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OFFICIAL REPORT
(HANSARD)

Tuesday, May 25, 2010

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Tuesday, May 25, 2010

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

● (1005)

[*English*]

COMMISSIONER OF OFFICIAL LANGUAGES

The Speaker: I have the honour pursuant to section 66 of the Official Languages Act to lay upon the table the annual report of the Commissioner of Official Languages covering the period from April 1, 2009 to March 31, 2010.

[*Translation*]

Pursuant to Standing Order 108(3)(f), this report is deemed permanently referred to the Standing Committee on Official Languages.

* * *

SUPPLEMENTARY ESTIMATES (A), 2010-2011

A message from Her Excellency the Governor General transmitting supplementary estimates (A) for the financial year ending March 31, 2011, was presented by the President of the Treasury Board and read by the Speaker to the House.

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[*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 10 petitions.

* * *

FIGHTING INTERNET AND WIRELESS SPAM ACT

Hon. Jay Hill (for the Minister of Industry) moved for leave to introduce Bill C-28, 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.

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

* * *

[*Translation*]

SAFEGUARDING CANADIANS' PERSONAL INFORMATION ACT

Hon. Jay Hill (for the Minister of Industry) moved for leave to introduce Bill C-29, An Act to amend the Personal Information Protection and Electronic Documents Act.

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

* * *

[*English*]

COMMITTEES OF THE HOUSE

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I rise on behalf of the government to address the issue of ministers' staff members being called before committees to testify. We recognize that committees do have the authority to call for persons and papers; however, just because they can does not mean that they ought to in every case.

Allow me to begin by reminding members of the constitutional principles that underline relationships among ministers, officials and Parliament.

In our system of government, the powers of the Crown are exercised by ministers who are, in turn, answerable to Parliament. Ministers are individually and collectively responsible to the House of Commons for the policies, programs and activities of the government. They are supported in the exercise of their responsibilities by the public servants and by members of their office staffs.

It is the responsibility of individual public servants and office staff members to provide advice and information to ministers, to carry out faithfully the directions given by ministers, and in so doing, to serve the people of Canada. These employees are accountable to their superiors, and ultimately to their minister, for the proper and competent execution of their duties.

Ours is a system of responsible government because the government must retain the confidence of the House of Commons and because ministers are responsible to the House for everything that is done under their authority. We ministers are answerable to Parliament and to its committees. It is ministers who decide policy and ministers who must defend it before the House and ultimately before the people of Canada.

Accordingly, responsibility for providing information to Parliament and its committees rests with ministers. Officials have no constitutional responsibility to Parliament, nor do they share in that of ministers. They do, however, support ministers in their relationship with Parliament, and to this extent, they may be said to assist in the answerability of ministers to Parliament.

Page 32 of O'Brien and Bosc states:

> Responsible government has long been considered an essential element of government based on the Westminster model. Despite its wide acceptance as being a cornerstone of the Canadian system of government, there are different meanings attached to the term "responsible government". In a general sense, responsible government means that a government must be responsive to its citizens, that it must operate responsibly...and that its Ministers must be accountable or responsible to Parliament.
>
> In terms of ministerial responsibility, Ministers have both individual and collective responsibilities to Parliament....The principle of individual ministerial responsibility holds that Ministers are accountable not only for their own actions as department heads, but also for the actions of their subordinates; individual ministerial responsibility provides the basis for accountability throughout the system. Virtually all departmental activity is carried out in the name of a Minister who, in turn, is responsible to Parliament for those acts. Ministers exercise power and are constitutionally responsible for the provision and conduct of government; Parliament holds them personally responsible for it.

On page 139 of the second Gomery report, "Restoring Accountability: Recommendations, Chapter Seven: The Prime Minister, Ministers and Their Exempt Staff", Mr. Gomery says:

> —Ministers need to understand clearly that they are accountable, responsible and answerable for all the actions of their exempt staff.

There is a clear case to be made that the accountability of political staff ought to be satisfied through ministers. Ministers ran for office and accepted the role and responsibility of being a minister. Staff did not.

Committees will often need to seek factual information and explanations at a level of detail that ministers are not able to provide as effectively as public servants. In these cases, the information that public servants provide in such contexts is essential to our system.

But we should be very clear. This is no substitute for ministerial responsibility. When ministers choose to appear before committees to account for their administration, they are the best source of accountability and they must be heard. Public servants and ministerial staff support the responsibility of their ministers. They do not supplant it. They cannot supplant it.

● (1010)

Like public servants, ministerial staff are not accountable to Parliament for governmental policies, decisions or operations. Any information given by ministerial staff on these topics would be on behalf of their minister. Moreover, unlike public servants, ministerial staff are not involved in departmental operations and are therefore not in the same position to answer questions about these operations.

Despite having these views about ministerial accountability, the government had accepted that ministerial staff could appear before the ethics committee after being invited by that committee. The government operations committee took similar action regarding the subject of lobbying.

There were expectations, however, that due process and fair play would be part of the process.

As you know, Mr. Speaker, and I commend you for upholding this principle, the minority relies on the rules for its protection. It demands certain rights to counter against the strength of the majority. These rights must be applied fairly and they have not been at committee.

Normally witnesses are given a chance to give a statement. During a meeting of the government operations committee, the committee decided that the staffers would not be allowed any time for opening statements. Later, they were given a minute or two to introduce themselves.

The committee also decided, upon the instigation of the NDP member for Winnipeg Centre and the chair, that if there was to be any resistance from the staffers to their invitation, that the clerk be authorized to serve them with subpoenas.

Having served on committees in the past, this is not the normal course. Witnesses are invited and presumed co-operative. Sometimes there are reasons to decline or there are scheduling conflicts. Committees are usually respectful and do not, as the government operations committee did, threaten the witnesses right off the top. The whole process begins with intimidation and hostility.

It is worth noting that as an MP, the Minister of Human Resources and Skills Development had an absolute right, just as any member of Parliament has the right, to attend the committee meeting and participate in its proceedings. Nonetheless, the chair told the minister, "You are not able to address this committee directly". He made this ruling based on the fact that the minister was not invited. Contrast that with the appearance of an HRSD official, Patricia Valladao, who appeared alongside her ADM, Peter Larose, in spite of Mr. Larose not having been invited to appear. Unlike the standard applied to the minister, the chair allowed Mr. Larose to answer questions and participate in the proceedings of the committee.

Then there was the chairman of the ethics committee, who made threats of contempt in *The Hill Times* regarding the appearance of Mr. Togneri, an intimidating statement which was not his to make. It is for the committee to initiate and for the House to agree.

Then there was the government operations committee meeting of May 12, where the witness was not a minister's staff member. The questioning involved very serious allegations about people's conduct, but was not subject to any rules or principles of fairness. The witness was repeatedly asked leading questions such as, "Can you speculate?", questions that would never be acceptable in a court of law.

People's conduct is being attacked without any of the fairness or procedural safeguards or principles of justice that would be found in a court or tribunal.

These are but a few examples of what is playing out currently in our committees.

It is not that different from what happened in the last Parliament, I contend, when the tyranny of the opposition made that Parliament dysfunctional.

On March 29, 2007, you referred to the challenges of a minority Parliament, Mr. Speaker, saying in part:

> —but neither the political realities of the moment nor the sheer force of numbers should force us to set aside the values inherent in the parliamentary conventions and procedures by which we govern our deliberations.

On March 14, 2008, you further emphasized the need for all parties to respect the rules and principles of the House to avoid having committees "verging on anarchy" and being in a state of "general lawlessness", as you yourself described it, Mr. Speaker.

You also emphasized in your March 14 ruling the first principles of our parliamentary tradition, which Bourinot described thus:

> To protect the minority and restrain the improvidence and tyranny of the majority, to secure the transaction of public business in a decent and orderly manner—

You went on to comment, "It matters not that the minority in the 39th Parliament happens to be the government, not the opposition, or that the majority is held by the combined opposition parties, not the government".

● (1015)

While the problems of the 39th Parliament are still to some degree with us today, there is a new game being played. The tyranny of the opposition majority has turned its attention to the men and women who make up our political staff, men and women who did not sign up to be tried by a committee, to be humiliated and intimidated by members of Parliament.

The chairman of the ethics committee rose on a question of privilege when the House last met complaining about being intimidated because the government began to push back on his conduct at the committee he chairs and his committee's treatment of our staff appearing before it. He referred to it as "a chill factor" and he believes that he is the victim.

I agree with the chairman of the ethics committee. There very well could be a chill factor but neither he nor the opposition are the victims here. The activities of his committee may be causing a chill among some ministerial staff who work very hard and competently in advising their ministers. They bring to us many talents and I expect many of them, when they accepted their jobs, never imagined that one of the skills required was to stand up to the interrogation of a bitterly partisan parliamentary committee.

They could not have expected, in our Westminster parliamentary system of responsible government, that hostile committees and tyrannical chairmen would deny them the protection of the rules and their minister. I suspect that there must be a chill running through the political staff of the opposition. Things are safe for now but in politics things change.

Political staffers are under no delusions. They serve at the pleasure of their ministers and any wrongdoing on their part will be dealt with swiftly by ministers. Ministers, after all, are the ones who are responsible and accountable. For a committee to attempt to reach around a minister and take some action against a political staffer would be wrong and does not meet the doctrine of ministerial responsibility.

As I said earlier, we accepted at first that ministerial staff would appear before committees. We did so maybe naively and maybe expecting that the Speaker's words in the last Parliament would not fall on deaf ears and that due process and fair play would be part of that process. Sadly, it was not.

When the Conflict of Interest and Ethics Commissioner appeared before the ethics committee on April 22, she said:

> There are a lot of people who like to criticize, but the fact is these are people's lives we're dealing with. ... We're not a kangaroo court.

That is good advice for all parliamentarians.

Since parliamentary committees have not respected due process and fair play, henceforth, ministers will instruct their staff members not to appear when called before committees and the government will send ministers instead to account for their actions.

● (1020)

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, it is my obligation today, on behalf of the official opposition, to respond to the remarks of the government House leader. I thank him for sending me a copy of those remarks but, sadly, they only arrived as he was speaking.

In respect of his last comments about due process, fair play and proper behaviour in this place and in the committees of the House, I would note for his benefit that it has always been the rule and tradition, except for a couple of recent examples on the part of the government, that ministerial statements are provided in a decent interval of time in advance so that the opposition has the opportunity to respond appropriately. I will come back to this point about due process and fair play but I would simply note for the minister that it applies both ways.

In responding to the statement by the government House leader today, one cannot miss the irony or perhaps the ignominy of the minister re-announcing in the House what an aide to the Prime Minister has already announced as government policy on television a couple of days ago. It is another Conservative government policy about secrecy, preventing accountability, stifling transparency, muzzling all of the assistants who work for the Prime Minister and for various ministers in the cabinet and prohibit their attendance at parliamentary committees to give evidence or answer questions. The arrogance and hypocrisy of this position are breathtaking.

The Prime Minister's communications director, Mr. Dimitris Soudas, went on television to announce that he and his Conservative assistant colleagues are important enough and senior enough to speak for the Prime Minister and the government about all manner of government activities, indeed to undertake all manner of government activities, but they can never again be asked a question by a parliamentary committee to account for those activities.

Those people are not juveniles who need to be shielded from scrutiny. They earn something in excess of $100,000 every year and they handle the government's most important business. If they are qualified to hold the jobs they hold and to be paid the amounts they are paid at public expense, then they should be required to respond to House of Commons committee requests for information and answers to questions. Indeed, they are so required.

The position on this matter that is being devised by the Prime Minister and the government is based upon a fiction, a fallacy. The Prime Minister purports to set the rules for parliamentary committees. He claims that he holds the power to dictate who can and who cannot be called as a witness to testify at committee hearings. With the greatest of respect, he is wrong.

The Prime Minister and his government are responsible to Parliament, not the other way around, and the Prime Minister and his government must comply with what Parliament, not the government, determines to be the rules. This was clearly defined and reinforced in the recent case involving the production of uncensored documents about the risk of torture in Afghanistan. Various members of Parliament asked repeatedly to see the uncensored documents, noting that the government could not possibly set itself up as prosecutor, judge, jury and Supreme Court all at the same time, but the government declined. It stonewalled the answers to the questions.

Then, last December the House passed a motion ordering the government to produce the uncensored documents. It was Parliament's equivalent of a subpoena, but again the government stonewalled. It even shut down Parliament altogether through an illegitimate request for prorogation hoping to change the channel. Parliament was put out of business from December to March. However, it did not work. Parliament would not take no for an answer.

The Speaker's landmark ruling in April confirmed, and every legal, constitutional and parliamentary expert agreed, that the House has the absolute right to demand the documents and the government has the absolute obligation to comply. The government does not have the legal right to withhold information that parliamentarians believe they need to hold the government to account.

● (1025)

The situation with witnesses to be called before parliamentary committees is exactly the same. Parliament has the unfettered right to call any and all witnesses who parliamentarians believe have relevant information that is needed to hold the government to account. It is Parliament's decision, not the Prime Minister's decision.

The government's attempt to stymie the work of parliamentary committees, reminiscent of the manual that the government produced a couple of years ago about how to subvert the work of committees, raises the basic question of what the government has to hide.

The Conservative staffers, who have been called to testify recently, have been asked to shed light on two important and legitimate inquiries. One is the effort to track the apparent lobbying activities of former Conservative member of Parliament, Rahim Jaffer, and his business partners who were operating, apparently, through a network of old buddies involving, apparently, a great many ministerial assistants. They were the ones holding the meetings, receiving the representations and passing along the requests for departmental intervention. This is potentially contrary to law and it does demand investigation.

A former minister, connected to those issues, has been thrown out of cabinet, expelled from the Conservative caucus and subjected to a police investigation, all at the behest of the Prime Minister. Obviously the Prime Minister must think these issues are serious. It is ludicrous for the government to maintain the fiction that potential accomplices, wittingly or unwittingly, cannot be asked to tell Parliament what they knew, what they did and why.

The second area of inquiry by Parliament is requiring the evidence of staffers to get the facts about multiple ministers apparently violating Canada's access to information laws by improperly blocking the publication of information. Again, the Prime Minister has commented on this matter saying that it is important to follow the access to information rules but he is now purporting to prevent Parliament from getting to the bottom of the government's behaviour with respect to access to information.

In these matters, it is just not appropriate for the government to take the position that ministerial staffers who are directly involved in these matters may well know more about the facts of what happened and when it happened than the minister would know. It is just ludicrous to suggest that those staffers cannot be called before a parliamentary committee to explain to Parliament how this lobbying activity was going on or how the interference in the access to information process was going on.

Members of Parliament have the right to know what the assistant to the Minister of State for Science and Technology was doing with respect to representations received, or what an assistant to the Minister of the Environment was doing, meeting apparently with Mr. Jaffer in the office of the former minister of state for the status of women. They have the right to know which member of the staff of the Minister of Transport, Infrastructure and Communities apparently wrote a note on a government document saying, “From Rahim, get to the department for an answer”. Members of Parliament have a right to know what the staffer to the former minister of public works, now the Minister of Natural Resources, was doing participating in the evaluation of one of Mr. Jaffer's projects.

The questions that are being asked may well be uncomfortable and may raise issues that the government would rather not have raised but the fact is that they are serious issues that need serious attention by the government and they should not be stonewalled by the government.

The government House leader today proclaimed the principle of ministerial responsibility and ministerial accountability. It comes perhaps four and a half years late but at least the government has wrapped itself in those principles.

● (1030)

The question that remains from the minister's statement today is will the government put those principles into effect? Will it stop hiding behind the behaviour of its assistants and conveniently throwing those ministerial assistants under the bus, blaming them for things that go wrong rather than assuming responsibility for the behaviour of those assistants?

I think, for example, of the letter-writing incident involving an assistant by the name of Jessica Craven, who was apparently writing letters of support on behalf of her minister, trying to leave the impression that this was somehow a public groundswell of support on behalf of the minister. The minister denied all responsibility and blamed the assistant.

Then there was the case of Mr. Ryan Sparrow, who apparently ordered officials in the Department of HRSDC to provide misleading information about particular advertising the department had engaged in with respect to the Olympics. I presume that the minister is now going to assume direct personal responsibility for that misbehaviour on the part of the assistant.

Then there is the case of Mr. Togneri, who intervened in the access to information process and ordered the department to unrelease certain information the department had already released in accordance with the access to information rules. I wonder if the minister is now going to claim personal responsibility for that misbehaviour on the part of Mr. Togneri, under this principle just announced today.

Then there is the case of Mr. Owen Lippert, a speech writer for the Prime Minister, who plagiarized a speech given by the former prime minister of Australia and passed it off as a speech by the current Prime Minister of Canada. I presume now that the Prime Minister is going to assume direct responsibility for that misbehaviour on behalf of that assistant.

There are the multiple cases arising from Mr. Soudas, but I will mention just one. He offered advice to the Prime Minister about something that was allegedly said by the Leader of the Opposition about the G8. It turned out to be patently false and completely wrong. The Prime Minister, nonetheless, launched a vicious attack against the Leader of the Opposition. I presume that the Prime Minister is now going to assume direct personal responsibility for the misbehaviour of Mr. Soudas in that particular case, and in other cases.

The point here is that with the announcement the government has made today, will it stop hiding behind its various ministerial assistants and will it, according to the principle of ministerial responsibility and ministerial accountability, now make all ministers, including the Prime Minister, available to parliamentary committees on all topics and in a timely way on request by those committees so that those committees can get the answers they need? If ministerial assistants are going to be barred from speaking to the committees, then surely the ministers must be there—and not just any old time, but they must there to answer questions when the committee wants those questions asked and answered.

The minister speaks about due process and fair play. It applies both ways and the government bears the ultimate responsibility for providing that accountability and responsibility. It cannot blame the opposition for simply asking the questions the government seems afraid to answer.

● (1035)

[*Translation*]

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I am very disappointed that I must rise in the House this morning to speak to a ministerial statement, which is yet another example of the Conservative government's profound contempt for Parliament, its institutions and democracy itself.

It is unacceptable, though not surprising, that the Leader of the Government refused to provide a copy of his ministerial statement in advance, as parliamentary traditions dictate. In his statement, one of the government's supposed reasons for implementing a new directive prohibiting staff members of ministers or of the Prime Minister from being called before committees to testify is the tyranny of the opposition.

I think that the public knows full well which side—the opposition or the government—triggered the election in September 2008 to avoid being held accountable in Parliament, even though the Canada Elections Act sets fixed dates for elections.

In December 2008, who requested that Parliament be prorogued to avoid being defeated by the opposition? The Conservative government. In December 2009, who requested that Parliament be prorogued yet again, to avoid having to hand over the documents that the House called for in a December 10 motion? It is very clear that the only tyranny here is from the Conservatives, and not the opposition, which is just trying to do its job.

During one of my most recent speeches in the House, I commented on the agreement reached on May 14 following your April 27 ruling about documents concerning allegations of torture in Afghanistan. At the time, I said that I would like to see a better balance between the executive and legislative branches. Many experts and opposition members, including Bloc Québécois members, believe that, under the Conservative government, this imbalance has increased even more, with the executive assuming far too much power relative to the legislative branch. This morning's statement makes that abundantly clear.

Despite your historic April 27 ruling, the government still has not grasped Parliament's role in our parliamentary system. You made things very clear in your ruling: Parliament's role is to hold the government to account. That is what the opposition—the Bloc Québécois in particular—plans to do.

Parliament has been given significant powers to carry out that task. In your ruling, you quoted the following passage from page 136 of the second edition of the *House of Commons Procedure and Practice*:

> By virtue of the Preamble and section 18 of the Constitution Act, 1867, Parliament has the ability to institute its own inquiries, to require the attendance of witnesses and to order the production of documents, rights which are fundamental to its proper functioning. These rights are as old as Parliament itself.

It is clear that parliamentary committees have the power to call witnesses.

On page 975 of O'Brien-Bosc, we see that this power is not restricted: "The Standing Orders place no...limitation on this power. In theory, it applies to any person on Canadian soil."

In practice, however, we all know that this power is limited to a certain extent.

A committee cannot require the attendance of a person who is not in Canada, nor can it call parliamentarians from other legislative houses protected by parliamentary privilege. It cannot call a member of the House of Commons, a senator, the Governor General or a lieutenant governor.

Upon hearing that the government leader was planning to read his ministerial statement this morning, I searched everywhere but found no mention of an exception that would apply to political staff in general or to the Conservative government's political staff in particular.

In addition to accusing the opposition of tyranny, the government has invoked the principle of ministerial accountability to justify its decision.

This principle is also defined in O'Brien-Bosc on page 32:

> ...its Ministers must be accountable or responsible to Parliament...The principle of individual ministerial responsibility holds that Ministers are accountable not only for their own actions as department heads, but also for the actions of their subordinates.

This principle means that, ultimately, ministers are responsible for the actions and errors of their subordinates. But the government is trying to distort the meaning of this principle. According to this principle, a minister's subordinates include both political staff and the entire staff of their department.

● (1040)

This principle of ministerial responsibility has never meant and will never mean that the subordinates in question cannot testify in committee. Things would become downright ridiculous if we followed the government's logic. Would civil servants no longer be able to appear before a parliamentary committee in order to explain a government bill, program or expenditure?

Keeping political staff from testifying means that Parliament would no longer have access to those people who are closest to the everyday use of power, and these people would no longer be accountable to Parliament.

The Conservative logic is completely contradictory: the closer you are to power, the less accountable you are. That is exactly what this statement is getting at and it is the Conservative government's latest ploy to avoid accountability. Once again, it shows incredible contempt for Parliament's needs and powers as well as the powers of democracy.

Yesterday the Minister of Natural Resources told the media that it is not up to political staff to testify; it is up to the ministers.

Does this mean the Prime Minister will appear before the Standing Committee on Access to Information, Privacy and Ethics at 11:00 a. m., instead of Dimitri Soudas? Is that what the statement means and what the last sentence in the ministerial statement is suggesting?

Will the Prime Minister appear before the Standing Committee on Access to Information, Privacy and Ethics at 11:00 a.m.?

Really, what the government has just done is invent a new strategy to prevent Parliament from doing its work. The truth is that the parliamentary committee cannot force a minister to testify. The truth is that when the subject matter is too difficult, Conservative ministers refuse to appear before committees to testify.

The truth is that only a few weeks ago, the Minister of Natural Resources—who made the statement yesterday that it was up to ministers to testify before committees as part of their ministerial responsibilities—refused to testify regarding the Jaffer affair.

The truth is that the government shows profound contempt for Parliament, its institutions and democracy, and is doing everything it can to try to create another parliamentary crisis so it does not have to answer for its actions. The Bloc Québécois, and all opposition parties I hope, will not allow the government to do that, especially since it is a matter of confidence in the government.

[*English*]

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, as I respond for the NDP to the government House leader's statement, I have to note that things have really changed with the Conservatives. Gone are the days when Conservatives and their Reform predecessors clamoured for greater transparency in government, greater accountability of government. They knew in their guts that access to information was the oxygen of our democracy.

Gone are their election platform commitments to improved access to information, including a 2004 election platform that was frankly a model agenda on that important issue. After starting down the right path when they formed government, they have quickly abandoned their own promises and forgotten why they put such emphasis on access to information, government transparency and accountability.

Instead we have a government that fails in its responsibilities, makes excuses and hides behind tradition. How is this evident? There are the report cards on compliance with the Access to Information Act issued by the Information Commissioner. These report cards show, at best, an inconsistent record on compliance with the act, and at worst, shocking results. That the Privy Council Office, surely a place for leadership in government on access to information can only muster a grade of D is worrying. The fact that the Department of Foreign Affairs and International Trade was so bad it fell off the rating scale altogether causing the commissioner to issue a red alert is very, very serious.

The Information Commissioner has also indicated that she is undertaking a systemic review including issues related to political interference in the access to information process. She has noted that results of this review may not be available quickly and that it is a long-term project.

Media reports on the culture within government with regard to access to information are also of great concern. A series of articles in *The Hill Times* earlier this year reported that political staff are given mixed messages and subject to intimidation and humiliation, even yelled at when they fail to stop the release of information that the government considers embarrassing or explosive. Other media have documented how their requests for information were treated by political staff in ministers' offices removing the requested and available information and substituting political spin.

This situation demanded the attention of the Standing Committee on Access to Information, Privacy and Ethics just as it is commanding the attention of the Information Commissioner. Responsibly, the standing committee sought to hear from those people directly involved, those mentioned in media reports and others. This included ministers, political staff and public servants. I know that appearing before a standing committee is nerve-racking for most witnesses and especially so when the issue being dealt with is controversial. As a member of the standing committee, I do however take issue with the charge made by the Prime Minister's director of communications and now by the government House leader that witnesses have been humiliated and intimidated. Explaining a witness's obligations and asking direct questions are neither humiliating nor intimidating.

Ministerial responsibility is indeed an important principle of our parliamentary system of government. Ministers must be held accountable and must take responsibility for the direction of their departments and for the decisions of their political staff; there is absolutely no question about it. As an aside, however, I have to note that if ministerial responsibility is so important, one does wonder why the government House leader was scooped by a political staff person in the Prime Minister's Office on today's announcement when that person released the information pertaining to this announcement on TV on Sunday.

There is also no question that in our parliamentary system there is no limitation on the ability of parliamentary committees to call the witnesses they require to do the work that they are mandated to undertake. There is no class of people who are excluded from the obligation to appear if a standing committee has reasonable grounds to believe they have something to contribute to the work of the standing committee. There is no blanket exemption for political staff. In fact, political staff, who clearly have obligations to the minister for whom they work, also have obligations to the institution in which they work. Like everyone who works in this institution, there is an obligation to respect the work of Parliament.

● (1045)

The motion passed by the Standing Committee on Access to Information, Privacy and Ethics on April 1 was straightforward. It reads:

> That the committee conduct a study regarding allegations of systematic political interference by Minister's offices to block, delay or obstruct the release of information to the public regarding the operations of government departments and that the committee call before it:
>
> ... Minister of Human Resources and Skills Development
>
> At a separate meeting or meetings:
>
> Dimitri Soudas, Associate Director, Communications/Press Secretary, Prime Minister's Office;
>
> Guy Giorno, Chief of Staff, Prime Minister's Office;
>
> Ryan Sparrow, Director of Communications, Office of the Minister, Human Resources and Skills Development Canada;
>
> Sebastien Togneri, former Parliamentary Affairs Director, Public Works Canada;
>
> Patricia Valladao, Chief, Media Relations, Human Resources and Skills Development Canada; and
>
> That the committee submit a report to the House of Commons on its findings.

The committee has undertaken that work in a responsible fashion. It has heard from the Minister of Human Resources and Skills Development. It has heard from Mr. Guy Giorno, the chief of staff to the Prime Minister. It has heard from Mr. Sebastien Togneri, former public affairs director in the former minister of public works' office.

It should be noted that Mr. Togneri was summoned to the standing committee after turning down the committee's invitation to appear and that he was accompanied by his lawyer when he did appear. It should also be noted that Mr. Togneri was sworn in as a witness, something I felt important given his reluctance to attend.

The committee has also heard from Mr. Ryan Sparrow, director of communications in the office of the Minister of Human Resources and Skills Development Canada.

It should be noted that when Mr. Sparrow appeared, the Minister of Human Resources and Skills Development accompanied him despite not being invited at that time and having already testified at an earlier meeting. This came as a surprise to the standing committee and the chair. The chair ruled, and I believe correctly, that the standing committee expected that Mr. Sparrow would respond to its questions. Attempts by the minister to answer questions put to Mr. Sparrow were not allowed, but he was allowed to consult with the minister before answering.

I support these rulings by the chair of the standing committee, but I also believe this situation demonstrated that the minister took responsibility for the actions of her staff and that political staff ultimately do have a responsibility to appear before standing committees when called. I do not believe that this is a situation of the minister only or nothing, but that it is one that requires both the minister and relevant political staff.

As part of its inquiry, the committee has also heard from public servants in the Department of Human Resources and Skills Development who have responsibility for the access to information process. It should also be noted that the Prime Minister's director of communications, Mr. Dimitri Soudas, who is scheduled to appear before the standing committee this morning, had already attended a meeting of the committee apparently prepared to testify, but that appearance was postponed by a fire alarm here in the Centre Block. There was no indication at that time that there was any reason to believe he would not participate in the committee hearings.

Let me conclude by saying that I do not believe that the government House leader's statement or the announced policy are warranted. It is certainly not warranted when one examines the work and process engaged by the Standing Committee on Access to Information, Privacy and Ethics. It is certainly not warranted when one is aware of the context of the standing committee's work and the serious issues that have been raised about the government's commitment to access to information, transparency and accountability.

I call on members of the government to remember their time in opposition, to remember their election commitments to access to information and to remember their calls for openness and transparency in government. This policy does not serve those goals. This policy does not serve the interests of Parliament. This policy does not serve the Canadian people, who must know that the government and those who serve it, both elected and as political staff, are transparent and accountable for the work they do, the decisions they make and the actions they take.

* * *

● (1050)

PETITIONS

POST-DOCTORAL SCHOLARSHIPS EXEMPTION

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, I have the pleasure to present another petition which is mainly from post-doctoral fellows in the Montreal area. Their concern is the cancellation of the scholarship exemption for post-doctoral fellows in this budget. This tax increase will mean a significant amount, particularly to young post-doctoral students who have families to support and who do not make a lot of money. At a point in time when we are trying to encourage science and research in general, this is a negative influence on people who are thinking of doing research.

The petitioners are urging the government to engage with the Canadian Association of Postdoctoral Scholars, the research councils, the Association of Universities and Colleges of Canada and other stakeholders in an effort to create a fair and progressive policy that will stimulate Canada's research community and make it an attractive place to recruit and retain the best talent. The point is that we should have some discussion before something like this comes forward.

FIREARMS REGISTRY

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, I take great pleasure today, May 25, 2010, to present a petition on behalf of the people of Cumberland—Colchester—Musquodoboit Valley.

The petition requests Parliament to support Bill C-391, a bill that would eliminate the long gun registry. The petition contains over 3,000 signatures.

EMPLOYMENT INSURANCE

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I have two petitions to present today.

The first petition is signed by dozens of Manitobans and calls for equal employment insurance benefits for adoptive parents. The current EI program provides adoptive parents with 35 weeks of paid leave, followed by a further 15 weeks of unpaid leave. A biological mother is given both the first 35 weeks and the latter 15 weeks as paid leave.

We all know that adoptions are expensive, lengthy and stressful to the adoptive parents and their family. There have been recent studies that have shown an additional 15 weeks of paid leave would help the parents support their adoptive children and would help them through a very difficult period.

The petition calls on the Government of Canada to support Bill C-413 tabled by the MP for Burnaby—New Westminster, which would amend the Employment Insurance Act and the Canada Labour Code and ensure that adoptive parents are entitled to the same number of weeks of paid leave as a biological mother of a newborn child.

EARTHQUAKE IN CHILE

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the second petition, also signed by dozens of Manitobans, calls on the government to match funds personally donated by the citizens of Canada for the victims of the Chilean earthquake.

As the Speaker knows, on February 27, 2010 an 8.8 magnitude earthquake occurred in southern Chile. The community has been active organizing fundraising events since then. In fact, there was one in Winnipeg in my riding this past Saturday, May 22.

The people are asking when the Prime Minister will give the same treatment to the victims of the earthquake in Chile as he did to the victims of the earthquake in Haiti and match funds personally donated by Canadians to help the victims of the earthquake in Chile.

● (1055)

ABORIGINAL HEALING FOUNDATION

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I have two petitions to present today.

The first petition has to do with the Aboriginal Healing Foundation. This petition states that the Aboriginal Healing Foundation is aimed at encouraging and supporting aboriginal people in building and reinforcing sustainable healing processes that address the legacy of physical and sexual abuse in the residential school system, including intergenerational impacts.

It also indicates that the Aboriginal Healing Foundation is making a difference in the lives of residential school survivors and following generations through counselling and cultural programs.

The petitioners are calling on the Government of Canada to leave a true legacy of action to residential school survivors and support the process of healing through an extension of funding for the Aboriginal Healing Foundation.

FIRST NATIONS UNIVERSITY

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, the second petition has to do with the First Nations University of Canada.

The petitioners indicate that the viability of the First Nations University of Canada was threatened by the removal of provincial and federal funding. The petitioners are asking for a reinstatement of federal funds of up to $3 million. They acknowledge that steps have been taken to improve governance and accountability at First Nations University of Canada.

The petitioners also indicate that we must not lose the valuable resource in indigenous knowledge that has been created at the First Nations University of Canada. They are calling upon the Government of Canada to work with students, staff and faculty to build a sustainable and viable future for the First Nations University of Canada by fully reinstating federal funding of at least $7.2 million.

CITIZENSHIP

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, it is my honour to present to the House of Commons a petition from citizens asking the government to restore citizenship equality to persons born abroad.

The petitioners are calling on the Government of Canada to pass NDP Bill C-397 which would restore equality among all Canadians no matter where they were born. They are asking the government to ensure that the citizenship status of children and grandchildren of expat Canadians and adoptive families is not downgraded or outright stripped away.

The petitioners are also asking the government to revoke without delay the provision which as of April 17, 2009 is causing statelessness in some born-abroad children of born-abroad Canadians

The petitioners want Canada to treat citizenship in a manner that reflects and promotes Canada's economic, social, intellectual and humanitarian engagement with the world.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, the following questions will be answered today: Nos. 174 and 191.

[*Text*]

Question No. 174—**Mr. Rodger Cuzner**:

> With respect to segregated fund products (also known as variable annuities) and the decision by the Office of the Superintendent of Financial Institutions Canada (OSFI) to decrease the amount of funds required for capital models of these products: (*a*) why did OSFI decide to change the required amount of capital insurance companies must hold in order to make future payments; (*b*) what additional investment risks are assumed by Canadian investors as a result of this policy change; (*c*) has OSFI requested as quid pro quo that senior management of insurance companies reduce the compensation and bonuses they receive until capital requirements are restored to previous levels; and (*d*) was OSFI lobbied by then President and Chief Executive Officer of Manulife Financial, Mr. Dominic D'Alessandro, to make the decision?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, please be advised that the Office of the Superintendent of Financial Institutions, OSFI, is an independent, arm's length agency of the Government of Canada that was established to prudentially regulate and supervise federal financial institutions and private pension plans, in order to contribute to public confidence in the Canadian financial system.

OSFI was established on July 2, 1987, by the Office of the Superintendent of Financial Institutions Act, OSFI Act. Under the OSFI Act, the superintendent is solely responsible for exercising the authorities provided by various federal financial and pension legislation. The superintendent is required to report to the Minister of Finance from time to time on the administration of the financial institutions legislation.

With regard to a) Pursuant to the Insurance Companies Act, federally regulated life insurance companies are required to maintain adequate capital in relation to their operations. The minimum continuing capital and surplus requirements, MCCSR, for life insurance companies, established by OSFI, sets out the framework within which the superintendent assesses whether life insurance companies maintain adequate capital.

Prior to the October 2008 changes to the insurance companies' capital requirements for segregated fund guarantees, OSFI initiated a process to review and update the industry's capital adequacy rules. However, significant developments in global financial markets, in particular, extreme volatility in international stock markets, hastened that review.

The October 2008 revisions to insurance companies' segregated fund guarantee MCCSR rules and its accompanying letter can be found online at: www.osfi-bsif.gc.ca/app/DocRepository/1/eng/guidelines/capital/guidelines/Revisions_Seg_Fund_MCCSR_-Guid_e.pdf (MCCSR Revisions) and www.osfi-bsif.gc.ca/app/DocRepository/1/eng/guidelines/capital/guidelines/Revisions_Seg_-Fund_MCCSR_Guid_LET2_e.pdf (Accompanying Letter).

With regard to b) As stated in the aforementioned accompanying letter from OSFI's Robert Hanna, Assistant Superintendent – Regulation Sector: "These revisions seek to reduce volatility in capital requirements, to ensure that appropriate capital is held in respect of longer term payment obligations and shorter term payment obligations and to increase capital as payment dates become more proximate".

With regard to c) With respect to OSFI's power to regulate compensation and bonuses, OSFI has a supervisory mandate to ensure that banks have in place effective governance practices. In exercising that mandate, OSFI has the ability to require that a bank's remuneration policies and practices do not expose the bank to undue risk, consistent with the financial stability board's principles for sound compensation practices.

If OSFI were to identify a deficiency in a bank's remuneration policies or practices, OSFI could take a number of measures pursuant to its supervisory authority, including as an initial measure, informing the bank of the need for corrective action.

