems with it. We had legal experts and student organizations which said that, if we do not make the proper changes, hundreds of thousands of people will be disenfranchised and it will be subject to a court challenge. Now we have Elections Canada looking at that bill right now that had become law and it will probably be subject to a court challenge, which means it would come back for legislation again.

If we were in the private sector and did such a bad job once, twice and we were looking at it three times, everyone would get fired. Here, we just wait until it comes back to committee. I do not think that is a good enough way to do business.

On the issue of spam, of all the issues we argue about in the House of Commons, we can all agree no one likes spam. We can all agree that we want to be able to go after the fraud artists, but where we might diverge is on whether or not we rush through legislation that is not thought out.

So, we will support this going to committee. We want to see a bill that is enforceable, that hits the targets that it needs, and that it does not reproduce the debacle of the phone registry that started out as a good idea, but never delivered the goods.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I like the member's idea that we should try to focus and limit the bill as much as possible to deal specifically with the problem and involve police powers wherever possible. However, it is a good idea to have an opt-in approach rather than the approach before, the do-not-call list, which was basically negative option offers which is something that has been tried before and the public does not like it.

The question really becomes, if we go with an opting-in approach, then what do we do with all the businesses in Canada who have their existing customer base? Are we going to make them pay this added cost for them to contact and get permission from say, a thousand customers, to be able to communicate with them? Would we put in some sort of grandfathering provisions that say for existing customers, businesses could still carry on an existing relationship with them and contact them, but then for any new customers they would have to get permission?

I think that is actually being done, certainly on a provincial basis in Canada now by provincially regulated organizations which are over time getting the permission from customers to allow contact with them for various reasons. I would ask the member to comment on that because I really think he is onto something here. This is a very good idea he has just brought up.

• (1650)

Mr. Charlie Angus: Madam Speaker, one of the things that the bill actually identifies is that if there is a prior business relationship there is no requirement to get that kind of prior consent. So that is an element that is a very common sense approach.

Where it becomes difficult is where people who do not want to receive it say, "I bought a hard drive from this company three years ago and they're still emailing me three and four years after. That is spam". Then it becomes a question, are we starting to go after businesses that legitimately have a customer base? They email customers and that is how we get around it. If people then start to make complaints against them, saying they are spammers and want to be protected because prior consent was not given, nowhere did it say they were going to get emails. That is the problem.

We do not have a bill where we are tying up legitimate businesses who get big server lists. Every politician here has a big server list they email. Many people who get their email may think it is spam. If they do not like it, erase it, but it is still a legitimate process. The issue becomes what if we get a cumbersome law where businesses are going to get tied up as potential spammers. We need to isolate the kind of nefarious activity, namely spam, that is clearly useless, stupid, idiotic, and fraudulent. It is clogging up our networks and sometimes causing much more damage, and we have to be able to go after the spammers.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Madam Speaker, I want to thank the member for Timmins—James Bay for highlighting some of the good things in this piece of legislation but also some of the concerns.

I want to return to section 86 which repeals sections 41.1 to 41.7 of the act. Here it is in black and white.

The government may say it is in here, but it will enact it at some point in time. We recently had some experience in the House with the government embedding critical items in other pieces of legislation. I just need to point to the budget bill, Bill C-10. In that bill we saw the embedding of the Navigable Waters Protection Act with significant changes to it that impact on our environment, pay equity legislation where women can no longer in this country file a human rights complaint for equal pay for work of equal value, and significant changes to the student loans program.

Canadians will have to forgive New Democrats when the Conservatives say "trust me. It is okay. This is here but we don't really mean it". What is that saying about deny, delay, and then go to jail.

What we have here is that it says “repeal”. It relates to the do-not-call registry.

My question for the member is this. Why does he think it was hidden in section 86 of the legislation, almost near the very end on page 56 out of 69 pages.? Why is it buried at the end of the legislation? Why was it not included in the government briefing documents?

I think it is an important piece to have a legitimate discussion.

Mr. Charlie Angus: Madam Speaker, the one thing we have begun to find with Conservative government bills is that we get neo-con spamming. It buries these Trojans. It is just like when they warn us about the emails, we have to be very careful what we agree to because there is something buried in it that will affect our computers. With Conservative government legislation, there is always something buried in the bills that will affect the fabric of what has been a great country.

For example, the Conservatives buried the attack on pay equity in its so-called budget stimulation package and an attack on environmental protection for riverways. What that had to do with an economic stimulus is still beyond me.

Here we have buried in the bill the provision to kill the do-not-call registry. I think it is buried in there because the Conservatives have a hard time admitting when they absolutely blew it, and they blew it on the do-not-call registry.

Rather than come out and say, “Yes, we blew it”, they hid it in the legislation. However, what is disturbing is when we asked them about it, we could not get a straight answer. First we were told no, we did not read the bill. We said, yes we did. Then they looked at it and said, that does not mean what it means. We said, yes it does. Sections 41.1 to 41.7 of the act are repealed. That is the act that represents the do-not-call registry. Then they said “Pass it. That does not mean that it is repealed. It will be repealed when we decide that it is repealed”.

Again, here is a government that allows itself leeway on legislation that it wants powers to be able to strike things, start things, stop things, and then bury them in other pieces of legislation.

The concern here is that this should be a bill that is focused on dealing with fraud artists and spammers. Let us do that, but if we are going to deal with the do-not-call registry and the debacle around that, either fix the do-not-call registry or say, “This bill is going to supersede the do-not-call registry because the do-not-call registry was a failure”.

I have not seen in the bill how it would actually become enforceable or actually utilized in terms of opting-in and opting-out clauses for commercial activity. I do not think the government has thought it through and that is very disturbing.

I would finally say in response to my colleague that perhaps I read too much into the Conservatives response. Perhaps they have not read the bill thoroughly. Therefore, we need to get it to committee so that all the members of the House, especially those on the government side, will actually know what is in their own legislation

•(1655)

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Madam Speaker, as I begin my remarks, I want to say that I am just as

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curious as the last member who spoke in relation to the revocation of the do-not-call list framework in this bill. A summary is a written piece customarily found within the leaf of the bill in a statutory document like this. There is no reference to it in the summary, at least in any way that one could identify it. I may not be quite so accusatory, but I am just as curious. Perhaps we could get something on the record here in this debate from the government's side about that.

In any event, I am very supportive of the bill. Certainly, my party also is in principle and we are quite desirous that this bill move through second reading and go to committee. Having said that, this bill, as I pointed out earlier in a comment, is going to have some problems at committee on a technical basis. In my view, it should have. There are some brand new concepts. As everyone knows, when we try to legislate something new in a brand new field in our Canadian society, and this is a relatively brand new field, there are huge problems in codifying concepts and getting them written down in law. I think there will be huge problems with this and I have outlined a few that I would like to cover in my remarks here this afternoon.

I am just flying randomly here, but I do want to go to subsection 2 (4) of the bill which, as I read it, is defective. It is absolutely not ready for prime time. There is a verb missing. It is not a full sentence. Subsection 2(4) of the bill stands alone and it just says:

An electronic message described in subsection (2) or (3) that is sent for the purposes of law enforcement, public safety, the protection of Canada, the conduct of international affairs or the defence of Canada.

Somebody forgot to complete the sentence. That does not happen very often in a bill. I did not read the French version. That may contain some of the answer, but in the English version, this section is totally incomplete and needs to be fixed. There may be other sections in the bill that have the same problem.

I wanted to go through a similar list of things where I think special attention has to be paid. First, the definition of spam. Of course, the bill itself does not use the word spam. That might be a breach of somebody's copyright or something on their commercial product. Who knows? However, it does refer to the concept of a commercial electronic message. That is the commodity that is being restricted here. It is not messages; it is commercial electronic messages. It is okay to use whatever terms we want in a bill like this, but we are going to have to make sure that every commercial electronic message that is carried out there and is going to be subject to this restriction is legitimately restricted.

I am sure that the people who have drafted the bill have thought it through, but this is why we send things through Parliament. This is why we send it to committee. It is just to make sure that we have not gone too far and have not included things inadvertently that we really do not want to include.

The second thing I want to point out has to do with subsection 6 (1). At the core of subsection 6(1), it attempts to restrict or regulate the unconsented electronic commercial message. I mentioned this earlier, but I do want to re-document it here in my remarks. It says:

No person shall send or cause or permit to be sent to an electronic address a commercial electronic message—

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•(1700)

The place to which the message is being sent is an electronic address. It is not being sent to a person.

Just below that in the same section it says that commercial electronic messages cannot be sent unless “the person to whom the message is sent has consented to receiving it...”.

If the message is being sent to an address and not a person, how can there be a person to whom the message is sent? The message is being sent to an electronic address. Therefore, it is not clear who the person is who controls the giving or not giving of consent. A person, of course, can be a corporation. However, it is just not clear.

If someone is alleged to have broken this law, it is quite possible that the person will say that he or she did not send it to a person but to an electronic address. Nobody in the world could possibly know who is associated with that electronic address. The person might know or might not know. It might be the person registered to the email address but we do not know. It is left unclear. I see this as a problem, not in trying to understand the clause, but in trying to prosecute or enforce the law.

The third thing I want to mention concerns the business of consent. The statute is worded in a way that says that a person cannot send a commercial electronic message to an address unless that non-defined person gives consent. If there is to be enforcement and if there is to be a prosecution, the difficulty I see right now is proving the non-consent. It is easy in court to prove consent but it is more difficult non-consent because one must potentially prove a negative. I am not sure the courts are ready for this. Some prosecutors out there may have said, yes, that they can handle this, that they can prove a negative, but I know how difficult it is to prove a negative. As I read this, any prosecution would need to involve evidence of non-consent, which means proving that negative.

In the initial instance, the message is not from a person but from an electronic address and electronic addresses do not have personal identities. They cannot talk, they cannot communicate and they cannot give an address. It is not clear which person is the person empowered to give or withhold consent.

I see some members in the House are dozing off as I walk through this conundrum, but this is something the committee will need to deal with. I know, Mr. Speaker, you are listening intently and that you have question marks in there too.

I have suggested that it is tough to prove a negative, and we all know it is, but it is a very tough thing to prove in a courtroom.

On the next issue concerning defining what a commercial electronic message is, it refers to a message that has a commercial character. It does not go much deeper than that. Many different types of messages are out there, billions of messages moving around the globe, and if there is to be enforcement, the trick will be trying to figure out which have the commercial character. Some spams will be clearly commercial but some spam will not. Some messaging will be clearly not commercial but personal, and then there is the other stuff that falls right in the middle, a little bit of both, and that will be extremely difficult, in view of our charter and the way courts will handle quasi-criminal prosecutions, to actually nail down what is

commercial and what is not, and what is a little bit commercial and what is a little bit personal. This will be a problem but I will leave that there. It is a matter that I hope the committee will look at.

•(1705)

I want to mention clause 47 of the bill, which I will describe as brilliant. From my perspective, this is the best part of this bill because it purports to create a private right of enforcement. This would allow a person to make an application to a court where the person believes that he or she has been harmed in some way by this unauthorized, non-consented to, commercial electronic message, or some other offence described in the statute. By creating that, it frees up all of that enforcement mechanism that the state would otherwise need to create. It gives a citizen the ability to initiate something, go to court and get a response from the court without dragging all the federal or provincial prosecutors along.

Of course, that enforcement action would be freed up from a lot of the additional baggage that is sometimes imposed on our enforcement authorities by application of the charter. Sometimes in our system of governance, the charter, as interpreted by the courts, places obligations on governments to do or not do things as it enforces the law. Be that as it may, this creation of the private right of enforcement will allow the enforcement to be borne at the instance of an informed citizen, who has a grievance with respect to some of the things prohibited here, to take that to a court and, hopefully, get a fairly decent response.

I must say that, given the issues I raised earlier about definitions and procedures, a citizen might encounter the same kinds of problems in terms of definition and enforcement, but we all must acknowledge that this is a new area of law and we will need to deal with these new concepts and new definitions.

I am pleased to see the private right of enforcement. Who knows where it will all end up but so much of the electronic universe is taken up with individuals and individual initiatives. It is kind of like the wild west. When it comes to enforcement, the individual will become the enforcer. Who knows if some individual out there will actually go into the business of being the enforcer? “Show me your illegal spam and I will take it to court and get the judgment”. Some enterprising citizen out there is quite likely to take on that task. We may have created a new industry here with this private right of enforcement.

In terms of these points, I want to go to subclause 2(3) because I have a concern about it. This clause is part of the clause that describes what a commercial or electronic message is. For greater certainty, it states:

An electronic message that contains a request for consent to send a message described in subsection (2) is also considered to be a commercial electronic message.

That means that a party that wishes to send a commercial message is not even allowed to ask for consent to send a commercial message. If I interpret that clause properly, an electronic message that contains a request for consent to send a message is also a commercial electronic message.

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•(1710)

That, unfortunately, raises what I would call a catch 22. No one can send a message without getting consent and no one can send a message asking for consent because that would be a commercial message.

I have a feeling that might be a problem when it comes to the Charter of Rights and Freedoms. It might not be but if the government is firm on this, if the people who have drafted these laws have come to the conclusion that must be in the bill, then I suggest that the provision may need to be buttressed by some additional wording or with a preamble in the bill that would give some weight to defend against a charter-based challenge that would say that this is a catch 22 provision.

There would hardly ever be a commercial message again on the Internet because no one could even ask for consent. We need to be able to ask for consent, otherwise we would never be able to send a commercial message. It says pretty clearly that an electronic message that contains a request for consent is a commercial electronic message, which the statute prohibits.

I really would like to hear from some of the government members or from the parliamentary secretary, if not today, then later, as to why the do-not-call list provisions, clause 86, are now being prepared for revocation. I would not even mind knowing why it was kind of buried in the statute and not referred to in the summary. I am sure there is a reasonable explanation for that. The record will show the questions I have raised on these small, picky, but real issues.

I will just confirm that, notwithstanding all of these minor points that I have raised, there is a great deal of support for legislation of this nature and my party will support it to get it to committee.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I enjoyed the member's comments and observations. I, too, would like to hear from some government members and to ask them questions for more clarity.

The question, what is commercial and what is not, is a very interesting question. If a broker asks a person to go for lunch, is it a personal question or is it a business question, because clearly the broker is trying to ask the potential customer out to discuss business?

The question also is: Who decides whether it is spam or not? In a lot of cases, beauty is in the eyes of the beholder. I see big problems here for small businesses and the opt-in approach. What is a business supposed to do, wait until the customers come in because the business person is fearful that he or she cannot contact his or her customers without a consent form being signed?

We have a potential here for huge costs unless we have a grandfather clause saying that if a business has 1,000 customers, it is allowed to contact those customers. The customer list would be grandfathered in as of the proclamation date of the bill. Otherwise, we will have huge costs for small businesses that need to contact each one of their customers as they come in to get them to sign permission forms so they can contact them in the routine business relationship that many of them have had with a company for many years.

What happens if one of those customers gets mad at the company for whatever reason? The previous member talked about buying a hard drive three years ago. What happens if a business sends the customer a message and he or she takes offence? Has the business done something wrong?

Those are a lot of interesting questions and I would ask the member to give us a fuller explanation on some of his concerns about this very important question.

•(1715)

Mr. Derek Lee: Mr. Speaker, the electronic messaging business is not an area in which I normally spend a lot of quality time, but I rely on electronic messages throughout the day. I just checked my BlackBerry and there are seven emails waiting for me. I should check to see if any of them are spam.

As I try to answer the question, or at least address the comment, I read the French version of subclause 2(4) and it is properly written. There is a verb in the French section, but the English version has to be corrected.

I acknowledge the member's comments that the bringing into place of this statute and its execution could create some huge costs for people who are recognized as being in the business now, large commercial organizations. I am pretty sure they will find a way to communicate with parliamentarians at the committee level as this thing goes forward.

Most of Canada's large commercial entities and SMEs are organized into groupings. I am pretty sure they will be able to outline potential costs to them and there may be an adaptation that can be made to accommodate the serious concerns consistent with the goals of the bill.

[*Translation*]

Mrs. Lise Zarac (LaSalle—Émard, Lib.): Mr. Speaker, my colleague raised a good point, which is that an address is not a person. Even if the address from which the message was sent is available, how can we find out who was responsible for sending it? That is an address too. Of course, if it is an advertisement, there will be a name, but we must not forget that, much like the problems we had with fax machines a while back, large telecommunications or communications companies often send messages on behalf of insurance companies or other companies. So who should be held responsible? Such companies often have several numbers and addresses. How are we supposed to trace it?

[*English*]

Mr. Derek Lee: Mr. Speaker, I suspect in the big picture that those whose job it is to enforce the anti-spam provisions will look for the large offenders first. The large offenders have probably already crossed the line a billion times. Locating those egregious, manifest, massive breaches of the statute, as it may come to be in force, will be fairly easy to find in the big picture. It is a question of dealing with it first in Canada and then abroad, with co-operation internationally.

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My gut tells me the bill is not ready for prime time, it will have difficulties. However, I am pleased that we are taking steps to move it in that direction. Let us hope that when we make the move, we will not spend \$25 million in a prosecution and then lose it. Let us move carefully toward enforcement. We should discourage the government from seeking quick, expedited passage of the bill. We should take our time and try to do it right so the product is what we need.

• (1720)

Mr. Jim Maloway: Mr. Speaker, several of the members today, including members of the Liberal Party, have brought up concern about the whole issue of whether the government is capable or will be capable of enforcing this act, given what happened with the do-not-call legislation and given that it was brought forward just before the last election. There was a lot of good press on the issue. Now we find out a year later that it is really not very viable as a bill.