In addition, please be advised the Government of Canada is committed to implementing the financial stability board, FSB, principles and implementation standards on sound compensation practices and has written to large banks and insurance companies outlining the expectation that they adopt the FSB principles and to ensure compensation practices are aligned. Following the G20 leaders' commitment in Pittsburgh in September 2009 to reform compensation practices to support financial stability, the FSB has undertaken a review of implementation by jurisdictions and will propose additional measures as required. The review was published on March 30, 2010 (for more information, please visit: www.financialstabilityboard.org/list/fsb_publications/index.htm).

With regard to d) With respect to the lobbying activities of Manulife Financial and then President and Chief Executive Officer, Mr. Dominic D'Alessandro, please visit: https://ocl-cal.gc.ca/app/secure/orl/lrrs/do/_ls70_ls75_ls62_ls6c_ls69_ls63_ls53_ls75_ls6d_ls6d_ls61_ls72_ls79?_ls6c_ls61_ls6e_ls67_ls75_ls61_ls67_ls65=_ls65_ls6e_ls5f_ls43_ls41&_ls72_ls65_ls67_ls44_ls65_ls63=540062&_ls73_ls65_ls61_ls72_ls63_ls68_ls50_ls61_ls67_ls65=publicBasicSearch&_ls73_ls4d_ls64_ls4b_ls79=1273704363812&_STRTG3=tr.

Question No. 191—**Ms. Olivia Chow**:

With regard to temporary resident visa applications for both the applicant and the applicant's Canadian host, for each application, what is the breakdown of the following admissibility criteria: (*a*) minimum salary range; (*b*) minimum income; (*c*) relationship to remaining family members in the applicant's country; and (*d*) property value in order to be granted a temporary visitor visa in the visa offices of (i) Accra, (ii) Beijing, (iii) Chandigarh, (iv) Colombo, (v) Damascus, (vi) Harare, (vii) Havana, (viii) Hong Kong, (ix) Islamabad, (x) Lagos, (xi) Manila, (xii) New Delhi, (xiii) Port-au-Prince, (xiv) Shanghai, (xv) Tehran?

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, visa offices do not assess temporary resident visa applications against minimum levels of the "admissibility criteria" mentioned above. Admissibility criteria are established by the Immigration and Refugee Protection Act, and are related to issues of security, criminality, health, and misrepresentation.

Temporary resident visa applications are assessed on a case-by-case basis, and are approved when the visa officer is satisfied the applicant has a valid travel document, is not inadmissible, and is a bona fide temporary resident; that is, he or she will respect their conditions of entry and will leave Canada by the end of the period authorized for his or her stay. In order to assess bona fides, the visa officer will examine the application in order to be satisfied that the applicant has sufficient ties to his home country such as a job, family or property; and has sufficient funds to support himself and to justify the expense of a trip to Canada.

Each case is assessed on its own merits, and not against any pre-established minimum levels of income, property value, or family relationship.

[*English*]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, furthermore, if a supplementary response to Question No. 143, originally tabled on April 30, 2010, as well as Questions Nos. 173, 175 and 187 could be made orders for returns, these returns would be tabled immediately.

The Acting Speaker (Mr. Barry Devolin): Is that agreed?

Some hon. members: Agreed.

[*Text*]

Question No. 143—**Hon. Anita Neville**:

With regard to violence against women and the Office of the Coordinator of the Status of Women, since 2006: (*a*) how many programs have been approved by the Department of Justice and the Office of the Coordinator of the Status of Women to address this issue; (*b*) how much has been allocated to those projects; (*c*) what are the priorities of each project approved; (*d*) how many programs have been denied funding; (*e*) what is the total funding that would have gone to denied programs; (*f*) what were the parameters of each project that had been denied; (*g*) what were the reasons given for each project's denial; (*h*) what initiatives have been introduced government-wide addressing violence against women; (*i*) what specific bills have been introduced that address violence against women; (*j*) what departmental initiatives have been introduced by the Office of the Coordinator of the Status of Women to combat violence against women; (*k*) what specific bills have been introduced by the Department; (*l*) what gender-based analysis has been done on all government initiatives addressing violence against women; (*m*) what gender-based analysis has been done on all government bills concerning violence against women; and (*n*) what gender-based analysis has been done on all bills put forward by the Department of Justice?

(Return tabled)

Question No. 173—**Mr. Rodger Cuzner**:

With respect to Agent Orange and Canadian veterans trying to obtain fair compensation for their exposure to Agent Orange spraying at Canadian Forces Base Gagetown: (*a*) what is the total amount of money spent by all federal departments and agencies, excluding the Department of Justice, for the time period of July 1, 2005, to March 4, 2010, in its defence against the Canadian veterans' Agent Orange class action lawsuit; (*b*) what is the total amount of money the government has spent to hire outside legal counsel for the time period of July 1, 2005, to March 4, 2010, in its defence against the Canadian veterans' Agent Orange class action lawsuit; and (*c*) what is the total amount of money spent, including all costs associated with the work of Department of Justice officials, for the time period of January 1, 2009, to March 4, 2010, in its defence against the Canadian veterans' Agent Orange class action lawsuit?

(Return tabled)

Question No. 175—**Mr. Pat Martin**:

With regard to all government advertising to promote the Government of Canada and budget initiatives, such as Canada's Economic Action plan, from January 1, 2006 to March 30, 2010: (*a*) how much has been spent on an annual basis on combined advertising, by department and budgetary initiative; (*b*) by how much did the government's overall advertising budget increase or decrease during that period; (*c*) was any completed advertising audited or rejected for not adhering to Treasury Board rules and, if so, (i) what advertising, (ii) what was the total value of rejected or audited advertising; (*d*) what advertising was related to tax relief and what was its total cost by year; (*e*) what companies received contracts to complete this advertising work and what is the total cost, by department and budgetary initiative, on an annual basis; (*f*) how much has been spent per province on an annual basis; and (*g*) what contracts were awarded without tender and what is the total amount, by department and budgetary initiative, on an annual basis?

(Return tabled)

Question No. 187—**Hon. Jack Layton**:

With regard to inflation for post-secondary students in Canada for each of the last ten years: (*a*) what was the rate; (*b*) does this include the rising cost of tuition, weighted accordingly; (*c*) does it factor in low-wage types of work; (*d*) does it factor in the lack of benefits and the loss of benefits (e.g., the loss of Ontario Health Insurance Plan coverage for optical and other medical benefits); and (*e*) does it factor in the changing costs of debt (e.g., student debt with interest payable, increased credit card debt carrying higher interest rates)?

(Return tabled)

[*English*]

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

The Acting Speaker (Mr. Barry Devolin): Is that agreed?

Some hon. members: Agreed.

The Acting Speaker (Mr. Barry Devolin): I wish to inform the House that because of the ministerial statement, government orders will be extended by 43 minutes.

GOVERNMENT ORDERS

GENDER EQUITY IN INDIAN REGISTRATION ACT

The House proceeded to the consideration of Bill C-3, An Act to promote gender equity in Indian registration by responding to the Court of Appeal for British Columbia decision in McIvor v. Canada (Registrar of Indian and Northern Affairs), as reported (with amendment) from the committee.

[*English*]

SPEAKER'S RULING

The Acting Speaker (Mr. Barry Devolin): There are two motions in amendment standing on the notice paper for the report stage of Bill C-3.

[*Translation*]

Motion Nos. 1 and 2 will be grouped for debate and voting patterns for the motions are available at the table.

[*English*]

I shall now propose Motions Nos. 1 and 2 to the House.

● (1100)

MOTIONS IN AMENDMENT

Hon. Bev Oda (for the Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency) moved:

Montion No. 1

That Bill C-3, in Clause 3.1, be amended by

a) replacing line 10 on page 3 with the following:

"3.1 (1) The Minister of Indian Affairs and Northern Development shall cause to be laid"

(b) replacing lines 13 to 15 on page 3 with the following:

"force, a report on the provisions and implementation of this Act."

(c) replacing lines 22 and 23 on page 3 with the following:

"review of any provision of this Act."

Montion No. 2

That Bill C-3 be amended by restoring Clause 9 as follows:

"9. For greater certainty, no person or body has a right to claim or receive any compensation, damages or indemnity from Her Majesty in right of Canada, any employee or agent of Her Majesty, or a council of a band, for anything done or omitted to be done in good faith in the exercise of their powers or the performance of their duties, only because (a) a person was not registered, or did not have their name entered in a Band List, immediately before the day on which this Act comes into force; and (b) one of the person's parents is entitled to be registered under paragraph 6(1)(c.1) of the Indian Act, as enacted by subsection 2(3)."

Mr. Greg Rickford (Kenora, CPC): Mr. Speaker, I am pleased to have this opportunity to speak to Bill C-3, the gender equity and Indian registration act and I encourage all members of the House to join me in supporting it.

As we debate amendments to this bill today, we must remember that Bill C-3 is time-sensitive. This bill is a prompt and direct response to the ruling of the Court of Appeal of British Columbia in McIvor v. Canada.

As all members are well aware, last year the Court of Appeal of British Columbia ruled that the two paragraphs in section 6 of the Indian Act discriminate between men and women with respect to registration as an Indian and therefore violate the equality provision of the Canadian Charter of Rights and Freedoms.

Without legislation to address the court's ruling, section 6 of the Indian Act would become invalid, meaning that any and all new registrations would be put on hold for the duration of the invalidity. This legislative gap would affect eligible residents of British Columbia and those affiliated with British Columbia first nations. To be clear, in British Columbia over the last few years there have been between 2,500 and 3,000 newly registered people per year. Clearly, the situation is not acceptable.

According to the court's ruling, Parliament was given 12 months to provide a legislative response. The court subsequently granted an extension until July 5. The time to act is now. If we fail to meet this deadline, a key section of the Indian Act, the one that spells out the rules related to entitlement to registration, also known as Indian status, will cease to have legal effect in British Columbia. As I have stated, this legislative gap could have serious consequences.

The legislation now before us proposes to avert these consequences by amending certain registration provisions of the Indian Act. What would it do? Bill C-3 would eliminate a cause of gender discrimination in the Indian Act by removing the language the court ruled unconstitutional. In doing so, we take another important step in support of justice and equality.

I believe that every member of this House stands opposed to discrimination based on gender. Bill C-3 would take Canada one significant step closer to achieving gender equality. The debate is about the ongoing effort to eliminate gender discrimination while respecting the responsibility placed on us as parliamentarians to provide a timely and appropriate response to the ruling by the Court of Appeal of British Columbia.

As a modern and enlightened nation, Canada champions justice and equality for all. Canadians recognize that discrimination weakens the fabric of society and that it erodes the public's faith in the justice system. That is why I am pleased to support this legislation to address the gender discrimination in the Indian Act that was identified in the court's decision.

Members of this House have demonstrated by way of example time and time again their willingness to address issues related to individual rights. In 2008, for example, Parliament supported the repeal of section 67 of the Canada Human Rights Act. Section 67 shielded decisions or actions taken in accordance with the Indian Act from human rights complaints. To rectify this situation, members of this House supported legislation to repeal section 67. This is an important and relevant example for the purposes of this debate.

Bill C-3 has much in common with the legislation that repealed section 67. Both strive to protect individual rights and promote equality.

● (1105)

The truth is that addressing issues such as gender discrimination in certain registration provisions in the Indian Act would have a positive impact on Canada as a whole, as did the repealing of section 67.

Bill C-3 is a progressive, responsive and measured response to the court's decision. It is rooted in the principle that all citizens should be equal before the law. What is more important, or as important, Bill C-3 represents a timely and appropriate response to the ruling by the Court of Appeal of British Columbia. It proposes to eliminate a cause of unjust discrimination and ensure that Canada's legal system evolves alongside the needs of first nations peoples.

For too long, first nations people have struggled to participate fully in the prosperity of this nation due to a series of obstacles. With the removal of these obstacles, first nations peoples would have greater opportunities to contribute socially, economically and culturally to this country and to their communities in their respective regions. Parliament, of course, plays a key role in this process.

Putting an end to discrimination against first nations women is advantageous for all communities and that is why I am urging all members of this House to join me in supporting Bill C-3 and the amendments before us today.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I thank the member for his comments and for his participation in the committee but I have a couple of questions.

First, he made a very good point about removing discrimination against women in the Indian act but witness after witness explained that this would only remove some of the discrimination. The government was implored by witnesses and by members of the opposition to actually deal with the rest of the discrimination and not just eliminate a small part of the discrimination against Indian women. Why will it not make those changes to the act?

Second, he did not talk about the report stage amendments that we are debating. Could he talk about them?

Third, why is there no money in the estimates to deal with the financial ramifications of Bill C-3?

Mr. Greg Rickford: Mr. Speaker, I want to emphasize that the exercise we went through at committee and the process before this issue was discussed and debated at committee and now in this House, dealt with a myriad of issues that we needed to understand better as a Parliament. In particular, we heard from stakeholders that, in moving forward, once this Parliament had dealt with the specific concerns that the court raised in its ruling, which Bill C-3 would achieve, it sounds like we may not have heard the same things but what I heard from a number of stakeholders, including first nations leadership, was that there was a need for some kind of reconciliation around a couple of key issues, namely status, membership and citizenship.

That is why we will be going through an exploratory process moving forward in an effort to get to the bottom of a number of other issues and concerns as a result of any changes that are being proposed in this bill.

● (1110)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I will have a chance to say more about this a little later when it is my turn to talk about Bill C-3, but for now, I have a problem I want to point out to my colleague opposite.

Neither Sharon McIvor, nor the Aboriginal Women's Action Network, nor Quebec Native Women Inc., nor the Native Women's Association of Canada are in favour of Bill C-3 as it currently stands. The government says it wants to reduce discrimination, but I do not see how simply responding to the British Columbia Court of Appeal decision will reduce discrimination. Our amendments would have put an end to discrimination once and for all.

I know we do not have a lot of time. Is my colleague aware of a single native women's association that is favour of Bill C-3?

Mr. Greg Rickford: Mr. Speaker, I guess I will not refer to the 2009 economic action plan, as usual.

[*English*]

I appreciate the member's participation in the debate. I point out the origins of today's discussion and debate. It centres around a decision from the British Columbia Court of Appeal. The decision therein compelled Parliament to respond to a very specific set of circumstances, which gave rise to discrimination.

There is no dispute that there continues to be groups who want to debate and discuss this issue. Our responsibility, as a government, is to address what the court laid out in its decision, and Bill C-3 does that. The exploratory process will further engage the stakeholders in an effort to understand what solutions can be brought forward in the future.

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, first, I acknowledge four women with the AMUN March . They are marching 500 kilometres from Wendake to Ottawa. These brave women are opposed to Bill C-3. They are demonstrating by their actions just how opposed they are and how they continue to fight for equality for aboriginal women in our country, a fight that has been taken up by people like Mary Two-Axe Early, Ms. Lavell, Ms. Lovelace and Ms. McIvor. The struggle of Ms. McIvor is why we are in the House this morning debating Bill C-3 and, specifically, amendments to it.

However, let us take a very brief moment to find out how we got here. This is a 25 year struggle by aboriginal women for equality. They have gone through the court system. The courts have ruled in their favour, not once but twice, at the B.C. Supreme Court and at the B.C. Court of Appeal.

The government says that it only wants to respond to the B.C. Court of Appeal in the narrowest possible terms. The government had it in its craw, it had the will, to introduce a bill that would speak to the broader issues of discrimination. If it were sincere about discrimination under the Indian Act, it could have taken the measures to broaden the scope of the bill and to once and for all end all gender inequality and sex discrimination under the Indian Act. The Conservative government chose to make it very narrow.

The member opposite said as much. He said that we were one step closer. By his own admission, we are not there yet to end gender discrimination under the Indian Act. Therefore, the government could have taken the steps to do it but it did not.

The member went on to say, and I want to respond to some of what he said, that this was a situation of such urgency. The parliamentary secretary said in committee on April 27, when we put in a provision about reporting to Parliament, that the concern was after two years we just would really be getting going in terms of some of the registration numbers.

The parliamentary secretary by his own admission seems to feel, speaking on behalf of the government, that even if the bill passed, there would only be a negligible impact upon the new numbers that would come forward.

Therefore, the government, by its own admission, has said to each and every one of us that on the one hand it is so urgent, yet on the other hand it does not really know if it will have much of an impact at all. Where is the government when it comes to this bill.

To be quite honest, I think the government likes to play a charade on people. It loves to stand up for individual rights or gender equality, but it is not willing to put the heart or soul in to this to ensure it is done once and for all.

When it comes to Bill C-3, contrary to what the member opposite has said, every witness said that Bill C-3 was not adequate. It did not respond to all the issues of gender discrimination under the Indian Act. When asked, all the witnesses said that if they had the opportunity, they would definitely want the bill amended to ensure that once and for all there was no gender discrimination under the Indian Act.

We tried everything in the House. We put a motion before the House to try to expand the scope of the bill. The government shot it down. We tried to bring amendments forward and they were ruled out of order. Now we are debating amendments at report stage.

I will give an example of what some of the witnesses said, in particular the Quebec Native Women. They said:

> —while Quebec Native Women recognizes the need to amend the archaic nature of the Indian Act, Quebec Native Women, as stated earlier, deplores the restrictive vision of the federal government based solely on a patchwork remedy to the specific problem of discrimination brought to light in the McIvor case...

Another quote is:

> LEAF supports this demand to remove all vestiges of sex discrimination from the status provisions, and submits that the elimination of residual sex discrimination under the Indian Act best meets the federal government's constitutional obligations to achieve substantive equality for Aboriginal women and Canada's obligations under international law.

● (1115)

Sharon McIvor, Pam Palmater, an individual who came before us, CAP and the Assembly of First Nations all said the same thing. They were in unanimity when it came to this point.

I will speak to clause 9, which is one of the proposed amendments by the government. Interestingly, the government never spoke to the specific amendments it proposed. The member went on in some rhetorical terms about how the government stood up for the individual rights of women, and all that sort of thing.

However, when it comes to clause 9, we again hear two stories. The government officials came before us and said that clause 9 was a bit innocuous, that it really did not do much, that it was for greater certainty. Yet when the parliamentary secretary spoke at committee, he said that Bill C-3 could not pass if we clause 9 was not in it. When the vote comes, if clause 9 fails, we will see what the government will do.

Chief David Walkem of the Union of British Columbia Indian Chiefs says that we should strike clause 9. On April 20, at committee, he said:

> —we're recommending is to strike clause 9 to allow Indian women and their descendants who lost status due to the discriminatory operation of the Indian Act to pursue, through the courts or other negotiation, restitution or compensation for the losses their families suffered as a result of the historical discrimination imposed on them by this legislation, similar to the process followed for people who went to residential schools.

On Tuesday, April 13, CAP, the Congress of Aboriginal Peoples, said this about clause 9:

> This section is an insult to Indian women and their descendants all over this country. Not only was Canada forced to make amendments to address gender inequality after fighting against the McIvor case for over 20 years; and not only has Canada proposed a very minimalist amendment; now Canada wants to ensure that it does not have to compensate the victims of gender discrimination?

It goes on to say that it cannot now be said that Canada did not knowingly discriminate against Indian women and their descendants.

This is what Dr. Pam Palmater had to say on April 20:

> Clause 9 is an offence to Indian women and their descendants who have already waited more than 25 years for justice. It is also counter to both the spirit and the intent of the Charter of Rights.

The Canadian Bar Association said:

> Section 9 is a concern, as it would remove the right of anyone to sue the federal government for not providing them with status as a result of the gender discrimination addressed by the Bill. If the federal government can be presumed to have been aware that Bill C-31 was not consistent with the Charter as far back as 1985, and did not act for over twenty years until the McIvor decision reached the BC Court of Appeal, the CBA Section is concerned with the justice of such a "no liability" provision. Further, we caution that including such a provision could make the Bill vulnerable to further Charter challenges.

Again, almost every witness who came before us was opposed to clause 9.

Then the government brings up the wonderful example of the repeal of section 67 of Bill C-21 passed in 2008. It said that this was a wonderful thing, that now complaints could be brought against the government and against Indian Act bands.

Guess what? It has said that there is a remedy for first nations women use the Canadian Human Rights Act as a vehicle. Over 30 complaints have been launched against the federal government by aboriginal people, first nations people, and the Government of Canada has gone before the Canadian Human Rights Commission and said that it has no jurisdiction and that it cannot provide a remedy because it does not provide a service.

Therefore, it tells us that we have a remedy on one hand and tries to deny us that remedy on the other hand. It is hypocritical.

Clause 9 is a no go. We will not support it and we hope all our colleagues in the House will join us. Certainly I know that in committee all of the opposition parties voted to not include clause 9 in the bill.

● (1120)

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, I appreciate the intervention this morning by the hon. member who, as we know, is the critic for the official opposition on this particular subject and also the vice-chair of our committee.

My question actually goes to clause 9. He will recall that although there were differences of opinion when we talked about this item, we also recognized that it was a principle in law that when decisions are made in good faith by governments or, indeed, by first nations, and that legislation is found to be invalid at a later point in time, that particular event would not in and of itself attract liability. That principle exists.

It may well be that clause 9 does not have to be in the bill, but would the hon. member not agree that at the very least it provides clarity to the people who might be looking at this as the basis of possible legal action only to find that such action would in fact be invalid? It saves both parties a whole lot of time and expense by not pursuing something that would be found, for all intents and purposes, to be null and void.

Mr. Todd Russell: Mr. Speaker, I would say there was a similar clause about the same time the charter came into being in 1985. It did not stop certain challenges at that particular time; it did not provide the clarity the member speaks of.

I would say that the greatest clarity we can have in this House and the greatest clarity we can provide to first nations women across this country is to end gender discrimination once and for all. We have the ability as parliamentarians to do it. The government can withdraw Bill C-3 and come back with something that makes sense and puts this debate to bed once and for all.

Why do we want another generation to have to fight sections of Bill C-31 and the residual discrimination that will continue to exist under the Indian Act?

● (1125)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I agree with my colleague from Labrador. There is a small detail worth mentioning and I may get a chance to come back to it. Ms. McIvor, who was at the origin of the bill, could have benefited from the court challenges program, but that program was abolished by the Conservatives. It is not complicated. Today, aboriginal women can no longer benefit from the court challenges program. Bill C-3 hurts these women and it will continue to hurt them.

I have a question for my colleague. Where does he propose that aboriginal women—who will continue to be hurt if this bill is adopted as is—find help to continue defending their rights?

[*English*]

Mr. Todd Russell: Mr. Speaker, my colleague from Abitibi—Témiscamingue raised a very good point. It seems that once Bill C-3 goes through—and there are problems with it, as the government and all witness have acknowledged—the onus will be on individual first nations women or first nations organizations to lodge a complaint. The onus will be on them to fight it and to find the resources, and the Conservative government has cut off a valued avenue of support for those who seek such redress.

Therefore, the government offers a remedy on the one hand, but says that it will deny people access to that remedy at every opportunity. It will deny them access to funds and deny them any type of remedy at the Canadian Human Rights Commission. The government is being two-faced: it offers a remedy on the one hand, but denies people any access to it on the other hand. The court challenges program is just another example of this.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I wonder if the hon. member could address the following point. I notice there have been a lot of complaints and a lot of witnesses who have appeared to say would have preferred much broader amendments.

Could the member speak to the issue that the government seems to be responding only to the order of the court, instead of going more broadly and looking at the requests of the affected first nations, Métis, and Inuit peoples?

Mr. Todd Russell: Mr. Speaker, the member certainly sums up very succinctly.

The government has chosen to draft a bill with the narrowest possible grounds. It has not at all responded to the larger appeal of first nations women across this country to once and for all end gender discrimination. The government had that ability, it had that flexibility, and it made a choice.

Some will say, what about an amendment? Well, an amendment to the Indian Act may be fine, but is it justifiable to help some people and then leave thousands and thousands of others to be subject to the discriminatory aspects of the Indian Act? I believe it is not.

We could have settled this once and for all, and the government chose not to.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I am pleased to rise in the House to speak to Bill C-3, which is coming back with amendments at report stage.

I will quickly move on to these amendments after I draw the attention of the House to the presence today on Parliament Hill of the group of women participating in the Amun march. These women, who left a few days ago from Wendake, near Quebec City, took a break from their walk to come here today and support the opposition parties' demands that this bill go no further and that we vote against the amendments presented.

I would also like to draw the attention of members to the presence today on the Hill of the President of Quebec Native Women Inc., Ms. Gabriel. I believe that it is important to point out that, under the Indian Act—and I will come back to this as it is extremely important—women are victims of discrimination and have been ever since the Indian Act was adopted.

Women have always had to suffer the consequences of the government's actions. It is women who have always been excluded from band councils, from bands and from being registered, and they will continue to be excluded if this bill is passed as is.

Let us deal with the amendments immediately. There are two: Motion No. 1 and Motion No. 2. Motion No. 1 does not present a problem. It is straightforward, and no one can disagree with it. The government finally realized that we were right to ask that it report on its progress in implementing Bill C-3 if it were unfortunately—and I use that word advisedly—passed as is. We will support this amendment, as it does not represent a major change.

But we cannot support Motion No. 2, which we need to read and understand:

> ...no person or body has a right to claim or receive any compensation, damages or indemnity from Her Majesty in right of Canada, any employee or agent of Her Majesty...for anything done or omitted to be done in good faith...

I said a couple of minutes ago that women would continue to be hurt if this amendment were adopted. Its wording implies that women have not been deliberately hurt. Yet that is exactly what has happened under the Indian Act: women have been deliberately hurt by successive governments since 1876. And things have not gotten any better since 1985.

I will digress for a moment, because I will have a chance to speak again when the bill comes back for third reading. We had introduced amendments and had accepted the Liberal amendment, but the Speaker unfortunately decided that that amendment could not be adopted, so the bill remains unchanged.

If this bill is passed as is, it will solve only a very small problem. I recognize that this problem does affect thousands of aboriginal people in British Columbia, but more than 100,000 aboriginal women and their children will continue to be hurt if the bill is passed as is.

What did the B.C. Court of Appeal tell us in the McIvor decision? It told us that it was our duty as politicians to review this law, which is unfair and unacceptable in 2010 and which perpetuates and will continue to perpetuate systemic discrimination against aboriginal women.

That is exactly what we did. We heard from witnesses, we heard from organizations like the Native Women's Association of Canada and Quebec Native Women Inc., we met with individual aboriginal women like Ms. Palmater and Ms. McIvor, and we also heard from organizations like the Barreau du Québec, the Canadian Bar Association, and the Assembly of First Nations. Every single one of them told us that amendments were needed to eliminate the discrimination once and for all.

● (1130)

We had a historic opportunity to put an end to the discrimination that exists and will continue to exist if this bill passes. No one is in favour of this bill.

The Aboriginal Women's Action Network has said that Bill C-3 maintains the discrimination against aboriginal women because they will still be required to declare the father of their child. That makes no sense, and that is not the practice anywhere else in Canada. Section 15 of the Canadian Charter of Rights and Freedoms states that no one can be discriminated against based on sex, religion, national or ethnic origin, and so on. It is strange that this does not apply to aboriginals, and especially not to aboriginal women.

Aboriginal women will be forced to continue to declare who is the father of their child, if they want their child to be registered. If they do not declare a father, it will be assumed that the father is white. Is this 2010 or 1876? This bill is setting us back 30 years.

We have an opportunity to fix the problem by voting against this bill. The opposition parties must vote against this bill. That is the beauty of a minority government: the opposition holds the power. We can vote against this bill and ensure that it is not passed. The government will say that it is urgent, and that the court gave it until July to pass this legislation; otherwise, some Indians cannot be registered.

I am asking Indians if they are willing to wait another year so that we can address this discrimination once and for all. If we vote against this bill, the government will be forced to introduce another one. We have said it loud and clear: we want to finally address the discrimination that aboriginal women are victims of.

It is unacceptable that this type of discrimination still exists in 2010. The icing on the cake is that the government is saying that Ms. McIvor's case must be remedied once and for all because the British Columbia Court of Appeal has told it to do so.

In an open letter to everyone, Ms. McIvor has asked us to vote against Bill C-3 because it will not put an end to gender discrimination. I will read it in English, since that will be easier and clearer for the members across the way.

● (1135)

[*English*]

Ms. McIvor said that Bill C-3 will not end sex discrimination in the statute's registration provisions under the Indian Act.

[*Translation*]

That could not be more clear. If I were allowed, I could speak all day long about the discrimination that aboriginal women continue to be subjected to. Bill C-3 will not put an end to this discrimination. That is why we will vote in favour of Motion No. 1 and ensure that the government can report. But will we vote against this bill at report stage in order to rescind section 9.

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, I appreciate the comments made by the Bloc Québécois member, who sits on the committee.

[*English*]

I just have one question for the member, and I appreciate his suggestions this morning regarding the limits of the bill, on which it is quite well agreed there are limits, as we will discuss a little later this morning. But would not the hon. member agree that what we have in front of us is the ability to give possibly upwards of 45,000 first nations people the ability to gain their status? If the bill is not passed, the possibilities for that group of people who have been waiting a long time, and we are now into the second decade where these people should have been given the ability to gain their status, would be reduced. Yes, there is more to be done, but would not the member agree that we should at least take this first step and ensure that we can move forward for that group of people and then continue the work to address some of these other issues that we all agree are there and that must be discussed and for which measures ought to be brought forward to address?

[*Translation*]

Mr. Marc Lemay: Mr. Speaker, I am glad to hear him say that. My answer is no and I will explain why. In fact, the Court of Appeal forced the government to take action and it took the opposing stand. Now it does not have a choice. Luckily it decided not to take the matter to the Supreme Court. If not for the courts, the government never would have introduced such a bill. The proof is that the government introduced the bill only to satisfy the B.C. Court of Appeal.

So when I hear that, I think it would be better to wait another year and resolve the problem once and for all. It might be hard to wait another year, but they have already been waiting for 25 years. Can we not wait another year and solve the problem once and for all with a bill that will put an end to the discrimination?

● (1140)

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I enjoy working with the member on committee. I have one question for him and it is related to why the government would not remove all the discrimination in this bill. Does he have any hypothesis as to why?

I do not think government members want the discrimination to continue. My suggestion is that it is a lack of consultation. Over and over in committee, we have heard that there has been a lack of pre-consultation. Had there been sufficient consultation, the government would have found out about this residual discrimination in the bill and would have taken it out.

[*Translation*]

Mr. Marc Lemay: Mr. Speaker, the answer is yes and no, and I will explain why. We have known since 1876, since 1951 and especially since 1985 that the Indian Act was discriminatory. The discrimination is clear. As much as I respect aboriginal peoples, and everyone knows that I respect them a great deal, I do not believe much consultation is needed to answer the question as to whether subsections 6(1) and 6(2)of the Indian Act are discriminatory. The answer is yes.

The second question is knowing how to end the discrimination. The answer seems simple at first: eliminate subsections 6(1) and 6 (2). It seems simple. Yes, many different things are involved at the governmental level, but as long as we continue this piecemeal approach with lawsuits that drag on for years and years, aboriginal people and aboriginal women in particular will never ever be able to achieve their full potential, because that is the problem.

Ms. McIvor spent 15 years fighting in court. That poor woman had no time to take care of anything else; she only had time for that. So it has to stop, and this is our opportunity to put an end to it once and for all.

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I am pleased to rise today to speak to the amendments that the government has brought forward. I want to make a couple of points to put this in context.

First, I want to acknowledge the women who took part in the AMUN March to Ottawa who are here today, along with Ellen Gabriel from the Quebec Native Women's Association.

What we have before us is a very troubling response to a very complex situation. The government, and I say this quite cynically, has called Bill C-3 the gender equity in Indian registration act. As we have heard from other members, the bill does not deal with the full range of gender discrimination that still exists under the Indian Act. We have a much broader and more complex problem with citizenship and status. Many Canadians are not aware that there is a difference between citizenship and status, and I want to highlight a couple of points on that.

We have heard about the urgency of this matter. I want to point to the ruling by the Court of Appeal of British Columbia. The court did allow an extension when the government asked for it until July, but it also indicated that under the circumstances it might well have acceded to a request for a longer suspension had it been sought. The government said this was urgent, that we had to get on with this right away instead of following the appropriate process. That simply is not true. The court indicated that it would allow the time required to do the kind of job that is needed.

I want to cite article 33 of the United Nations Declaration on the Rights of Indigenous Peoples, which says:

> Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
>
> Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Under the Indian Act, status is imposed by the state. The state determines who is an Indian. Leading up to 1985 women were discriminated against for marrying white men. We have seen decades of fighting. A bill in 1985 introduced some changes, but the changes created all kinds of problems, which is why we now have Bill C-3 before us. From 1985 to the present we have seen a number of court cases. Ms. McIvor's is the one that prompted Bill C-3. There are 14 other outstanding court cases.

The first nations registration status of membership research report, which is from where I cited the United Nations declaration, also indicated the generations that this has been ongoing. The 1996 Royal Commission on Aboriginal Peoples report acknowledged that the Indian Act and other such legislation and policies have had a detrimental impact on aboriginal people, resulting in the muting of the collective consciousness in respect of aboriginal nationhood and citizenship in an aboriginal nation. According to RCAP, citizenship is not vested in the Indian Act band but rather in the aboriginal nation, and calls for the reconstitution of aboriginal nations and nation governments that would in turn determine criteria for citizenship.

We are not dealing with the much larger issue. As long as we continue to deal with status on a piecemeal basis, many women and men are being forced into the courts to get the government to deal with this and we are going to continue to have this kind of conflictual discussion. The government had an opportunity to do a far better job than it has done on this.

I want to specifically reference the amendments that have been proposed, but specifically the one with respect to clause 9. Others have quoted from a number of witnesses and I want to touch on a couple.

When the Chief Commissioner of the Canadian Human Rights Commission came before us at committee, she said two really important things. She said that the repeal of section 67 of the Canadian Human Rights Act would allow women and men to take these discriminatory status provisions to the Canadian Human Rights Commission. In her testimony, the commissioner indicated:

> My key message to you today is that this is by no means definite. The Commission's ability to redress allegations of discrimination under the Indian Act remains uncertain.

Even the Commissioner of the Canadian Human Rights Commission questions whether the remedy proposed is possible.

● (1145)

In addition, during questions and answers later when she was asked specifically about clause 9 and the impact it may have on the Canadian Human Rights Commission to bring forward a remedy if discrimination was found, she indicated that she was uncertain about the impact of clause 9. Therefore, that remedy may simply not be available.

I also want to reference the national aboriginal law section in the Canadian Bar Association's briefing note of April 2010, which said:

> Section 9 is a concern, as it would remove the right of anyone to sue the federal government for not providing them with status as a result of the gender discrimination addressed by the Bill. If the federal government can be presumed to have been aware that Bill C-31 was not consistent with the Charter as far back as 1985, and did not act for over twenty years until the McIvor decision reached the BC Court of Appeal, the CBA Section is concerned with the justice of such a "no liability" provision. Further, we caution that including such a provision could make the Bill vulnerable to further Charter challenges.

There are two points on that. Nobody is clear what the repeal of section 67 means in the context of what clause 9 would do. The government has indicated that Bill C-31, back in 1985, had a similar liability clause. It has argued that in Bill C-31 in 1985 that clause has not prevented first nations from taking their cases to court. However, we are in a completely different context in 2010 because we now have the repeal of section 67 of the Canadian Human Rights Act.

This question around what clause 9 would mean in this new context has not been analyzed and nobody has been able to give a clear answer about whether first nations would still have any remedy, whether they would be able to continue with the practices that have happened since 1985 in terms of bringing court cases forward and seeking remedies. We are in a different context and I do not believe there has been the kind of analysis that would indicate the impact on that.

The other issue is that the government has claimed that part of the reason for clause 9 is to protect first nations chiefs and councils from any liability issues. If that is the case, then why was clause 9 or a similar clause not brought forward that protected chiefs and councils but still left the government open for redress?

The Canadian Bar Association raised the issue of whether the government was aware that there was ongoing gender discrimination. In the 1988 fifth report of the Standing Committee on Aboriginal Affairs and Northern Development it outlined that there were numerous issues of gender discrimination still in the act. They are clearly outlined. Whether it was unstated paternity or children born prior to 1951, there were all kinds of gender discrimination issues.

This report was tabled in the House, so clearly the government and successive governments were well aware that there was residual gender discrimination in the Indian Act. Therefore, it would be hard to claim that the government was not aware. This has been brought up in any number of other venues.