There should be some concern. We can pass the best legislation in the world, but if the free enterprise government has no real interest in executing and being tough on enforcing the law, then what have we gained in the process?

Are there things we could do to the bill to make it tougher for the government to get out of enforcing it in a tough way? It was suggested by the member for Timmins—James Bay that maybe we should be looking at a police influence as opposed to letting the CRTC and other government bodies deal with the issue.

Could the member deal with that question?

Mr. Derek Lee: Mr. Speaker, let us not forget that the bill contains a private prosecution mechanism. There is an alternative, where a citizen might just succeed in doing what the government would find very expensive and difficult to do. Let us all keep in mind this statute is not going to be handed over for enforcement to municipal police forces or provincial police forces. Under the bill, as I understand it, this could only be investigated by the Royal Canadian Mounted Police. It would be a federal prosecution, as I understand it.

To get something going here, we are going to have a complaint and we are going to have an investigation by the Royal Canadian Mounted Police. We are going to have take police officers and get them onto the Internet and start gathering all of this data. It can be very expensive. Fortunately, they can probably do it from behind their computer, but they may need a few warrants. However, it will be a federal prosecution.

Then we have to get a federal prosecutor to take something from a brand new law. It could take a year or two to develop. I think there is a statutory limitation on prosecutions, as well. They would have to do it within that limit.

It is going to be tough, but let us get something in the hopper and start working on it. I have a feeling it will be the private prosecution piece that will be the secret weapon, that some individual will take this and run with it and we will have an evolution of enforcement on the private side that will beat the government by a country mile. That is why I do congratulate inclusion of this in the bill.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, I am happy to rise today on this issue.

It was said that email is becoming more and more common in our societies. I am an enthusiast myself. It has the advantage of enabling us to do several things at once. While listening to the debate, for instance, I had my computer open in front of me. It makes it possible to communicate with people sometimes at the far ends of the earth, whom I have not seen for a long time. It is also possible to communicate with people who are very close by, such as colleagues in the House or even the lobby coordinator, Marie-Ève. I want to salute her on behalf of all Bloc Québécois members because she does a fantastic job, like all the people who work around us and support us in our tasks.

When viewers watch us on television, they see us proceeding efficiently and think we are all very good and know what to do. The reality is that we would often be lost without the coordinators in the lobby and all the parliamentary personnel who help us. I want to thank them very much for the work they do.

Having made this aside, I want to comment on Bill C-27, Electronic Commerce Protection Act. Spam is of ever greater concern in our economies and that is due in large part to the fact that email is free. I want to assure the House right away that I would not dream of changing that. However, individuals who want to send unsolicited documents, mail or advertising can easily do so. They can send them to very large numbers of people at no additional cost. Spam is not very interesting and just a tiny proportion of people pay any attention to it. The volume is so immense, though, that only a small percentage is enough to get some potentially attractive customers, while the user would have to pay for traditional methods of promotion.

If someone wants to send an advertisement to every house by regular mail, there are no laws against it, apart from certain municipal regulations. This is not a problem, though, because people rarely take advantage of the situation to send millions of people in North America a letter announcing some scheme to get millions of dollars out of a particular country, thereby making everyone rich. There is no critical mass to justify doing this by traditional mail.

But in the case of email, there is that sort of critical mass. We have to sort through our email to separate the wheat from the chaff. We also have to have software with anti-spam and anti-phishing systems to identify such messages. These automated systems sometimes make mistakes, with the result that we sometimes do not receive legitimate email messages. They drown in a sea of spam.

The Bloc Québécois believes it is high time we had anti-spam legislation. The task force on spam, which was created in 2004, has been calling for legislation for more than four years.

•(1725)

Four years is an eternity when it comes to computer technology. Most western countries have already passed anti-spam legislation. Canada has unfortunately not yet done so, and we are happy to be able to study this bill. A number of members have pointed out that it is not perfect and that they still have concerns. We share the view that this bill can certainly be improved, but we will support it in principle so that it is referred to committee.

When the issue of prevention and punishment on the Internet comes up, in connection with spam, we often hear the argument that, because the Internet is involved, there is no control—

•(1730)

The Acting Speaker (Mr. Barry Devolin): I am sorry to have to interrupt the hon. member for Jeanne-Le Ber. He will have another 14 minutes the next time this bill is debated in the House.

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[English]

EMPLOYMENT INSURANCE ACT

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP) moved that Bill C-280, An Act to amend the Employment Insurance Act (qualification for and entitlement to benefits), be read the second time and referred to a committee.

She said: Mr. Speaker, it is an honour to stand here today and deliver a piece of legislation in my name that will have a great effect on the lives of hard-working Canadians who have, through no fault of their own, found themselves unemployed. It is people like them who define some of the most difficult challenges we are facing in Canada given the current difficult economic times.

My bill attempts to set right parts of Canada's employment insurance system so that people will be eligible to collect benefits and those benefits will better suit their needs.

Bill C-280 is a relatively simple piece of legislation with two major objectives. It seeks to create a uniform level of entry for a person to make a claim of EI benefits by lowering the threshold to 360 hours for people in every region of Canada. And it seeks to award people benefits based on their best 12 weeks of earnings in the year prior to their claim instead of the current 14 weeks that are considered to set a benefit amount.

This week I had to pinch myself to see if I was actually dreaming when I heard the Liberals say over and over again that they are now interested in reforming employment insurance. We actually welcome their attention to this issue. They are uniquely positioned in this debate, since much of what we are attempting to repair is the damage that they inflicted on the system during their string of three majority governments in the 1990s.

That period is when their finance minister turned off the tap on employment insurance and turned EI into a tax on working people

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that fed their surplus budgets and helped them implement corporate tax cuts, a passion which is shared by their soulmates, the Conservatives.

I must say that I am overjoyed, as I am certain many unemployed workers are, that the Liberals have done a 180 degree turn and apparently now share our goal to see the threshold for entry lowered to 360 hours. This would end the regional distinction in the qualifying period and help EI flow to more Canadians who truly need it right now.

At present there are nine different sets of criteria in terms of hours worked for nine different ranges of regional unemployment rates. Workers in Canada may require anywhere from 420 to 700 hours of eligible work to be able to become a claimant of this benefit. This inequity is not suited for the kind of job losses we are seeing in Canada today. Regional unemployment rates are in flux and shift from day to day and week to week. EI needs to be able to better respond to this challenge.

We are hearing from groups as diverse as the TD Bank and the Caledon Institute that lowering the number of hours needed to qualify for employment insurance is the right thing to do to help us combat the global recession. They understand that employment insurance does not only serve the individual but the community and the country as well. They understand that there is more to an economy than balance sheets and mathematical equations. They know that the economy is in fact the people who make up our nation, our communities and our households. They view the economy in both the long and the short term, and they have come to recognize that the economic measure that will help support our goals and dreams for a better future is an employment insurance system that catches more people in its safety net, not less.

There will be those less enlightened perhaps, but not actually malicious who will contend that we cannot afford to make employment insurance more accessible. Of course we know this is not true. EI is actually running a big surplus which should be used to improve the program and ensure people have access to benefits. It is not meant to be used and should not be used to pay off the government's debts or deficits, contrary to the Conservatives' and the Liberals' beliefs.

•(1735)

There will be those who will argue that the government has already expanded the number of weeks a person can remain as a claimant in a direct response to these challenging economic issues. We know that these extra weeks that the Conservative government continues to trumpet have been put in place as a temporary stopgap and have been added to the end of the benefit period, where they are less likely to be collected. We have said in other debates that it would be better to remove the two week waiting period for new claimants and use two of those five weeks right away, but that is for another debate. What is clear is that we cannot afford to miss this opportunity.

There are plenty of left-wing supporters for this motion that we are debating today, but I am also interested in those who would not be considered of the left who are calling for the expansion of employment insurance as a means of stimulating the economy.

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When the chief economist for Moody's credit rating service testified before the U.S. house committee on small business last July, he showed that apart from food stamps, the best bang for a government's buck was to ensure that unemployed workers had access to employment insurance benefits. To determine the effectiveness of differing stimulus measures, he compared their multipliers, an equation that gives a dollar amount for the economic activity created by government spending to stimulate the economy. His conclusion was shocking.

Typical right-wing solutions such as permanent tax cuts came in as losses, negative equations that saw the dollars spent fizzle in half or more. They were in fact drains on the economy. Infrastructure spending was quite good, with a multiplier of \$1.59 for every dollar spent. The problem with infrastructure is the amount of time it takes to have the money flow through the economy.

The best way to get money into the economy immediately was through increased spending on employment insurance, believe it or not. With a multiplier of \$1.64, it is a measure that performs well and what is more, it is an efficient stimulus. It flows directly to those in need and to the communities most affected by job losses.