This is outside the scope of the amendments, but a very troubling question around funding continues to be unanswered. We know that with a 2% funding cap imposed in 1995, continuing increases in population and new people coming on as a result of changed status, it is very difficult for bands to manage their funding with increased populations. It seems unreasonable to put forward legislation that does not have the financial resources attached to it.

There are a number of unanswered questions that remain before us when we consider the amendments before the House.

● (1150)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I listened closely to my colleague, who is doing excellent work as a member of the Standing Committee on Aboriginal Affairs and Northern Development. I really enjoy working with her. However, I do not think she told us what we really want to know. Allow me to explain: I listened to everything in both English and French just to make sure, but I did not hear her say what the NDP's position at report stage is.

What does the NDP plan to do about the amendments before us, Motions Nos. 1 and 2 concerning clause 9? I would really like my colleague to tell the House what the NDP's position on this issue is, without violating the seal of confession, of course.

[*English*]

Ms. Jean Crowder: Mr. Speaker, I was not attempting to equivocate. We will not be supporting the amendment.

The member knows full well that I am from British Columbia and how very difficult this decision has been for me and my colleagues.

We fully recognize that up to 45,000 people across this country could gain status as a result of Bill C-3. We also have a responsibility, as parliamentarians, when a bill comes before us, to examine the full implications of that piece of legislation. When it comes to clause 9, I am not sure that we understand the full implications of this piece of legislation. I raised the issue on the repeal of section 67 of the Canadian Human Rights Act. I am not sure that we really understand, in this new environment we are operating in, what the implications of clause 9 would be, whether there would be remedies available, and whether the Canadian Human Rights Commission could actually hear these cases and determine awards.

I am very concerned about what would happen in British Columbia, where paragraphs 6(1)(a) and 6(1)(c) will have no force and effect if this legislation is defeated. Perhaps the government will use this as an opportunity to bring back a more reasonable piece of legislation, which, of course, it has the full ability to do.

● (1155)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, clearly, the government does not want to do the right thing here and end discrimination. I would think that it is partly because of the costs, or maybe it has no plans to actually fund the costs.

The first nations band councils have not heard whether the government will be increasing spending for the roughly 45,000 people who will be gaining status. If the government is not tying the funding to population growth, and if there are many fast-growing communities already under strain as we speak, how are the liabilities of the government and the band councils going to be affected if there is no increase in funding and services cannot be offered to all the new claimants?

Ms. Jean Crowder: Mr. Speaker, the member for Elmwood—Transcona is absolutely correct. We have seen, even without any increase in the number of people with status, that since 1995 there has been a 2% funding cap on Indian and northern affairs funding and a 3% funding cap on first nations non-insured health benefits. The status population growth in bands has far outstripped that funding.

It was very troubling to see in the estimates tabled in the House that even though the government was fully aware that Bill C-3 would be coming forward, with its own numbers saying that there would be an increase of up to 45,000 people, there was absolutely no additional funding to deal with that increase.

In addition to that, we know that there are many other issues facing band councils. They are already squeezed for money. With the repeal of section 67 of the Canadian Human Rights Act, we know that band councils are going to be facing increased pressure from their own members, because claims can be filed against them under the Canadian Human Rights Act. Of course, bands have a limited ability to increase access to things such as housing, education, clean water, and health benefits.

One of the things we also notice is that the living index in first nations communities is down at the level of third world countries, and their ability to deal with this increased population is simply not there.

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, I am delighted this morning to have the opportunity to speak to Bill C-3, the gender equity in Indian registration act, at report stage, and to remind all members that there are two goals this legislation now before us is set to achieve.

First, Bill C-3 would eliminate a cause of gender discrimination in the Indian Act. Second, it represents a timely and direct response to the ruling of the British Columbia Court of Appeal.

We are well aware that there are a number of broader issues related to the question of registration and membership. We heard that intently, during the course of our committee hearings, in testimony from a good margin of witnesses.

However, given the short timeframe and an interest in avoiding a legislative void in British Columbia, we are seeking to implement changes that directly respond to the British Columbia Court of Appeal decision. Bill C-3 offers a solution to the specific issues identified by the Court of Appeal by amending the Indian Act to address the gender discrimination identified by the court.

As I mentioned, we are quite aware of the broader issues of registration and membership, because the consultations prior to the tabling of this legislation involved collaboration with the people who are most greatly affected by it.

Last year, following a thorough review and analysis of the court's decision, officials from Indian and Northern Affairs Canada had technical briefings with representatives of five national aboriginal organizations to discuss the decision and Canada's proposed response. Following those briefings, 15 engagement sessions were held throughout the country to present Canada's proposed response to the McIvor decision and to solicit feedback. Hundreds of participants came to the engagement sessions, and many written submissions were received. Several common themes quickly emerged.

Many people expressed concerns about the broader issues of registration, membership, and citizenship. We appreciate the fact that these broader issues are complex. We saw in committee that even among first nations representatives and leadership there is a diversity of views. One could not conclude that there is even a singular consensus within the population or the community itself.

For these reasons, we will be undertaking a collaborative process with national aboriginal organizations to plan, organize, and implement forums and activities that will focus on gathering information and on identifying more fully those broader issues for discussion.

I would like to quote the first witness we had at the committee hearings on this bill. We heard from the Minister of Indian Affairs and Northern Development. He said, "We know that broader reform of these matters cannot be developed overnight" or "in isolation". He went on to say, "I've announced that over the next few months we will be setting up a separate exploratory process to gain further insight into these issues, as was requested by many first nations during" the McIvor engagement process.

It is that kind of engagement that has given rise to some of the discussion, a two-part discussion, on first, putting legislation in place that addresses the decision by the British Columbia Court of Appeal, and second, on acknowledging and understanding that there is more to be done. Members here this morning have alluded to it. There is much more to be done on the issues of registration and citizenship.

The Government of Canada believes that this separate exploratory process should be collaborative and thorough. The wide array of views on status, membership, and citizenship must be shared and considered carefully. These are issues that cannot be discussed in isolation, as I have said.

● (1200)

However, as important as this work might be, it cannot take precedence over Bill C-3. We must not lose sight of the fact that the legislation now before us responds to a specific court ruling and a prescribed deadline. The ruling and deadline inform the design of Bill C-3. It is for this reason alone that the proposed legislation is precise, compact, and focused.

Let me remind the members of the House of the deadline we are working towards. On March 9, 2010, the government sought an extension of the British Columbia Court of Appeal's declaration of invalidity to avoid a legislative gap in British Columbia. That extension was granted on April 1, 2010, and it extended the original deadline out to July 5, 2010.

We are about six weeks away from the deadline on which there would, in fact, be a legislative gap or void on the issue of registration, particularly and specifically in British Columbia. That could potentially mean upwards of 2,500 to 3,000 registrations per year in British Columbia alone. People who would otherwise, and should, have access to registration would be denied it if this bill, in its limited and prescriptive way, is not passed. That would be the effect. There would be no ability to register those new registrants in the province of British Columbia.

As I have said, if no solution is in place, paragraphs 6(1)(a) and 6(1)(c) of the Indian Act, which deal with an individual's entitlement to registration, commonly referred to as Indian status, will for all intents and purposes cease to exist in the province of British Columbia. This would create uncertainty. Most importantly, this legislative gap would prevent the registration of individuals associated with British Columbia bands.

The positive impact of Bill C-3 should not be overlooked. Based on demographic estimates undertaken by Stewart Clatworthy, a leading expert in the field of aboriginal demography, the proposed legislation would entitle upwards of 45,000 people to have access to register under the Indian Act. That would essentially equate to 45,000 new people in our country having access, as other status Indians have, to non-insured health benefits, post-secondary education funding, and things that they are at the cusp of being able to receive. They can only do so if this bill is passed.

We all know that discrimination is one of those obstacles that prevent many aboriginal people from participating fully in the prosperity of our nation. With the removal of these obstacles, aboriginal people will have more opportunity to contribute socially, economically, and culturally to our country. That is good news for all Canadians.

Bill C-3 represents a timely and appropriate response to the British Columbia Court of Appeal ruling. It proposes to eliminate a cause of unjust discrimination and to ensure that Canada's legal system continues to evolve alongside the needs of aboriginal peoples. I would urge all members to join me in supporting the timely passage of Bill C-3 and the amendments before us today.

We have discussed some amendments this morning. There are two motions. The first motion on clause 3.1 addresses some specific items related to ensuring that the Minister of Indian Affairs and Northern Development is responsible for reporting to Parliament within two years of the amendment coming into force. That is the reporting provision.

There has been some debate on clause 9 this morning. I would simply remind members that it is not only the Government of Canada that would be seeking to uphold this legal principle so that it would not be facing untoward legal action. It is also for first nations communities and governments. They too could be in a position of having to face that kind of action and would not be in a position to do it.

● (1205)

This is a legal principle that should be upheld. Clause 9 makes it clear that this would be the case.

Hon. Larry Bagnell (Yukon, Lib.): Madam Speaker, I commend the member on his excellent chairing of the committee.

If the member would like the bill passed as quickly as possible, I assume the government will not be putting up any more speakers.

Mr. Bruce Stanton: Madam Speaker, I am not aware of the speaker schedule. I understand that members opposite have a list of speakers as well. We will certainly see how the debate goes here this afternoon and we are prepared to speak to the questions as the House desires.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Madam Speaker, I have two questions for the member, one on costing and one on the timeliness.

The member has stated that the Minister of Indian Affairs considers that this is a critical issue to address and yet 22 years have lapsed since the recommended reforms have come forward. The government has been in power for four years. I would hardly call that a timely response to a report that has been languishing for 22 years. I wonder if the member could speak to that. We have had 22 years of Liberals and Conservatives who have not addressed those proposals.

Second, it has been the policy and practice of the government every time a private member's bill is tabled to demand that costing be done and yet the government tables for debate this very significant bill in which band councils and first nations will incur substantial costs. Could the member please advise why there is not a line in this year's budget where we could not find billions of dollars to reduce corporate taxes but no resources are available to support the bands in delivering on the bill?

Mr. Bruce Stanton: Madam Speaker, one of the unique aspects of the bill, particularly as it relates to the provisions that would allow this new group of upwards of 45,000 people to be able to receive these kinds of benefits, is that it is based on an application much of which has been the case in the past as well. When there have been changes in registration, it falls on the shoulders of potential applicants to make the decision if they wish to go ahead and apply to receive that status. They would look at what allows a person to gain status, as would be prescribed by the bill and the amendments to the Indian Act, but it would then be incumbent upon them to make that decision to go through the process.

It is very uncertain as to how many on a year-by-year basis would be applying to make that. It is one of the reasons that the uptake on the bill may be very quick. On the other hand, it might be staged over a period of time. However, these are the kinds of programs that are required. The government provides support for things like post-secondary education and non-insured health benefits. As the people who are eligible for those benefits grow and registrations grow, then the government responds accordingly.

As to what the exact number will be is very hard to predict because we just do not know how many people will sign up year in and year out.

● (1210)

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Madam Speaker, I know there is a debate on whether it is a good idea to reinstate clause 9 of the bill, which was eliminated at committee. A concern we have, which was raised with me repeatedly, is that this clause, a greater certainty clause, that would allow first nations people particularly who are concerned about any kind of frivolous lawsuits that might come forward, vexatious things that happen at a local band level, that they would have to defend in court even though it is not their responsibility. The bill is just coming in now and clause 9 says basically that for greater certainly no one can go way back in history and try to sue a band council and chief for what happened 20 years ago.

I wonder if the member could comment about the necessity of clause 9 in the bill.

Mr. Bruce Stanton: Madam Speaker, I thank the minister for his leadership on this bill. He is absolutely right. This is a legal principle that must be upheld but particularly so for first nations because even a first nation government, which has made decisions with respect to programs and services that it offers its members, cannot be held up with the possibility of legal claims coming that are completely contrary to that principle in law. That is why clause 9 needs to be there.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Madam Speaker, I am pleased to have the opportunity to speak at report stage of Bill C-3. I, too, want to acknowledge the efforts and the presence in the House of the AMUN walkers and the president of the Quebec Native Women's Association. The fact that they took the time to come to the House today to hear the debate on this bill at report stage underlines the importance of the outcome of this legislation to them.

Many of my colleagues know that for generation after generation individual aboriginal women, like Sandra Lovelace, Jeanette Corbiere Lavell and Sharon McIvor, have had to take the government to court to gain entitlement to their status, status that was denied them only because they descended from a status woman rather than a status man. We know that gender discrimination has existed in the Indian Act since its enactment.

The Conservative government introduced the legislation that we are looking at here today, Bill C-3, that would continue to leave residual gender discrimination in the Indian Act, forcing another generation of aboriginal women to fight for their rights and, as my colleague from the Bloc said, to fight for their rights without having the opportunities of the court challenges program.

We have heard a near unanimous call from aboriginal women's organizations, individual aboriginal women, including Sharon McIvor, aboriginal governments and chiefs, academics and national organizations, such as the Canadian Bar Association and LEAF, to amend or otherwise rewrite Bill C-3 to comprehensively and meaningfully end sex discrimination under the Indian Act.

We have heard a lot of conversation about the deadline but we have also heard that the courts allowed for the deadline to be extended further than the date that we are currently dealing with. For whatever reason, the government has chosen not to go back to them to extend that deadline. The government has chosen instead to deny repeated attempts to introduce comprehensive legislation that would, once and for all, end gender discrimination by the Indian Act. It has appealed the 2007 decision of the B.C. Supreme Court in the case of McIvor v. Canada. It voted against a debate on a motion that would broaden the scope of Bill C-3. It voted against amendments in committee that would guarantee full gender equality. It challenged these amendments in the House, despite the testimony of witnesses and the unanimous support of the opposition parties. It also attempted, as we are discussing here today, to reintroduce clause 9 of Bill C-3, which we were asked to eliminate in committee by all witnesses.

What does denial of status mean? I will quote from a LEAF submission. It states:

> Denial of status perpetuates stereotypes against Indian women that have been entrenched in law since 1867; that they are less worthy, less Aboriginal and less able to transmit their Aboriginality to their children simply because they are women.

We actually heard poignant testimony at committee from women who talked about the personal impact it had on them, their children and their families.

Bill C-3 leaves intact significant areas of sex discrimination. It continues to perpetuate sex-based hierarchy for the transmission of status. Grandchildren who trace their aboriginal descent through the maternal line would continue to be denied status if they were born prior to September 1951. It would also continue to perpetuate inequalities between siblings within the same family, again based on their date of birth. The proposed amendment is restricted to the grandchildren of women who lost their status due to marrying non-Indian men but it does not deal with situations where marriage is not involved in cases of unconfirmed paternity or where Indian women co-parented with non-status men. It continues to perpetuate the discrimination.

● (1215)

We have no difficulty supporting report stage Motion No. 1. It reminds me and it brings back the nightmares of Nisga'a but, nonetheless, we have no problem supporting it.

Motion No. 2, unfortunately, gives us great difficulty. We have heard much argument about the challenges of clause 9. I understand the minister talked about it as being for greater certainty. However, I want to read into the record two submissions, one of which was referred to in part by the Canadian Bar Association. It states:

> Section 9 is a concern, as it would remove the right of anyone to sue the federal government for not providing them with status as a result of the gender discrimination addressed by the Bill. If the federal government can be presumed to have been aware that Bill C-31 was not consistent with the Charter as far back as 1985, and did not act for over twenty years until the McIvor decision reached the BC Court of Appeal, the CBA Section is concerned with the justice of such a "no liability" provision. Further, we caution that including such a provision could make the Bill vulnerable to further Charter challenges.

I also want to quote from the Congress of Aboriginal People. It is unusual to hear criticism from the Congress of Aboriginal People. It states:

> This section is an insult to Indian women and their descendants all over this country. Not only was Canada forced to make amendments to address gender inequality after fighting against the McIvor case for over 20 years; and not only has Canada proposed a very minimalist amendment; now Canada wants to ensure that it does not have to compensate the victims of gender discrimination? The court record provides more than enough evidence that Canada was well aware that it was discriminating against the descendants of Indian women.

I will not go on at length. We have heard members opposite say that this would provide equality and fairness. I want to end by saying that we heard from one of the members across the way that all citizens are equal before the law but not under this law. Under this legislation, some women would be more equal than others. Of particular concern to me is that some aboriginal children, their descendants, their grandchildren and their grandchildren's children would be more equal under the law.

I will conclude with a comment by Sharon McIvor who has been fighting this battle for many years, who has taken it to court after court and who has turned her life over to fighting on behalf of herself, her son and his children. She said in committee:

> I am here today to ask you, to plead with you, to include all of those women and their descendants who are discriminated against, not just the narrow view that the B. C. Court of Appeal addressed. As parliamentarians you know that the court does not draft legislation. They just put it back into your lap so you can do what is right.

I submit that it is incumbent upon us as parliamentarians to do what is right and ensure that gender discrimination for women and their descendants is not perpetuated in this country.

● (1220)

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Madam Speaker, I have a couple of comments and questions for the member.

Although the Canadian Bar Association did make the representation that she mentioned on clause 9, I ask her to comment on the counter argument. I hate to say this but in one sense the federal government is not at issue. The federal government could be sued but it has hundreds of lawyers and, arguably, infinite resources and it will defend itself or do whatever it has to do regardless of who is in charge of the government. The government has endless resources and will do whatever it needs to do to defend itself.

However, that is not so for first nation governments. They can be sued as well. People may come along and say that they should have had a house for the last 20 years and that the chief did not provide them with one so they will take the chief to the cleaners. They will not sue the federal government. They will sue the local chief and council for services not rendered.

While it may or may not succeed, who knows what the courts would say, it would conceivably put an obligation on first nation governments and they do not have the resources nor the ability to defend against, even if it is vexatious. For example, people may want to get even with the chiefs for something else that happened but could use this as an avenue to run them through the courts for years and years.

I think that is a serious issue but less so for the federal government, frankly, because it will do whatever it takes to manage the issue. However, I am concerned about the chiefs and councils who would have to deal with this, whether the case brought before the court is a serious one or not.

Hon. Anita Neville: Madam Speaker, I thank the minister for his comments and questions, and I am very pleased actually to have the opportunity to respond to him.

First, if it were such a significant item, I would say to the minister that it might have been identified as a separate clause in the bill as it relates to first nation communities.

He is absolutely right. The government has the might of hundreds of lawyers at its disposal, at its will. I think it is all the more important to acknowledge the Herculean effort of someone like Sharon McIvor in using the court challenges program and the resources she had to get this far.

However, I would say to the minister that this was not a concern of his when we were dealing with Bill C-21, the repeal of section 67 of the Canadian Human Rights Act, and I am struck by the irony of having it brought forward in this case.

I am also struck by the fact that we are hearing in regard to the repeal of section 67 and its exclusion of first nations human rights complaints to the Human Rights Commission that the government is challenging every aboriginal community and aboriginal group that is going before the commission in order to get to the tribunal.

Thus, there is a lot of inconsistency here.

● (1225)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Madam Speaker, I listened to the good minister attempt to demonstrate a little paternalism toward aboriginal women. I have a brief question. Can my colleague tell us whether this form of discrimination will end should Bill C-3 unfortunately be adopted? Also, should Bill C-3 unfortunately be adopted as written, what sort of discrimination will aboriginal women still be subjected to?

[*English*]

Hon. Anita Neville: Madam Speaker, in my comments, I identified the areas in which aboriginal women will continue to be discriminated against, and I commend the hon. member to look to those.

However, it is important to realize that we have an opportunity here as parliamentarians to ensure that this discrimination does not take place. If this bill were drafted with the generosity of spirit of a full commitment to the reduction of the gender discrimination under the Indian Act, we would not be having this discussion here today. I think it incumbent on us, as I said in the words of Sharon McIvor, that we do the right thing. We have the opportunity as government and the opposition to work together to ensure that this is not perpetuated in this country.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Madam Speaker, I would first like to point out that this is good legislation on an issue that goes back more than 100 years. This government is trying to address this very concern now, and I hope the opposition takes this legislation forward. I also hope that once the bill is passed, the government will address, in talking with its stakeholders, the further situations this gender equity in Indian registration bill does not currently meet.

I want to state at the outset that I will be speaking in support of Bill C-3, the gender equity in Indian registration bill. With the amendments before us, this bill is an important piece of legislation that must be passed without further delay. Bill C-3 proposes to amend the Indian Act and eliminate a cause of gender discrimination that has had a negative impact on first nations for far too long.

The bill now before us responds directly to a decision rendered last year by the Court of Appeal for British Columbia that two paragraphs in section 6 of the Indian Act are contrary to the Canadian Charter of Rights and Freedoms. In order to allow Parliament to take action to resolve the issue, the court suspended the effect of its decision until April 6 and, subsequently, granted the government an extension until July 5 of this year. Time is running out for the House to act.

The solution proposed in Bill C-3 is to amend the Indian Act to remove the distinction between male and female lines that the court ruled was discriminatory. If passed, Bill C-3 will ensure that the eligible grandchildren of women who lost their Indian status as a result of marrying non-Indian men would become entitled to Indian status in accordance with the Indian Act.

First nations, like all Canadians, recognize the connection between equality and prosperity, and rightfully expect to be treated fairly before the law. Bill C-3 would be another step in this direction.

As my hon. colleague surely recognizes, the Indian Act defines much of the legal relationship between Canada and first nations. Clearly the process of identifying, analyzing and proposing potential reforms to the Indian Act must necessarily be done in close collaboration with first nations and individual stakeholders, but this process will take time. The Government of Canada fully recognizes that more consideration is required of the broader issues of registration, membership and citizenship. Accordingly, over the next few months, our government will be collaborating with first nations and other aboriginal organizations in setting up an exploratory process for a separate and distinct process of legislation on these broader issues.

If we fail to meet the July 5 deadline set by the Court of Appeal, a key section of the Indian Act, the one that spells out rules relating to the entitlement of registration, also known as Indian status, will cease to have legal effect in British Columbia. This could have very serious consequences. As the members of the House recognize, Indian status is a legal concept that confers a particular set of rights and entitlements. Should the two paragraphs of section 6 cease to have legal effect, this would result in a legislative gap that would prevent the registration of individuals associated with the British Colombia bands.

The legislation now before us proposes to avert these consequences by amending certain registration provisions in the Indian Act. Bill C-3 addresses the root of the problem by removing the language that the court ruled unconstitutional. In the larger context, Bill C-3 is another contribution by Parliament to help strengthen and modernize the relationship between aboriginal and non-aboriginal people in this country.

Bill S-4, our government's proposed legislation to resolve the long-standing issue of on-reserve matrimonial real property, currently before the Senate, and the repeal of section 67 of the Canadian Human Rights Act, are two prime examples of recent contributions by this House to reinforce and transform that relationship.

● (1230)

Bill C-3 is similar to the repeal of section 67, in that it addresses issues of rights and equality. At the same time, Bill C-3 is different in that it responds directly to a court ruling, whereas the repeal of section 67 was driven by recommendations made by several national and international groups, including the Canadian Human Rights Commission, two parliamentary committees and the United Nations.

What is most striking, however, is that the repeal of section 67 and the legislation now before us both strive to strengthen the relationship between aboriginal and non-aboriginal people by protecting individual rights and promoting equality. It is in the context of these accomplishments, I believe, that we must endorse Bill C-3. Canadians rightfully expect that the law should keep pace with current aspirations, needs and attitudes.

I would remind my hon. colleagues that as parliamentarians, we are required by the Court of Appeal for British Columbia to take action to ensure that legislative amendments are in place to address gender discrimination in certain registration provisions of the Indian Act. How to address other sources of possible gender discrimination in the Indian Act is an issue that can be looked at during an exploratory process in partnership with our aboriginal groups.

Mr. Todd Russell (Labrador, Lib.): Madam Speaker, it is interesting that my hon. colleague says the government must respond to the B.C. Court of Appeal decision. I take it that the government's position is that if Bill C-3 does not go through, it will have to provide alternative legislation in order to comply with the B.C. Court of Appeal's decision.

The member also says we have to meet the deadline because of the huge impact it is going to have on first nations people who might be eligible to register in B.C. However, if we talk to the member for Simcoe North about the financial implications of this bill, we do not know how many people are actually going to register. We cannot quantify that. We do not know if it is going to be one or 45,000. We do not know if it is going to be one or 3,000.

The government does not know if it is punched or bored on this particular bill. I wish it would get its story straight so that Canadians and first nations people could at least have a clear understanding of where the government is with this.

I ask the member, what is the interaction between repealed section 67 of the Canadian Human Rights Act and clause 9 of the bill? I ask because government seems to say, on the one hand, that because of Bill C-21 aboriginal people can go to the Canadian Human Rights Commission, but the government, on the other hand, denies them at every turn and wants to limit its liabilities with clause 9.

I would ask the member what the interaction is between those two different provisions.

● (1235)

Mr. Rob Clarke: Madam Speaker, the hon. member brought up an interesting point in regard to clause 9. It is fair for first nations individuals and band councils that we adopt clause 9. Clause 9 protects both government and first nations officials who make decisions in good faith on the basis of the statutory provisions as passed by Parliament and that existed at the time of the decisions of the former. The Court of Appeal for British Columbia found that certain provisions in the Indian Act adopted in 1985 did not meet the standard of the charter, and it turned to Parliament to adopt the proper remedy for the future.

Clause 9 is there for greater certainty. This means that it actually reflects an existing principle of law, according to which decisions made in good faith on the basis of legislation later found to be invalid do not attract liability. This principle would normally apply even in the absence of clause 9. However, clause 9 is important because it sends a clear message from Parliament and it will avoid having persons who are unaware of the principle wasting their time and energy in sterile litigation against the Crown or first nation councils.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Madam Speaker, I want to tell the minister that I am going to ask a very good question, because as usual, I am very concerned about the issue. I know that my colleague, who sits with us on the committee, is also very concerned about the aboriginal issue.

Is it not true that the problem with clause 9 is that if it is restored as is—the current wording is why we want the clause to be repealed, and I hope my colleague will agree with me on that—aboriginal women will still lose their rights? These women have been hurt since 1876, which is an important date, since 1951, another important date, and especially since 1985, when everyone knew they were being discriminated against, yet that discrimination was perpetuated so that there would not be too many status Indians.

If clause 9 is restored, is it not true that aboriginal women will still be hurt?

[*English*]

Mr. Rob Clarke: Madam Speaker, through the exploratory process, the government, in co-operation with national first nations and other aboriginal organizations, plans to explore the broader concerns that were brought forward during the engagement process on the McIvor decision last fall. These broader issues are complex, with a diversity of views among first nations and other aboriginal groups. Therefore, comprehensive reform in respect to these matters cannot be resolved overnight or in isolation. That requires the gathering of information and identification of issues for further discussion as a first step.

However, we must not lose sight of the business at hand before we turn to gathering information on complex broader issues that aboriginal individuals and groups may want to raise in the exploratory process. We must ensure that the Indian Act registration provisions are amended in order to maintain the authority to register newborns in B.C.

Mr. Earl Dreeshen (Red Deer, CPC): Madam Speaker, I am pleased to have this opportunity to rise in support of Bill C-3, the gender equity in Indian registration act, and the amendments before us today.

As stated previously by my fellow members, the legislation we are now considering is a timely and direct response to the ruling of the British Columbia Court of Appeal in McIvor v. Canada. We are aware that there are a number of other issues that have been raised in the context of Bill C-3. However, given the short time frame and the interests of avoiding a legislative void in British Columbia, we are seeking to implement changes that directly respond to the court's decision.

Bill C-3 offers a solution to the specific issues of gender discrimination identified by the British Columbia Court of Appeal in the Indian Act. As I mentioned, we are aware of broader considerations of registration and membership. Our government has been working in collaboration with the people directly affected by these issues.

Last year, following a thorough review and analysis of the court's decision, officials from Indian and Northern Affairs Canada had technical briefings with representatives of five national aboriginal organizations to discuss the decision and Canada's proposed response. Following those briefings, 15 engagement sessions were held throughout the country to present Canada's proposed response to the McIvor decision and to solicit feedback. Hundreds of participants came to the engagement sessions and many written submissions were received.

Several common themes emerged. Many people expressed concerns about the associated issues of registration, membership and citizenship. We appreciate the fact that these broader issues need to be considered and discussed. These are complex questions and there is a diversity of views among first nations. Therefore, we will be undertaking a collaborative process with national aboriginal organizations to plan, organize and implement forums and activities that will focus on the gathering of information and identifying significant issues for discussion.

This separate exploratory process will allow for an examination of the broader concerns. The Government of Canada believes that this process should be collaborative and thorough. The wide array of views on status, membership and citizenship must be shared and carefully considered. These issues cannot be addressed in isolation without the input of our aboriginal people and they certainly cannot be addressed in a rushed manner.

The findings of the exploratory process will be considered as we work on next steps regarding further initiatives on these issues. However, as important as this work might be, it cannot take precedence over Bill C-3. We must not lose sight of the fact that the legislation now before us responds to a specific court ruling and prescribed deadline. The ruling and the deadline have been the driving force behind Bill C-3. The proposed legislation has been devised to answer a very specific requirement. Therefore, it is precise, compact and focused.

Another beneficial aspect of Bill C-3 is that it complements actions and initiatives taken by the Government of Canada in recent years. In essence, a new spirit of effective collaboration now permeates the relationship between aboriginal and non-aboriginal Canadians.

● (1240)

Collaboration has been a defining characteristic of a long list of recent initiatives to improve the quality of drinking water in first nation communities, to eliminate the backlog of unresolved specific claims and to modernize on-reserve child and family services and education, to name but a few. In each case, the Government of Canada worked in partnership with aboriginal groups to design and implement an effective strategy.

This growing partnership is tremendously valuable. It inspires the mutual trust needed to make progress across a whole spectrum of issues. The engagement process used to develop Bill C-3 furthered this collaborative spirit.

As discussions about the exploratory process continue, it is vital that Canada respond effectively to the ruling of the British Columbia Court of Appeal. Bill C-3 offers an appropriate response. The rationale and intention that has inspired the proposed legislation are sound and they are worthy of our support.

Bill C-3 would have a positive effect on all Canadians, both aboriginal and non-aboriginal. It would complement the collaborative approach adopted by the Government of Canada on many issues that affect the lives of aboriginal peoples. The proposed legislation, along with the exploratory process, will strengthen the relationship between Canada and first nations.

Bill C-3 represents a timely and appropriate response to the ruling of the British Columbia Court of Appeal. It proposes to eliminate a cause of unjust discrimination and ensure that Canada's legal system continues to evolve alongside the needs of aboriginal peoples.

I urge all members of the House to join me in supporting the timely passage of Bill C-3.

● (1245)

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Madam Speaker, I appreciated the presentation of a fellow colleague from Alberta. There were some very interesting points. However, I have the same questions for the member as I put to a number of other members of the government.

First, the government is talking of the need and the interest in beginning discussions on broader reforms. Would the member commit to supporting the tabling of a white paper to bring forward the long awaited reforms that were first recommended in 1985 by a parliamentary committee? The reason I recommend a white paper is we have a practice in the House of landing substantive bills and very little opportunity to amend. Therefore, in deference to first nation, aboriginal, Métis and Inuit communities, will he support a white paper so there can be broad discussion and so we can bring forward a consensus report?

Second, how much money has the department budgeted to deal with the process going forward to the end of this fiscal year to continue the consultation and does it include the issuance of a white paper?

Mr. Earl Dreeshen: Madam Speaker, a few weeks ago the member and I were in Edmonton at the Esquao Awards. We had an opportunity to speak with many aboriginal women leaders. As a member of Parliament, along with my colleagues from all parties, I am really pleased that I had this great opportunity to meet with those leaders in the aboriginal community.

The key point is the government acknowledges that there are broader issues above and beyond the issues addressed in Bill C-3. As a result, the government will be establishing a broader process to explore these issues in first nations and other aboriginal organizations, groups and individuals. Similar to the opportunities we had in Edmonton at the awards ceremony, we look at those opportunities to determine what the needs are for individual groups and organizations.

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Madam Speaker, I want to thank the hon. member for so properly putting into context the fact that there are many other issues. The government has been clear from the beginning. We have indicated that this is not the end of the discussions. This is really the beginning of exploratory talks.

In answer to the question from the hon. member previous, the budget has not been set for these exploratory talks because we need to work with first nations to find out exactly what they want to do. Over the last few days there have been increased discussions on the role of the regional organizations as opposed to just the national organizations. These are important issues at the local and regional levels and we have to ensure they are properly engaged. I said at committee that it was not the government's intention to say this is the way it is going to be, or this is the way we consult here, or whether it is a white paper, and these are the only things we are prepared to talk about.

We must admit that there are more issues on the table. We must do more. Let us have exploratory talks and keep them quite open so that aboriginal leaders, whether they be regional, local or national, have a chance to talk about the issues that the hon. member described, many of which are as important, or more important in some cases, than Bill C-3 itself.

● (1250)

Mr. Earl Dreeshen: Madam Speaker, I thank the minister for his intervention and for coming to committee to explain just those facts.

Consultation is so important. To go back to some of the other comments, the exploratory process will expand those broader concerns that were brought forward during the engagement process in the McIvor decision last fall. It will be looking at that as well as all of the other types of issues. To get caught up in those kinds of concerns is something that had to be looked at in this particular bill. We had to ensure that it would proceed, and proceed carefully and effectively.

The comprehensive reform in respect of these matters cannot be resolved overnight or in isolation. It requires the gathering of information and identification of issues for further discussion. I have faith in the process and the generosity of spirit that our government has shown to assist all first nations people.

Hon. Larry Bagnell (Yukon, Lib.): Madam Speaker, I too would like to pay tribute to the women here today from the AMUN March and Ellen Gabriel, and to highlight the problems with Bill C-3. Today we are debating, at report stage, a couple of amendments to Bill C-3, one which we support and the second which we do not.

The member for Abitibi—Témiscamingue asked a very good question during this debate that the government could not answer. He asked why there are no Indian women's organizations in favour of Bill C-3, when of course the whole benefit of such a bill is aimed at first nations women. The government speaker who introduced the bill could not answer the question.

The government member who just spoke talked about working in partnership with aboriginal groups and that Bill C-3 furthered this collaborative process. How could the government have possibly worked with aboriginal groups and further the process when all the aboriginal groups that came before committee were against the bill as written? There were all sorts of major amendments needed that the aboriginal groups brought forward. How could the member have the nerve to get up and say that the government worked in partnership with aboriginal groups, and that Bill C-3 furthered this collaborative process? It is beyond imagination when so many witnesses spoke about the inadequacies in the bill, simple inadequacies that could have easily been rectified by the government had it done a comprehensive removal of discrimination against aboriginal women in the bill.

Another point the government has not explained or answered was why there was no money put in the budget to cover people who will be registered? Conservatives said people may register at different rates, but they are predicting 45,000 people will register. There are enormous costs to that. Imagine if children went to their parents and said they are going to university and the parents are paying. Without any outline of costs, it just does not make any sense at all in a good government planning process. Those costs should have been estimated and put into the budget.

At least two speakers from the government side have said that it was urgent to get the bill through quickly. The courts determined a July 5 deadline. The government has put up a number of speakers saying the same thing over and over again. We will see the test of how serious the government is about getting it through if the debate continues after question period. If it just puts speakers up now so the bill does not get finished before question period and then it changes to another bill, we will see how serious the government is when speaker after speaker has said how urgent it was to get this through quickly as per order of the courts.

Today we are debating two amendments. The first one is an administrative amendment which may broaden the scope slightly and we are totally supportive of that amendment.

However, the second amendment restores clause 9 and puts it back in. Based on what we heard at committee and the reasons brought forward through this debate by my colleagues, we definitely disagree with that.

A very important point was brought forward that this bill bringing justice forward for some aboriginal women would never have come here, as we have said at length, were it not for the funding cuts to the court challenges program. Now the government has ended that program. How are similar forms of justice going to be continued in Canada to make the system better not only for aboriginal women but for all Canadians who would have otherwise used the court challenges program?

What about the Law Reform Commission, which the Conservatives also closed? Aboriginal groups in my community were in the middle of processes under the Law Reform Commission which would have made the laws of Canada better. The government stopped funding the Law Reform Commission of Canada as well.

● (1255)

The minister suggested, and I am delighted that the minister is taking great interest in this bill and can hear this, that if clause 9 is not put back in, then people could indiscriminately sue first nations. There are over 640 of them in the country, I believe, and I am wondering why I have not received letters from a majority suggesting that it was important to put clause 9 back. In fact, I have not received one letter, but if the minister has some I would appreciate his passing them on to help convince me of the importance of this to first nations.

I cannot imagine the federal government saying to first nations people that are not legally status Indians, that, "Oh, yes, you are a status Indian, we have to give you"—I think the example the minister used was—"a house" or whatever, virtually breaking the law and giving out benefits they are not entitled to. No court would ever pass that. As it was the federal government that made the mistake, of course first nations would then sue the federal government if such a situation were ever to occur.

I have not received a groundswell of support from first nations people saying that it is very important to include clause 9 to protect them, and I am certainly not convinced at this time.

The purpose of committee work in Parliament is to study bills in depth, to bring forward witnesses whose expertise is in those areas, to give committee and parliamentarians enlightenment on how they should proceed, and to take advice from those committees. Hopefully, that is how the committee system works and how it should work. It should edify legislation-making in Canada.

I am going to comment on two things we heard at committee with respect to this particular bill, and perhaps the lack of listening to those two things by Parliament. The first thing we heard, and of course we have heard it over and over again during the debate on Bill C-3 and also through the debate on the amendments, is that the bill is not comprehensive, that there are all sorts of first nations women who are still discriminated against.

The second thing we heard is that we should remove clause 9. Once again, the committee has reacted to what it heard and removed clause 9. Unless we ignore everything we heard at committee, we cannot just proceed with Bill C-3 as it is, because it does not at all reflect, and it is amazing, the overwhelming, preponderance of witnesses who came forward to say it was inadequate. It could simply be altered to include, so that no aboriginal women are discriminated against.

I appreciate that the minister has put forward a consultation process, but on the particular items of removing discrimination, as the witnesses said, this is not rocket science, either there is discrimination or there is not. There is no need for an investigation, discussion, collaboration or hearings. The discrimination against aboriginal women could just be removed.

One of the Conservative speakers recently said that this bill is precise, compact and focused. That is the problem. It is focused on a few of the aboriginal women who have been discriminated against, but it is not focused on all the other women, as was stated in committee.

The government could easily rectify that situation by making a couple of technical changes so that aboriginal women are not discriminated against. Then it could go on with its collaboration hearings to deal with a number of the other issues that the minister has rightfully brought forward, relating to membership, the costs that will have to be provided to first nations, et cetera.

I am surprised the bill came forward with such limited clauses related to removing discrimination, if indeed all the collaboration that we heard about occurred before this bill was brought in. Quite often we have had witnesses before our committee who were disappointed that there was not enough consultation with first nations. Obviously the consultation would have raised these problems and it could have been put into the bill before it came to committee.

The government could have moved amendments after the bill came to committee, when it was seen that a majority of people wanted amendments to remove discrimination completely against all aboriginal women.

We do not agree with putting clause 9 back. That is the position of our party on these amendments.

● (1300)

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Madam Speaker, the hon. member for Yukon said that we should remove the obvious discrimination. When the Liberals had power for 13 years, they did not do a thing to remove any obvious, non-obvious, or any discrimination, so it is a bit rich to say that now we have to do something more fulsome. For 13 years there was no move to fix any of this.

This is admittedly only part of the entire answer. I agree with the hon. member that there are other big issues, but I would point out to him that, for example, when I met with representatives of the Federation of Saskatchewan Indians, they gave me what they called their citizenship act. They said it was a complete discussion of all the greater issues that need to be dealt with. When I asked them if that was the position of the Assembly of First Nations, they said no, it was the position of the Saskatchewan first nations under treaty. When I asked about Alberta, they said that was different. They said it was different for Manitoba as well.

The Atlantic Policy Congress of First Nation Chiefs Secretariat tells me that it is different for them.

In Yukon, where the hon. member is from, they say that they have self-government and they want to control their own membership. That is important to them. They do not want us to pass a law telling them what to do.

With this bill we are trying to address in part, and I realize it is only in part, the obvious discrimination that exists right now. The court has identified this and has said to do a surgical strike and fix the obvious discrimination.

Does the hon. member not think we should move ahead with this and then do the exploratory talks so we can get the consensus on the other difficult issues?

Hon. Larry Bagnell: Madam Speaker, the minister has just made our point. We are discussing a report stage amendment, basically one amendment to put back clause 9. There was no support from first nations to make the amendment the government is proposing and the minister did not even come up with any when he had a chance to speak to it just now.

I agree with him about doing a surgical strike. We should do a surgical strike and simply remove the couple of items that continue discrimination in the Indian Act against aboriginal women, and then carry on with this collaborative process about all these points related to membership that are being brought forward to the minister.

Hopefully during that time he will also come up with a better estimation of the costs of removing this discrimination, because it will be the Government of Canada's responsibility. Obviously there are more costs when there are more status Indians approved. Certainly this should not be going on in isolation to estimates, and estimates for the first nations as well because, as the minister mentioned, there are costs to the first nations and to their memberships.

● (1305)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Madam Speaker, I listened carefully to my colleague and the minister. I am a bit shocked at how they are passing the buck.

In 1985, amendments were made to a law that had been passed and implemented several years earlier. Unfortunately, aboriginal people did not like those amendments, because the discrimination against aboriginal women continued. Ms. McIvor went to court and took her case as far as the B.C. Court of Appeal. With Bill C-3, the government is trying to perpetuate systematic discrimination that will not be addressed, despite the McIvor decision.

I do not believe in the exploratory process the government wants to put in place to perhaps resolve this issue one day, if possible. Does my colleague really believe that exploratory talks can accomplish something if Bill C-3 should unfortunately be passed?

[*English*]

Hon. Larry Bagnell: Madam Speaker, as I tried to outline in my speech, I agree with the collaborative process but I also agree that there are very complicated items related to membership and who can determine membership.

In self-government and land claims, first nations can determine their own membership, which is a whole different area than whether or not one is a status Indian. The very simple and obvious clauses related to who is a status Indian that discriminate against women should simply be removed. That is not an item of debate. It is just a technical item in law. They should be removed. I also do agree with the minister regarding having a collaborative process to deal with all the other issues not related to the discrimination—

The Acting Speaker (Ms. Denise Savoie): Order. Resuming debate, the hon. Minister of Indian Affairs and Northern Development.

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Madam Speaker, I am pleased to speak to Bill C-3, the Gender Equity in Indian Registration Act, and explain why I am encouraging all members to join me in supporting it and the amendments we have before us today.

I believe all of us in the House stand opposed to discrimination based on gender. Obviously, the Court of Appeal in British Columbia has identified some specific clauses in the Indian Act that are discriminatory under the charter of rights. If we do not fix those clauses before the July deadline, there would be a period of limbo where the courts have said that the Indian Act would not apply, but we do not have a new act to bring it into line. Children born after that date would not be able to be registered, which would be a shame. Admittedly, there are many other issues to be dealt with. We have to deal with issues that came up during our consultation process.

It is important for people to understand that these changes are not being made in a vacuum. These changes are not being made willy-nilly. This is being done after extensive consultation. There was, if not a white paper, certainly a discussion paper that was circulated based on the Court of Appeal ruling. That ruling was quite specific about the changes in the clauses that were contrary to the charter of rights. The court was very specific about what we should do about that and said that we needed to move quickly. The court gave us a year to do that, in order to fix the gap that would occur in the legislation if we did not do that.

There were broad consultations. Consultations were done with national organizations. They were done at the regional levels. They were done on the Internet. People could make proposals, identify other issues, identify steps to move forward and so on.

While everyone wants to fix the problem of gender inequality, it became clear over the last year during that consultative period that there is no consensus in first nation country on how far we should go or what the next steps should be or all the other issues. Those issues include everything from membership, who can vote, who can run for office, who determines citizenship on a first nation, how treaty first nations are dealt with, how self-governing first nations are dealt with, whether people under the Indian Act are different, separate. On and on the questions went. It became clear that there is no consensus on just fixing it, as I hear sometimes from the opposition. It is not as easy as fixing it if we are serious about consultation.

We had extensive consultations and it became clear that we needed a process that engaged people at a more serious level on the other bigger issues of the day. It is not a matter of simply throwing in an all-encompassing amendment, the amendment that came forward in committee, which was ruled by the chairman to be outside the scope of the bill, overruled by the majority on the committee, and came back to the House. The Speaker himself had to rule on it that yes indeed it was an inappropriate amendment. However, that is committee life and that is life in a minority Parliament. The reality is that the House agrees that we are dealing with the issue of discrimination against aboriginal women in this case, and what we can do about it based on the Court of Appeal decision.

We have taken a measured approach in dealing with this. We have expanded it slightly in order to make it equal among family members. We have not only followed the spirit, but we have followed the ruling that came down from the Court of Appeal. The Supreme Court refused to hear any appeals to that ruling. In other words that was the ruling and we had to deal with it. We cannot go to the Supreme Court on this. We have to deal with it and we have to do it quickly.

We came up with the suggestion of not only fixing the gender inequality identified by the court, but also in freely acknowledging and recognizing there are other issues, that we need another exploratory process. We have been working hand in hand with the national aboriginal organizations and other interested bodies to determine what they would like it to look like, how extensive they want the consultation and exploratory talks to be.

● (1310)

I mentioned last week what came back to us is that we need more representation at the regional level. That makes some sense, because there are regional differences. We do not want to chat only with the national organizations when there are regional differences that need to be addressed in these exploratory talks.

We have also struck an expert panel to discuss what the costs will be. Everybody is taking a guess at how many people will sign up, how many people will want to move back to reserve if they currently live off reserve and how many people will be affected by this. We have an expert panel of not only demographic experts but also experts who have been through the Bill C-31 experience and people who can make sure the costs and implications will all be part of the mix.

We could speculate and pull numbers out of the air, but it would be much better to have an expert panel with first nation representation on it to give us ideas of what the implications are and what their experiences are. When I was in Atlantic Canada about a month ago, first nation representatives mentioned that they had certain experiences on Bill C-31. I said that was exactly what we needed to hear. I told them to tell us exactly what the implications are, because we want to know. I do not want to sit here in the rarefied air in Ottawa and say that I have all the answers.

It is clear that we have to work with first nations. When we work with first nations, it means that we work hand in hand. We explore the next steps. We do not come down by fiat. Those days are long gone. We work in partnership with first nations and aboriginal people to find out the next steps and where they would like to go.

That is exactly what we are doing. The exploratory talks are being developed hand in hand with first nations people who tell us what they think should be involved, what issues should be on the table, how they would like to proceed, how much could be done electronically through the web, how much could be done in face-to-face meetings and so on.

We want to be complete. We want to be open to the ideas that first nations will be presenting to us. Even the process itself needs to be developed by working hand in hand with first nations so that they do not come back later and ask who dreamt up this consultation process. We want them to be satisfied. That is why there is a genuine effort to make sure that the exploratory talks are worked on closely. They are being worked on as we speak in order to make sure that they are as complete as possible.

I point out the problem with rolling the dice and throwing them on the table because that is exactly what I felt happened in committee in the study of this bill. A proposed amendment came forward. It was ultimately ruled by the Speaker of the House to be outside the gamut of this bill. It should not have been brought, but they have the numbers to force it through in committee. It would have more than doubled the number of status first nations people in this country.

It would have eliminated the Métis completely. The Métis would have been toast if that amendment had gone through. It would have doubled the number with no idea of the costs and implications on membership, voting, who can run for office and how they would handle more than a doubling of the number of status first nations in this country.

To me, it is irresponsible to throw that amendment on the table without any consultation with first nations. First nations have never asked me for that amendment. I have never been given that amendment in the exploratory talks we had previously or in the discussion paper. It has never been given to me by any national organization at all. We need to work closely and hand in hand with first nations groups so that we do not surprise them in committee with an amendment.

What we have is a measured approach on the bill itself, which addresses the needs of the court. We were ordered to do so by the court and we are happy to comply. We also have a measured approach on a process that engages first nations meaningfully at regional, local and national levels so that we get the best information and advice on how to move forward.

● (1315)

If we do that today, if we pass the bill, fix the gap, address the court case and then work with honour with first nations to get to the next steps, we will have done a good thing for first nations and for relationships between us going forward.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Madam Speaker, you will understand that I cannot agree with the minister because, on the pretext that the court asks one thing of it, the government does only that one thing. What I find revolting is that discrimination will not be eliminated. We know it exists. We know it will continue to exist with Bill C-3 if it is unfortunately passed, and we are told that there will be a consultative, exploratory process and so forth. We know, as does the minister, what the problem is. There is discrimination and it will continue to occur.

We are told that if the bill were adopted with the amendments presented in committee, there possibly may be no more Métis. It is true that there would no longer be any Métis because they would be considered Indians. The problem for the minister is that if Bill C-3 is not adopted by this House, what would the government's position be?

[*English*]

Hon. Chuck Strahl: Madam Speaker, to address the first part of the member's question, he says that he is revolted, and I think that is the word in English, by the obvious discrimination in the fact that it has not been addressed. He is so revolted that there has never been private members' business come forward from the member in all the years he has been here to address this. He is so revolted that the Bloc has never used an opposition day motion to address this issue. I have been the minister now for three years and never has the Bloc come to me ahead of this court case to ever say to me or my predecessor that it is time to deal with this revolting discrimination.

I wish the Bloc members would see that this is a step forward, not only to address the court case, which is what we are doing here, while fully admitting that there are other issues. We could agree other issues need to be worked on. That is why by working with first nations, local, regional and national, we can address it through an exploratory process that gets to all those questions and gets answers for them so we can all move forward, working hand in hand with first nations instead of acting by fiat here—

● (1320)

The Acting Speaker (Ms. Denise Savoie): Questions and comments, the hon. member for Edmonton—Strathcona.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Madam Speaker, I would like to ask the hon. Minister of Indian Affairs and Northern Development this. I appreciate that he has reminded the House of the constitutional duty to consult, consider and incorporate the input of first nations when a law or policy is being passed which would impact them.

My question for the minister is twofold.

First, we have heard testimony in the House today, and I have heard from my colleagues who participated in the committee, that not a single first nations women's organization supports the bill. I guess the obvious question would have to be on whose input did the minister rely to bring forward these changes to the Indian Act.

Second, he mentions the need to consult. We have been doing that for a century. We have been consulting probably for two decades on aboriginal safe drinking water. In fact, as the minister mentioned, he will have an expert panel. There was an expert panel on aboriginal safe drinking water to address the serious problem. First nations peoples do not have the legal protections to safe drinking water. The government promised legislation in the last budget. When will that legislation be forthcoming?

Hon. Chuck Strahl: Madam Speaker, this is a good debate and I hope we come to a good conclusion.

First, on the water legislation, I hope to have that water legislation before the House very shortly. We have again the Atlantic Policy Congress and many of the Yukon first nations have suggested that they would like to be pilot projects even for that legislation. I think we will have that before the House fairly quickly.

We need this because first nations, like everyone else in Canada, deserve to have water quality legislated, not just under policy. We have a policy right now but they deserve that legislation so they get clean drinking water like anyone else in the country. We need to have that and I agree with the hon. member it needs to be done quickly.

The other question was on whose information was this bill brought forward. Over the many months that we did consultation on the bill, what was clear was the inability of first nations organizations to say that the bill was good. I asked them if they wanted me to bring it in or not. What they said was the issues were too broad. They said that we needed another process, that we needed something bigger than the bill in order to address it. They said that the bill was okay but that we needed a bigger way to address the bigger issues because it simply was inadequate to address everything. That is why the exploratory process is so necessary.

Mr. LaVar Payne (Medicine Hat, CPC): Madam Speaker, it is a pleasure to speak today at report stage of Bill C-3, the gender equity in Indian registration act.

As my fellow members are well aware, Bill C-3 proposes to amend the Indian Act and to eliminate a significant and long-standing case of gender discrimination. To appreciate the logic behind the proposed legislation, however, we must understand the problem that Bill C-3 aims to fix.

Last year, the court of appeal for British Columbia issued a decision in McIvor v. Canada, which is now known commonly as the McIvor decision. The ruling required the Government of Canada to amend certain registration provisions of the Indian Act that the court identified as unconstitutional as they were inconsistent with the equality provision of the Canadian Charter of Rights and Freedoms.

The court initially suspended the effect of the declaration until April 6, later granting a short extension until July 5 of this year. In other words, if no solution is in place in just a little over a month, paragraphs 6(1)(a) and 6(1)(c) of the Indian Act dealing with an individual's entitlement to registration for Indian status, for all intents and purposes, will cease to exist in the province of British Columbia. This would create uncertainty and, most important, this legislative gap would prevent the registration of individuals associated with bands in that province.

Even though we have been granted a brief extension on the implementation of the court's decision in McIvor v. Canada, we must continue to work toward resolving the issue now. This extension should not be perceived as an opportunity to delay the process of Bill C-3 as this bill would rectify a long-standing case of gender discrimination. I want to emphasize that Bill C-3 offers a solution to the specific issues identified by the court by amending the Indian Act to eliminate the language that gives rise to the gender discrimination identified in section 6.

The impact of this bill would be important. We expect 45,000 people to be newly entitled to register as status Indians as a result of Bill C-3. In anticipation of the influx of requests, the Indian registration program has developed an implementation strategy to effectively deal with the new applications for registration under the Indian Act in accordance with the proposed amendments.

The Government of Canada is also carefully examining the program and financial impacts associated with the implementation of the bill. An internal financial impact working group has been established to examine all the costs associated with the implementation of the proposed legislation.

The legislation now before us proposes to change the provision used to confer Indian status on the children of women such as Ms. McIvor. Instead of subsection 6(2), these children would acquire status through subsection 6(1). This would eliminate the gender-based discrimination identified by the court.

As I mentioned earlier, it is important to recognize that Bill C-3 offers a solution to the specific issues identified by the court of appeal for British Columbia and does so in a tightly-focused fashion in order to respect the looming deadline. We can all appreciate the need to act quickly to respond to the court's ruling and provide new entitlement to registration in a timely manner.

I am convinced that this is a wise approach. As parliamentarians, we know the importance being placed on us by the British Columbia Court of Appeal to provide a legislative solution to a recognized case of gender discrimination. As a compact piece of legislation, it is my hope that Bill C-3 can make swift progress through Parliament.

The proposed legislation has much to recommend. It proposes a timely and direct response to the ruling of British Columbia Court of Appeal. In addition, it would eliminate a cause of gender discrimination. In essence, Bill C-3 represents a progressive step by a country committed to the ideals of justice and equality.

I urge all members to join me in support of Bill C-3.

● (1325)

Mr. Bruce Stanton (Simcoe North, CPC): Madam Speaker, my colleague introduced the idea that there was in fact engagement with aboriginal groups prior to the introduction of Bill C-3. Could he just add a few comments on that part of the discussion?

Mr. LaVar Payne: Madam Speaker, as the minister indicated earlier, as part of the overall process with respect to Bill C-3 the Department of Indian Affairs had a consultative process with some first nations individuals and organizations. It is really important that we understand they are looking for something much broader. That consultative process will continue once we pass this bill.

It is important to recognize that we will be able to work with first nations on this issue of discrimination and other larger issues particularly around registration.

● (1330)

Mr. Bruce Stanton: Madam Speaker, the member will recall that we heard testimony from the Chief Commissioner of the Canadian Human Rights Commission.

Clause 9 brings greater certainty and that is why we have chosen to amend and restore it in today's amendments. In a question the parliamentary secretary indicated that if clause 9 were not in place in the bill, it would cause a certain amount of litigation and a greater lack of certainty around the legislation. In response to the question the commissioner said:

> In my view—and of course I've been a member of the bar for over 30 years—if a legal issue can be referred or dealt with or clarified in an act of Parliament, that's far better than asking the Sharon McIvors of the world to go forward to make the law.

This was a direct reference to the whole issue we are talking about today.

Does the member recall those discussions and could I have his opinion on that?

Mr. LaVar Payne: Madam Speaker, as a member of the Standing Committee on Aboriginal Affairs and Northern Development, we heard testimony from the commissioner on clause 9 of the bill. As I understood it, this was an extremely important piece that needed to be included in the bill. If we do not include it, this item will be open to litigation by who knows how many people and this will put some first nations people in a position where they may be sued, thereby causing great harm to first nations treaties already in place and to the Government of Canada.

It is important that we understand this would have a major effect not only on the Government of Canada but on first nations people themselves and the registrations that they have, which might be challenged in a court and open to some very heavy financial penalties.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Madam Speaker, I am pleased to rise today to voice my support for Bill C-3, the gender equality and Indian registration act.

The rationale behind Bill C-3 originates in a decision rendered last year by the B.C. Court of Appeal. The decision in the case of McIvor v. Canada states that a key section of the Indian Act is contrary to the Canadian Charter of Rights and Freedoms and is, therefore, unconstitutional. The court found that two paragraphs of section 6, the section that spells out rules related to status entitlement and registration, constitute discrimination as defined by the charter. Indian status is a concept enshrined in law. Canadians with Indian status enjoy specific rights and entitlements.

As we know, the B.C. Court of Appeal suspended the effects of its ruling for one year to grant the Government of Canada time to develop and implement an appropriate and effective legislative solution. That is why the government moved promptly to develop an appropriate solution.

After engaging with aboriginal organizations to both provide information and seek input on a legislative solution, the proposed legislation was developed and introduced.

Given that the bill addresses an issue of gender discrimination and the potentially serious consequences if it does not pass and a legal vacuum results in British Columbia, I would encourage members on all sides of this House to support the passage of this bill.

The Court of Appeal acknowledged that the government has been diligent in moving forward with legislative amendments without any undue delays in the process. As a result, it responded favourably to the government's request for a short extension in the deadline for the implementation of this decision.

As the previous speaker noted, this bill would address the specific inequality identified by the court. The extension offers us, as parliamentarians, an opportunity to pass this bill before summer adjournment. We all agree that there are larger issues that need to be discussed, which is why, when the bill was introduced, the Minister of Indian Affairs and Northern Development also introduced the establishment of a joint process to be developed in conjunction with various national aboriginal organizations and the participation of first nation groups and individuals across the country on the broader issues related to the question of registration, membership, important treaty realities and cultural perspectives.

However, that is a separate process that should not distract us from the need to pass this bill to address the specific cause of gender discrimination identified by the Court of Appeal.

We all know that discrimination is one of the obstacles that prevent many aboriginal peoples from participating fully in the prosperity of this nation. By removing this particular obstacle, first nations would have more opportunity to contribute socially, economically and culturally to this nation.

Bill C-3 would also complement actions and initiatives taken by the Government of Canada in recent years to improve the quality of life for first nations, including actions addressing the quality of drinking water in first nation communities, the backlog of unresolved specific claims and the modernization of on-reserve child and family services and education systems, to name but a few.

In each case, the Government of Canada worked in partnership with aboriginal groups to design and implement an effective strategy. This growing partnership is tremendously valuable. It inspires the mutual trust needed to make progress on additional issues. The engagement process used to develop Bill C-3, including the series of meetings staged by national aboriginal organizations and attended by hundreds of people, furthered this collaborative spirit. The engagement process also identified the need to explore broader issues of status membership as citizenship beyond the scope of Bill C-3.

The Government of Canada believes that this broader process must include opportunities for individuals, leaders and organizations to express their views and ideas. Given the deadline imposed by the Court of Appeal for British Columbia, however, the endorsement of Bill C-3 must proceed on its own merit. At the same time, discussions have already begun with the Assembly of First Nations, the Native Women's Association of Canada, the National Association of Friendship Centres, the Congress of Aboriginal Peoples and the Métis National Council about how the exploratory process would unfold.

● (1335)

All organizations, along with the Government of Canada, are willing to collaborate on a process designed to gather the views of individuals, communities and leaders on issues related to band membership, Indian registration and citizenship.

Recognizing the complex and sensitive nature of these concepts, the Government of Canada has made no assumptions about the range of activities that will be included in the exploratory process. Initial discussions indicate that the process would likely benefit from a wide variety of information gathering activities and technologies.

To encourage aboriginals to share their views, for instance, the process might feature digital communication technologies. As discussions about the exploratory process continue, it is vital that Canada respond effectively to the ruling of the Court of Appeal for British Columbia. Bill C-3 offers an appropriate response. The proposed legislation along with the exploratory process, strengthened the relationship between Canada and aboriginal peoples.

For all those reasons, Bill C-3 fully deserves the support of all members of the House and I encourage all members to join together with me in endorsing Bill C-3.

Mr. Bruce Stanton (Simcoe North, CPC): Madam Speaker, I appreciate my colleague's comments this afternoon on Bill C-3.

I would like to turn our attention to the potential consequences if the House does not pass the bill. We heard earlier today that there would be dire consequences. We not only have potentially 45,000 persons who would be eligible to gain registration under the Indian Act, but, if we do not hit that July 5 deadline, we have a problem in the province of British Columbia where it is registering anywhere from 2,500 to 3,000 new status Indians each and every year. I wonder if the member might comment on the difficulties that would pose, particularly in terms of upholding the important nature of status and citizenship, not only for the individuals but for the communities as a whole.

● (1340)

Mrs. Joy Smith: Madam Speaker, if there is a legislative vacuum in British Columbia because of delays in passing the bill, there will be very severe consequences to a lot of people. Without legislation in place by July 5 to address the court's ruling, it will mean that no one living in the province of British Columbia or anyone affiliated with a first nation in that province could be registered as a status Indian. Based on our analysis over the last few years, there have been between 2,500 and 3,000 people newly registered per year in British Columbia.

Mr. Greg Rickford (Kenora, CPC): Madam Speaker, I want to ask the member about the important balance we are trying to strike here. The government acknowledges that there are broader issues. We have heard from members on both sides of the House that this is an ongoing discussion that needs to take place. However, there is a pressing and substantial deadline that we need to deal with, not just with respect to the court's decision but also with respect to the benefactors of this ruling.

I am wondering if the member could comment on the importance of moving forward with Bill C-3 as a first step and at the same time an exploratory process put in place to deal with these broader issues.

Mrs. Joy Smith: Madam Speaker, my colleague's question impacts on the broader issues around the first nations community. Through the exploratory process, the government, in co-operation with first nations and other aboriginal organizations, plans to explore the broader concerns that were brought forward during the engagement process on the McIvor decision last fall.

These broader issues are complex with a diversity of views among first nations and other aboriginal groups. In fact, at committee we heard first nations leaders speak to three key issues that the exploratory process would be quite useful in addressing, namely, the status, membership and citizenship issues.

As I have said, it is very important to pass this legislation now because if this legislation is not passed there is a huge vacuum out there that needs to be filled.

Earlier, the minister pointed out that it was important that the collaboration and exploration be done with the first nations people. That is where the ideas come from.

Mrs. Shelly Glover (Parliamentary Secretary for Official Languages, CPC): Madam Speaker, as the only elected Métis woman in the House of Commons, I am very proud to say today that I fully support Bill C-3, the gender equity in Indian registration act. I am pleased to have this opportunity to speak at report stage of this proposed legislation.

To appreciate the logic behind Bill C-3, one must first understand the problem it will fix.

Last year, the Court of Appeal for British Colombia issued a decision in McIvor v. Canada. The ruling required the Government of Canada to amend certain registration provisions of the Indian Act that it identified as unconstitutional, as they violated the equality provision of the Canadian Charter of Rights and Freedoms.

The court suspended the effect of its declaration until April 6, 2010, and has since extended that deadline to July 5. If no solution is in place at that time, paragraphs 6(1)(a) and 6(1)(c) of the Indian Act, dealing with entitlement to registration, will, for all intents and purposes, cease to exist in the province of British Columbia. This legislative gap would prevent the registration of individuals associated with British Columbia bands.

Bill C-3 would amend the Indian Act to eliminate the language that gives rise to the gender discrimination identified in section 6. Let me explain how the proposed amendments would affect the rules that determine entitlement to Indian status here in Canada.

Essentially, Sharon McIvor, the plaintiff in the original case, alleged that the 1985 amendments to the registration provisions of the Indian Act, still known today as Bill C-31, constitute gender discrimination as defined in the Canadian Charter of Rights and Freedoms. Ms. McIvor, an Indian woman, married and had a son with a non-Indian man. Her son went on to marry and have children with a non-Indian woman. Under the Indian Act, however, those children, Ms. McIvor's grandchildren, are not eligible to become status Indians.

Part of the problem stems from a series of amendments to the Indian Act that were introduced in Bill C-31 and enacted back in 1985. These amendments tried to end the discrimination experienced by specific groups. In its decision, the Court of Appeal for British Columbia stated that Bill C-31 “represents a bona fide attempt to eliminate discrimination on the basis of sex”.

However, the approach adopted in Bill C-31 inadvertently introduced a new level of complexity. Allow me to cite two specific examples.

The first involves something known as the double mother rule under the pre-1985 legislation. The rule applied to the legitimate children of an Indian man and non-Indian woman. If the male son of that union married a non-Indian woman, their children lost status at age 21.

The second example involves the case of an Indian woman who marries a non-Indian man. Prior to 1985, the woman lost her status, and the children of that marriage could not register at all.

Bill C-31 addressed these situations in two ways. Subsection 6(1) enabled Indian women who lost status through marriage to regain it, while subsection 6(2) enabled the children of these women to register.

While this approach eliminated gender-based discrimination in the first generation, it created issues for people in subsequent generations. At least part of the reason for this is that the amendments stipulated that if someone who was registered under subsection 6(2) was a parent with a non-Indian spouse, their children would not be eligible for registration.

To appreciate how this approach leads to gender-based discrimination, we must return to the decision of the Court of Appeal for British Columbia in comparing the situation of Sharon McIvor to that of her brother. The brother's children would maintain Indian status under subsection 6(1) of the amended Indian Act. However, Ms. McIvor's son acquired status under subsection 6(2), and when Ms. McIvor's son became a parent with a non-Indian woman, their children were not entitled to registration. This shows that the consequences of two successive generations involving marriage to a non-Indian differ, in that one started from a male line and another from a female line.

The Court of Appeal for British Columbia took issue with the fact that Bill C-31, in eliminating the double mother rule, granted lifetime status to the grandchildren of two successive generations of mixed marriage in the male line, but did not grant the same entitlement in the female line.

● (1345)

The legislation now before us proposes to change the provision used to confer Indian status on the children of women such as Ms. McIvor's. Instead of through subsection 6(2), these children would acquire status through subsection 6(1). This would eliminate the gender-based discrimination identified by the court, and I cannot imagine why anyone would not want to see this pass.

It is also important to recognize that Bill C-3 makes no attempt to address other issues related to registration as an Indian. The bill offers a solution to the issues identified by the Court of Appeal for British Columbia, and does so in a narrow fashion to respect the deadline established by the court. All of us in this House can appreciate the need to act quickly to respond to the court's ruling and to provide new entitlement to registration in a timely manner.

I am convinced this is a wise approach. As parliamentarians, we face a tight deadline, as the court directed us to act prior to July 5, 2010.

Bill C-3 represents a progressive step by a country committed to the ideals of justice and equality. I strongly encourage my hon. colleagues to support it, and I want to mention, as a woman who has seen this time and time again, that it is high time that we provide aboriginal women with the same rights as male aboriginals in today's society. This is long overdue. It is the right thing to do. I cannot understand why other members of the House do not understand how right this is to complete, and why they are continually objecting to our making right, once and for all, what was so wrong.

I implore members of the House to vote for the bill. It is the right thing to do, not only for aboriginal people, but also for aboriginal women in particular, who, for far too long, have suffered and not been given the same rights as their male counterparts.

● (1350)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Madam Speaker, I would have liked my colleague to have heard all the debate and also attended the meetings of the Standing Committee on Aboriginal Affairs and Northern Development. However, I know that she is very busy.

I will tell her why we will vote against Bill C-3. Not only does it fail to end discrimination but it will maintain systemic discrimination —systemic, meaning part of the system—and ensure that 100,000 aboriginal people, for the most part women, will not be entitled to Indian status. That is the problem: they are women, and because they are women this is not a serious matter, and registering them is not a requirement. That is what we are fighting for. What is fairly surprising is that even Ms. McIvor, who began this debate, is telling us to not vote for this bill because it will not solve the problem.

I would like to know why the member's government, which had the opportunity to end this discrimination, which had the chance to abolish this discrimination, did not do so when it introduced Bill C-3?

Mrs. Shelly Glover: Madam Speaker, I want to thank the hon. member from the opposition for his question. One thing bothers me. I have a lot of concerns when I hear these questions coming from a Bloc member. The Bloc does not have any aboriginal women in its caucus. What is more, it talks about women and children and protecting Canadian and Quebec women and children, but it was the Bloc members who voted against our very important bill on the trafficking of our women and children. Most of those women and children are aboriginal and the Bloc members vote against protecting our children, our young people and our aboriginal women. It is rich to hear such questions. It is not—

Some hon. members: Oh, oh!

The Acting Speaker (Ms. Denise Savoie): Order.

The hon. member for Edmonton—Strathcona.

[*English*]

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Madam Speaker, I have two questions for the hon. member. First, I have heard from some first nations that they are very concerned that the government is referencing the consultations that are required with them under the Constitution as "exploratory" talks and as being with 100 or so people and organizations, when in fact the constitutional obligations are to consult with all first nations peoples and their governments.

My second question for the hon. member is this. We have heard in the House today that all of the first nations women's organizations who intervened opposed the bill, and yet the hon. member is asking how we could possibly oppose a bill that is coming forward on which first nations peoples have been consulted. I guess the obvious question that arises is why is the government not listening to what the first nations women are saying, since the bill affects only them?

Finally, first nations governments are obviously going to incur major costs from this. They cannot provide housing as it is to their members. How are they going to meet these needs unless we budget —

● (1355)

The Acting Speaker (Ms. Denise Savoie): The hon. parliamentary secretary has one minute to answer the question.

Mrs. Shelly Glover: Madam Speaker, I appreciate what the hon. member said about people appearing at committee, but what we have to remember is that the engagement sessions or consultation process that has taken place by INAC officials and members of Parliament and others is not confined only to this place. I have consulted with aboriginal women in my own community, who may not be witnesses in committee but who do in fact have an opinion. Their opinion is in support of the Conservative government's bill. They want to see this changed as quickly as possible.

I side with them today in making sure that happens for their children.

Mr. Mike Wallace (Burlington, CPC): Madam Speaker, it is my honour today to stand up for Bill C-3.

I first want to thank the chair of the committee for getting the bill to us. I know there was a difficult time in committee. The chair, the member for Simcoe North, did an excellent job. I know the committee brought many amendments forward that the chair overruled, and the committee members then overruled him. However, fortunately the chair overruled them. So the chair was right, and I appreciate the hard work that the chair is doing on the committee.

I have been here all morning. I am not fortunate enough to be on the committee, but I heard a number of questions and I would like to take the time left to answer them.

I was here studying the main estimates for my own committee meeting this afternoons at the Standing Committee on Finance. I am looking forward to talking with the witnesses from the finance department and CRA on their estimates. The question is why is Bill C-3 not financed in the main estimates?

For those in the House who should know, the staff began to work on the main estimates back in the fall of 2009. They go through a number of processes before they get to the main book that we have now.

The fact is that it is very premature to have the proposed law before us in the main estimates. I would expect that when the bill passes, there will be some financial implications. These are dealt with in either the supplementary estimates (A), (B) or (C). That is why we have supplementary estimates in this place, so that when things change, when the government makes a decision, when this Parliament makes a decision, they are able to add those costs through the supplementary estimates process.

That is why each and every one of us should pay attention to the supplementary estimates. Then we will know where we are spending taxpayers' money. In this case, I think this is an excellent project for us to be spending money on in the upcoming estimates.

Another question that needs to be asked is, if there is legislative vacuum in British Columbia because of delays in passing the bill, what will be the consequences and how may individuals will be affected? That is a good question, and I am not sure how many on the opposition benches asked this question. However, the answer is that we need this bill passed by July 5 to address the court's ruling. Without it, no one living in the province of British Columbia or anyone affiliated with first nations in that province would be a registered status Indian. Based on our analysis over the last few years, there will be 2,500 to 3,000 people newly registered status Indians per year in British Columbia.

Therefore, it would be silly for us not to move ahead and meet the court's deadline, because of the change required by the court's ruling in British Columbia.

The Acting Speaker (Ms. Denise Savoie): Order. The hon. member will have seven minutes when this debate resumes.

STATEMENTS BY MEMBERS

● (1400)

[*English*]

ARGENTINA

Mr. Ted Menzies (Macleod, CPC): Madam Speaker, I am pleased to rise in the House today to congratulate Argentina on the 200th anniversary of the May revolution. The bicentennial marks the establishment of the primera junta, the first national government of Argentina, and the beginning of the Argentine War of Independence.