New Democrats could not agree more. What we are saying here in Canada is similar. Our government is not hearing anything new from us today and we know that as a fact. The government received a prebudget submission which outlined these very points. It was not from the Canadian Labour Congress or some like-minded group that the government is accustomed to dismissing out of hand either. It was from the director of the MBA program of the Sprott School of Business.

This shows that the government is hearing calls for improvements to employment insurance from all sides of the debate. It is, interestingly enough, a unifying concept. Apart from increasing the number of people who are eligible to receive EI, this bill also hopes to improve the benefits received by people, such as seasonal workers, by reducing the number of weeks used to calculate the level of benefit from their best 14 weeks to their best 12.

This is a small change that will really help people who make most of their money in short periods of time. Seasonal workers are especially vulnerable to longer sampling periods to set their EI rates. Often they have short, intense periods of work during which they make the majority of their money. They may, however, work many more weeks at their jobs doing the maintenance work that is required to be able to engage in the short but lucrative periods that make these jobs worth doing.

This measure sets out to help recognize the special needs of the workers who do these types of jobs. It will help smaller and rural communities keep in place a workforce that allows them to employ people during their boom periods and weather the lean periods in between.

I have mentioned that I am pleased to see that the Liberals are now calling for the same entry threshold as I have set out in this bill and for which the New Democrats have been championing for many years now.

I can only hope they are not playing games with those who find themselves in hard times and that they actually will support this very

legislation that reduces the qualifying hours to 360 and removes regional differences. However, I remain leery of commitments from that party, given the fact that I originate from the labour movement and I remember the Conservatives' about-face on anti-scab legislation. This very issue still resonates not only with me but with the thousands of brothers and sisters in the labour movement.

● (1740)

As for the Conservatives, it is hoped that we can hold them to their word when they made the commitment to make necessary changes to address the economic crisis as things evolve.

Given the number of job losses, sadly a number that keeps growing, is it not time that, contrary to the beliefs of the Minister of Human Resources and Skills Development, the government needs to recognize that EI benefits are not lucrative and that it needs to take immediate action to rectify the problems the system has in terms of access to benefits for those who pay into it?

There is something fundamentally wrong when 1.4 million people are out of work and only 43% of them are able to receive benefits. Shame!

Given the way our manufacturing, forestry and mining sectors have been brutalized, surely the time to revisit our response to these challenges is upon us. It is time to recognize the need for fundamental change that will ensure those who have paid their premiums can actually access EI benefits when they fall on hard times.

I hope all parties in the House get behind the bill, as it will set about repairing a very worthwhile social program that has the potential to serve all Canadians at a time when all of us in this place are being looked upon for leadership and solutions to a unique crisis that will define this Parliament.

I would like to add a few of the comments that I have come across since the budget was implemented and the issues about the problems with EI.

I could quote Ken Georgetti, from the Canadian Labour Congress, who said:

People desperately need their government's help to protect and create jobs and to support the unemployed.

Mayor Miller of Toronto said:

We're quite concerned. The fact that the most vulnerable haven't been protected with appropriate changes to the E.I. program is very problematic for all cities.

The mayors and the reeves of these communities have all raised their concerns with regard to the changes to EI that need to occur. They have indicated that currently the fact that only 43% of people can actually have access to EI has been causing grave concern to them with regard to their welfare rolls. If people cannot access EI, they have to access welfare. With the two-week waiting period, those who can access EI actually end up on the welfare rolls anyhow because they are waiting for their cheques to come in.

The government seems to think it is okay to do that, that we can make people suffer at the beginning and just try to increase their rates at the end. However, at the end of the day, normally people will find work within 20 weeks and never have a chance to access those benefits.

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I would like to quote a CanWest article, which reports:

Economists at TD Bank said Thursday that the federal government should make it easier for newly unemployed workers to receive benefits and should reverse changes it made to the formula that sets the premiums to be paid by employees and employers.

What is even more interesting is the comment that the article attributes to John McCallum on this very issue:

These are things we've been saying for a long, long time....

• (1745)

The Acting Speaker (Mr. Barry Devolin): I would like to remind the member not to refer to hon. members by their given name.

Mrs. Carol Hughes: Mr. Speaker, I apologize.

The fact of the matter is that the Liberals say that changes have been needed for a long, long time. They certainly had not moved on them when they were in power, which leads us to wonder whether they will come through on the 360 hours.

Just on that note, I think it is extremely important to recognize that we actually do need the changes to EI and that this is a perfect time to debate the issue and to bring it forward so that we can make sure that people are able to support themselves during these tough economic times.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, this is a very important initiative, of course, and I applaud the member for bringing it forward.

My riding is largely a forestry dependent community, and I know the member's riding has similar issues.

In my riding, the unemployment rate is actually tied to Vancouver's. I live on Vancouver Island. Talk about western alienation. Anybody west of the Rockies understands that Vancouver is very different from Vancouver Island.

The workers in my riding are expected to work far more hours than is realistic, because our unemployment rate is tied to the Vancouver labour market. I would like the member to comment on how the reduction in these hours would actually benefit forestry workers from coast to coast to coast.

Mrs. Carol Hughes: Mr. Speaker, there is a double whammy on this that will actually benefit the workers. The 360 hours would be across the board. No matter where one lives in the country, all one would need is 360 hours to qualify for employment insurance. Reducing it and making sure that it is the best 12 weeks as opposed to the best 14 weeks will actually enhance their premiums.

On that note, I want to thank the member. I understand the problem with forestry, because the government has failed to act on forestry. I have a lot of forestry in my area. They have been calling for access to reasonable credit for quite some time. I can say that most of those people are now trying to access employment insurance.

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I have a question for the hon. member. I know she is talking about her bill, but I would ask her if she supports the expansion of the work-sharing agreement by 14 weeks. It would help 80,000 to 90,000 people. I would ask her if she

supports the extension of benefits by five weeks and the maximum benefits.

Does she support the enhanced training that would help approximately 170,000 to 190,000 people or more? Does she support those benefits that have been enhanced specifically in training and upgrading?

If she does support those measures, why did she vote against each and every one of them? Why did her party not support any one of them?

Mrs. Carol Hughes: Mr. Speaker, let us look at this. Certainly we support initiatives that actually enhance employment insurance. The only thing is that the initiatives have to be very worthwhile. My understanding is that the five weeks the government has put in has been done as a stipulation. It hopes that not very many people will access those five weeks because they are at the end.

As I mentioned before, most people will actually use up maybe about 20 weeks of employment insurance before they find a job. It would have been much better if the government would have taken some of that five weeks and put it at the beginning and put an extra three weeks at the end, but it refused to do that.

With respect to the fact that we voted against the budget, the Conservatives are going to say that we voted against all the measures. It was not all the measures that we voted against; it was all the underlying stipulations they put in that they were trying to get us to vote for, such as removing pay equity for women or the fact that they have actually attacked workers by not allowing them their raises.

I want to thank the member for the question, but that is exactly why we did not vote for their budget.

• (1750)

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, thank you for the opportunity to take part in this debate. First, let me say that I do appreciate the intention behind this bill. All members of this House share concern for unemployed Canadians and their families. Losing a job is hard on workers and on their families. Unfortunately, too many Canadians have had to endure this.

When we are discussing changes to the employment insurance system, what Canadians need is a plan that suits the changing economic circumstances and that complements what this government is doing to help Canadians and their families get through this difficult economic time.

Our government has taken action to improve the employment insurance system to help Canadian families. Let me remind the members opposite about some of the good things we have done for Canadians so far.

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Through our economic action plan, we have invested an unprecedented \$8.3 billion in the Canada skills and transition strategy. This strategy will strengthen benefits for Canadian workers through the EI system. It will enhance and increase the availability of training. It will also keep EI premiums frozen, ensuring that both workers and employers do not face increased job-killing payroll taxes during this time of economic uncertainty. This keeps that money in the economy and helps protect jobs.

We are taking other actions to protect Canadian jobs. Right now, over 93,000 Canadian workers are benefiting from our expanded work-sharing program. We have improved the work-sharing program by extending the duration of the work-sharing agreements by 14 weeks, to a maximum of 52 weeks, for the next two years.

In addition, we are making it easier to qualify for the program. Ultimately, more Canadians will be able to continue working while their company is experiencing a temporary slowdown.

Furthermore, this government's economic action plan includes a new initiative to extend EI benefits to long-tenured workers while they pursue longer-term training in a new profession or sector. This initiative, implemented with the provinces and territories, will allow workers who have worked in a single industry for a long time and have been permanently laid off to receive EI benefits to a maximum of 104 weeks while they pursue training to prepare them for the jobs of the future. This measure specifically helps Canadians who have paid into the EI system for many years and who have not had to use it until now. These workers deserve help that respects their abilities and experience, and that is what the government is delivering.

In addition to this support, we will also allow earlier access to EI benefits for eligible workers who have received severance packages, if they use some or all of that severance to purchase skills upgrading or training for themselves.