The events in Buenos Aires resonated across the Latin world, helping spark the Spanish-American wars of independence, which resulted in the creation of newly independent countries stretching from Mexico to Chile. This year's bicentennial coincides with the 70th anniversary of the establishment of bilateral diplomatic relations between Argentina and Canada.

Exciting cultural festivities are scheduled throughout the week. Mayor Larry O'Brien has proclaimed May 25th Argentina Day in the city of Ottawa.

Be sure to listen carefully to the Peace Tower carillon, which will play a selection of Argentine tangos and milongas to mark this occasion. Please join me—

The Acting Speaker (Ms. Denise Savoie): Order. The hon. member for Notre-Dame-de-Grâce—Lachine.

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PARALYMPIC ATHLETES

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Madam Speaker, I wish to draw attention today to the accomplished Arly Fogarty, the 27-year-old Canadian Paralympic ski team athlete living in my riding of Notre-Dame-de-Grâce—Lachine.

Arly was part of the 16-member Canadian para-alpine ski team, which competed in the Vancouver Paralympics this year. This was Arly's second Paralympics following her debut in Turin in 2006. Arly was named the 2005 para-alpine female athlete of the year. She also scored her first World Cup podium, a bronze, in Austria in 2008.

[*Translation*]

Throughout the games we were impressed by the prowess of all the Canadian athletes. We saw some truly remarkable performances by each and every one of them, including Arly.

I want to congratulate Arly on her accomplishments and wish her much success in the years to come.

* * *

ESTELLE LARIVIÈRE

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, I would like to congratulate Estelle Larivière, from Matagami, in my riding, who has won the 2010 Hommage bénévolat-Québec award for the Nord-du-Québec region.

Ms. Larivière started volunteering in Matagami when she arrived in the region in 1961. Since then, she has helped many people in various ways: by collecting used clothing and furniture, cooking dinner for bereaved families, and helping children with their homework after school. She has not stopped volunteering since she started 49 years ago, and she is still very active with a local recycling organization.

Ms. Larivière is among the 2.3 million volunteers in Quebec who generously give their time to help their fellow citizens. It is important to acknowledge the remarkable contributions these people have made in their respective communities, and we cannot do that enough.

On behalf of myself and the Bloc Québécois, congratulations to Ms. Larivière. She not only has our respect; she has our admiration, too.

* * *

NON-PROFIT COLLECTIVE

Mr. Yvon Godin (Acadie—Bathurst, NDP): Madam Speaker, the Collectivité ingénieuse de la Péninsule acadienne in Paquetville, New Brunswick, celebrated its 10th anniversary last week. On May 17, 2000, Industry Canada told the non-profit collective that out of 129 submissions its submission had been chosen as New Brunswick's pilot project.

Since then, CIPA has participated in the economic development of the Acadian peninsula and of New Brunswick as a whole. It is proof that investing in our rural communities pays off and is the key to a viable and diversified economy.

CIPA has recently launched two innovative projects. The first is ParCelles, a community-based support and empowerment tool for victims of violence. The second is VillageSanté, which aims to strengthen the ability of Canadian and francophone communities to promote health.

Congratulations to the employees and long live CIPA.

[*English*]

VICTORIA HALL

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, it is my pleasure to inform the House of the 150th anniversary of Victoria Hall in the town of Cobourg. Victoria Hall is a heritage legacy in the town of Cobourg. Once considered as a site for the centre of our government, it now serves as a cultural, historical, artistic and educational landmark.

The first cornerstone was laid in 1856, followed by the official opening of the hall in 1860. This week, we are excited to celebrate the 150th anniversary. During the week, commemorative activities will include a traditional ball, walking tours, historical presentations, and musical performances by local artists. To help with these celebrations, Victoria Hall has received over $10,000 through the community historical anniversaries program under Heritage Canada.

Congratulations to Victoria Hall on this momentous anniversary. Thanks to all the community members and volunteers who worked tirelessly to make this week a success.

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● (1405)

ACTS OF BRAVERY

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, I rise today to recognize my constituent, Tom Muench, for his selfless and heroic act in assisting Toronto police officers in their efforts to catch a fleeing criminal.

Last fall, while Tom was visiting his mother, he suddenly saw a man running through the garden, being chased by a police officer. Without hesitation, Tom intervened and began pursuing this man through the North York neighbourhood. Despite being held at knifepoint, he even tackled the man twice.

On top of this, he was also calling 911 to inform the dispatchers of the suspect's whereabouts. Ultimately, Tom's brave act led the police toward key evidence, which included two knives, a large sum of cash and drugs.

A month ago today, William Blair, chief of police, presented Tom with an award of honour for his outstanding contribution to the Toronto Police Service and the community. This incident is not unique for Tom as he also stopped a criminal from a daytime burglary back when he was a teenager.

As such, Tom is a prime example of what it means to be a good Samaritan and a community leader. Thanks to our local hero.

SOURIS SCHOOL

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, I rise today to offer my congratulations on the 100th birthday of the Souris School in Weyburn, Saskatchewan and to pay tribute to all the students, teachers, principals, parents and volunteers who had a part to play in shaping the history of the school.

The celebration that I attended on Friday, May 21, was about more than the three-storey brick building, although it embodies the school's rich history. While throughout the years the school faced its fair share of challenges, these were all looked at with fondness.

Indeed, this celebration was about fond memories, friends reminiscing, sharing a statement like: "Mrs. Sprout taught me how to read", "Mrs. Jenkins taught me how to write", and "Mrs. M.J. was my all round favourite".

We were reminded of the satisfaction of teachers having a hand in the development of young minds and that is the bottom line. As Oliver W. Holmes once said, "Once the mind has been stretched by a new idea, it will never again return to its original size".

Congratulations to Souris School on reaching 100 years. What a remarkable achievement.

* * *

[*Translation*]

CANADA POST

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, Canada Post is planning to close its postal outlet in Saint-Mathieu-de-La-Prairie, a vibrant rural community in my riding.

In January, the crown corporation unilaterally decided to cut the postal outlet operator's pay. As a result, that person can no longer afford to provide this essential service. Canada Post has even refused to inform local elected officials of the new operating conditions it wishes to impose to maintain the service.

Canada Post has been making a profit for the past 15 years, yet it is constantly chiseling away at rural postal services despite the 2009 moratorium on closing rural post offices. Whatever happened to transparency?

Maintaining public postal services is essential to the economic viability and social identity of rural communities, but Canada Post's service cuts are exacerbating rural-urban inequalities. Canada Post needs to understand that once and for all.

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[*English*]

AIR INDIA MEMORIAL MONUMENT

Mr. Bob Dechert (Mississauga—Erindale, CPC): Mr. Speaker, this June marks the 25th anniversary of Canada's worst act of terrorism, the Air India attack of 1985. On June 23, Canadians across the country remember this terrible act on Canada's National Day of Remembrance for Victims of Terrorism. Events are being planned across Canada, as well as in Ireland, to honour the hundreds of people killed during this act of terrorism.

Last week, we were deeply disturbed to hear that the Toronto monument to these victims had been vandalized.

In 2007 the Prime Minister and other leaders joined Air India families to unveil this important memorial where the names of the 329 victims are etched. The Toronto memorial faces the memorial in Ahakista, Ireland where the plane went down.

We are very pleased to hear that the monument will be restored in time to mark next month's anniversary. I believe I speak on behalf of all parties and all Canadians when I condemn the vandalism of this monument.

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[*Translation*]

ARGENTINA

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, today, May 25, marks Argentina's bicentennial, the anniversary of the sequence of events that led to Argentina's independence.

I was born in Argentina and lived there before I was forced to leave the country with my family for political reasons, like so many other Argentinians. Argentina has gone through glorious times as well as more difficult days.

But today Argentina has turned a page, and I think of it as I see it now: a great nation with a rich and vibrant culture, a nation open to the world.

When we think of Argentina, the first things that come to mind are the tango, Evita, soccer, Maradona. But Argentina is also a very beautiful country that is home to a proud and determined people.

I join my colleagues in wishing Argentina and the Argentine people a happy bicentennial. And since the world cup of soccer starts in a few weeks, I would like to take this opportunity to wish Argentina the best of luck.

¡*Que viva Argentina*!

* * *

● (1410)

JUSTICE

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, today our government announced measures to enhance the safety and security of the online marketplace.

Amendments to the legislation protecting the personal information of Canadians and the reintroduction of anti-spam legislation in the House of Commons are important steps towards positioning Canada as a leader in the digital economy.

These measures will empower and better protect consumers while ensuring that Canadian businesses can continue to compete in the global online marketplace.

Our government believes Canadian shoppers should feel just as confident in the electronic marketplace as they do at the corner store.

Personal information should be no less secure when shared online than anywhere else. That is why our government is taking steps to ensure it is better protected.

With the bills being introduced today, we are working toward creating a more secure online environment for both consumers and businesses.

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[*English*]

MEMORIAL CUP CHAMPIONSHIP

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, today I proudly stand in the House wearing a jersey that I am honoured to display in my parliamentary office, a jersey that has come to be synonymous with greatness.

It is with the pride of my entire community that I am once again afforded the opportunity to acknowledge the stunning accomplishments of the Windsor Spitfires. Just this past Sunday, the Spits secured its second consecutive Memorial Cup trophy, a feat rarely accomplished, solidifying its place as one of the greatest teams in the history of Canadian junior hockey.

After overcoming a 3-0 series deficit against the Kitchener Rangers in the OHL conference semi-finals, the Spits were dominant the rest of the way, successfully defending its 2009 Memorial Cup Championship and repeating as CHL champions.

I congratulate the excellent ownership group including Warren Rychel, Peter Dobrich and Bob Boughner who have led the club back to prominence, and of course all our dedicated players and families for their victory.

Thanks for giving us something to cheer for, and go get 'em in 2011. Go, Spits, go.

* * *

FIREARMS REGISTRY

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, Canadians across the country have been speaking out against the wasteful and ineffective long gun registry.

It not only unfairly targets innocent hunters and farmers, but it does nothing to deal with serious gun crime in our neighbourhoods and on our streets.

One Canadian who opposes the registry is the Minister of Justice and Attorney General for Alberta, Alison Redford. In a letter to the member for Portage—Lisgar, Minister Redford stated, "The Government of Alberta has long opposed the long-gun registry as both an infringement on provincial jurisdiction and a waste of money; money that could have been used more effectively in other ways to combat serious and violent crime".

Opposition MPs from all parties should listen to the minister's recommendations, take her advice, do the right thing, and vote to scrap the wasteful long gun registry. It is simply—

The Speaker: Order. The hon. member for Ahuntsic.

[*Translation*]

INTERNATIONAL MISSING CHILDREN'S DAY

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, to have a child go missing is perhaps the most tragic thing that can happen to a family. According to the RCMP, every year in Canada about 100 children go missing and are still missing a year later. This situation is unacceptable.

Some of these children are missing because they have run away or because of accidents, but many are abducted by parents or strangers.

While a tough-on-crime approach may be the most appealing, prevention is definitely more effective. That is why the Bloc Québécois wants to tackle the underlying causes of this kind of crime and give the police the tools they need to investigate, as well as bring in balanced, effective and realistic legislation. Supporting organizations that work on prevention with families and in schools is crucial.

On this International Missing Children's Day, I invite everyone to light a candle for 24 hours in order to light the way home for all missing children.

* * *

[*English*]

FORMER PRIME MINISTER OF CANADA

Hon. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, today I am sure all members of the House will want to join me in saluting a great Canadian and a master of this chamber, Jean Chrétien.

When Mr. Chrétien became prime minister in 1993, Canada was in crisis. Our economy was stalled, our finances were in deficit, and threats to our national unity loomed.

Ten years later, Jean Chrétien left Canada united, with the best public finances and the best economy in the G7. Thanks to him, we are a more equal and just society. This is a truly great record.

[*Translation*]

Today we are saluting the "little guy from Shawinigan" who served his country so well for 40 years.

Jean and Aline, welcome back to Parliament Hill. On behalf of all hon. members and all Canadians, we thank them both for everything they have done for Canada.

* * *

● (1415)

[*English*]

COMMITTEES OF THE HOUSE

Mr. Greg Rickford (Kenora, CPC): More good news, Mr. Speaker. Today the government reaffirmed our commitment to ministerial accountability. Just because a committee can call on staff to appear before committee does not mean they ought to.

In the Canadian political system virtually all departmental activity is carried out in the name of the minister and Parliament holds him or her personally responsible for it.

A strong system where ministers are accountable and answerable to Parliament for the actions of their officials and department, including their own political staff, helps to ensure that taxpayer dollars are well spent and the public trust is not abused.

However, today, and for the second time, the opposition dismissed a minister from committee without allowing him to fully take part in the meeting. What does this prove? It proves the opposition is playing games and those members are prepared to politicize anything they think will score points, even abusing their privileges by calling ministerial staff in front of committees. The opposition is not interested in accountability or the truth. It is just interested in opportunistic grandstanding.

ORAL QUESTIONS

[*Translation*]

THE ECONOMY

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, we are in the midst of a sovereign debt crisis that is spreading throughout the world and getting worse by the day. The Canadian economy remains fragile with a high unemployment rate, an unprecedented level of household debt, and a $54 billion deficit.

Rather than protecting Canada's workers, the government is borrowing money to lower taxes for corporations that are already profitable. Why?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I am pleased to see that the Leader of the Opposition is finally focusing on the real issue, the economy. As I have stated a number of times, the world economy remains fragile and that is why it is our focus. Our debt levels are much lower than those of other countries and our taxes are going down. That is essential in order to be competitive.

[*English*]

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): However, Mr. Speaker, this side of the House cut taxes when we were in a surplus. Can Canadians understand why we are cutting taxes when we are in a deficit? That is the issue.

Canadian families are facing serious questions: the highest levels of personal indebtedness in the G7, high unemployment and only one in four Canadians has any kind of retirement security. On top of this, we have a $54 billion deficit. These are the economic facts of life.

Why is the government, then, borrowing money to lower taxes for corporations that are already profitable? No one can understand it.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, first, I congratulate the Leader of the Opposition for finally, after several months, asking a question about the economy, which is actually something Canadians care about.

Our debt levels in Canada are obviously significantly lower than the vast majority of other developed countries because of the wise management of the Minister of Finance. We are also ensuring that we come out of this recession well positioned, including having some of the lowest tax rates in the developed world. That is why we are for lowering taxes. The other side, I know, is for raising them. That is the wrong way to go.

● (1420)

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, there is only one party in the House that will actually raise taxes next year, and it is sitting opposite me, $14 billion of payroll taxes.

This is a question of choices. The government is choosing to ignore the learning deficit, the care deficit, the skills shortage deficit. This is what is zapping Canadian productivity.

Instead, the government is choosing to borrow money to lower the taxes of corporations that are already profitable. I still have not heard an answer as to why.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, let us be clear. The academic community, the G13 presidents with whom I met last week, praised this government for the steps it took on post-secondary education.

There is a fundamental difference here. The opposition wants us to raise business taxes. We want to lower them. It wants us to raise the GST. We will not do that. It wants us to impose a carbon tax to pay for Kyoto. We will not do that. It wants us to raise EI premiums to pay for a 45-day work year under EI. Those are not the positions of this government. We are for lower taxes and a strong—

The Speaker: Order, please. The hon. member for LaSalle—Émard.

* * *

[*Translation*]

STATUS OF WOMEN

Mrs. Lise Zarac (LaSalle—Émard, Lib.): Mr. Speaker, it is unacceptable that the Prime Minister refuses to tell Canadian women where he stands on the right to choose. His anonymous sources say one thing in French and another thing in English. The verbal acrobatics from Dimitri Soudas do not constitute a government commitment.

I am urging the Prime Minister to clearly state, in both official languages, that women are free to choose and that he will never allow a bill to pass that could restrict a woman's right to choose.

[*English*]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, the Prime Minister, this side of the House and Parliament have been very clear. We have debated the motion and we have decided on that motion. Canadians do not want a debate on that issue. In fact, at this year's G8 we will be taking actions that are cost effective and evidence-based to save the most lives of mothers and children in developing countries, particularly in Africa.

[*Translation*]

Mrs. Lise Zarac (LaSalle—Émard, Lib.): Mr. Speaker, how can we trust them to respect a woman's right to choose, when they decided to take that right away from African women, against the advice of doctors and contrary to public opinion, and in violation of the Maputo declaration?

It is a right. What right does the Prime Minister have to take that right away from African women? Will he do away with the Conservative gag rule, as unanimously called for by the National Assembly, or will he take a right away from African women that he claims to not want to take away from Canadian women?

[*English*]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, as I already indicated, there is no intention to open up the debate on that issue. The Prime Minister has been very clear. There is no support to change Canada's current legislation. In fact, at this year's G8, we will save more lives of mothers and children in developing countries, particularly in Africa, than has happened since these MDGs were established. This is the kind of leadership that Canadians want to see in their international aid.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in a report obtained under access to information, we learn that CIDA officials recommended that the Conservative government include abortion in its maternal health policy abroad. That report clearly states that access to safe abortion for women in developing countries would save lives.

By ignoring the recommendations of his own officials, did the Prime Minister not just prove that his maternal health policy is dictated by religious right lobbies?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, that is not at all the case. The government's policy reflects the decisions made by this chamber. The Bloc may want to reopen the debate on abortion, but Canadians are not interested in such a debate.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister can deny all he likes that he wants to reopen the debate on abortion, the fact is that he has decided, against the advice of his own officials, to restrict access to abortion for women in developing countries.

If the Prime Minister is serious, why does he not take concrete action by including abortion in his policy on maternal health, before the G8 summit?

● (1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it is up to other countries to make their own decisions in this regard. Our decisions reflect the decisions made by this chamber. It is clear that Canadians, including Quebeckers, do not want a debate on abortion, and that is also the position of our government.

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, the Prime Minister's entourage has expressed surprise that funding for international maternal health could lead to a debate on abortion. However, the Conservative caucus has tried to reopen the debate through back-door measures that would limit access to abortion. They refuse to admit it here, but they do not hide their intentions from anti-abortion groups.

Will the government admit that the best way to not reopen the abortion debate is to fund projects that offer freedom of choice to women in developing countries?

[*English*]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, we understand our responsibilities as government. We have decided the issue in the House of Commons. We know Canadians do not want the debate to be opened again. We also know Canadians want to make a difference in the lives of mothers and children in developing countries. We know they want us to support cost effective, evidence-based actions that we know can prevent their deaths and save more lives of mothers and children. That is what Canadians want us to do.

[*Translation*]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Quebec's National Assembly reaffirmed the right of women to freedom of choice and is asking the Conservative government to not cut funding to groups that support the right to abortion.

Instead of listening to the religious fundamentalists in its party, when will the Conservative government start listening to Quebec, which reaffirmed the right of women to freedom of choice?

[*English*]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, as the Prime Minister has clearly indicated, the government has no intention of supporting any changes in the current legislation on that issue. In fact, we encourage all parties in the House to support our efforts at the G8 to save the lives of mothers and children. We know what the tools are. We know that we can prevent their deaths. In fact, we want to save more lives with our international assistance.

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COMMITTEES OF THE HOUSE

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Conservatives seem to be leading us once more into a parliamentary showdown. We all remember that famous manual for Conservative MPs to disrupt committees with every kind of step to obstruct debate and prevent the appropriate discussion at the level of the committees.

However, now we have the outright refusal by the Conservatives to allow those who know what went on and may have been active in preventing the truth from coming out, even to come before the committee. They are material witnesses.

Why is the Prime Minister concealing the truth from Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, our precedents and practices are very clear. It is ministers and the ministry at large who are responsible to the House and to its committees, not their staff members. The staff members are responsible to the ministers and the members for whom they work.

[*Translation*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Conservatives just do not get it. They are not a majority government. They might want all of the power, but they do not have it. Members of Parliament have the right and the duty to uncover the truth. That is our job. That applies to torture in Afghanistan, and the ruling about the documents was crystal clear on the subject. That also applies to political interference with access to information.

Why is the Prime Minister trying to hide the truth by hiding the employees who implement these directives?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the NDP leader mentioned a majority government. Would a majority government force opposition party staffers to appear before parliamentary committees? Of course not. Ministers are answerable to the House of Commons, and our employees are answerable to us.

● (1430)

[*English*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, if we really believed that, the Minister of Labour would have been the one fired, not one of her staff.

Political interference has gone on for far too long, and when it comes to limiting access to information, it simply should not be allowed to happen. To get to the truth, if the MPs decide they need to hear from Ryan Sparrow, Dimitri Soudas, Kenzie Potter or anybody else, then they all need to realize that they are not above the law. They cannot just say no.

What will the Prime Minister do next to prevent us from getting to the truth, prorogue Parliament again?

Right Hon. Stephen Harper (Prime Minister, CPC): Quite simply, Mr. Speaker, when there is a question about conduct in a minister's office, the committee obviously can call ministers and the ministers will answer those questions.

* * *

OFFSHORE DRILLING

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, BP assured the American government that it had all the precautions in place to prevent a disaster in the Gulf of Mexico. That did not turn out too well, did it?

Oil continues spewing into the Gulf and it has been suggested that this will not stop until a relief well is finished in August, five months too late.

What specific plans does the government have to ensure this devastation does not occur in Canada?

[*Translation*]

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, as my colleague knows, Canada has very strict offshore drilling regulations. Canada's regulator, the National Energy Board, is keeping a close eye on what is happening in the Gulf of Mexico to understand the situation better and improve existing technology in Canada. One thing is certain: no offshore drilling will take place unless we are certain that workers will be safe and the environment will be protected.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.) Mr. Speaker, when asked what the government's plan was for a potential oil spill cleanup in the Arctic, the Prime Minister said that the National Energy Board would handle everything. However, the most immediate threat of oil spills this summer could come drifting into Canadian Arctic waters from drilling in the American Beaufort Sea and foreign drilling in adjacent Greenland waters. These are not under the jurisdiction of NEB, but the Canadian Coast Guard.

The government to date has not been able to confirm it has any cleanup plans. Again, what is the government's specific plan to clean up a foreign oil spill should one drift into the Canadian Arctic?

[*Translation*]

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, let me be clear: there are no permits for offshore drilling in the Beaufort Sea or the Arctic. One thing is clear: no drilling will take place unless this government is certain that workers will be safe and the environment will be protected. We will continue to require that companies that want to drill use the best technologies in the world.

[*English*]

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, is the minister aware that the oil tankers being proposed to carry crude oil to B.C.'s Pacific north coast inland waters would be four times larger than the *Exxon Valdez*, meaning that any spill could be four times more catastrophic than the Alaskan coast spill in 1989?

Does the minister understand the potential risks and why the tanker ban is so vitally important, or does he believe that technology makes a spill impossible, like some thought in the Gulf of Mexico?

[*Translation*]

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, there is a moratorium in British Columbia and no tankers are allowed into the Inside Passage. That will not change. Decisions are always made with environmental protection and worker safety in mind. Companies have to submit action plans and emergency plans and use the best technology available.

[*English*]

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, the government has been all over the map on the north coast tanker ban. We have had yeses, noes and confusion , but the prevailing Conservative wisdom seems to be that there is no tanker ban. In fact, the former natural resources minister said, “There has never been a moratorium on oil tankers...”. He is wrong. A ban has been in place since 1972.

Could we get a straight answer? Let us try again. Does the government support a permanent tanker ban on the inland waters, yes or no?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I think the member took a rather different position when she was minister of the environment in British Columbia, as most people in British Colombia will know.

The government has no plans to reopen the 1988 exclusion zone on tankers travelling between Alaska and Washington. That was put in by a Conservative government and we strongly support it.

* * *

● (1435)

[*Translation*]

SECURITIES

Mr. Daniel Paillé (Hochelaga, BQ): Mr. Speaker, the Minister of Finance was so short of arguments regarding the hostile takeover of securities that, 10 days ago, he had reached the point of calling socialists those who condemn his project, including Power Corporation. However, the list of socialists is getting longer and now includes: Industrial Alliance, the Canam Group, Transcontinental, and the former president of Bombardier Transport.

When will the minister abandon his unspeakable plan of creating a federal securities commission?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, as I always say, our intention is to move forward with the provincial and territorial governments that are prepared to cooperate on this issue. We will respect the provinces' jurisdiction in this regard. Participation is on a voluntary basis. It is a decision that rests with the government of Quebec and the other provinces.

Mr. Daniel Paillé (Hochelaga, BQ): Mr. Speaker, André Pratte, the editor-in-chief of *La Presse*, condemned the expulsion, the expropriation of Quebec and the provinces from a jurisdiction that they have held for decades. In his opinion, this is one the most centralist measures ever taken and a serious violation of the respect for provinces. He even talked about "predatory federalism".

Will the minister drop his partisan plan, which would deprive the Quebec nation of a major financial leverage, at the benefit of Toronto?

Bunch of predators!

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, one thing is clear. In the world of capital markets regulation, there are more and more complex products being sold or sought to be sold to investors.

We know that investors and ordinary Canadians need protection in Canada and they need better protection than is provided by 13 separate regulators with 13 separate sets of rules. That is one of the reasons that we are proposing a Canadian securities regulator.

Members should look at the Earl Jones situation in Quebec and listen to what Joey Davis said. He said, "We support the idea of a single national regulatory body overseeing financial organizations...."

[*Translation*]

COMMITTEES OF THE HOUSE

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, the government wants to prevent ministerial staffers from appearing before parliamentary committees, by using the pretext that ministers will testify themselves and account for their own actions.

The government is not credible, considering that several ministers have recently refused to appear before committees. For example, let us take the case of the Minister of Natural Resources, who refused to appear before the Standing Committee on Governmental Operations and Estimates.

Will the Prime Minister admit that this new scheme has only one purpose, which is to prevent Parliament from doing its work?

[*English*]

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, quite to the contrary. As the member ought to know, if he does not already know, in the cases that he cites, the ministers have already proactively provided all of the information that was requested and, in fact, they went beyond that.

This is really a question about ministerial responsibility and that is where this government stands. We have always stood for accountability and we will continue to do so. It is the responsibility of ministers to answer questions both in this chamber and at committee and that is what they will continue to do.

Rather than the opposition invoking the tyranny of the majority and attacking and demeaning our staff—

The Speaker: The hon. member for Montmorency—Charlevoix—Haute-Côte-Nord.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, following the ruling issued on April 27 by the Speaker of the House, one would have expected the Prime Minister to understand the role of Parliament, which is to make the government accountable. By preventing political staffers from testifying, the government is creating a new category of citizens.

Will the government admit that this is tantamount to saying that Parliament will no longer have access to those people who are closest to power and who, oddly enough, will no longer be accountable to it?

[*English*]

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, as the hon. member well knows, it is the responsibility of this government to be held to account and we and our ministers are held to account, and that is what we will continue to do. The ministers will appear at committee and answer the questions that are put to them.

● (1440)

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, today the government announced that it will violate the power of parliamentary committees to call for witnesses. We are now told that ministers will appear instead of their staff.

However, the Minister of Natural Resources, his predecessor and the Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities have all refused to appear before the government operations committee.

Will the Prime Minister now instruct those ministers and PSs to appear before committee instead of their staffers on June 2 at 3:30 p. m. in room 237-C?

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, with all due respect, I wish my hon. colleague had listened to the answer to the question that was just put by the member from the Bloc Québécois. Quite clearly, the ministers are prepared to appear before committee.

With respect to the instances that she cites, those ministers had already proactively provided the information that was requested. In fact, they went beyond that and released all the correspondence that they had in relation to the issue that was under study at the committee.

Our ministers are prepared and will continue to be prepared to appear at committee and answer questions on behalf of their staff.

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, is there anyone on the Conservative side who can give a straight answer. Just because they say so does not mean it is the truth.

Canadians are tired of the government's stonewalling.

Today at the ethics committee, the Minister of Transport tried to replace Dimitri Soudas, even though he is not his actual boss.

Will the Prime Minister, who actually is Mr. Soudas' boss and is supposedly accountable for Mr. Soudas' behaviour, appear before the ethics committee?

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, we are giving straight answers. I just wish there would be a straight question.

The reality is that ministers will appear and answer the questions for staff who are responsible to them. The ministry as a whole, as members well know, is held accountable and therefore ministers will appear at committee as I have already indicated.

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STATUS OF WOMEN

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, it has been more than a month and a half and Canadians still do not know what the allegations were concerning the former minister for the status of women, allegations that the Prime Minister called serious and credible, allegations that caused him to boot her from cabinet and caucus and call in the RCMP.

What are the Conservatives trying to hide? What is it about the former minister that is so much worse than what has already been made public?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, there are serious allegations, many of which are a matter of public record. They have been turned over to the relevant authorities so that they can make that determination. The Prime Minister acted expeditiously. The Prime Minister did the right thing.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, the government has been anything but transparent on this issue. The Conservative member for Saint Boniface has said that the government is sitting on all sorts of information. She said, "I can assure you that there is far more to come out.This isn't finished".

When will that information be made public? How is it that the Conservative member for Saint Boniface knows all about it? Why can all Canadians not know about it?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let me give some news to our friend from Winnipeg.

The Conservative member for Saint Boniface knows a great deal more about a lot of things than that member. She delivers for the people of Saint Boniface and for the people of Canada each and every day. We are proud to have her aboard the team. She has accomplished a great deal. As usual, the very best is yet to come from the member for Saint Boniface.

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TRANSPORTATION

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, our government is committed to fast-tracking construction of a new bridge between Windsor and Detroit, which is the busiest commercial crossing in North America and is set to become even busier. In the next 30 years, truck traffic in the Windsor-Detroit corridor is expected to triple and vehicle traffic will more than double.

Could the Minister of Transport please tell the House of the troubling comments by the Liberal critic with respect to this issue?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, there is an unprecedented consensus in central Canada that this bridge must be built. It is a bridge for jobs, for hope and for opportunity. Trade between Canada and the United States has skyrocketed over the last 20 years. Just about every forecast suggests that additional capacity is needed.

We need to defend our national security. That is why the provincial Liberals, the federal NDP and the federal Conservatives are on board; everyone is on board to get this plan done on the Ontario side except for the Liberal Party of Canada. Shame on the Liberals. That is why we are committed to getting the job done even without their support.

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● (1445)

OFFSHORE DRILLING

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, Americans are rightly outraged that British Petroleum was given a pass on the standard environmental assessments in the gulf. When a government is too close to the oil lobby, rules get watered down, major tragedies occur and communities are the ones on the hook. In Canada this exception is now the rule. We all know that since 2005, offshore oil companies have not been subjected to a full environmental assessment.

Why will the Conservatives not stand up to protect Canadians and end the weakening of our offshore environmental rules and regulations?

[*Translation*]

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, it is outrageous to hear such things. The hon. member is trying to discredit the National Energy Board, an independent agency that conducts scientific and strategic reviews. The board has announced that it would be examining the situation in the Gulf of Mexico to better understand, to learn and to perfect the current regulations. We want no project to see the light of day unless we are convinced that workers' health and environmental protection are guaranteed.

[*English*]

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, the minister's talking points will not cut it anymore.

Today at committee we heard that the oil industry itself, the Inuvialuit and environmental groups came together with a plan to protect the Beaufort Sea. This plan for the Arctic has been sitting on the minister's desk for more than a year.

We now know that contrary to what the minister just said, the government has weakened environmental protection. A two-page screening just does not cut it for Canada's Arctic. How can Conservatives continue to stand by regulations that simply will not protect our environment?

[*Translation*]

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, my colleague knows full well that no drilling permits have been issued for the Beaufort Sea or the surrounding area. No project will see the light of day unless we are convinced that workers' health and the environment are protected. The industries are required to have contingency plans in place and that is what is happening. Enough with the fearmongering. Currently in Canada no drilling permit has been issued for the Beaufort Sea or for the Arctic.

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MEMBERS' EXPENSES

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, the Conservative government was elected by promising more transparency. The Auditor General has asked for access to members' expenses to ensure that taxpayers' money is well managed, and now the Conservatives are dragging their feet. The Prime Minister must stop making excuses. As party leader, he can require his members to account for their expenses to the Auditor General.

Will the Prime Minister give the Auditor General access to Conservative members' expenses?

[*English*]

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, perhaps this question would be more appropriate for you as the chair of the Board of Internal Economy.

However, let it be said that all the hon. colleague has to do is turn to the gentleman sitting to her left, who is her representative on the Board of Internal Economy, and ask him about the discussions that have been taking place and that are ongoing at the board, as you know, as chair, Mr. Speaker. I am sure that she will find that the recent letter under your signature that went to the Auditor General actually invites her to come back, if that is her choice.

[*Translation*]

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, the member knows very well that all Bloc members have agreed to have their expenses audited.

By refusing to show leadership in this matter, the Prime Minister is confirming that transparency is fine for others, but not for him. The Auditor General simply wants to know if parliamentarians are using taxpayers' money properly.

Why are Conservative members refusing to answer the Auditor General's questions? What are they hiding?

[*English*]

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, we have absolutely nothing to hide. In fact, our books are audited, as the member ought to know. If she does not, the expenses of all members of Parliament, including those of the Bloc Québécois, are posted on the parliamentary website. As you know, Mr. Speaker, there are performance audits ongoing by public servants who look constantly at MPs' expenses.

The issue really is one that is dealt with by all parties in a non-partisan way, or at least it was dealt with that way up until this moment.

* * *

● (1450)

[*Translation*]

OFFICIAL LANGUAGES

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, the Commissioner of Official Languages clearly indicated today that the Conservative government was taking a laissez-faire approach to official languages, for instance, letting the various departments take on major responsibilities without providing them with the necessary funding.

Why is the government abandoning its official languages responsibilities? Why such a blatant lack of leadership and reckless laissez-faire?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, that is absolutely not true. Mr. Fraser, the Commissioner of Official Languages, also said that the government has shown how important it is to strengthen official languages, that there was no question that the government had made significant progress in terms of official languages, and that there are official languages champions as well as clear accountability and reporting requirements.

That is what the Conservative government has delivered.

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, he and I have obviously not read the same report.

How can the government justify official language minority community organizations sometimes having to use their own credit cards, that is, cards belonging to the organization's leaders, to ensure their survival because of unacceptable delays in funding payments?

How can the minister justify such laissez-faire?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, it is not a question of laissez-faire, but rather one of commitment. Our government promised during the campaign that it wold increase funding to help minority linguistic duality communities. We have increased our investments by 20%. The process has become clearer for a larger number of organizations on the ground. It is clear that we have to do our homework when taxpayers' money goes to various people, but the money always gets there to meet the needs of linguistic duality communities.

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EMPLOYMENT INSURANCE

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, 1,000 people have lost their jobs in the Timmins area over the past month. Across Ontario people are still feeling the effects of the recession. Yet the government's response has been to close 15 employment insurance claims processing centres in Ontario.

The Conservatives decided to give tax breaks to oil companies and big banks, and have completely ignored the needs of workers.

Why is this government abandoning unemployed Ontarians?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the hon. member is wrong. We have done a great deal for unemployed workers and he voted against every one of our attempts to help them. This is what the mayor of Timmins said:

[*English*]

The mayor of the city of Timmins said, "I applaud the... governments for their quick and decisive action aimed at stimulating the economy during this global economic crisis".

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, perhaps the minister did not understand the question.

We are talking about the cuts right across Ontario to the jobs for processing EI claims in 15 centres, in Brantford, Peterborough, Oshawa, Kenora, Timmins. This is about choice. The government gave massive tax cuts to the big banks and the oil companies while the Canadian government was bleeding red through the worst recession in memory, and the government is going to pay it off by slashing the civil servant jobs that are helping the unemployed.

Workers paid into employment insurance. Why is the government shutting down the offices across Ontario that are processing their claims? It is a simple question.

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, I will say it in English. The hon. member is wrong.

It is absolutely false. There are no closures and there are no layoffs in Ontario. We want to make sure that Canadians get their EI processed quickly in an accurate and timely manner. That is what we have been doing. During the recession we raised our performance standards. We exceeded those standards.

The member is simply fearmongering, and he is doing so irresponsibly. He should stop it.

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DIGITAL ECONOMY

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, our government recently reaffirmed its commitment to becoming a leader in the world's digital economy. In fact, two weeks ago, the Minister of Industry was in Stratford, Ontario at the Canada 3.0 Forum where we engaged in groundbreaking public consultations on the digital economy.

Could the Parliamentary Secretary to the Minister of Industry explain what our Conservative government is doing to ensure Canada remains a leader in the digital economy?

● (1455)

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, I am pleased to announce that today we indeed tabled two bills to promote Canada's digital economy: the fighting wireless and Internet spam act, and the safeguarding Canadians' personal information act.