We are also acting to support unemployed individuals who are unable to qualify for EI benefits. To that end, we are investing \$500 million in the strategic training and transition fund. This fund will benefit some 50,000 Canadians and their families.

The reality is that our government is taking unprecedented steps to help Canadians who have lost jobs through no fault of their own.

Through the economic action plan, we will help over 400,000 people benefit from an additional five weeks of EI benefits in the first year alone. Those extra five weeks will help those workers and their families who are hardest hit, who have not been able to find work, at a time when they otherwise would be facing exhaustion of their benefits.

We have also increased the maximum duration of EI benefits available under the EI program from 45 weeks to 50 weeks, again helping those Canadians who are out of work for a longer period of time. And it is not insignificant; it is 400,000 people.

These measures, I might add, are on top of the automatic adjustments in the EI program that respond to changes in economic conditions.

As members can see, our government is committed to helping Canadians through this economic downturn and is taking unprecedented steps to help Canadians get back to work. Never before has

there been such a concerted effort to reach out and help Canadians, and that help is coming from this Conservative government.

We recognize the challenges faced by those who have lost their jobs in these difficult times. That said, we want to ensure that any action we take is effective in both the short term and the longer term. That is why we are monitoring the effectiveness of our measures to ensure that the EI system is working and responding effectively to the evolving economic circumstances.

Our economic action plan is providing additional support over the short term, which makes more sense than costly and permanent changes to the EI program, changes that could have unintended consequences on the labour market and the viability of the system over the long term.

• (1755)

While we do not question the good intentions behind this proposed legislation, the NDP's proposal is uncoded and does not take into account the greater long-term impact on the labour market. These proposals need to be considered within the context of who will pay for all of this. Consideration must also be given to how this proposal will impact on helping Canadians get back to work so they can get jobs to put food on the table and to provide for their families.

The Liberals do not have a plan either and that is obvious. The newly crowned Liberal leader decided over the weekend, at the Liberal Party policy conference, to adopt an NDP policy. Is that not most remarkable? The problem with the Liberals is they do not have any credibility on this issue. Let us take a look at the Liberal record on employment insurance.

On May 4, the *Winnipeg Free Press* said, "The Liberals were the architects of the distortions in the EI programs".

On April 29, the Canadian Centre for Policy Alternatives published a study that said, "The Liberals gutted EI in the 1990s".

Two senior figures at the Caledon Institute, a think tank the Liberal critic often likes to cite, had this to say in the April 21 edition of the *Toronto Star*. They said that during the Liberal years:

—Employees had to work longer to qualify for benefits; payments were lowered; and the maximum duration of benefits was reduced. Many more of the unemployed could not work enough hours to qualify.

Those change were made when the country was still slowly recovering from an economic slowdown and when there were still many Canadians out of work. That is the Liberal record.

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The reality is that during the Liberal time in government, unemployed Canadians were hit hard by both the economy and the Liberal government. The reality is the Liberals have previously voted against all the EI changes they say they support today. That is hypocritical.

During this economic downturn, among other things, this government has increased the duration of benefits, increased the maximum benefit period and expanded work-sharing and training programs. We are making improvements to the system to help Canadians and Canadians see that.

As I said earlier, our government is monitoring the situation closely. We are monitoring the effectiveness of the actions we have taken to improve the EI system. We want to ensure that the EI system is working and responding effectively to the evolving economic circumstances. As the economic circumstances are continually changing, we continue to consider how best to help Canadians in ways that are responsible, sound and affordable.

There is a good read on the CFRB radio station website, a popular radio station in Toronto, the city that both the Liberal and NDP leaders call home. The piece brought up a quotation attributed to G. K. Chesterton and John F. Kennedy. It says, "Don't ever take a fence down until you know the reason why it was put up".

The opposition members simply want to tear down the fence posts without consideration of why those posts are there. We see this constantly. If they see a post they do not like, they propose to tear it down, just like that. The Liberals especially should know better, since they put in many of the posts themselves, particularly the ones they seem to dislike most just now.

This government will not simply decide over the weekend to adopt this or that policy, to knock out this post or that post. We have taken responsible action already. We are considering all of our options carefully to ensure that any actions we take to help Canadians will be responsible and done for the right reasons.

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, I am pleased to speak to Bill C-280. I want to congratulate my colleague for introducing it.

I have a few things I want to say, but I cannot let go unchallenged what the parliamentary secretary has read from his speaking notes, provided by some un-named person in the lobby, which he picked up on the way in here.

He talked about the cuts that were made in the 1990s. He is older than I am, so he is old enough to recall the circumstance of Canada back in 1993, when his former Conservative government skulked out of town with its tail between its legs, leaving a \$48 billion annual deficit, a debt that it had built up. When Mr. Trudeau left, that debt was \$200 billion. By the time that government was finished, it was \$500 billion.

Maybe the people in the lobby are not as good as I thought they were at putting these notes out. He should know that the cuts began with Mr. Mulroney in 1990. It was in 1990 when the federal government walked away from EI and said that employers and employees could carry the whole weight. That government did not want any part of it. That was when those people were building up the deficit.

There are a lot of history books that can tell us the difference between 1995 and 2008, but I will tell the members the difference. Back then we were coming out of a Conservative recession into a Liberal recovery. We are now coming out of a Liberal recovery and into a Conservative recession. Back then there was not one person in the country talking about stimulus. People were talking about debt. We were being called a third world economy because we were so far in debt.

Changes were made. Some of us liked them and some of us did not. The fact is we had a lot of problems in the country that we had to be dealt with and that is what we did back in 1995-96.

Members of his party, his ancestors, including the current Prime Minister, did not think we went far enough. They wanted further cuts. The predecessor to the current Minister of Human Resources and Skills Development said the cuts were not deep enough.

Let me come back to today. Instead of people talking about paying down the debt, as they did in the 1990s, they are now talking about stimulus. My colleague from Algoma—Manitoulin—Kapuskasung mentioned stimulus and Ian Lee from the Sprott School of Business. There are three major ways of stimulating the economy.

I see my colleague from Niagara West—Glanbrook, the very learned chair of the HRSD committee, is nodding in agreement with what I am saying. He is amazed at what the parliamentary secretary said. He cannot believe it.

If we look at the three major ways to stimulate an economy, one is to provide tax breaks. However, tax breaks stimulate the people who do not need the stimulus. According to the Caledon Institute, tax breaks in the last budget will go to people making \$150,000, including my colleagues. We will get \$483 in tax breaks. A single income person with two kids receives nothing. Is that stimulus? Most MPs do not even know what they pay in taxes except for the very month when they have to file. They are not going to spend the money.

The people who need the money are the people who have nothing else on which to live. They get the money and they spend it, and it is a 1.6 turnover in the economy. That is how an economy is stimulated. It is helpful to the people who need the money as well. It is way better than tax breaks and a much better return than infrastructure.

The parliamentary secretary talked about our leader adopting a new position. From January 29 on, our leader was not even officially the leader, but he was already talking about EI. He said, and I am quoting from the paper now, "If the government fails on these accountability tests, including employment insurance, a confidence vote could trigger an election". He said that on January 29, some time ago. Now he has called upon the Prime Minister to implement a national standard for employment insurance with a temporary 360 hour threshold for eligibility.

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A letter appeared this week in *La Presse* in Montreal, written by Pierre Céré, who is a champion of workers in Quebec. I will just quote a bit. He said, “The EI system must become a program that provides economic security and thus the dignity of workers who lose their jobs and who are temporarily unemployed. The only partisanship, as we know it, is in that fight. That is why we do not hesitate to acknowledge the position of Mr. Ignatieff and encourage him in this direction”. However, it is not only—

● (1800)

The Acting Speaker (Mr. Barry Devolin): The member is a veteran of the House and he knows not to refer to other members by their given names.

Mr. Michael Savage: Mr. Speaker, I thought the Leader of the Opposition was an exception. He is such an elevated person. I apologize, it will not happen again.

The Canadian Labour Congress is calling for changes to EI. Armine Yalnizyan, from the CCPA, most recently indicated, “There is a widespread consensus across the political spectrum that the Employment Insurance Act should be changed to make the entrance requirements uniform across the country and reduce the eligibility threshold to 360 hours”.

The C.D. Howe Institute, the great champion of Liberal thought, said it was surprised the government did not do more to enhance access.

Susan Riley, of the *Ottawa Citizen*, said, “If the government was serious about helping the hardest hit, it would have opened access to employment insurance, along with extending benefits to those who were already covered”.

There are some amazing people who one would not normally think would support a change to EI. The Canadian Chamber of Commerce, which one would not think would be championing EI, indicated in its prebudget report to the finance committee that the access issue needed to be addressed. It even suggested that we needed to look at, perhaps temporarily, the two-week waiting period. The response from the government was, “We do not want to make it lucrative for them to stay home and get paid for it”. Who said that? The Minister of Human Resources and Skills Development said that on January 28.