Our goal is to ensure confidence in online commerce by addressing the privacy and personal security concerns that consumers associate with spam and related online threats that can deter consumers from participating in the online marketplace.

We are working to make Canada a leader in both fields by providing a more secure online environment for both consumers and businesses.

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FIRST NATIONS UNIVERSITY

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, it has been a month since the government provided any new information about First Nations University.

Strong leadership has been shown by Chief Lonechild and the Federation of Saskatchewan Indian Nations. There is a new board of governors, a new president and a new chief executive officer. A tough financial officer has been reinstated.

There is full support from the Saskatchewan government, the University of Regina, the Regina and the Saskatchewan chambers of commerce, and the Canadian Association of University Teachers.

Will the minister now make that long-term federal financial commitment that is urgently required?

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, we are encouraged by many of the changes that we have seen take place at First Nations University.

I agree with the hon. member that Chief Lonechild is doing a stalwart job trying to clean up the mess that he inherited. I give him full credit for that, and I have done that both privately and publicly all along. He is making serious efforts to make some serious changes.

We have already given $3 million as promised to get students through to the end of the academic year. That was the promise we made initially when we said we had to see those changes, that students had to come first. We are now working with the university, the University of Regina and others.

I would encourage that reform to continue.

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[*Translation*]

OFFICIAL LANGUAGES

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, the Commissioner of Official Languages reiterated that, when the government appoints Supreme Court justices, knowledge of French should be considered an essential skill. The Minister of Official Languages tried to justify the government's failure to act by saying that the issue "is dividing the country".

Is that the government's position? Should French remain a second-class language because some people are afraid of dividing Canada?

[*English*]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the member has made a ridiculous assertion.

With respect to all appointments of judges, linguistic competencies are always taken into consideration.

With respect to the Supreme Court of Canada, Canadians can take pride in the fact that all services and all communications are in both official languages, and every individual has the right to have his or her matter heard in either official language.

This is a successful federal national institution, and perhaps that is why it is always getting criticism from the Bloc.

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HEALTH

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, since 2006 the infant mortality rate in Canada has skyrocketed and poverty is the underlying cause for this increase.

It creates barriers to accessing health care, health education, obstetric care and good nutrition. The problem is particularly acute in Nunavut where the infant mortality rate is four times higher than the national average.

How many more lives will be lost before the government takes action? When will the government get serious about addressing the direct link between poverty and health?

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, as the member is aware, we have increased transfers to the provinces and territories last year as well as this year by spending $25 billion.

Our government has demonstrated an ongoing commitment to a number of areas in improving aboriginal health, as an example. That is why in budget 2010 we provided $285 million over two years to renew areas of aboriginal health programs in areas of diabetes, maternal health, health human resources and aboriginal health transition fund.

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FOREIGN AFFAIRS

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, on March 26, the South Korean ship *Cheonan* sank in waters near the northern limit line, claiming the lives of 46 sailors.

At the request of the South Korean government, Canada deployed three experts from the Canadian navy to join the multinational investigation team.

In the light of the conclusions of North Korea's belligerence, what further measures will the government pursue?

● (1500)

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, Canadians can be very proud of our swift response and unwaivering commitment in the face of the North Korean aggression and our help to our friends and allies in South Korea.

We condemn North Korea's blatant disregard and egregious violations of international law. We will take steps to impose enhanced restriction on trade investment and other bilateral relations with the regime, including the addition of North Korea to the area control list.

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[*Translation*]

VETERANS

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, the Minister of Veterans Affairs is still refusing to hold public consultations about transferring the Sainte-Anne hospital to the Province of Quebec. The transfer will cause a number of problems, including a $1.5 million annual shortfall for the City of Saint-Anne-de-Bellevue.

Instead of hiding behind his unelected negotiator, the minister should be giving regional stakeholders, including veterans, the opportunity to have their say about this ill-conceived transfer. Why is he disregarding our veterans' freedom of expression and that of people in the region?

Hon. Jean-Pierre Blackburn (Minister of Veterans Affairs and Minister of State (Agriculture), CPC): Mr. Speaker, as everyone knows, there are now fewer World War II veterans. As such, the best way to ensure that we can provide services to our veterans over the long term is to transfer this hospital to the Government of Quebec. Ultimately, we want to keep the experienced people we have working there. As I said before, if this transfer happens, we will always have to ensure that access for our veterans is a priority.

Points of Order

FORESTRY INDUSTRY

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, last week, Kruger laid off 440 workers in Trois-Rivières and AbitibiBowater closed its Gatineau mill. More and more jobs are being lost, yet the Conservative government is doing nothing to help forestry workers.

How many jobs will have to be lost before this government puts in place loan guarantees to help the industry get through the crisis?

Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC): Mr. Speaker, my colleague knows that the issue in the forestry industry is not access to credit, but the markets where we sell our products. In their press release last week, the people at Kruger said that market conditions were still quite unfavourable and that demand had dropped 30% in two years. That is the reason. We will continue to support the forestry industry, provide new programs for workers and work on new products. No one has ever helped the forestry industry as much as our government.

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[*English*]

POINTS OF ORDER

ROYAL RECOMMENDATION—BILL C-501

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, I rise on a point of order to respond to the government concerns about Bill C-501.

The week before last the Parliamentary Secretary to the Leader of the Government in the House of Commons argued that Bill C-501 required a royal recommendation. The basis of his argument was that clause 6 of the bill imposed an additional financial responsibility on the Crown. This particular clause would mandate the Minister of Labour to appoint an adjudicator to hear a claim made by a former employee of a company against a director of the same company.

The basis of my bill moves workers' pensions to secured status after a bankruptcy. It gives the pension so-called super-preferred status, meaning workers receive their pensions before shareholders and other creditors receive their money. In the event of a dispute or should a former employee bring a claim against the director of a company, the bill would mandate the minister to appoint a arbitrator to hear the claim.

The parliamentary secretary's arguments fell into two parts, the first being that the appointment of an arbitrator was a new purpose or created a new mandate for the minister. The second argument was that the payment of an arbitrator would increase government spending.

I reject these arguments and do not believe the bill requires a royal recommendation. First, it is already within the mandate of the Minister of Labour to appoint an adjudicator. The Minister of Labour regularly appoints adjudicators, conciliators, mediators and referees often under the powers of the Canada Labour Code. The minister's mandate to resolve disputes, adjudicate claims and protect workers' rights is broad and encompasses the intent of the bill. No new responsibilities or duties are being imposed on the Crown by this bill.

In previous cases stated by the parliamentary secretary to support his argument, all involved bills where new commissions or committees were being created by the minister and where the minister had neither a previous role in appointing such committees nor a mandate to involvement himself or herself in the issue being studied for resolve by that said committee.

In the case of Bill C-501, the minister regularly appoints adjudicators to hear claims concerning workers' rights, labour issues, grievances. In addition, the minister has a clear mandate to involve himself or herself in labour disputes and bankruptcies.

When an adjudicator, mediator or referee is selected to assist with claims or grievances, they are often employees of the federal mediation and conciliation service. These are Government of Canada employees. In this case, no royal recommendation is needed as the staff already carries out very similar tasks. The bill would not change their roles, their duties or their responsibilities nor the cost of their employment.

Should the minister decide to appoint a third party adjudicator, as happens in some cases, the common practice is for the parties involved to pay the costs of the arbitrator. Nothing, and I want to make this perfectly clear, nothing in Bill C-501 makes the Crown responsible for the costs of an arbitrator. In fact, the bill does not even state that there will be a cost.

The parent act to the Canada Business Corporations Act also does not provide for any compensation for an arbitrator. While the minister certainly has the power to pay, the bill does not mandate any payment. In fact, the minister could ask for an eminent Canadian to take the case and discuss and decide in the particular case. Therefore, no money actually has to be spent according to this clause.

Therefore, I respectfully suggest, Mr. Speaker, that the parliamentary secretary is wrong in suggesting that Bill C-501 requires a royal recommendation. These are my arguments for it. I hope you will take them under consideration.

● (1505)

The Speaker: I thank the hon. member for Thunder Bay—Rainy River for his submissions on this point. Of course they will be duly noted and taken into consideration as I consider my ruling on this matter.

* * *

BUSINESS OF SUPPLY

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, as usual, there have been consultations with all parties. I think if you were to seek it, you would find unanimous consent for the following motion. I move:

> That, during the debates on May 27 and May 31, 2010, on the business of supply pursuant to Standing Order 81(4), no quorum calls, dilatory motions or requests for unanimous consent shall be received by the Chair and, within each 15-minute period, each party may allocate time to one or more of its members for speeches or for questions and answers, provided that, in the case of questions and answers, the minister's answer approximately reflect the time taken by the question, and provided that, in the case of speeches, members of the party to which the period is allocated may speak one after the other.

● (1510)

The Speaker: Does the hon. government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

GOVERNMENT ORDERS

[*Translation*]

AN ACTION PLAN FOR THE NATIONAL CAPITAL COMMISSION

Hon. Tony Clement (for the Minister of Transport, Infrastructure and Communities) moved that Bill C-20, An Act to amend the National Capital Act and other Acts be read the second time and referred to a committee.

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Mr. Speaker, before I begin, I was wondering if I could have the unanimous consent of the House to share my time with the hon. Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities.

[*English*]

The Speaker: Does the hon. member for Ottawa—Orléans have the unanimous consent of the House to split his time?

Some hon. members: Agreed.

Mr. Royal Galipeau: Mr. Speaker, this government proposes to amend the governing legislation of the National Capital Commission, the National Capital Act. There have been a number of changes to the National Capital Act over the last 20 years, but they have not been as comprehensive as the package that has now been presented.

[*Translation*]

In 1988, the NCC's mandate and powers were broadened to include the organization of activities and events in the national capital region that would enrich Canada's cultural and social fabric. At the same time, the act was amended to state that the NCC headquarters must be located in the national capital region, as opposed to Ottawa, and to clarify provisions related to development projects.

[*English*]

The number of directors has also varied over the years and other changes have been made, some of which have been to align federal laws.

[*Translation*]

With this bill, important changes will be made, for the first time in at least 20 years, to some significant aspects of the NCC's enabling legislation, including governance, transparency, responsibilities and protection of the commission's property.

I would like to highlight the components of Bill C-20 that would increase the transparency of the NCC's activities.

[*English*]

These components of the bill are important because the NCC has been criticized in the past for making important decisions behind closed doors and not listening to the stakeholders concerned. The NCC is subject to considerable public scrutiny because its decisions and its actions affect so many people, sometimes directly in their backyard. The NCC responded positively to these critiques and became the first crown corporation to hold public annual general meetings. Despite the introduction of this annual opportunity for members of the public to voice their views on the NCC and its projects, criticism continued.

In the wake of a new leadership at the NCC and in order to address the issue of transparency and to improve outreach with citizens, the NCC announced, on its own accord, a series of measures to increase openness and transparency. Indeed, in the fall of 2007, the NCC began to hold board meetings open to the public except for those items that are sensitive such as human resources and legal issues. It also created an external ombudsman position that reports directly to the board of directors.

[*Translation*]

Since then, this new approach has been applied consistently. For example, the NCC recently announced a process to review its greenbelt master plan. Public consultations are a key component of this exercise. The NCC has already consulted the public on various projects, but it has now expanded significantly citizens' participation in the development of plans and projects.

While the NCC was dealing with these critics regarding transparency, the Government of Canada was moving forward with one of its priorities, which is to improve the way the government works. That initiative led to the adoption of the Federal Accountability Act, which received royal assent on December 12, 2006. For the NCC, this legislation meant that the positions of chairperson and chief executive officer would now be separated.

● (1515)

[*English*]

Making the decision makers of crown corporations more accessible to the public was also reflected in the Budget Implementation Act, 2009, which came into force on July 13 of last year. This act contains provisions relating to the governance of crown corporations. These amend the Financial Administration Act to require that parent crown corporations hold public meetings at least once every 15 months.

This government welcomes the initiatives adopted by the NCC to increase its openness to the public. However, we want to ensure that this commitment will remain now and into the future. This is why we propose amending the National Capital Act to obligate the NCC to hold at least four public board meetings each year. We recognize the need for the board to discuss some sensitive matters in camera, and members can see this is also reflected in the government's bill.

[*Translation*]

The National Capital Act has not been significantly amended in over 20 years. Considering that governance practices evolve over time, a review of the NCC and its enabling legislation provides an opportunity to modernize some governance elements included in the enactment.

[*English*]

In the spirit of the separation of the chair and the chief executive officer positions, the government proposes to remove the chief executive officer and his or her successors from the board of directors. The chair is the representative of the NCC's board of directors to outside parties and the leader of the board's discussions. This person is also the key link between the board and the minister responsible for the NCC.

[*Translation*]

The chief executive officer is the main link between the NCC's board of directors and managers. The government proposes to remove the chief executive officer from the board so as to strengthen both the board and the CEO's responsibility. The government keeps the power to appoint the chief executive officer, but it is clear that the CEO is accountable to the board regarding the NCC's management and performance. The board would then have one less member.

[*English*]

Another governance item included in the proposed amendments to the National Capital Act is the creation of a vice-chair. This is seen as a useful safeguard to have, should the chair be absent or unable to act, or should that office be vacant. One of the proposed amendments is to have the vice-chair designated from among the board members by the Governor in Council and to be compensated as a regular board member.

In keeping with updating the NCC's enabling legislation, the government also proposes to remove the general manager position. With the separation of the CEO and chair positions, the position of general manager is no longer relevant, especially since it has been vacant for more than 10 years.

[*Translation*]

Appointments below the level of chief executive officer would be the NCC's responsibility, and not that of the Governor in Council. These changes reflect the announcement made in the 2010 budget to reduce the number of appointments made by the Governor in Council, so as to improve governance and activities, while also strengthening the management of federal organizations, boards and crown corporations.

[*English*]

The recruitment of qualified and experienced board members is essential to the good functioning of the board and the NCC. Many crown corporations provide appropriate remuneration to their board members for the time they spend in meetings. The NCC presently does not have the authority to compensate its members, except for travel or related expenditures. Therefore, one of the proposals this government puts forward is to allow the Governor in Council to grant appropriate remuneration to all of the board members.

As everyone can see, I am supporting this legislation because this government believes that the proposed amendments to the National Capital Act would provide the NCC with a modernized enabling statute that reflects good governance practices in the 21st century. It would also provide the basis for ensuring that the NCC continues to be nimble and responsible to the public.

● (1520)

[*Translation*]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, I have a question for the hon. member, who represents a riding in this region, namely, Ottawa—Orléans. His riding contains a large section of what is known as the greenbelt on the Ontario side of the National Capital Region. How can he accept and tolerate the fact that his government is proposing to legislate the boundaries of Gatineau Park on the Quebec side, while on the Ontario side there is absolutely nothing to limit, establish or identify the boundaries of the greenbelt?

Does my colleague not have a problem with the fact that there is nothing to protect the greenbelt? In other words, his government or any other government could suddenly decide to sell off or get rid of part of the greenbelt, which is so important to the greater Ottawa-Gatineau region.

Mr. Royal Galipeau: Mr. Speaker, I really appreciate the question my hon. colleague just asked. It is particularly relevant considering that one of his Liberal colleagues, the hon. member for Ottawa—Vanier, wants to do precisely what he is suggesting should not be done, that is, take away part of the greenbelt to build an interprovincial bridge. So I very much appreciate the member's advice. I will see that the matter is discussed at committee.

[*English*]

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I commend my colleague from Ottawa—Orléans for his speech on the National Capital Commission. He and I have been seat mates for a number of years, and I have come to appreciate his significant knowledge of the political and constitutional history of Canada. He has been charged with explaining to us in the House some of the technical amendments to the National Capital act.

I would invite the member to explain to the general public, who may be watching today, exactly what the National Capital Commission does. We in the House know the role it plays in preserving a good portion of our national heritage and the parliamentary precinct, but as a great, very hard-working member for Ottawa—Orléans, he also understands the role the commission plays. I would invite him to perhaps explain to Canadians a little more of the role of the commission.

Mr. Royal Galipeau: Mr. Speaker, in the national capital region, there are a number of civic authorities. Of course, since amalgamation on the Quebec and Ontario sides of the river in the last decade, there are fewer municipalities. But still, the municipal councils of the City of Gatineau and the City of Ottawa are focused on the needs of those individual municipalities.

However, the National Capital Commission has a national mandate. That is why its board of directors, by the way, is not made up exclusively of residents of the national capital region, but residents of the whole country. It is to make the national capital a beacon for the whole country.

Frankly, it has also been a bit of a question of pride, and on occasion false pride, for a succession of prime ministers since Sir Wilfrid Laurier to have felt when visiting other capitals they needed to turn the former lumber town of Ottawa into a national capital. Now, of course, since we are a G8 capital, the NCC makes sure that it happens.

Of course, we have just had the Tulip Festival. But most of all, and I want all residents of Winnipeg to understand this, we have the world's longest skating rink. This is where I learned how to skate.

● (1525)

Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I appreciate the opportunity to speak on this very important bill. Certainly, the National Capital Commission is charged with creating a capital that all Canadians can be proud of, as the member has recently stated. During the previous session of Parliament, we heard many members speaking in the House about the great assets we have in the national capital region that all Canadians, including those who come to visit, should be aware of. It is important to protect them for the future generations of Canadians so that the Ottawa region can stand as the capital region of Canada and so that all Canadians can, indeed, be proud of it.

In addition to the great natural assets we enjoy in this region, namely Gatineau Park, which the member spoke of, the greenbelt and the river shorelines, the National Capital Commission has enhanced our nation's capital over the past century through a number of different and varied projects.

This includes a network of incredible parkways, as well as more than 180 kilometres of recreational pathways that allow residents and visitors to this region to travel by bike, foot or rollerblade across the region while enjoying the beauty of the national capital area. Indeed, yesterday I had an opportunity, as I came back from my riding, to rollerblade around the region and go down to Hog's Back some 20 kilometres. There were many Canadians enjoying that opportunity all day, in fact.

Leading up to 2008-09, the National Capital Commission received an annual average of approximately $23 million in capital appropriations and $74 million in operating appropriations. Recognizing the importance of maintaining the significant infrastructure under the NCC's stewardship, this government granted additional ongoing funding to the NCC, so that it does not have to rely on selling its properties, which it appears took place in the past, in order to maintain its assets. This government wants these assets to be maintained for the people of Canada for future generations.

In budget 2007, this government confirmed an increase of $15 million, including $10 million for the NCC's capital budget. This is good news indeed for the people of Canada and the people in this region. This new funding, which was first received by the NCC in fiscal year 2008-09, allows it to maintain its assets, which is obviously very important so that they are not depleted, with appropriate life cycle management to ensure their long-term sustainability and continuing enjoyment for all Canadians.

In addition, the National Capital Commission will allocate a portion of this additional funding to implement any changes to its responsibilities that would result from the amendments that are currently proposed for the National Capital Act. In response to the difficult economic situation, which all Canadians and certainly most of the world is aware of, this government presented Canada's economic action plan, which has kept Canada busy and kept people working.

This has also provided additional generation of economic activity in all regions of the country. It is no different here in the national capital region. It is no exception.

That is why this government has invested nearly $48 million through this plan in order to continue the maintenance and rehabilitation of a number of NCC's assets, which have quite frankly been run down to quite an extent and are really beyond what is necessary in order to keep this area beautiful and pristine.

Ottawa is well known for the Rideau Canal, which my friend has indicated is the longest skating rink in the world. People from Winnipeg would disagree with that, but notwithstanding that, it has been designated by the United Nations Educational, Scientific and Cultural Organization as part of our world heritage. It is very important. The Rideau Canal is renowned for its winter transformation. Many of us in the House and many Canadians have had the opportunity to skate on the Rideau Canal and it is very enjoyable.

The NCC offers skaters many facilities to utilize and to make their experience on the canal even more enjoyable. However, the existing service buildings date from the early 1970s and they are well beyond their life cycle. One can imagine how they are. Mr. Speaker, I am sure you have had the opportunity of going down there, putting your skates on and enjoying those buildings, but they are certainly beyond their life cycle. As a result of this government's financial commitment, these will be replaced by new buildings with lower maintenance costs, universal accessibility, which is very important, and more functional layouts. That is good news as well.

● (1530)

The U.S. embassy, of course, is situated near the intersection of Sussex and Rideau Streets. This particular area receives a lot of pedestrian and vehicle traffic, especially given its proximity to Parliament Hill, the office and residential buildings, and of course Byward Market which most visitors to this area enjoy.

Since this area is part of our Confederation Boulevard for which the NCC is ultimately responsible, it is participating in a rehabilitation project, which is managed by the city of Ottawa. Funds from the economic action plan will enable the replacement of the security barriers along the perimeter of the U.S. embassy by bollards which will improve the flow of traffic and allow the installation of a bicycle lane. Of course, this is a bottleneck for many of the people who come from Quebec across the Alexandra Bridge.

This government is also investing in the rehabilitation of Carbide Mill Masonry on Victoria Island which is quite depleted. The mill was built in 1899, and is designated and recognized as a heritage building by the Federal Heritage Buildings Review Office. This is an important historic monument for the people of Canada, as well. This work done on this mill will improve the stability of the building to meet federal heritage conservation imperatives.

When we think about green space in the national capital region, Gatineau Park and the greenbelt come to mind; however, the NCC also owns and maintains many other parks across the region, including Confederation Park, Major's Hill Park in the core area, as well as Rockcliffe Park, Vincent Massey Park and Hog's Back Park, just to name a few of which are under its mandate.

In some cases, the existing infrastructure actually dates back, believe this or not, to the 1950s or 1960s. With this economic stimulus funding by this Conservative government, existing public and concession buildings will be rehabilitated. This will allow upgrades to mechanical and electrical systems, and meet accessibility requirements again. It is again good news for the people of Canada.

As per the 1996 greenbelt master plan, the proposed 56-kilometre greenbelt recreational pathway is designated to provide a continuous and varied recreational and educational experience along the complete length of the greenbelt. The greenbelt is very important to the people of Canada. We have the lowest density of population in the world, which means we get to enjoy the outdoors much more than most nations. It is really good news.

Now from Shirleys Bay in the west to Green's Creek in the east, this has been promised for some period of time, and to date a total of 23 kilometres has been completed. The next section that will be completed with Canada's economic action plan is a 10-kilometre section through the Pine Grove sector of the greenbelt. That is, again, good news.

In addition, the recreational pathway between Britannia and Carling Avenue will be rehabilitated, and the recreational pathway along the Aviation Parkway corridor will be extended by two kilometres. This helps people get to work. It helps people enjoy the area. It helps all Canadians enjoy this great area when they come to visit. I would encourage all of my constituents and all constituents across Canada to enjoy what is theirs, and that is the Ottawa capital region.

We are making very important investments across this country through Canada's economic plan, and this is no different. That is why we are making these investments. After years and years of Liberal neglect, this government is coming forward with a plan to invest back in the people of Canada and the quality of life even here in the capital region.

Another important project will be the development of Gatineau Park entrances. They are difficult to find. This will not only improve the visibility of the official entrance points, but will also ensure better traffic management in Gatineau Park. Entrance points will also help to reinforce the park's identity and convey conservation-related messages, as will the new rehabilitations be more efficient, more environmental, more green, the things that Canadians have told us they want out of this government and future governments.

There are many other projects that are being carried out and funded by the government, by the people of Canada. I have outlined some of the projects that we will undertake in the coming months to improve and implement the NCC's mandate to develop and preserve the national capital region, which is the important part here. This should be a non-partisan issue. We should move forward with this good news for the people of Canada.

In closing, I want to emphasize the importance to modernize the National Capital Act. I hope that every party, including the Liberal members who quite frankly left it in neglect for years, will support it as well.

● (1535)

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, not a highly contentious issue, but I would like to bring up one of the aspects that is talked about in this legislation that I think deserves to be addressed. The member talked about the master plan. Over the past couple of months we have been through several exercises that talked about the supremacy of Parliament in this particular place and encompassing all areas, including, I feel, the NCC.

In looking at this issue, the government is talking about, every 10 years, doing a 50-year master plan that is to be approved or brought forward to the governor in council or cabinet, and then tabled in the House. However, no debate ensues from that.

I am wondering if the member or the government envisions the idea of a master plan for the NCC to be brought into this House, to be thoroughly debated and discussed, before it becomes the actual plan in force.

Mr. Brian Jean: Mr. Speaker, I wonder why, when that member's party was in power, it did not do that. The Liberals made unilateral decisions without taking in any input at all from the citizens or from other parties, so it is kind of rich to say that when they are in opposition.

I want to talk very briefly about what did happen in relation to this act. The act came to committee and the minister met with all parties in the House. He sat down with each and every interested party in the House to find resolutions to all issues. We did not go to committee and try to ram this through, as the Liberal Party tried to do in the past on just about every bill it ever put forward.

The minister met with every party to find resolutions, to find common ground, to find a way that we could put this forward so the people of Canada could enjoy this great area in the national capital region. That is what I would like to hear the member talk about. I would like to hear his comments on that.

[*Translation*]

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, part of what my colleague just said is true. When there were discussions about Bill C-34, the predecessor of the current bill, meetings were held, but the Bloc Québécois was not invited to take part. It is not true to say this was always done with great openness or to ensure that all parties were up to speed.

My colleague has told me, for example, that if the government wanted to expand the parks in Banff and Jasper, the Government of Alberta would be consulted. In recent discussions, he told us he did not see the need to consult the Government of Quebec if the federal government wanted to expand Gatineau Park, which is on Quebec land.

I would like to know whether my colleague will change his mind. It is good for Alberta, but not for Quebec.

[*English*]

Mr. Brian Jean: Mr. Speaker, I quite frankly understood the member to be wrong in this particular case. My understanding was that the provinces have been asked for input in relation to this particular act and the member himself was asked. I remember speaking to the member at committee. I remember speaking to the member after committee and before committee about this particular act. I could have sworn that he talked to the minister about this act as well and sought his input on it.

If I am wrong on that, I apologize, but that is my understanding, and I thought I saw it with my own eyes. Certainly, if it has not taken place, let me be clear. I am here right now. The hon. member should come across the floor and talk to me and let us have his input in relation to this important act. If he wishes me to speak to somebody else in the Quebec government, I would be more than happy to do so.

This is a non-partisan issue about the best interests of Canadians, so that all Canadians can be proud of the national capital region and enjoy all of its benefits.

● (1540)

[*Translation*]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, I am pleased to rise today to address Bill C-20, An Act to amend the National Capital Act. I am going to refer to my speech of June 18 of last year on Bill C-37, which was the first legislation introduced by the Conservatives, in June 2009.

But first, I want to inform hon. members that I issued a press release on March 19, to put some pressure on the Conservatives and to condemn the effects of last December's prorogation.

I was wondering what had happened to the urgent need to pass Bill C-37, which seemed so important to the Minister of Transport, Infrastructure and Communities and the Minister of Foreign Affairs.

Indeed, in June 2009, the Minister of Foreign Affairs said that, should an election were held in the fall of 2009, the bill would be quickly reintroduced. The previous month, he had stated that he wanted to "proceed quickly". In December 2009, he added that he was disappointed because the bill had yet to be adopted. Did he want us to pass this legislation without any debate? We were now at the end of March, in the spring, and the bill had not yet been introduced. After exerting pressure to have all the parties reach a consensus, there was still nothing happening. That is when I declared that the whole thing was just pure hypocrisy.

I also made reference to the amendments proposed by the Liberal Party at committee stage. I simply believe that the Conservatives are not prepared to accept amendments. They want their bill to be approved without any debate. They want rubber-stamping.

That is what I wanted to say on this point.

I am now going to respond to the comments that the parliamentary secretary just made, namely that the minister consulted all the parties. It is absolutely true that I attended a meeting. However, as regards the ideas that we put forward, the minister took them under advisement, if I may use that expression, even though he is not a judge. He told us that he would think about our suggestions. Not one of them was accepted. And I will go even further. To my great surprise, the Conservatives did not accept the amendments that had been voted on and approved by the committee during the review of Bill C-37, and they did not include them in their new legislation. This is the second point I wanted to make.

I will now begin by revisiting Bill C-37, which is the original legislation. One can see how much time was lost because of last December's prorogation. Had it not been for that unfortunate prorogation, this bill could surely have already gone through third reading stage in the House.

I was saying that Bill C-20 uses almost the exact wording of Bill C-37, which was being studied in committee last fall.

This is what we had to say last year about Bill C-37.

First, we had questions about changes to the governance of the National Capital Commission and Gatineau Park.

At the time, we planned to support Bill C-37 in principle, so it could be referred to committee for further study. That continues to be our position.

The national capital is the symbol of our country. It is important to ensure that it communicates this vision to visitors from around the world. The national capital region is one of the most beautiful in the world and we are very proud of it.

To oversee the national capital region, legislators established the National Capital Commission. This organization works well and the employees who support it care about the development of our region. I would like to thank them for their dedication and loyalty. Having said this, I believe that it is appropriate to maintain transparency at the NCC and to continue improving it as much as possible. An open and transparent society is a reflection of Canadian values.

This update reflects the current political reality. People want to participate in discussions about their living environment. The decisions made have a great impact on them. It is also a question of principle.

Therefore we have questions about the administrative changes proposed for the NCC.

● (1545)

I should point out that the NCC is an independent corporation whose mission, according to its website, is to:

> "prepare plans for and assist in the development, conservation and improvement of the National Capital Region in order that the nature and character of the seat of the Government of Canada may be in accordance with its national significance; and"

"organize, sponsor or promote such public activities and events in the National Capital Region as will enrich the cultural and social fabric of Canada".

Generally speaking, the NCC's job is to develop the National Capital Region's lands and to promote our region. Bill C-37, which is now Bill C-20, follows up on recommendations from the ad hoc committee chaired by Gilles Paquet in 2006.

Bill C-20 specifically amends the National Capital Act to:

(*a*) modify the governance structure of the National Capital Commission and increase its transparency;

(*b*) clarify the National Capital Commission's responsibilities, including those regarding planning and sound environmental stewardship;

(*c*) establish the boundaries of Gatineau Park;

(*d*) enhance the National Capital Commission's regulation-making powers;

(*e*) remove the requirement that the National Capital Commission seek Governor in Council approval for real estate transactions; and

(*f*) harmonize that Act with the civil law regime of Quebec.

This enactment also amends the Official Residences Act to clarify the National Capital Commission's responsibilities regarding official residences. As well, it makes consequential amendments to other Acts.

That last point is absolutely right.

I would now like to comment on the part of Bill C-20 that deals with Gatineau Park. Together with the green belt on the Ontario side, Gatineau Park on the Quebec side is one of the jewels in the crown of Canada's capital. Born of the Greber plan, they purify the air in Canada's capital. Today we have some serious questions about the boundaries of Gatineau Park. They need to be made very clear.

On page 13 of the bill, the description of the Gatineau Park boundaries reads as follows:

The boundaries of Gatineau Park are within the registration divisions of Hull, Gatineau and Pontiac, Province of Quebec, are located in the municipalities of Chelsea, La Pêche, Pontiac and the City of Gatineau, and form part of the cadastres of the Township of Aldfield, the Township of Eardley, the Township of Hull, the Township of Masham, the Township of Onslow and the Cadastre du Québec.

I will not read the description of the lots that follows the list I just read. There are pages upon pages of numbers that mean very little to people like us. However, it establishes the park's boundaries.

But let us be clear, when we look at this bill, it is obvious that the matter needs to be thoroughly studied. The description of the boundaries I am talking about runs from page 12 through page 34. It is a very detailed description. So we will need briefings, maps, engineers, and even a GPS to make sure that everything that needs to be included or excluded is properly delineated and identified. We therefore feel this requires a far more thorough examination in committee. We need to clarify its functions and accessibility and set the boundaries.

We were not given a detailed map of Gatineau Park when this was studied in committee. Instead, we were given a map on a piece of paper that was 8½ x 11 or 8½ x 14. It was very odd. Gatineau Park is massive. It is bigger than some European countries and, despite that, when we were studying Bill C-37 in committee, we did not receive a map that clearly showed its boundaries. I will say it again, we believe that this issue needs to be studied more closely in committee.

There are many reasons why I do not think that Gatineau Park should necessarily become a national park, but basically it is because there are portions of land inside and around the park that belong to the government of Quebec.

● (1550)

I think that any protection afforded the park should not include prohibiting citizens from having access and engaging in activities there, and the vast majority of residents and visitors would agree. However, there should be some limits set. Some sections of the park, but not all, are open to the public for recreation and physical activity. That is what is so unique about Gatineau Park.

Highway developments in recent years have improved access for residents to the western part of the city of Gatineau and to the park. Like the greenbelt in Ottawa, Gatineau Park is an ecological treasure, but it must also be able to grow and adapt to the human environment. There must be a balance between the two.

Protecting the park is essential. To do so, we have to know its physical boundaries and put protective mechanisms in place.

Some are disappointed that Bill C-37, now Bill C-20, does not go far enough, but others are happy to begin the discussion. That is the gist of the message I want to deliver today. We must vote in favour of the bill so that it can be studied in depth in committee.

In the course of that process, however, we will have to pay attention to certain concepts included in the bill so that they are fully understood and defined, including concepts such as national interest land mass and the ecological integrity of the park.

The bill raises other questions. Could the NCC continue to charge or increase user fees? Also, is there a possibility of privatizing the park or certain parts of it? In addition, this bill raises the issue of public transit in the national capital region. This whole issue and its local and regional impact must be studied.

The use and disposition of properties in the park must also be very clear, so as to cause prejudice to no one.

That is what we said in the House on Bill C-37 or, should I say, Bill C-20.

Now I want to focus on an amendment to the bill that we felt to be crucial, and that is the amendment on the greenbelt.

The Liberal members from the National Capital Region, the member for Ottawa South, the member for Ottawa—Vanier and myself, are calling for better protection of the greenbelt. There are no serious regulations protecting the greenbelt. Together, the City of Ottawa and the NCC can do whatever they want with this land. We believe this green space must be protected from developers. The greenbelt is a sensitive area that is part of our region's green heritage, and I want to emphasize this concept of green heritage.

[*English*]

The member for Ottawa South, the member for Ottawa—Vanier and I as Liberal members of Parliament in the national capital region have good reason to call for enhanced protection of the greenbelt. There are, as a matter of fact, no major regulations protecting this area. Together the City of Ottawa and the NCC could do what they like with it.

We believe this green space must be protected from developers. The greenbelt is a sensitive area that is part of our region's green heritage, and I would like to emphasize this concept of green heritage.

[*Translation*]

The national capital region has something that sets it apart from other national capitals: green space in its core. This space is the result of a planning process that dates back many years, to the time of the Gréber plan which I mentioned earlier. But more and more, our green space is facing increased pressure and is being sized up for other purposes.

[*English*]

The national capital region has something that sets it apart from other national capitals: green space in the core. This space is the result of a planning process that dates back many years, to the time of the Gréber plan which I mentioned earlier. But more and more, our green space is facing increased pressure and is being sized up for other purposes.

[*Translation*]

Given that the greenbelt is completely unprotected, we firmly believe it must be given the same safeguards as Gatineau Park. This type of protection is flexible enough to allow for land exchanges and road access, but would limit residential, commercial and industrial development and, as in the case of Gatineau Park, it would protect the area's ecological integrity.

● (1555)

[*English*]

Given that the greenbelt is completely unprotected, we firmly believe it must be given the same safeguards as Gatineau Park. This type of protection is flexible enough to allow for land exchanges and road access, but would limit residential, commercial and industrial development and, as in the case of Gatineau Park, it would protect the area's ecological integrity.

[*Translation*]

We want this protection not only for this generation, but also for future generations. We are the trustees and custodians of our region's heritage, and it is our duty to protect the greenbelt. We must also protect it to keep our national capital a green, accessible region on a human scale, because that is what makes the capital unique.

The greenbelt gives great pleasure to tourists, who are a major driver of the regional economy. It also creates many jobs and helps diversify employment so that the region's economic development does not depend solely on Canada's public service.

Although the NCC has begun revising its master plan, we do not feel we should wait for its recommendations. We must not wait for the Conservatives to destroy our greenbelt. We have to develop the tools to protect it immediately. Legislators are elected to make decisions, and we must show leadership and protect the greenbelt. The way to protect it is through Bill C-20.

We in the Liberal Party want to protect our greenbelt right away.

[*English*]

Let us protect the greenbelt immediately.