Harris/Decima, which recently had the Liberals in the lead, indicated in a poll, dated March 30, that in every region of the country, across all regions, people believed the scope of employment insurance should be expanded in terms of coverage and length. It is not just what one might think of as the usual suspects.

Some people who have done a lot of work on this. The alternative federal budget had suggested a number of changes and had put some costing on it.

It seems like everybody believes that we have to change the system, that there needs to be access by people who need it. The only ones who seem not to believe it are members of the government, not their spouses though. We heard recently that the wife of the Minister of Finance had some issues with him, that EI should be improved, that EI was punitive to the province of Ontario.

The government, which prides itself on dividing Canadians, is now breaking up families. It is dividing families among themselves. The Minister of Finance is clinging vainly to the hope that nothing will be changed. His wife is usually right, in my experience. She is saying that it should be opened up, that it is not fair to Ontario.

It is very clear that something has to happen. This is not a light subject; it is a very serious one.

I will read an email I received, which I got a kick out of. It states, “I heard you on TV talking about EI (employment insurance) and I was impressed with your arguments. I have never been a person who believes in a lot of what you refer to as social infrastructure, whatever that is, but to me EI should be opened up, at least for now. Why won't the government do anything without being forced into it?”

That is a very good question. Last week the TD Bank made recommendations, The Chamber of Commerce, the C.D. Howe Institute, the CCPA, the CLC, the CAW, the Canadian Council on Social Development, the Conference Board of Canada, everybody who has looked at this are saying people are hurting. One would not think the government would be as blind to that as it is.

Canadians are hurting. People are living paycheque to paycheque, even when they are employed. Now they do not have jobs and they do not have savings. They have not had the benefit of a member of Parliament's salary or a big business salary. A lot of working people are going paycheque to paycheque. When they are put out of work, it is hard enough to have to wait two weeks, but then to be told they will not get EI at all is really shameful.

On top of that, we have heard about delays across the country. All my colleagues have heard about people who have had to wait longer than 28 days, in some cases 40, 50 or 60 days. The member from Madawaska—Restigouche, the member for Cape Breton—Canso and a number of Liberals in the House have raised this issue. It is a serious subject.

EI needs to be opened up. If we are not going to open it up now, when are we going to open it up? People have paid into it for years and they have the right to collect it. It is the very least that the government should do for them. Instead of giving them access, it is giving them arrogance and that is no longer good enough. We need better.

● (1805)

[*Translation*]

Mrs. Josée Beaudin (Saint-Lambert, BQ): Mr. Speaker, I am particularly pleased to be able to have an opportunity to speak today on C-280, An Act to amend the Employment Insurance Act.

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As you know, the Bloc Québécois defends the rights of workers who have lost their jobs with unequalled determination here in this House. Our desire to see a thorough reform of the employment insurance system is not, therefore, dictated by circumstances, such as a looming election, but is instead a constant. Since the founding of our party it has been our concern 365 days a year.

The employment insurance program is inadequate. We are not the only ones to say so. The OECD, the C.D. Howe Institute, the TD Bank, all of the labour congresses and workers' coalitions, and many others, are unanimous on the need to reform this program of worker protection, particularly in a period of economic crisis.

By beefing up this anemic program, the government would be killing two birds with one stone. First, it would be helping the hundreds of thousands of men and women who lose their jobs and find themselves ineligible for benefits and are therefore forced into the untenable position of having to find a new job in tough economic times. Second, as if the first point were not sufficient, we need to realize that EI benefits constitute one of the best ways to stimulate the economy, twice as much as any tax reductions, of course. Yet all that would be needed to significantly improve the employment insurance program is a mere fraction of the amount the government has distributed as income tax reductions.

I should make it clear from the start that I am absolutely in favour of the principle of this bill, as my opening remarks ought to have made clear. It contains a number of measures that we in the Bloc Québécois have been proposing for some time. I would, however, like to express at least some of the reservations I have about the bill.

Unlike the motion introduced in this House by the NDP on one of their opposition days, this bill does not include any measures to increase the rate of benefits to 60%, but rather maintains it at 55%. For the Bloc Québécois, such an increase is absolutely crucial and that is why we are suggesting that the committee take a closer look specifically at this matter and that the rate be adjusted to 60%.

In addition, concerning subclause 7.1, the bill refers to a relaxing of the eligibility criteria for people who have violated the rules of the EI system. We are in favour of such a measure, but the new criteria appear rather arbitrary. At the very least, clarifications are needed concerning how thresholds are established in the bill.

Apart from those two reservations, as I was saying, we fully support the principle of this bill. I would like to discuss the measures it proposes one by one.

First, setting the minimum eligibility threshold of 360 hours to qualify for regular or special benefits will be particularly beneficial to the workers who are currently unable to exercise their rights, even though they have paid into the system, day after day and week after week. At this time, that threshold varies between 420 and 910 hours. That is much too high, and that is the main reason why so many unemployed workers are excluded from the coverage offered by the system.

These rules penalize seasonal workers in particular, who experience the spring gap that some call a "black hole", that is, that time of the year when they find themselves with no income, while they wait for their work season to return. The rules also penalize those who hold unstable jobs or work in non-standard

employment. Many such workers are women, including single mothers who already have difficulty making ends meet, and who increasingly bear the brunt of these misguided policies.

With the number of hours set at 360, which the Bloc has long called for, an estimated 70% to 80% of unemployed workers could collect benefits, and the level of coverage would be returned to what it was 20 years ago. It has to be said, the most urgent difficulty with the employment insurance system is the coverage it provides to workers. In fact, in 1989, or 20 years ago, the claimant/unemployed ratio, used by everyone except perhaps the Minister of Human Resources and Skills Development, was 84%. Today, according to the most recent estimates from the chief actuary of the Employment Insurance Commission, it is 46%. What is the reason for such a dramatic drop?

We have no choice but to lay the blame at the feet of the Liberals who, in the 1990s, literally cut off access to the system by making the eligibility criteria so stringent that almost 40% of workers were excluded. In many cases, it was the same Liberals who today denounce the unfairness and express outrage after finally opening their eyes to the reality that they created. But as the saying goes, only a fool does not change his mind. Popular wisdom will now suggest that the fools have been joined by the Conservatives who, on the surface, despite the combined efforts of the opposition parties, do not seem to see the obvious: the employment insurance system is inadequate.

• (1810)

There are so many problems with the system, and that is why the member for Chambly—Borduas introduced Bill C-308, which would make major changes to the system to turn it back into what it is meant to be: a real insurance plan rather than a tax by some other name, as it was under the Liberals, or a way to punish the unemployed, as it is under the Conservative government.

One of the punitive elements in the system is the waiting period, which is absolutely unjustifiable because it is based on the idea that claimants are all potential fraudsters.

I want to make it clear that eliminating the waiting period would not mean paying out two extra weeks. It absolutely does not conflict with adding five weeks to the maximum benefit period. It would just eliminate the very long and very unnecessary two-week delay before people receive their benefits.

Imagine a worker who suddenly loses his or her job—that is not hard to do—and who has to wait 60 days for the claim to be processed—which happens all too often—and who then has to wait another two weeks before collecting his or her first employment insurance cheque.

Private Members' Business

The statements made this afternoon in oral question period by the Minister of Human Resources and Skills Development are totally incorrect. It is not true that 82% of contributors to the plan can receive employment insurance. In the latest report on employment insurance coverage, the department's figures were much gloomier. In fact, barely 68% of contributors had access to EI benefits. That is completely unacceptable.

The minister compared the employment insurance system to a private system, which is rather cynical because she reduced the state's role to that of a corporation motivated solely by financial gain.

Following that logic, it would mean that an insurer could decide not to compensate 32% of its clients. Nobody would stand for that kind of attitude. Such a company would be accused of scandal, fraud, theft and mean-spiritedness, and with good reason.

As a member of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, I can also add that all the witnesses we have heard since I have been sitting on that committee—all of them, without exception—have called for EI reform and a complete overhaul of the system, so that it will actually help them, especially in these tough economic times.

In closing, I would remind the House that the Bloc Québécois has once again proposed an economic recovery plan. Our plan is costed, realistic and pragmatic. It would fix the holes in the social safety net, restore confidence, stimulate employment and investment, support Quebec and the provinces and stimulate strategic spending on things like measures to reduce oil dependency.

I invite all parliamentarians to read it. Unlike others, members of the Bloc Québécois do not hide when it is time to take a stand on ways to get Quebec and Canada through the economic crisis.

Our plan will reassure workers who lose their jobs by providing them with a more accessible and generous employment insurance program, and it will stimulate household spending by enabling workers who have lost their jobs to get the benefits they need to keep the economy going.

I believe that the measures in Bill C-280 will help achieve those same goals, so it is my great pleasure to support this bill.

•(1815)

[*English*]

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, I would like to begin by thanking and congratulating my colleague, the member for Algoma—Manitoulin—Kapusking, for the work that she has done to bring forward this bill. It is something that we in the NDP are so proud to bring forward and to show leadership on behalf of so many Canadians who are living in such a difficult situation during these times.