[*Translation*]

Here are the main amendments we made to Bill C-37, which we will also put forward for Bill C-20: ensure that 25% of all jobs—not square metres—in all federal organizations in the national capital region are located in Quebec and 75% in Ontario by establishing job hubs in each province; maintain the ecological integrity of NCC properties in Gatineau Park and Ottawa's greenbelt; have the National Capital Commission maintain, build and renovate any existing and future bridge across the Ottawa River in the national capital region; have the House of Commons and the Senate approve the NCC's master plan.

In conclusion, we would like to see changes in the NCC's responsibilities, the inclusion of greenbelt protection similar to the protection for Gatineau Park and the approval of the NCC's master plan by both houses of Parliament.

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, I thank my hon. colleague for his speech on Bill C-20. I have a simple question about the 25:75 rule as it applies to the distribution of jobs between Gatineau and Ottawa. Does he see anything in this bill that would make the NCC the watchdog in charge of ensuring the 25:75 distribution of jobs between Gatineau and Ottawa? I think that we agree on the definition of government employee and on the fact that some status indicator could be used.

Mr. Marcel Proulx: Mr. Speaker, I thank my colleague from Gatineau for his question, which is a very relevant one. The distribution of jobs within the national capital region has been an issue for many years. So far, the calculations were always based on the number of people having the Treasury Board as their employer.

Unfortunately, this excludes a number of organizations which are part of the Government of Canada. Museums, the Canada Mortgage and Housing Corporation, the Canadian Broadcasting Corporation, the Canadian Forces, Canada Post and the Revenue Agency are all excluded simply because, at the time when calculations were originally made, anything called Government of Canada came under the Government of Canada and Treasury Board.

Now, in modern days, changes have taken place. We absolutely must include, as the hon. member suggested, not only those employees who are under the purview of the Treasury board, but all jobs.

Why put that in this piece of legislation? The reason for that is simple. The National Capital Commission is talking about a 10-year master plan. I think this would be a perfect opportunity to establish the 75:25 distribution and also to establish job hubs on both sides of the river.

My colleague from Gatineau is quite right. He has heard our message. I think he is also making it his own. The NCC has to be in charge of the 75:25 distribution and the monitoring of that policy.

● (1600)

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, I rise today to speak to Bill C-20, An Act to amend the National Capital Act and other Acts. The Bloc Québécois has some serious concerns about this bill. We welcome it, but we have some concerns.

When it comes to protecting the environment, our focus is on Gatineau Park. The park, which has an area of 350 km^2, is federal land managed by the National Capital Commission. Unlike other national and provincial parks in Canada and Quebec, Gatineau Park is not protected by legislation and has no official status. As such, the park is subject to the whims and decisions of the organization responsible for running it, in this case the National Capital Commission, which, according to its powers under the legislation, can sell land, which includes land on Quebec soil.

A number of environmental groups and citizens' groups are calling for better protection of Gatineau Park, for example, by including a section in the act to give the park official legal status, to clarify its purpose, and to ensure its ecological integrity.

Some of the groups calling for this include the Ottawa valley chapter of the Canadian Parks and Wilderness Society, as well as the Gatineau Park Protection Committee.

The Bloc recognizes how important it is to protect and conserve natural settings. We believe that we must protect Gatineau Park from property development, clarify the purpose of the park and ensure that it is around for future generations.

Respecting Quebec's jurisdictions and the integrity of Quebec's territory, are both very important, and I must point out that in 2006, the House of Commons unanimously recognized the Quebec nation. In short, “nation” is the community to which we belong, the group with which we identify, and within which we debate and decide how our society is to be organized.

And because a nation is the special place where political decisions can be made, recognizing a nation means recognizing a political entity with legitimate political rights and aspirations.

By recognizing the Quebec nation, the House of Commons recognized the right of Quebeckers to control the social, economic and cultural development of Quebec themselves.

By stating that the Quebec nation is composed of all residents of Quebec, regardless of their origin or mother tongue or the region where they live, the federal government recognized that the Quebec nation has a clear geographic base made up of all, I repeat, all of the territory of Quebec.

In short, recognizing the Quebec nation also means recognition of the legitimacy of Quebec's repeated demands that Quebeckers should have the powers and resources needed in order to develop their own society.

To date, Canada has not yet acted on that recognition and continues to behave as if it were composed of a single nation.

However, the minister currently responsible for the National Capital Commission, the hon. member for Pontiac and Minister of Foreign Affairs, has abided by the Allaire report and the Charlottetown accord. Although they do little to satisfy the aspirations of Quebeckers, those two documents were clear about the need for Quebec to have full control over the development of its municipal and regional tourism.

I would like to quote the document entitled *A Quebec free to choose* dated January 1991 published by the Quebec Liberal Party:

> It [Quebec] must also have complete control over regional development. Finally, in terms of sectoral policies, it must repatriate exclusive control over agriculture, energy, the environment, natural resources and tourism.

● (1605)

Regarding the Charlottetown accord of 1992, points 32 and 35 read as follows:

> 32. Tourism
>
> Exclusive provincial jurisdiction over tourism should be recognized and clarified through an explicit constitutional amendment and the negotiation of federal-provincial agreements.
>
> 35. Municipal and Urban Affairs
>
> Exclusive provincial jurisdiction over municipal and urban affairs should be recognized and clarified through an explicit constitutional amendment and the negotiation of federal-provincial agreements.

This is from the 1992 Charlottetown accord.

It is particularly interesting to note that the minister responsible for the NCC, the hon. member for Pontiac and Minister of Foreign Affairs, is part of a government that came to the other national capital and solemnly promised to respect the Government of Quebec's jurisdictions.

I would like to quote the current Prime Minister. This is from a speech he gave in Quebec City on December 19, 2005, during the election campaign:

> We will recognize provincial autonomy, as well as the special cultural and institutional responsibilities of the Quebec government. We will respect federal and provincial jurisdictions, as defined by the Canadian Constitution.

Now he must act accordingly.

Based on the fact that the current government has promised to respect Quebec's jurisdictions, the Bloc Québécois expects all activities of the National Capital Commission concerning Quebec to be subject to the approval of the Government of Quebec.

The governments of Quebec have always considered territorial integrity to be inviolable. The federal government, through the National Capital Commission, has gobbled up land in Quebec to the point where the NCC is now the largest land owner in the Outaouais. The NCC owns more than 470 km^2 of land, or 10% of the land in Gatineau and Ottawa combined. On the Quebec side, the NCC owns most of Gatineau Park.

On May 18, 2010, the local press informed us that the City of Gatineau had to first negotiate the repurchase of land with the NCC before installing a standard cycling lane on a section of road in the Hull sector.

The message is clear.

Although the federal government and the National Capital Commission consider the Outaouais and the Ontario side as a single entity, we consider Gatineau and Ottawa to have their own identity and interests. The National Capital Commission must recognize that the Government of Quebec and the City of Gatineau, on the Quebec side, are better positioned to meet the needs of their citizens.

The Bloc Québécois believes that the federal government and its agent, the National Capital Commission, have the obligation to respect the integrity of Quebec's territory, both in terms of the land mass and the exercise of power.

The federal government's law and policies should be amended to ensure that: first, the federal government and its agencies cannot dispossess Quebec of its land; second, all National Capital Commission activities, decisions and development projects on Quebec territory are to be approved by the Government of Quebec in advance

In the same vein, but on a different matter—necessary amendments to Bill C-20 to respect Quebec's territorial integrity and jurisdictions—there is the very important point of the national interest land mass.

Bill C-20 would introduce the concept of "national interest land mass", which would allow the National Capital Commission to designate any land, such as Gatineau Park and other land in and around Gatineau, as being part of that land mass and prescribe the process for acquiring it.

● (1610)

Clause 10.2 states:

> If criteria and process are prescribed under paragraph 10.3(*a*), the Commission may designate all or a portion of any real property or immovables as part of the National Interest Land Mass or revoke such a designation, as the case may be.

Clause 10.3 reads as follows:

> With the Governor in Council's approval, the Commission may make regulations
>
> (*a*) setting out the criteria and the process respecting the designation of all or a portion of any real property or immovable as part of the National Interest Land Mass and the revocation of such a designation; and
>
> (*b*) prescribing in relation to public lands that are designated as part of the National Interest Land Mass or classes of those lands — in addition to any requirements under the Federal Real Property and Federal Immovables Act — the process by which those lands or classes of them may be acquired by the Commission or by which the administration of them may be transferred to the Commission, and any terms and conditions of such an acquisition or transfer.

This concept raises a number of concerns, especially among elected officials of the Government of Quebec, who have written about them to their federal counterparts. In an October 30, 2009 letter to the Minister of Intergovernmental Affairs, who is the minister for the Quebec City region, Quebec's Canadian intergovernmental affairs minister, Claude Béchard, shared this concern:

> This new tool, due to the NCC's increased presence on the Quebec side of the Outaouais region, further complicates the Government of Quebec's exercise of its jurisdiction with respect to land use planning.

This concept of national interest land mass has been cause for concern to the Government of Quebec since 2007, when on the occasion of the release of the report, "The National Capital Commission: Charting a New Course", Benoît Pelletier, then the minister responsible for intergovernmental affairs and the Outaouais region, had written to the hon. member for Pontiac, the current Minister of Foreign Affairs and Minister of State for the National Capital Commission, to express his apprehension.

Thus, the Government of Quebec was already protesting in 2007. I will read an excerpt from the letter from Quebec's Minister Pelletier to the federal minister, the hon. member for Pontiac:

> Moreover, despite noting that the Canadian Constitution gives the provinces jurisdiction for land-use planning, the report nevertheless promotes a new idea, that of the "National Interest Land Mass" (NILM): land in the NCC portfolio that is deemed essential to the long-term viability of Canada's Capital Region. This is a remarkably nebulous concept. It could potentially entail a risk of encroachment on Quebec's territorial jurisdiction in the Outaouais, given that a number of important components of the NILM, including the Gatineau Park and other parcels of land in the Greenbelt, are located in Quebec. Such an expansion of the NCC's prerogatives is an extremely disquieting prospect.

As far as transportation development in the Outaouais region is concerned, the section on the National Capital Commission's mandate introduces a new provision in the commission's mission, which may cause problems. The bill proposes that the commission:

> (*a*) prepare plans for and assist in the development, conservation and improvement of the National Capital Region, including in relation to transportation in that region, in order that the nature and character of the seat of the Government of Canada may be in accordance with its national significance;

● (1615)

The Bloc Québécois believes it is clear that developing land within Quebec's boundaries is within the purview of the Quebec government, both in the federal capital region and elsewhere. The same goes for transportation.

The Bloc Québécois believes that until Quebec has full power, the federal government's laws and policies should be amended to ensure that all National Capital Commission activities, decisions and development projects within Quebec's boundaries should be subject to the prior approval of the Government of Quebec.

Just like the "national interest land mass", the transportation issue could "further complicate the Government of Quebec's exercise of its jurisdiction with respect to land use planning".

In a letter dated October 16, 2007, Minister Pelletier wrote the following to the member for Pontiac, the Minister responsible for the National Capital Commission:

In the past, the Government of Quebec repeatedly condemned the NCC's methods in the Outaouais region and the impact of its decisions, most often made without consultation following a closed-door process utterly lacking in transparency. The relationship between the Government of Quebec and the NCC is tense, as illustrated by the fact that important road infrastructure agreements signed in 1972 and 1985 were not completed until 2007.

That was a letter from the Government of Quebec to the federal government on the subject.

The Bloc Québécois believes that in general, under legislative power sharing provisions, road development and maintenance, along with public transportation, fall under Quebec's jurisdiction. That is no secret.

Land use planning is and must remain under Quebec's jurisdiction, even in border areas like the Outaouais region.

I would now like to turn to consultation with the Government of Quebec. The letter refers to "the NCC's methods in the Outaouais region and the impact of its decisions, most often made without consultation following a closed-door process utterly lacking in transparency". Minister Pelletier was writing on behalf of Quebec's National Assembly and the Government of Quebec about Quebec's position on the National Capital Commission's role in the Outaouais.

The recurring problems in relations between the National Capital Commission and the Government of Quebec mainly stem from the fact that the federal government has given this organization too much power. The National Capital Commission regularly oversteps certain boundaries that we feel properly belong in the Quebec government's jurisdiction.

Bill C-20 proposes some amendments that illustrate this perfectly.

Now I would like to talk about the master plan. This bill would require the National Capital Commission to outline its broad objectives in a master plan once every 10 years, which seems reasonable to us.

What seems less reasonable is that the National Capital Commission can do this without consulting provincial governments or the public, including those who live in the areas affected by these broad objectives.

The Bloc Québécois believes that the people and governments directly implicated, especially the Government of Quebec, are best suited to identify what they truly need.

From these statements, it is obvious that the Bloc Québécois will study this bill again very closely, and we hope that this time the amendments we propose will be adopted, if anyone expects the Bloc Québécois to vote in favour of this bill.

● (1620)

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I certainly know the region of Gatineau is within the provincial jurisdiction of Quebec and that parts of it are within Ontario but the member never once mentioned the Algonquin Nation. I raise this because I think it is very important. The Algonquin Nation never ceded any territory within Quebec or even within its territorial interests in Ontario. The Algonquin Nation has a very specific, historic and spiritual connection to the Outaouais and the Gatineau region.

I would like to hear from my hon. colleague about efforts that have been made to include the Algonquin Nation in discussions.

I remember the situation on lac Témiscamingue in the 1990s when Parks Canada was going to rebuild the old fort at Ville-Marie and it excluded the Algonquin Nation. The Algonquin Nation was not making any outrageous demands. It just wanted to be part of it because it had been a historic trading centre for the Algonquins for thousands of years. At that time, they were completely left out and many bad decisions were made by Parks Canada in terms of the development and it ended up becoming a confrontation. To settle it all, Parks Canada finally ended up having to make the Algonquin Nation part owners of this historic site.

I think we could do a lot to end any misunderstanding by ensuring that there is consultation from the beginning.

I would like to ask my hon. colleague how he feels about consulting with our first nations peoples, in particular the Algonquin Nation which has such a historic and traditional interest in this territory?

[*Translation*]

Mr. Richard Nadeau: Mr. Speaker, I would like to thank my colleague. The land for which the National Capital Commission is responsible is largely located in the cities of Ottawa and Gatineau and also in the municipalities of Chelsea and Luskville, which border on Gatineau.

The Algonquian-speaking community of Kitigan Zibi Anishinabeg, which is also known as the Rapid Lake Reserve, is located near Maniwaki. Housing in that region is not actually on National Capital Commission land. However, the Anishinabeg First Nation is making claims that relate to land in the city of Ottawa. In fact, the city should never have been called Ottawa. The word "Ottawa" comes from the Odawa First Nation, which today lives in Wisconsin and on Manitoulin Island. The Odawa First Nation has always lived in those parts of the world.

Here was where the Algonquins lived. The real name of the Ottawa River or *rivière des Outaouais* is Kitchissippi, an Algonquin name that means "great river". It was the trading highway between New France and the Prairies, and in particular was used for the fur trade and for trade in all sorts of goods.

The French met people from the Odawa nation and decided to give that name to the river a few years later. Changing the name of the Ottawa River to Kitchissippi River would be a significant gesture that I would support whole-heartedly. It is also sought by and important to the Algonquian-speaking people, the Anishinabeg of Kitigan Zibi.

● (1625)

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, I would like to congratulate my colleague, the member for Gatineau, on his presentation. He has raised a number of concerns that I share. The Bloc Québécois would like to state certain reservations concerning this bill, in particular in respect of the thorny question of respect for Quebec's territorial integrity and protection for its powers. I would like my colleague to clarify this aspect a bit for me.

Mr. Richard Nadeau: Mr. Speaker, I would like to thank my colleague from Estrie, from the riding of Sherbrooke. We do see the big sticky fingers of the federal government and its habit of playing in the government of Quebec's flowerbeds. Before the merger into the bigger City of Gatineau, over 10% of the City of Hull was under the authority of the National Capital Commission. Imagine what that means for development in the city.

Before prorogation, before we went back and started over from zero, we were considering Bill C-37, which today is Bill C-20. During examination of that bill, our colleague, the parliamentary secretary from Alberta, was asked whether he would agree to have the federal government expand Jasper Park or Banff Park without consulting the Government of Alberta. He said no, never. So we asked him whether the federal government should not also consult the government of Quebec before expanding the area covered by Gatineau Park and taking land from the Government of Quebec. He said that it was not necessary for Quebec, because the Clarity Act was very complicated: a double standard, in fact.

We see that mindset again in the government today. We see it even in the possible operation of the National Capital Commission. And we have a minister responsible for the National Capital Commission who is a former minister from the Liberal Party of Quebec under Robert Bourassa, and who is not doing more to defend the territorial integrity of Quebec. We in the Bloc Québécois will do that, tooth and nail.

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, certainly the Bloc Québécois recognizes the importance of improving protection for the natural environment. We know how important the environment is to our future and how important it is to conserve these habitats. We know, in terms of the economy or tourism, how tempting it might be to try to develop these areas somewhat haphazardly, going off in all directions, to guarantee the financing of certain big corporations.

In a case like Gatineau Park, how can we make sure, when it comes to tourism, that ecosystems will be preserved, and that the federal government is not interfering in matters within Quebec's jurisdiction?

Mr. Richard Nadeau: Mr. Speaker, I would like to thank my colleague from Trois-Rivières. One thing is certain when it comes to the environment: we have to make sure that, if this bill is passed, we see it written in the law, in black and white, that Gatineau Park will not be altered.

I know the bill also affects Ottawa's greenbelt, and other regions might benefit from Quebec's demand in this regard. We must not alter any form in which our green heritage may exist, including Gatineau Park, the Gatineau River, the shoreline of the Ottawa River —which, I hope, will one day be the Kitchissippi River. This legislation has to abide by the principle that any change must not alter the environment, or at least must not harm it. We can improve a situation, but we must not go from there to development for the sake of development. There is a limit.

There is also a difficult question. Land inside Gatineau Park must not be sold to create little villages for the ultra-rich. In La Pêche, all of the francophones had their land expropriated. Around Meech Lake, I swear that the people are a fair bit richer, and it was not necessarily francophones who were living there, although their land was not expropriated. But they are still in the heart of Gatineau Park. That hurts, and it is the federal government that did this to us.

● (1630)

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am very pleased to rise today to speak to what is now Bill C-20, which started as Bill C-37 last year.

I listened to a number of very good speeches today and some very interesting questions. The discussion appears to be around the creation of the National Capital Commission in 1959. Before the National Capital Commission was created, we have to go back in 1899 when the Government of Canada established the Ottawa Improvement Commission, which was designed to beautify the city, including work on parks and the lands along the Ottawa River.

Unfortunately, a series of incidents occurred in the early 20th century, which had an impact on the region. We all know about the great fire of 1900 and another fire in 1916, which destroyed Centre Block of the Parliament Buildings. Centre Block was rebuilt and successive governments at that point realized how important it was to build a strong capital region and a centre that people from across the country would be attracted to. One of the comments I constantly hear from my constituents is they really enjoy coming to Ottawa for all the historical buildings and the museums. The green space in Ottawa is always mentioned in a positive light across the country.

It is important to establish very strong laws governing development in a capital region. Winnipeg, for example, allowed development to proceed on an old railway yard at the Forks 20 years ago. Originally, certainly during the Filmon Conservative years, the NDP was in opposition and did a very effective job of trying to minimize the amount of development in the Forks area. We wanted people to participate in recreation in the area. There was a walkway along the river. The river, by the way, is the longest skating rink in the free world, which has been well established over and over again.

Nevertheless, there was a concern that we in the opposition had about a greater amount of development. There are always development pressures for commercial opportunities. Because the current opposition in Manitoba is very development-oriented and basically rubber stamps anything the city wants to do, there is no pressure to hold back development.

Compared to 10 years ago, the place has become cluttered with too many things. The human rights museum is being built on that land now and there is hardly a parking lot left. There is a hotel there now and parking lots have been built. This is not what a lot of people thought it should turn out to be some 20 years ago. I believe it is very important for people in Ottawa to get this right and make certain that we keep a handle on any sort of commercial development and actions that would reduce the green space and lead to development that really should not be allowed.

The Bloc member who just spoke expressed a concern, which was also mentioned in last year's debate on this very point, that a high percentage of the development was on one side of the river and a smaller part of the development was on the other. I understand there is tension for development, but on the other side of the coin, there are many people who want those pristine areas of the environment left the way they are and do not want developments that are not done in an orderly fashion.

● (1635)

Some improvements would be brought about by this bill. I guess my only frustration is we cannot seem to get this bill, or a lot of other bills, through the House for no other reason than the Prime Minister, now on two successive occasions, has prorogued the House and forced us to start all over over. Here we are back at square one with this bill. I think some of us are losing track of some of these numbers. It started out as Bill C-37 last year and now we are dealing with it as Bill C-20.

We are aware that when we get the bill to committee, which is bound to happen fairly soon, there will be an opportunity for the Bloc member's questions to be answered, hopefully to his satisfaction, and for some changes to be made at committee. The whole process will start over.

For any members who have been unable to get their amendments passed in last year's cycle of this bill, I have good news for them. They are going to have a new chance to get witnesses before the committee. They are going to have a new chance to survey their constituents, send out some letters, make some phone calls, get them involved and active in this file and, hopefully, get them to influence the committee into making the changes they see as being important to the improvement and betterment of this act.

The NDP supported the legislation even last year. We see some positive things that would come about because of the bill. However, the fact is the government started on this whole process back in April 2006. We are already four years into the process. I think we may be a lot older and greyer at the rate the government moves before we get the legislation passed.

This goes for a whole lot of other bills. We are talking about the whole government agenda that has to be reintroduced every time the government decides it wants to recalibrate or it gets fearful and afraid of its shadow and prorogues the House. We hope the government will not do that again. I think by now it probably more or less has learned its lesson. I will make a prediction and go out on a limb and say that I do not expect we will see another prorogation of the House any time soon. I hope I am not wrong. Maybe I should not put much in the way of bets on that point. However, I really think it has learned its lesson and will not do it again.

I have said many times that I believe strongly in minority governments. They can work. It worked with Bill Davis. It worked with Gary Filmon. It is working in England right now. There is no reason why Parliament has to be so acrimonious. Other than the transport committee, some of the committees are falling into a lot of acrimony right now. We saw it in the House today. Maybe it is just the hot weather. However, I suspect this is an ongoing problem. We have to learn to work this out. Otherwise, we will find ourselves very shortly into another $300 million election, which I can assure members will produce the same results. The government will not get any better result than what it has right now. It should wake up and realize that it has had four years already and it may have another four years doing the same thing. However, if it keeps doing the same thing, it is not going to get results. That is what the government wants to show at the end of the game. Any government that gets into this wants to show results.

Look at what happened in the 1960s, from 1962 to 1968, under Mike Pearson. We had a period of a minority government where we brought in a new national flag, we unified the armed forces, we dealt with pensions and the medicare bill. Imagine the huge initiatives that the Pearson government brought in after coming out of four years of a Diefenbaker majority government. The Liberals came in as a minority government and survived a couple of elections. Obviously there was a different mix of people in that environment. That government managed to survive from 1962 to 1968 and dealt with some very contentious issues.

● (1640)

Anybody who lived through that period knows how contentious changing the flag was. It was extremely contentious, yet they got the job done, and they got the job done with the unification of the armed forces. Why they would do that in a minority government, I do not know, but they did it and they got the job done. As my colleague just mentioned, the pensions and the medicare issues were brought up during that time too.

Thus, there is all sorts of evidence to say that minority governments can work. They work in other countries. As a matter of fact, we do not need a majority to get things done. That is the arguments that governments make, but we have seen government after government not only squandering their majorities but also getting themselves into trouble. Majorities are actually not to their benefit. If backbenchers think they are obscure now, wait till they get into a majority government situation. I have been there a couple of times and when we are in a majority situation, it is not a happy time for a lot of the members. This is the members' best time to get their ideas out, to get their ideas up in caucus, and have some influence on their government. That is what they should be doing and they should be working with the intention of making this place work.

In April 2006, the minister responsible for the National Capital Act launched a review to assess the current relevance of the NCC. As I indicated, the commission had been around since 1959, so clearly there were some changes to be made.

We have heard some of the other members talk about the way it was, because when I first looked at the bill last year, I wondered why the government wanted to make these changes after all of this time. If the commission was working so well from 1959, what was the big reason for burning political capital on something like this? However, one of the things we saw was that the National Capital Commission held private meetings; it did not have meetings open to the public. Changing this is one of the positive things that this particular legislation is about to do.

Once again, the government proposed changes and looked for stakeholder input. It wanted to make certain there was a certain amount of feedback. When the minister launched the review, the purpose basically was to assess the continuing relevance of the National Capital Commission and its activities and level of funding. The independent review panel invited a broad range of stakeholders and interested parties to express their views, in addition to a number of individual participants, including from federal departments and agencies.

I might point out at this juncture that it has been mentioned by others in this House that the members of the commission are not just people from the Ottawa area. This is a National Capital Commission; there are people on the board, as there should be, from other parts of Canada.

Other levels of government were also consulted, foreign institutions, parliamentarians, and local and not-for-profit organizations. In this connection, the Bloc member brought up the whole issue of whether or not Quebec was consulted on this bill. I find it hard to believe that it could not have been at some point in the process, but I take the previous member at his word. Once again, as I indicated, he has opportunities to deal with that issue now and to get whatever input into the bill he wants from his local residents, or from the Government of Quebec, because once again, we are just looking now at getting the bill to committee.

The panel released its report in December 2006, and made a number of recommendations concerning the governance of the commission and its activities and funding. I believe a total of 31 recommendations were made and the government, to its credit, has actually taken some action on some of these.

If I recall the speech by my hon. colleague, the member for Ottawa Centre, who has been very involved and very strong on the bill over the last couple of years and who actually had his own bill before the House, he complimented the government and said he had worked very well with the Minister of Transport, Infrastructure and Communities, and he certainly gave the government high marks and credit for that. He said in his speech that he believed in giving the government credit where credit was due. In fact, in working on this particular bill, it was a very positive experience for the member for Ottawa Centre, and he did accept that the government was doing the right thing.

● (1645)

In its backgrounder, the government points out that it has taken several steps consistent with the review panel's recommendation. There was an annual $15 million increase in funding for the National Capital Commission. That was announced in budget 2007. In keeping with the Federal Accountability Act, which received royal assent on December 12, 2006, it separated the chairperson and chief executive officer positions as separate entities.

As well, in September 2008, the Governor in Council approved the acquisition by the NCC of private properties in Gatineau Park. There was some question about what the true size of the park was. I believe one of the Liberal members indicated there was no way of telling how big the park was, yet a Bloc member had it down to the nearest centimetre. Clearly, these two members ought to get together and determine what the actual size of the park is, because we have two divergent opinions on that point.

As I indicated before, the board had private meetings. That is clearly something that has gone the way of dinosaur now. Organizations are being forced through public pressure to open up. We do not have to go any further than the current experiences that all members of the House have in dealing with issues where the public wants to know what is happening. Once again, the board meetings were private and now they will be public. The board will now have to have at least four meetings a year. These will have to be open to the public and there is a requirement that if members need to go in camera, it is logical that their meetings be held in camera if necessary —but only if necessary.

Another really important point is the following. I think I asked a question about this last year, and the member for Bonavista—Gander—Grand Falls—Windsor has also talked it. The National Capital Commission is required to submit a 50-year master plan for the National Capital Region at least every 10 years, including its principles and objectives for approval by the Governor in Council and for tabling in Parliament. That is an extremely important proposition for the National Capital Commission to follow, because this requires it to look ahead and not just to do things on a day-by-day, next-day, next-month basis. Certainly, in terms of any type of commercial activity, this requires it to take the long-term view of that commercial activity. So the whole idea of submitting a plan for the area is something that I think must have been borrowed from someone else, as I do not know if it is original to the board.

I just happened to be in Louisiana a couple of weeks ago at a conference, where we had a briefing on the oil spill. That area is an example of where there is extreme environmental damage and absolutely no plan, no plan at all. They were drilling in huge depths with no previous experience at those depths, and no one seemed to be in charge of the ship. That is hardly a direct comparison, but it still shows us that when we start developing or spending money on development we should have some sort of a plan where we are going. We should not be allowing unfettered, free enterprise development here and allow people to simply develop in any way the almighty dollar tells them they should develop. That is really important.

I really applaud the government for taking the initiative here and doing something that will benefit the national capital region and will, in fact, benefit Canadians as a whole.

● (1650)

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I would like to point out that in the background information we received from the department, the following was said:

> The NCC must manage its properties in accordance with principles of responsible environmental stewardship.

The government talks about that quite a bit. Bill C-9 talks about streamlining the environmental processes and vetting projects through environmental screenings; but in this particular situation, is that going to change in the next little while? Does the master plan look after that? Is he not concerned about that?

I know he has spoken passionately about this issue for quite some time. The government seems to be talking a lot about it, but there does not seem to be a lot of meat to it. I was wondering if the hon. member could address that.

Furthermore, although it is said that that the 50-year plan will be renewed every 10 years and be tabled in the House, does the hon. member not think that we should also vet that plan in some formalized debate?

Mr. Jim Maloway: Mr. Speaker, I would want to encourage the member to get involved in the committee process on this, and I know he will. Certainly some of the questions will be answered at the committee.

I share his same concerns as far as the environmental rules are concerned, but am also concerned about the idea that they are going to allow the commission to deal in its own real estate. I understand the reason for maybe not having to refer everything back to the government and cabinet, which might not want to be involved at that level. On the other hand, we must have some sort of process to make certain there are not commercial deals being done that may not be in the interests of the overall National Capital Commission.

I would think these are questions that we would want to ask. We should make certain there is no potential for real estate activities and should ensure that all of these are vetted. Also, certainly, the environmental aspects must be looked at. I recognize that the government is doing some things on the environmental side that we certainly do not approve of.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, if I were watching this at home, I might feel that I was having a case of déjà vu or maybe that CPAC had run out of interesting things to cover and was showing us reruns, because we are dealing with a bill that was already dealt with. We had hours of debate. We had testimony. We had witnesses. We had parties working clause by clause to present a bill that should now be law. Yet the Conservatives, as has become their style, flushed the bill down the toilet because they did not want to answer any questions on the Afghan detainees.

Therefore, what we are living here in the House right now is akin to the extras in the movie *Groundhog Day*, where we come back every day and usually see the same dumb tough on crime bills and the government denouncing this and that. Yet I have seen this pattern since 2007, where the government has flushed its entire legislative agenda and then started everything from the beginning. It did that just this past January.

A legislative agenda is usually the pride of a government. It is something that it shepherds through the House. It is something it believes in. It does not just rip the bills up, throw out all of the witness testimony, spend millions of dollars and then say, "Wait a minute. Now we are serious. We are going to do it over again".

We are looking at Bill C-20, which was Bill C-37 previously. We are having to go through the same process for something that should have been done. I have never seen a government with such a meagre standard for legislative results.

My hon. colleague spent many years in a provincial parliament and has seen many governments in action. Has he ever seen a government with such little interest or regard for the fundamental job it has as government, which is bringing through legislation, actually seeing the legislation get voted on and bringing it into law?

● (1655)

Mr. Jim Maloway: Mr. Speaker, the member makes a very good point, although I must tell him that there have been a lot of interesting speeches today. There is the recognition that we went through all of this last year. Sometimes there are days when I think it is deliberate and this is the way they want to conduct themselves in the House and there are other days when I think that they operate on a day-by-day basis.

There is still that bravado in the Conservative Party that while the Conservatives did not get a majority in actual terms, in their own minds they still think they are number one and they are going to act as though they were a majority government. They are not recognizing that they are not a majority government. I feel that they have that edge, that they have not come to grips with the fact that they really are a minority and that they are going to stay a minority. The public probably likes them that way but just wish they would develop a plan to get things done around here.

Why does the transport committee work so smoothly? Why do things get done in the transport committee? I may not be happy with some of the stuff that comes out of the transport committee and do not get me started on that, but in terms of a committee, it seems to work fairly well. If that one can work fairly well, why can that not be replicated in other committees?

[*Translation*]

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, I have been listening to my colleagues and I agree with them that the government is taking a piecemeal approach to management. It is different from one day to the next. One day, it takes one step forward and, the next day, it takes two steps back. I think that the Conservatives do not even know where they are going. They do not have an agenda or anything.

I would like the member to tell me something. Does he think that, given the way they are managing the House of Commons, the Conservatives are taking the public hostage with their agenda, or, rather, their lack of an agenda ?

[*English*]

Mr. Jim Maloway: Mr. Speaker, that is probably the case. I would think they would want to show the public when they go into the next election that they have gotten certain parts of their agenda through. That is what I would think they would want to gain.

That is certainly what happened in the Lester B. Pearson years. I just indicated that quite a number of enormous developments happened during that period of minority government. The Gary Filmon government for a year and a half and the Bill Davis government, all of these governments had something to show for their period of time in office. I do not know why they would want to squander that period of time by lurching from day to day. That is what it looks like to us over here. In not even two years the Conservatives prorogued Parliament on two occasions. That does not sound to me like things are connected and working properly over there. They need a mechanic to fix their problems, and they are fixable, but somebody has to do it.

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to speak to Bill C-20, An Act to amend the National Capital Act and other Acts. This is not the first time I have spoken to such a bill.

Bill C-20 was introduced following the prorogation, but had previously been introduced on June 9, 2009 under a different number, before Parliament was prorogued. At the time, important statements were made by the hon. member for Pontiac, because Gatineau Park borders the Outaouais region.

The Outaouais region includes four ridings, namely Hull—Aylmer, Pontiac, Gatineau and Argenteuil—Papineau—Mirabel, which I represent in this place. I have one foot in the Laurentians and the other in the Outaouais region.

As the former chair of the Conseil régional de développement de l'Outaouais, I can say that Gatineau Park has definitely always been important to me. This park, which occupies more than 360 km^2, is a federal property on Quebec soil.

Everyone knew that, at some point, the National Capital Act would have to be amended and modernized. I sit on the Standing Committee on Transport, Infrastructure and Communities, which received the June 9, 2009 version of this legislation. The committee will now have to review Bill C-20, which is before us.

I was in favour of modernizing this legislation, particularly since the community had set up a committee to make recommendations. I am not going to speak at length about this committee, which is made up of volunteers and which proposed interesting recommendations.

When I looked at the June 9, 2009 version of the bill, I had some reservations. As a member of the Bloc Québécois, I was proud to welcome to the committee the member for Gatineau, whose riding is closer to Gatineau Park and is part of the territory covered by the National Capital Commission. I am a member from the Outaouais, but my riding is located outside the territory that is under the National Capital Commission.

We benefited from the nice contribution made by my colleague for Gatineau. He takes an interest in the land covered by Gatineau Park, because his constituents ask him questions on this issue. It is not just an area: it is a park used by the public.

So, it is important to see how the federal government, which owns the land, manages this park for the benefit of the community. I was keeping abreast of this major issue in the local media. I thought the bill would put to rest most of the concerns I had at the time, when I was chair of the Conseil régional de développement de l'Outaouais.

One of the main concerns was the presence of the Quebec government at the table. We cannot have a federal property managed by the National Capital Commission and make changes to the National Capital Act without taking into consideration the Quebec government, which must make important decisions regarding its whole territory.

In this bill to amend the National Capital Act, I was surprised to see that the government of Quebec and that of Ontario—since part of the land managed by the National Capital Commission is located in Ontario—are not involved in the discussions.

The NDP member said that the Standing Committee on Transport, Infrastructure and Communities works well, and it is true.

● (1700)

I have been a member of the committee since 2000. We have always been fairly pragmatic, and it is no secret that the Standing Committee on Transport, Infrastructure and Communities takes a logical approach to issues.

We need to leave partisan politics aside as much as possible and try to resolve issues and problems one by one, in a logical manner. Members are familiar with the good parent concept. What would a good parent do in a given situation? That is how I have always acted at the Standing Committee on Transport, Infrastructure and Communities.

If we are going to update the National Capital Act, why not do it right? When the time comes to once again discuss the acquisition of land, for example in Gatineau Park, why not consider what the provincial governments—of Quebec and Ontario—think, and consider the letters that have been sent to the member for Pontiac from the Government of Quebec?

I will not read out these letters written by Minister Pelletier, who was the minister responsible for the Outaouais in the Quebec National Assembly at the time. He was a Liberal minister who had no ties to the Parti Québécois or the Bloc Québécois. In 2007, he wrote a letter to express his interest in participating in discussions, because the bill provided for some very important additions, including the creation of a national interest land mass, which would allow the NCC to designate any land as part of this mass, and to proceed with the acquisition process. I am thinking of Gatineau Park and other land in the city of Gatineau and the surrounding area.