This bill, that has been brought forward in this House, comes down to a fundamental question of justice. It is about ensuring that there is justice for people who have lost their jobs, not only as a result of this economic downturn but who lose their jobs even at the best of times, people who day in and day out work hard, pay into an employment insurance fund that they expect to be there when they fall on hard times.

The sad story here is that many Canadians are never able to access this fund. In fact, more than 50% of Canadians are unable to access a fund that they invested in time and time again. That is why we are proposing to deal with some of the major pieces attached to the employment insurance fund that would help and support more Canadians when they do fall on hard times and lose their jobs.

We are asking the government to implement a lowering of the threshold for claimants to 360 hours in order for them to be able to access EI. This is not only the right thing to do at this time of an economic downturn but this is the right thing to do at all times. This in fact reflects the challenges and the situation in which so many Canadians live.

I would like to talk a bit about some of the groups that stand to benefit particularly from changing the regulations of EI so that it is more accessible to them. For example, women are less able to access EI from coast to coast to coast, in part because they often find themselves in jobs where they are not able to accumulate that many hours, whether it is in service industries or part-time work.

It is what is referred to as the pink ghetto, the fact that many women end up working in jobs that, whether it is for lower pay or lower benefits, at the end of the day they are unable to accumulate the number of hours that would allow them to access a fund into which they have also paid.

The second point is seasonal workers. I am sure many of us in the House represent ridings in which much of the economic benefit comes from the hard work of seasonal workers. As the member of Parliament for Churchill, I represent many fishers who live across northern Manitoba, fishers who spend months out on Lake Winnipeg or on lakes all across northern Manitoba, bringing in economic stimulus to their first nations and northern communities.

In fact, I would like to recognize the hard work of elder Harold Disbrowe, who unfortunately passed away this week. He was a leader for the fishers in Berens River, who fought to have the recognition that seasonal workers who pay into the EI fund ought to be able to access it, despite the fewer hours that they often accumulate.

I would also like to juxtapose that to the fact that many of these people work in communities that do not have the employment that so many of us Canadians enjoy in our urban centres. In first nations and rural communities, the economic opportunities often are not there, so people and their families depend upon seasonal work such as the fishing industry.

That is why we need to ensure that when they fall on hard times, whether it is as a result of the drop in exports or whether it is the overall economic climate, they are also able to access the employment insurance fund.

Private Members' Business

I would also like to highlight the particular situation that young people face. In fact today, we heard that young people are facing some of the highest unemployment rates in 11 years. Young people find themselves working in industries and jobs where they are unable to accumulate the number of hours that, as it stands right now, would allow them to access employment insurance, something that they also pay into.

Is that the way we should be treating our future generations? Is that the way we should be treating seasonal workers who bring so much wealth and benefit to our communities? Is that the way we should be treating 51% of the population, women, who oftentimes are unable to accumulate the number of hours that would allow them to access employment insurance?

• (1820)

My colleague raised the issue of costing. I find it quite rich that the Conservatives, along with the Liberals in the nineties and ever since, have had no problem accessing money from the EI fund to pay off all sorts of things, including giving corporate tax cuts at the expense of workers when they are laid off. What happened to that \$56 billion surplus in the EI fund, which was put there through the hard work of Canadians? Where did that money go?

When we talk about the costing of this particular measure, we need to recognize that this would be part of the EI fund. It would not come from general government coffers. It would come from the fund that accumulates based on the money that working Canadians contribute. The EI fund, after all, is meant to be there for workers when they lose their jobs, not for priorities based on whatever the government of the day sees them to be. It is something that ought to be there for workers to depend on and is guaranteed to be there for them to depend on in many ways. We need to ensure the money is there.

It has been referenced by my colleague from Algoma—Manitoulin—Kapusksing that there is a diversity of people, different stakeholders, different people across Canadian society who have expressed serious concern about the commitments that have been made by the government with respect to employment insurance, whether it is people from the labour community, our brothers and sisters in the Canadian Labour Congress, or people in the business and banking community.

A TD Bank economist pointed out that Canadian governments have a poor track record, allowing short term measures to lapse, recognizing that we need to be looking at long term changes to a fund as fundamental as the employment insurance fund to ensure the well-being of workers when they fall upon hard times.

Fundamentally, we need to be looking at restructuring a fund that is so important, not just for the survival of people who have lost their jobs and the survival of their families, but also recognizing that it brings an economic stimulus of, I believe, a 1.6% return on every \$1 of EI that is given out. It also prevents people from entering into the welfare system, which, for many people, is hard to come out of.

We need to ensure we are standing up for the well-being of Canadians who have been unfortunate enough to lose their jobs. We need to be looking at measures that are not just short term but are looking at the well-being of Canadians in the long term sense.

I am encouraged to note that our seatmates on the Liberal side of the House are looking positively at these measures. However, my concern is their past track record in terms of dipping their hands into the EI surplus fund.

I stand here to call upon the Government of Canada to recognize that this bill is fundamentally about the justice that Canadians deserve as they work hard, day in and day out, to ensure there is something for the well-being of all of us.

• (1825)

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, I welcome the opportunity to join the debate on Bill C-280 proposed by the hon. member for Algoma—Manitoulin—Kapusksing. The bill seeks to change a number of provisions of the Employment Insurance Act regarding benefit calculations and qualifications.

Before I address the bill, I would like to speak about our government's responsible and substantial actions to help Canadians get back to work through our unprecedented investments in skills development and programs that will help Canadians prepare for the jobs of the future.

As announced in our economic action plan, our government is implementing targeted actions that will inject immediate stimulus to the economy, promote long term growth and directly help unemployed Canadians deal with this economic downturn.

The Minister of Human Resources and Skills Development said it best when she recently appeared before the human resources committee and said:

...we're well aware of the challenges that many Canadians are facing in these uncertain economic times particularly as unemployment rises. To address these challenges, our government is making record investments to stimulate the economy, to support the unemployed, to preserve jobs, and to retrain workers for the jobs of the future. With the co-operation of our provincial and territorial partners the federal government's economic action plan will inject almost \$52 billion into the Canadian economy over the next two years. We know that jobs are the key to economic recovery and that's where our economic action plan is built on three pillars: creating jobs, preserving jobs, and preparing Canadians for the jobs of the future.

Creating jobs, preserving jobs and preparing Canadians for the jobs of the future, that is what our plan is all about. Among other things, we are providing an additional \$1 billion over two years for the provinces and territories through existing labour market development agreements for skills training. This initiative is only one part of our \$8.3 billion Canada skills and transition strategy.

This strategy will help Canadian workers through the EI system by strengthening benefits. It will enhance and increase the availability of training to Canadians who qualify for EI and for those who do not. It will also keep EI premiums rates frozen, ensuring that workers and employers are not further hurt by an increase in EI premiums during this difficult economic time.

We are also acting to protect Canadian jobs. We have improved the work sharing program by extending the duration of work sharing agreements by 14 weeks to a maximum of 52 weeks. As the Minister of Human Resources and Skills Development shared with this House earlier in the week, over 93,000—

Adjournment Proceedings

● (1830)

The Acting Speaker (Mr. Barry Devolin): The member for Niagara West—Glanbrook will have seven minutes when the House next returns to this matter.

[*Translation*]

The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

EMPLOYMENT INSURANCE

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, on February 3, I asked the Minister of Human Resources and Skills Development a question with regard to helping unemployed Canadians.

Since that time, the situation for many has only become worse. My office has been inundated with more and more cases of constituents who, through no fault of their own, have been laid off. The problem is further made difficult by the fact that there is unequal treatment.

Those unemployed Canadians who live in Toronto must work twice as many hours as Canadians who are laid off, for example, in the Maritimes, Quebec or other regions of the country. This unequal treatment is unfair, not only to my constituents of Don Valley East, but to those in the GTA.

The current system, which was introduced by the previous Liberal governments, worked well during the economic good times. However, with the current economic crisis, circumstances are different and Canadians coast to coast to coast are suffering. It is imperative that the current government do what it was elected to do, and that is govern and help the people by ensuring changes to the EI that we Liberals have been asking for.

According to the latest release from the Statistics Canada labour force survey of April 9, unemployment in Ontario this year rose by 11,000 in March. Since October, it has risen to 171,000, and mostly in full time work. That is 171,000 people out of work. The unemployment rate has risen two percentage points, and that has devastated Canadians.

Many workers in these uncertain times are only managing to find short term, sometimes part time employment at very low levels of pay. Therefore, it is necessary that to get over this difficult period there be changes to the EI. It is difficult for these people to get enough qualifying hours and that creates a double whammy. Many of these workers have paid into the EI for many years without making a claim and they are now being forced onto the municipal welfare rolls.

Would the parliamentary secretary to the minister explain why people who lose their job in my riding of Don Valley East should not be entitled to the same benefits as people in another area of our country? Why does the government refuse to take the urgent action requested by my leader, the member for Etobicoke—Lakeshore, that proposes a temporary across-the-country reduction in the time needed to qualify for EI benefits to 360 hours? Reducing the amount of hours would directly pump approximately \$1 billion a year into the economy and act as an immediate stimulus.

Also, the thousands of Canadians who have lost their jobs due to the recession now face another hurdle when applying for EI benefits. With a higher volume of applicants, my constituents are telling me that it is virtually impossible for people to reach their EI call centre for vital information. When will the government expand the number of people operating the EI call centres? Is it just a matter of the government not knowing what to do or is it the fact that the Conservative government just does not care?

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, at least the hon. member was prepared to admit that it was her government that, as I quoted earlier from an article, gutted the EI program and system in 1997 in particular.

I might say that the issue she takes with the variable entry rate in that system was something that was amended by the previous Liberal government when the unemployment rate was 8.4%, higher than it is today and higher than it was last month. They take a lot of responsibility for what happened, but we have taken a number of steps to enhance and expand the system and also to deal with the issue raised in terms of dealing with the volumes that we now have.

I will outline very shortly the many measures we have taken to ensure that Canadian workers who have unfortunately lost their jobs receive their employment insurance benefits as quickly as possible. As I said during the adjournment proceedings last night on this very same topic, our government recognized the increased need for processing and service capacity. We have acted and we will continue to act to meet the needs of Canadians in this regard.

As all members of the House know, during this economic downturn there has been a significant increase of EI claims and inquiries. The difficult economic circumstances facing Canadians have made for historically high volumes of calls being received in our service centres. To serve Canadians who need help and to ensure that they receive that help as quickly as possible, this government has taken action. We have allocated an additional \$60 million for EI processing. These funds are being used to hire additional staff to ensure that Canadians who need help are getting it as soon as possible. To date, we have hired over 900 people to help deal with the increased volumes. As the Minister of Human Resources and Skills Development said in the House, we are in the process of hiring 400 more people to help Canadians.

Adjournment Proceedings

Beyond this, we have taken many other steps. We have recalled recent retirees and reassigned staff members to EI processing. Call centre agents are working overtime on a voluntary basis. Call centre hours of service have been extended and work loads are being shared to accelerate speed of payment and ensure that Canadians across the country will receive speedy, uniform service. We are also increasing the automation of claims processing. We have processed significantly more claims this year over the same time last year. We continue to monitor EI service very closely and we continue to take action to ensure that we are meeting the needs of Canadians.

We have also taken action to help Canadians through our economic action plan. We will help over 400,000 Canadians benefit from an additional five weeks of EI benefits. We will help 190,000 people, including long-tenured and older workers, get retrained to find a new job and to put food on the table for their families. Right now, we are helping over 93,000 Canadians stay working through our expansion and improvement of the work-sharing program. We have cut much of the red tape. We extended the weeks.

We recognize as a government the needs of Canadian workers and we are delivering the help they need to get through these difficult times by many of the initiatives I have outlined and many of the steps that have been taken, including the infusion of additional resources to ensure that we can handle the capacity.

• (1835)

Ms. Yasmin Ratansi: Mr. Speaker, Canadians need a government that takes action, not a government that hides its head in the sand like an ostrich hoping that the problem will go away.

Too many people are suffering needlessly because of the inaction of the government. The member still has not given me an answer to my most pressing question, so I will give him another opportunity. Knowing that allowing more laid-off workers to collect EI rather than go on welfare will bring an almost immediate boost to the economy, knowing that the so-called stimulus package has not put a single person back to work yet and knowing that fairness needs to be applied country-wide to the rules, action must be taken immediately to avoid further economic retraction.

When will the government change EI hours to 360, or does it just not care?

Mr. Ed Komarnicki: Mr. Speaker, there is no doubt and it is unfortunate that many Canadian families have suffered at the hands of these difficult economic times. Many Canadians have lost their jobs through circumstances beyond their control. We understand that these are tough and uncertain times for many Canadians.

That is why we have taken action through our economic action plan. We have extended billions of dollars into stimulus. Indeed, just a freezing of EI premiums is an injection of \$4.5 billion into our economy. It is significant action to ensure that we have the resources to assist Canadians. We have allocated \$60 million to ensure that claims can be processed quickly and families can get access to EI benefits just as fast as they can.

• (1840)

THE ECONOMY

Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.): Mr. Speaker, last month the city of Winnipeg was hit with one of the

worst floods in its history. Signs of trouble were there to be seen well ahead of time. All the experts predicted high river levels, ice jams and potentially catastrophic outcomes. All eyes were fixed on weather reports and residents made their own plans to protect their property and investments.

Some eyes were also fixed on the reaction of the provincial and local governments. They did not ever suggest that the flood would somehow miss Manitoba. They did not point to a single day of sunshine as something to celebrate while rain and floods were in the forecast. They did not deny that there was a flood until they saw boats floating down main street. No, they took action to protect their citizens from the inevitable. They built flood walls, patrolled dikes and pumps in low-lying areas and later took action to support victims whose homes were badly damaged.

Compare that response to the government response. With an impending economic storm, the government denied that Canada would be hit. It refused to see a rising flood of red ink that would sink the nation into deficit. It said there was no need for sandbags, Canada would be fine and dry.

As for the victims, sadly, Conservatives said to them, “We cannot guarantee your jobs and we will not improve employment insurance much because we do not want to make unemployment too lucrative”.

We watched as the minister highlighted one company contract as a cause to celebrate and then said nothing as the same company laid off thousands of workers just two weeks later.

We see mass layoffs in the auto parts sector with no government strategy for that industry to emerge stronger on the other side of the recession. We have seen no action to keep jobs in Canada as multinationals close Canadian plants and move production elsewhere. Already, over 400,000 jobs have been lost in the recession. Most of these jobs have been lost in industries that need to be a part of a national strategy to emerge from this recession with the strength to capitalize on renewed growth around the world. In fact, it appears that the government strategy is to deny, delay and do little.

The minister has had two months to think about his answer, so I will ask him the same question again. When will the government stop guaranteeing more job losses by refusing to act in the interest of Canada's workers?

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, I am pleased to rise in my place to respond to the question asked in the House by the hon. member. My hon. colleague was concerned, among other things, by recent decisions by foreign-based multinationals to close production in Canada and the loss of jobs that resulted.

Adjournment Proceedings

The Government of Canada shares the hon. member's disappointment in the decisions made by U.S. Steel and Xstrata Nickel. These are challenging economic times and these decisions hit hard the communities and the families that have relied upon these companies for their livelihood.

All around the world companies are making tough decisions in order to secure their future. We want to work with these companies to help them weather the economic storms and ensure that they regard Canada as the best place to do business once the economy begins to improve again. We are also taking steps to ensure that these companies abide by their responsibilities and commitments.

For example, when it acquired Stelco, U.S. Steel agreed to legally binding undertakings. The government is concerned by the actions of U.S. Steel in cutting operations in Canada and by the impact this will have on its workers. While we recognize that these are challenging economic times, we expect the company to live up to its commitments.

The Minister of Industry has sent U.S. Steel a demand letter under section 39 of the Investment Canada Act asking the company to comply with its undertakings. A demand letter is the first step in the enforcement process under the Investment Canada Act.

As for Xstrata, I would like to remind the House that the company has invested over \$1.5 billion in Canada over the last two and a half years and it is clear that Canada is still a key part of its future growth strategy.

It is important to keep in mind that although foreign investors have announced reductions in their activities in Canada, they continue to invest billions of dollars in the Canadian economy and they create jobs for Canadians.

• (1845)

Hon. Albina Guarnieri: Mr. Speaker, I commend the parliamentary secretary for a valiant attempt to put a happy face on the saddest of government records.

Economists estimate that Canada lost yet another 50,000 jobs in April. Fifty thousand people in one month have moved from employment to employment insurance.

What positives could the parliamentary secretary find in a government whose inaction has worsened the unemployment rate and yet refuses to make employment insurance fair for all Canadians?

Mr. Mike Lake: Mr. Speaker, we are going through tough economic times, but while we try to protect and preserve the jobs that sustain Canadian families and communities we also look to the future.

We must ensure that Canada is open for investment and for new jobs and new opportunities. We must ensure that around the world Canada is seen as the best place to do business.

That does not mean we will not ensure that companies live up to their obligations. Where appropriate we will secure undertakings from foreign companies that wish to do business in Canada. It certainly means that we expect companies to live up to their agreements.

We on this side of the House believe that we can get better results working with these companies where possible in these tough economic times.

I will finish with a quote. This is what foreign commentators have to say about what the Canadian government has done. This quote is from the London *Telegraph*. Speaking of the Canadian government, it said:

If the rest of the world had comported itself with similar modesty and prudence, we might not be in this mess.

[*Translation*]

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 6:47 p.m.)

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