The same thing could happen in Ontario. The Bloc Québécois heard about a letter from Minister Pelletier, who was a member from Gatineau, in the Outaouais. He represented a riding at the National Assembly. Minister Pelletier wrote to the member for Pontiac, a member from the Outaouais, to say that the Government of Quebec must be involved in discussions regarding the national interest land mass. The Government of Quebec had to participate in these discussions and be involved in the decision. It was not simply a matter of consulting the Government of Quebec.

We are talking about land that is in Quebec. This Parliament has recognized the Quebec nation. Obviously, it comes up often and the Conservative members constantly repeat that they have recognized the Quebec nation. But the problem is that there is a world of difference between the recognition and applying this recognition. There is a world of difference and a sea of Conservatives that prevent these debates.

In committee I felt that we should have been able to make the Conservative members understand that we were updating the National Capital Act. And one way of updating the act would be to require that provincial governments—Ontario and Quebec—be involved in discussions about land acquisition and policies. The master plan will inevitably have an impact on land in Quebec and Ontario. Quebec and Ontario must be given a proportional number of seats at these discussions.

If we are talking about updating the act, we should actually do it. I can understand that the reporting committee was comprised of people from the area, citizens who participated in the debate. They were far removed from political concerns, but once the bill is passed and we want to update it, political concerns are obligatory, especially when the possibility of property or whatever being bought and sold affects land belonging to Quebec and Ontario.

Obviously, the Conservative representatives would not budge. Knowing my Conservative colleagues on the committee, I would say that this is not coming from them because they are usually open to negotiation. There was an official order.

● (1705)

We asked the National Capital Commission chair to appear and we will do so again when we examine Bill C-20. We realized that this bill represents the wishful thinking of NCC administrators who would like it to be a deciding body regarding federal land in Quebec and Ontario, even though they are not elected.

Understandably, we have many reservations. I think the Liberal Party also has many reservations. The NDP—we will see what happens when it is time to study Bill C-20—appeared to support it, but based on the speeches, I think the NDP members are beginning to have some doubts.

I was very surprised to see how reluctant the Conservative members were to enter into negotiations with Quebec or Ontario regarding lands within Quebec and Ontario. I was also surprised that those provinces were not given seats at the negotiating table or that a formal recommendation was not required from the Quebec National Assembly if there is to be any change to the total area or any land is sold. After all, we are talking about land that falls within the borders of Quebec and Ontario.

Quebec did not sign the Canadian Constitution, but the fact remains that the Constitution gives the provinces and territories certain rights. This bill ignores that fact. That is worrisome. The Conservatives say they want to update the legislation, so they introduced a bill to update the National Capital Act, to bring it in line with 2010, yet they are ignoring a slew of complaints and demands.

Through then Minister of Intergovernmental Affairs, Benoît Pelletier, the Government of Quebec wrote directly to the hon. member for Pontiac, who was the Minister of Transport, Infrastructure and Communities at the time and responsible for the National Capital Commission. Mr. Pelletier said the act could not be amended in any way, especially regarding this new concept of "national interest land mass", there could be no discussion and no decisions made without the consent of the Government of Quebec or the Government of Ontario.

No one is trying to take away any rights Ontario may have in that regard.

I thought this could have been negotiated easily in committee. Before prorogation, we were conducting the clause-by-clause review and we could sense that the Conservative government had many reservations. After the prorogation, the Conservative government introduced the new bill before us today, Bill C-20. I thought the government would have taken the opportunity to listen to us. We had already submitted our lists of amendments. We believed that, after the discussions, the government would have taken the opportunity to update the law or the new bill. That is not the case.

The Conservatives are digging their heels in, probably because they believe they may have the support of the NDP.

We are in favour of sending Bill C-20 to committee. Our objective today is to send Bill C-20 to committee for amendment.

I will take this opportunity to send a message to the NDP, often considered the centralizing party. If it decides to support the Conservatives and once again centralize the power to make decisions about Quebec or Ontario lands in the hands of the National Capital Commission, it will be maintaining its centralizing approach, which the Conservative Party wants to take advantage of in this matter.

● (1710)

I would like to say to my Conservative colleagues that, if they are not a centralizing party, they should not give the centralizing powers that it does not wish to give itself to an organization comprised of unelected officials, the members of the NCC board of directors. That is what they are doing. They are handing over the power to purchase and sell Quebec and Ontario land to an organization that is at arm's length from Parliament, without the say of the House of Commons and, even worse, without any authorization from Quebec and Ontario.

The CEO said that they would be consulted. They are consulted, but it is the commission that makes the decisions and its members are not elected. That was the message from the CEO of the NCC, a very nice Quebecker. She said that the committee established to make recommendations found that it was reasonable for the National Capital Commission to make the decisions because it was not a government jurisdiction. It seems that the members of the board of directors are experts and that they will make decisions about the purchase and sale of land.

With this new concept of national interest land mass, non-elected officials would make the decision to dispose of or acquire lands in Quebec and Ontario or do whatever they want with them, with no legislative decision by the House of Commons. It is laughable. Even worse, they would do so without the authorization of the governments of Quebec and Ontario, just because these people represent a federal agency that is not subject to provincial laws. The NCC, in addition to the members of the House of Commons, controls these lands. It is quite something.

Sometimes, democracy can be set back for a good cause. That is what the government is doing with Bill C-20, An Act to amend the National Capital Act and other Acts. The government is knowingly giving non-elected officials powers that belong in theory to elected officials. The NDP seems to be the Conservative government's willing partner in this.

This brings me to the minister, the member for Pontiac. That is not how I know him. When he was a member of the National Assembly, he always had respect for the laws of Quebec and Ontario, because they are important parts of Canada's Constitution. One can try to set them aside, which is what the National Capital Commission would like to do with the new powers it is asking for in this bill. These administrators can always decide to consult Quebec and Ontario, two provinces that, alone, account for at least half the people of Canada.

The Bloc Québécois will reach out as it has always done. I am glad my NDP colleague said the transport committee has always worked well. We have always taken a logical approach and tried to act as a good parent would. What would a good parent do in this case? I do not believe a good parent would give responsibility for lands in Quebec and Ontario to an agency run by non-elected officials who could decide to buy or sell them.

We are talking about lands as important as a park. I did not talk about the greenbelt in Ontario, but I am talking about Gatineau Park. We are talking about giving non-elected officials responsibility for lands in Quebec and Ontario, without letting the House of Commons have any kind of say.

● (1715)

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, I listened with great interest to what my hon. colleague had to say. This bill really comes as a surprise to me. This is the first time I have seen it, even though I am told that it has been introduced in the House more than once. Bill C-20 deals with land acquisition, with the Government of Quebec not taking part in the discussions. The member told the House about the creation of a so-called national interest land mass.

It seems to me that, when I was in elementary school, Quebec had well-defined boundaries. Territorial integrity and management come under provincial jurisdiction. This brings back bad memories—I hope my colleague will be able to reassure me—memories of certain partitionists who wanted to chop away large parts of Quebec.

Can we go along with that? Where will a bill like that take us?

● (1720)

Mr. Mario Laframboise: Mr. Speaker, I would like to thank my colleague from Trois-Rivières for her question. Her imagery does reflect a particular reality. It proves that the Conservatives are still speaking in double talk. They recognize the Quebec nation, but they do not want to allow direct negotiations with the government of Quebec about federal lands on Quebec soil, concerning the future, the sale or the purchase of those lands, or anything else. This is difficult because we are supposed to have moved on. We should be able to modernize the National Capital Act, to make the commission members understand that, no, they cannot make decisions about this. They are not elected, and when they are dealing with matters that relate to the territory that is constitutionally within the boundaries that were assigned and recognized for Quebec and Ontario in the past, they may not make decisions without the authorization of Quebec or Ontario.

Obviously, once again, what surprises me is that the government sometimes introduces a bill and then we say that we will improve it in committee. Well, we realized very early on that this is a strategy on the part of the Conservatives and that the New Democratic Party has fallen for it. Once again, we are debating this bill in this House, and as I was saying earlier, we are going to vote for it so we can improve it in committee, so that our colleagues in the NDP and the Conservative Party clearly understand what a mess they are getting themselves into.

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, I could not have put it better myself. We are to put our trust in a government that decided at the beginning of the year to prorogue the House. The reasons it gave for doing so do not hold water and neither do the statements the Conservatives are making today on abortion or anything else. I think they have a hidden agenda.

Things were happening just before prorogation that did not sit so well with them, nor with the lobbies perhaps. I do not think that prorogation is something they decided on an overnight whim. They decided they had had enough, that some bills were moving ahead too quickly and in the wrong direction; a direction they had not anticipated.

Again today, as my colleague was saying, we end up with the decisions they have made, with a bill that gives the National Capital Commission increased decision-making power with no concern for the provinces whose land it is using.

It is in every province's best interest to manage its own land, especially when we are talking about a park and deciding what a commission will do with that park. Will there be a housing development? We do not know. However, someone, somewhere knows what will happen to that park.

I have a question for my colleague. Does he think the Conservatives have a hidden agenda? Are there lobbyists or a group of people who believe it is important that this bill be passed? Do they want the commission to have more power in order to take this land and truly create development that should not exist, all without consulting Quebec? I would like to know what my colleague has to say about that.

Mr. Mario Laframboise: Mr. Speaker, I thank my colleague for his question. He is right, especially because this bill has not been improved or changed a single bit. Bill C-20 is the same bill that was introduced before prorogation, despite all the comments made and amendments proposed by the Liberals and the Bloc Québécois.

This means that the lobbyists did their job and convinced the member for Pontiac, the Minister of Transport at the time, that he needed to amend this bill by taking powers away from the House of Commons and the governments of Quebec and Ontario, if they had any, and to give all that power to a group of friends. I should point out that people who are appointed to the National Capital Commission are usually friends of the existing government. This group of friends is therefore making important decisions regarding the greenbelt in Ontario or even Gatineau Park.

These subjects are of great interest to people in the Outaouais and to people across Quebec, because they have to do with land we can use. I think that the lobbyists have done their job. My colleague is right. Anyone who is remotely intelligent would realize that a good parent would not have made that decision. They should have consulted and gotten permission from Quebec and Ontario for any land changes, considering the area that is involved here.

You can find private property within Quebec parks. Every time a decision is made regarding parks in Quebec, there are consultations. The provincial government and the owners are present, and that is how it should be done. The same thing could have been done with the Government of Canada, which owns the land. The federal government must sit down with the governments of Quebec and Ontario to talk about the land in question, to tell them how it plans to expand or cut back and to ask their advice. That is not what was decided. The government decided to give all that responsibility to non-elected officials who are friends of the governing party and who will decide whether to acquire or sell portions of land. What will happen in the future? It is disturbing.

● (1725)

[*English*]

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I just want to be clear. I understand the argument with respect to the consultations with the two respective provinces in this particular case, the Government of Ontario as well as the Government of Quebec, but would the government not also suggest that it be vetted here in the House of Commons as well? It is merely being tabled.

We saw an incident a while back when the government made changes. It signed an agreement to make changes to NAFO, which is the offshore fisheries agreement, and it was just tabled. It was never brought to debate by the government. The opposition had to take it into its own hands to inspire a debate.

In this particular case, would the government also agree with the fact that it should be debated, not just tabled in this House, when it is about changes and especially when it is about the master plan? Would it extend that policy when it talks about consultation with the provinces? What about the case of Parks Canada? Would it also suggest that any changes to management plans for Parks Canada would have to be done in consultation with the provinces?

[*Translation*]

Mr. Mario Laframboise: Mr. Speaker, I would like to thank my colleague for his question. He understands the situation. I did not have enough time in my speech to mention that once Quebec and Ontario authorize changes, further authorization from the House of Commons would be required to confirm the changes. I know that in committee, Liberal members gave some very good examples of decisions that are made in the rest of Canada and then have to be dealt with here in the House of Commons.

The Bloc Québécois will support all of the amendments once consultation with Quebec and Ontario about changes to boundaries in the master plan has taken place and their authorization has been obtained. A decision will then be made in the House of Commons. We always support Quebec's decisions, regardless of whether the government in power is federalist or sovereignist. We are always consistent.

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, it will come as no surprise that my arguments will go along the same line as those presented by the hon. member for Argenteuil—Papineau—Mirabel. My colleague and the hon. member for Gatineau have a deep knowledge of the national capital region. Their ridings are part of, or next to the Outaouais region.

I know that the hon. member for Gatineau delivered a speech in this House on Bill C-37, which was the first version of Bill C-20 now before us.

Even if the Bloc Québécois is in favour of referring this legislation to the committee for review, it is out of the question for us, as my colleague pointed out earlier, to give a blank cheque to the government.

As I said, Bill C-20 seeks to amend the National Capital Act and other acts. It is similar to former Bill C-37, which was introduced on June 9, 2009, but died on the order paper following the latest prorogation by this Conservative government. The bill was reintroduced exactly like it was at first reading, in June 2009. In other words, no change was made. We had raised some issues regarding Bill C-37, but the government did not respond to our concerns in Bill C-20. So this is truly a cut and paste job.

What we have before us is exactly the same bill, and this is why we are again pointing out the issues that had been raised, not only by the Bloc Québécois members who represent the ridings close to the national capital, but also on several occasions by the Quebec government.

Already back in 2007, representations had been made by the Quebec government to its federal counterpart, about the federal government's intentions with regard to the changes to the national capital region.

Gatineau Park is definitely a gem in that region. I had the pleasure of discovering it when I first came here on Parliament Hill. In fact, I even vacationed shortly before the 2000 election, because I thought I was probably going to settle here during the week, when the House is sitting. I then had the opportunity to visit the magnificent Gatineau Park which, as I said, is a gem. However, as with any gem and any self-respecting national park—even though it does not officially have that status—we must be very careful regarding its development and the use that we want to make of it.

I first established myself in the region as a parliamentary assistant and not as a member. That took a bit longer than expected, but in 2000 I had the opportunity, when I was here on the Hill as a parliamentary assistant, to enjoy the beauty and attractions of Gatineau Park. I would even say that I had more time to enjoy it when I was an assistant because now, as soon as the work here ends, I go back to my riding. So I get to enjoy the beauty and attractions of my riding, Richmond—Arthabaska.

We in the Bloc Québécois feel that we must pay close attention to this bill. We obviously recognize the importance of improving the protection and conservation of natural settings. We believe that it is necessary to protect Gatineau Park from property development and to clearly define its function in order to ensure that it is there for the long term, for future generations.

We feel that any National Capital Commission activities involving Quebec should be undertaken with the Quebec government's approval. I believe that my colleagues were able, with their questions and comments, to question my colleague from Argenteuil—Papineau—Mirabel about this. It is obvious to us that the Government of Quebec not only has something to say in this, but that it has the last word and the most important word when it comes to its own territory.

Even though an agreement was signed in 1973 with the federal government so that the National Capital Commission would take charge of Gatineau Park—I would say that it was a cross-border agreement between Ontario and Quebec, but let us say it was from the two sides of the river—it must be understood that Quebec never wanted to give up any territory or land in Gatineau Park to the federal government.

As I said, we raised some concerns, particularly with respect to the touchy issue of respect for Quebec's territorial integrity and protection for its powers. That is often the case with various pieces of legislation, as the hon. members can understand. Be it in committee, in motions that are put forward or in bills, we are always very concerned about the respect shown for Quebec's fields of jurisdiction. Often, when discussing with other colleagues, I realize that it sparks something in them about the situation in their own provinces. They want to defend their provinces' interests and ensure that their fields of jurisdiction are also protected.

● (1730)

No one is as sensitive as we from the Bloc Québécois are with regard to Quebec, because of our sovereignist stance.

The Bloc is in favour of this bill being referred to committee. We will not be giving a blank cheque, as I said. We will discuss several issues, starting with environmental protection, once the bill is in committee.

Gatineau Park occupies 350 square kilometres. It is federal land managed by the National Capital Commission. Unlike other national and provincial parks in Canada and Quebec, Gatineau Park is not protected by legislation and has no official status. We did not say that this did not need to be examined more closely. For national parks at least, these are beneficial in terms of ensuring the protection of the environment and site, and preventing the overdevelopment of that land.

As such, the park is subject to the whims and decisions of the organization responsible for managing it, that is the National Capital Commission, which, according to its powers under the legislation, can sell land.

Several environmental and citizens' groups continue to call for better protection for Gatineau Park. They want the government to add a section to the act to give the park official legal status, clarify its purpose and guarantee its ecological integrity.

The Bloc Québécois recognizes the importance of protecting and preserving natural areas. As such, we believe that the government must protect Gatineau Park from real estate development, clarify the park's purpose, and protect it for future generations.

With respect to Quebec's jurisdiction and the integrity of its territory, Quebec governments have always considered territorial integrity to be inviolable. Regarding National Capital Commission encroachment on Quebec's territory, the Commission d'étude sur l'intégrité du territoire du Québec, the Dorion commission, submitted a very interesting report to the Government of Quebec covering the period from 1968 to 1972. Our position on the inviolability of Quebec's territorial integrity has not changed since.

Through the National Capital Commission, the federal government has chipped away at Quebec's territory to the point that the NCC is now the largest landholder in the Outaouais region. The NCC holds over 470 square kilometres of land, which is about 10% of all of the land in Gatineau and Ottawa combined. On the Quebec side, the National Capital Commission owns much of Gatineau Park.

Not long ago, on May 18, the local media reported that the City of Gatineau, which wanted to redevelop a section of road in the Hull sector to install a standard bike lane, would have to negotiate with the National Capital Commission for control of the land before proceeding.

We see that this situation is unique. A particular municipality has its territory, falls under Quebec jurisdiction, and must go to great lengths with another organization to be able to manage its territory to meet the needs of its people.

Although the federal government and the National Capital Commission consider the Outaouais and the Ontario side as a single entity, we consider Gatineau and Ottawa to have their own identity. They are quite different. Both parties have their own interests. We believe that the NCC must recognize that the Government of Quebec and the City of Gatineau, on the Quebec side, are better positioned to meet the needs of their citizens.

The cycling path I mentioned earlier is a good example of this situation.

The Bloc Québécois believes that the federal government and its agent, the National Capital Commission, have the obligation to respect the integrity of Quebec's territory, both in terms of the land mass and the exercise of power.

● (1735)

The federal government's law and policies should be amended—that is what we will be asking for in committee when the bill gets there—to ensure that neither the government or its crown corporations, including the NCC, can dispossess Quebec of its land. Furthermore, all National Capital Commission activities, decisions and development projects on Quebec territory are to be approved by the Government of Quebec in advance.

I was saying earlier that the Quebec government had made representations and I have letters from two different ministers, at different times, to prove it. I will come back to this point later.

There is another important matter that will be discussed in committee: the amendments to Bill C-20 required to ensure respect for Quebec's territorial integrity and jurisdictions with respect to the "national interest land mass".

The bill seeks to introduce into the law the concept of a "national interest land mass", which would permit the NCC to designate any lands—for example, Gatineau Park and other land in the City of Gatineau or surrounding area—and to establish the process for their acquisition.

This concept raises many concerns, particularly among Quebec's elected officials. Already in 2007, following the release of an NCC report entitled "Charting a New Course", Benoît Pelletier, the minister responsible for intergovernmental affairs and the Outaouais, who was a member from the Outaouais area at the time, had warned the federal government about the "national interest land mass". He wrote to his federal counterpart responsible for the National Capital Region, the current Minister of Foreign Affairs who was transport minister at the time. Mr. Pelletier informed him of his apprehensions as far back as 2007. This is not a brand new concept.

I would like to quote Mr. Pelletier's letter, which states:

> Moreover, despite noting that the Canadian Constitution gives the provinces jurisdiction for land-use planning, the report nevertheless promotes a new idea, that of the "national interest land mass"(NILM): land in the NCC portfolio that is deemed essential to the long-term viability of Canada's Capital Region. This is a remarkably nebulous concept. It could potentially entail a risk of encroachment on Quebec's territorial jurisdiction in the Outaouais, given that a number of important components of the NILM, including the Gatineau Park and other parcels of land in the greenbelt, are located in Quebec. Such an expansion of the NCC's prerogatives is an extremely disquieting prospect.

When the Government of Quebec expresses such concerns, naturally we in the Bloc Québécois share those concerns. The Government of Quebec has every prerogative and every right to protect its land.

Representations will have to be made to the commission. There is a serious imbalance within the members of the commission. The bill introduces some changes to how the NCC works, including some that the Bloc Québécois supports. For example, the bill requires the NCC to hold four open meetings per year. It is hard to be against such transparency. That was one of the demands in the Bloc Québécois' 2006 brief, and it will make the commission more transparent.

The current National Capital Act requires that commissioners be appointed according to predetermined criteria. That is where the problem lies. That is why I wanted to draw everyone's attention to this problem.

● (1740)

Three commission members have to come from municipalities in Ontario, only two from Quebec municipalities and eight from elsewhere in Canada.

This provision has already been clearly disputed by the Government of Quebec. In 2007, Minister Pelletier wrote:

> Furthermore, the report suggests less representation for Quebec than for Ontario.... The Government of Quebec is against any such imbalance in Quebec's representation on what may become the NCC's executive body. Since we already know that significant issues of direct concern to Quebec in the areas of land-use planning and territorial integrity would be handled by the new body, Quebec demands equal representation on it.

This urgent request by the Government of Quebec to the federal government goes back to 2007, but it was not heard. Bill C-20 has exactly the same criteria and clauses that were in Bill C-37 and for which we had raised these problems.

In 2009, the Government of Quebec reiterated its request to the federal government:

> ...Quebec has fewer representatives on the NCC's Board of Directors than Ontario, and this situation is unacceptable given the impact that the board's decisions could have on the Outaouais.

That is crystal clear. The Bloc Québécois is therefore asking that the NCC have as many members representing Quebec as representing Ontario. That makes perfect sense.

Regarding federal government spending, we believe that the federal government and its agent, the NCC, must make a formal commitment to split their spending equitably between the cities of Gatineau and Ottawa, based on population. We have been calling for this sort of thing for a long time now, especially when it comes to various issues in the national capital region.

We have repeatedly called for an equitable approach to the location of federal buildings and public service jobs, and we are doing the same thing with regard to this bill and federal government spending.

NCC investments are not commensurate with Gatineau's demographic weight compared to Ottawa. The bill does not correct this, and the government does not intend to correct it. The Bloc Québécois will be sure to raise this issue in committee.

The area covered by the NCC currently has a population of 1,104,500, including 239,000—nearly 22%—in Gatineau and 865,000—just over 78%—in Ottawa. We had a table prepared showing NCC investments from 2001 to 2005 by region, in millions of dollars. Unfortunately, this is not the first time we have seen how disadvantaged Quebec is, nor is this the only issue where it is true. NCC spending is not commensurate with the population of Gatineau.

The following figures are dramatic. In total, between 2001 and 2005, more than 85% of spending went to Ottawa, even though it accounts for roughly 78% of the overall population. About 15% of spending went to Gatineau, even though it represents roughly 22% of the overall population. We are at a clear disadvantage when it comes to spending. This is something we will be sure to bring up in committee.

The government has to understand that by agreeing to send Bill C-20 to committee, we are not giving the government a blank cheque. There are many issues we will have to look at carefully before we support such a bill.

● (1745)

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, I thank the member opposite for saying that I am a nice guy. I think that he is right and I invite him to continue to praise me.

The fact is that it is a government bill. However, I have not yet heard a single member from the opposition parties other than the Bloc talk to the bill. I wonder if it is because they do not want to talk or because this bill is not important for them.

For the opposition parties, be it the Liberals or us from the Bloc—and I guess the NDP too—I do not think that we should leave the complete control over a park or park lands to one organization that could use it as it wishes, be it for real estate development or whatever.

I personally believe that decisions of that nature are not for the National Capital Commission to take by itself. The elected representatives should have a voice in the process. First and foremost, the Quebec and Ontario governments should be consulted to ensure that informed decisions are made about the use of NCC park lands, be it their dismantling, the transfer of part of it or whatever. I think that is important.

In fact, we are unable to know what they think and how they see Bill C-20. I am flabbergasted to see that nobody has risen to talk to the bill.

Since there were no consultations with the provinces, does the hon. member believe that the bill will allow the government to do what it usually does and that is remove powers from the provinces and inefficiently manage the agreements with Quebec and Ontario in this House .

● (1750)

Mr. André Bellavance: Mr. Speaker, I thank the member for Shefford. I completely agree with the concern that he raised. In fact, it is more than a concern; I would say that it is a fact that this government, like many other governments before it, is a centralizing government. The idea behind that is to have total control over virtually all the resources and land in any given province.

Why are we almost the only ones who rise in this House to ask questions and offer warnings? As a sovereignist party, we are well aware that until Quebec is a sovereign nation, we cannot lose that authority over the integrity of our land. If Quebec becomes a country, that will change everything. We would take care of our Gatineau Park; we would manage our land. But for now, this is what we have to work with.

Obviously, this issue raises some concerns, since the commission is run by friends who were appointed by the current government and who will be taking over beautiful Quebec land. This is land that we want to preserve, and that we do not want to expose to all kinds of crazy development.

There were talks of property development. That does not mean we are completely against this kind of development. But the Government of Quebec absolutely must be consulted about any potential changes or developments. The Government of Quebec must make the decision. The decision must not come from the National Capital Commission.

That is absolutely essential. My colleague knows very well that what is going on in this House. The members of the Bloc Québécois are defending Quebec land, defending Quebec, and defending Gatineau Park.

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, the Quebec nation has been recognized by this very House. Where there is a nation, there are people and there is land. Based on the fact that the government repeatedly promised to respect provincial jurisdiction, I am very skeptical about this bill and the National Capital Commission's operations. I figure that the NCC will be able to make changes to our land without the consent of the Government of Quebec.

However, territorial integrity has always been considered to be inviolable, something that every Quebec government has recognized. It seems to me that the NCC ought to do the same.

While the Bloc Québécois agrees with the idea of referring this bill to a parliamentary committee with a view to making changes to it, does the hon. member not think that one change should be to specify in the bill that the federal government and its corporations are not entitled to divest Quebec of its land and that any land-use planning activity, decision or project affecting Quebec should be submitted to the Quebec government for prior approval?

Mr. André Bellavance: Mr. Speaker, I would like to thank my colleague from Trois-Rivières for her relevant question, to which I would say, yes, of course. As I said when I responded to a question from my colleague from Shefford, Quebec needs to be consulted as well as actively involved. It must decide what happens on its own territory.

My colleague spoke about the government having recognized the Quebec nation. It seems that the Conservative government's recognition of the Quebec nation was meaningless.

There are numerous examples, such as the fact that Bill 101 cannot give people the right to work in French in federal institutions in Quebec. If you work in a bank, a port or any institution under federal legislation, you are not subject to Bill 101. When this question is raised in the House, we are flatly refused by the federalist parties, both the Liberals and the Conservatives.

By introducing this bill, the Conservative government is not following through on its so-called will to recognize the Quebec nation. This is another bad example. It is a botched bill. We do not need to read the bill in detail to realize that, to the Conservative government, Quebec's territory is no different from any other region. And, despite the warnings and very clear letters that the Government of Quebec has sent over the past three years about this issue, the Conservative government is introducing exactly the same bill as in 2009, with no changes.

For us, this bill is another example we can give in our respective ridings of how this government does not even respect Quebec's territorial integrity.

● (1755)

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, I would have liked to have heard from other members representing ridings that surround Gatineau Park. People who live here see the park as a place to relax. They really like having access to this park.

The government sees the park as a way to please some of its friends by helping them make money through land sales and real estate development. As the Gatineau and area population grows, young people will be able to walk the trails in Gatineau Park. We must keep it intact. If the government really wants to develop the land, it must consult the most important stakeholders: the people of Quebec.

I would like the member for Richmond—Arthabaska to tell me and the House why this park is so important and why the government must consult Quebec before dismantling it.

Mr. André Bellavance: Mr. Speaker, I thank my colleague from Shefford. It is a concern that all members should have. Once again, we have shown that we alone defend the interests of Quebec.

We have been debating this issue for a long time, particularly today. I would remind my colleague that, in 2006, the Bloc Québécois presented a paper on the integrity of Quebec's territory. Based on the fact that the current government has promised to respect Quebec's jurisdictions, we expect all activities of the National Capital Commission concerning Quebec to be subject to the approval of the Government of Quebec. That is not the case.

Although the federal government and the National Capital Commission consider the Outaouais and the Ontario side as a single entity, we consider Gatineau and Ottawa to have their own identity. The residents of the Outaouais region living within Quebec's territory will say the same thing. Gatineau Park must be considered part of Quebec's territory and the Government of Quebec must control this territory.

Our own interests are not being looked after. The National Capital Commission must recognize that, on the Quebec side, the Government of Quebec and the City of Gatineau are better positioned to meet the needs of their citizens.

● (1800)

[*English*]

The Deputy Speaker: Resuming debate. Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Deputy Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Transport, Infrastructure and Communities.

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

* * *

[*Translation*]

CONSTITUTION ACT, 2010 (SENATE TERM LIMITS)

The House resumed from April 30 consideration of the motion that Bill C-10, An Act to amend the Constitution Act, 1867 (Senate term limits), be read the second time and referred to a committee.

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, allow me to first say a few words about yesterday. The House was not sitting. Some provinces were celebrating a holiday that is their own. In Quebec it was National Patriots Day. In order to justify my absence from the House, I participated in the National Patriots Day to pay tribute to our Patriots, those of yesterday—and also those of today and tomorrow—because we owe it to them to remember. We also have a duty to pursue the Patriots' democratic ideal, which is the democratic ideal of a people. It is also the right to live free and independent in one's own country, namely Quebec. It was an action-packed and sunny day, filled with festivities and events.

Let us now deal with senators. It would probably be more interesting to talk about the Ottawa Senators hockey team, but we must address the bill and debate it. Senators are also people at the service of the Canadian government. That is why the government appoints them. There is nothing democratic in this process. The government looks for individuals who can best promote its causes, regardless of their area of expertise. I could talk about two senators specifically.

My Senate division—we might as well talk about a dukedom—includes Sherbrooke and is called Wellington. The word Sherbrooke does not appear in the Senate division of Wellington. Since 1867, there have been exactly 10 senators representing the Senate division of Wellington: seven Liberals and three Conservatives over a period of 143 years. I should add that, for one reason or another, the position was vacant for at least seven years.

In Sherbrooke, there is a senator who is not the senator for Sherbrooke, or Wellington, but who is the senator for the Senate division of La Salle. I am talking about Pierre-Hugues Boisvenu. That individual has gone through hardships and we have a great deal of sympathy for him, but today he embodies a specific cause. We can definitely see why the Conservative government approached him to defend this cause, without worrying too much about details.

Ironically, the senator representing the Senate division of Wellington, or Sherbrooke, is Leo Housakos. Senator Pierre-Hugues Boisvenu, who lives in Sherbrooke, represents the Senate division of La Salle, while Mr. Housakos, who is the senator for Wellington—or Sherbrooke—does not live in that region. As we can see, this institution has no dynamic or democratic link with the population.

Since 1867, the government has been appointing senators and keeping them for as long as they want to remain in the Senate. As I was saying earlier, in 143 years, we have had only 10 senators.

I would like to come back to Leo Housakos, who is the senator for the Wellington division. I said earlier that the government approaches individuals it needs to render specific services. Senator Housakos, for example, has services he can render. People said of him that he could raise tens of thousands of dollars in just a few weeks, thanks to a highly developed network of business associates in Montreal.

● (1805)

He is the one who fills the coffers before an election campaign. He is a token senator who renders services for the Conservative government and who has almost nothing to do with advancing Quebec and Canadian society.

A Conservative source, who asked to remain anonymous in order to speak freely, said that Senator Housakos was very effective. The source said that you are not appointed at 40 years of age if you do not keep your promises.

The source painted a certain picture of him and things that were happening in Quebec society. We hear about construction companies and the funding of political parties. We also know that Leo Housakos has close friends in engineering consulting firms and construction businesses.

He is also president of a company, a wholly-owned subsidiary of the engineering firm BPR. That is another aspect that has been talked about.

People have also said that construction contractor Tony Accurso, who owns many companies and is involved in big business in Montreal and Laval, is an acquaintance of Leo Housakos.

We have also heard that Mr. Housakos and Mr. Soudas have been friends since childhood. These are people serving the government. More specifically, they are serving the Prime Minister directly.

Now we simply want to limit the length of term served by senators to eight years.

The Bloc Québécois is not terribly fond of the Senate. The Bloc is against the principle of Bill C-10 because for all intents and purposes, we could very well do without such an archaic institution given that senators are only there to help the government get re-elected. These individuals are, perhaps not manipulated, but at least directed to help the government win election after election and to ram bills through. Conservative senators toe the party line.

The Bloc Québécois believes that the Conservatives want to reform the Constitution by going over the heads of the provinces and Quebec. On November 22, 2006, the Conservative government moved a motion recognizing the nation of Quebec. Since then, the Conservatives have systematically attacked the nation of Quebec and have rejected every proposal to solidify the recognition of the nation of Quebec.

The changes proposed by the Conservatives serve only to undermine Quebec and to punish it for not voting Conservative. Just look at the democratic weight of Quebec, Senate reform and the fact that they have called political party financing into question.

The Canadian Constitution is a federal constitution. Accordingly, there are reasons why changes affecting the essential characteristics of the Senate cannot be made unilaterally by Parliament and must instead be part of the constitutional process involving Quebec and the provinces

In the late 1970s, the Supreme Court of Canada considered the capacity of Parliament, on its own, to amend constitutional provisions relating to the Senate.

● (1810)

According to the ruling it handed down in 1980 about Parliament's authority over the upper house, decisions pertaining to major changes affecting the Senate's essential characteristics cannot be made unilaterally.

This means that Quebec and the provinces must be consulted on all reforms that affect the powers of the Senate, the method of selecting senators, the number of senators to which a province is entitled and the residency requirement of senators.

In 2007, Quebec's former intergovernmental affairs minister, Benoît Pelletier, reiterated Quebec's traditional position when he said:

> The Government of Quebec does not believe that this falls exclusively under federal jurisdiction. Given that the Senate is a crucial part of the Canadian federal compromise, it is clear to us that under the Constitution Act, 1982, and the Regional Veto Act, the Senate can be neither reformed nor abolished without Quebec's consent.

The same day, the National Assembly unanimously adopted the following motion:

> That the National Assembly of Québec reaffirm to the Federal Government and to the Parliament of Canada that no modification to the Canadian Senate may be carried out without the consent of the Government of Québec and the National Assembly.

Quebec feels that the division of powers must be reformed before the government reforms central institutions such as the Senate. We need to remember the 1978-79 constitutional decisions by the Lévesque government.

In addition, the government of the Liberal Party of Quebec, a federalist party, took part in the Special Committee on Senate Reform in 2007. In its May 31, 2007 brief, it stated:

> The Government of Quebec is not opposed to modernizing the Senate. But if the aim is to alter the essential features of that institution, the only avenue is the initiation of a coordinated federal-provincial constitutional process that fully associates the constitutional players, one of them being Quebec, in the exercise of constituent authority.
>
> The Government of Quebec, with the unanimous support of the National Assembly, therefore requests the withdrawal of Bill C-43 [elected senators]. It also requests the suspension of proceedings on Bill S-4 [which became C-19, then C-10 on Senate term limits] so long as the federal government is planning to unilaterally transform the nature and role of the Senate.

This is a far cry from the position of Daniel Johnston Sr., who in Toronto in November 1967 called on the government to consider transforming the Senate into a true binational federal chamber.

Do I have any time left, Mr. Speaker?

The Deputy Speaker: The hon. member for Sherbrooke has six minutes left to finish his speech, but it being 6:13 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS BUSINESS

● (1815)

[*Translation*]

IMMIGRATION AND REFUGEE PROTECTION ACT

Mr. Gerard Kennedy (Parkdale—High Park, Lib.) moved that Bill C-440, An Act to amend the Immigration and Refugee Protection Act (war resisters) be read the second time and referred to a committee.

He said: Mr. Speaker, I am honoured to speak to a bill that requires the Conservative government to take into account the opinion of Canadians regarding the war in Iraq.

[*English*]

It is a bill that is very basic in its presentation to require the government to take Canadians into account on a matter that, on the face of it, might seem to only affect a relatively small number of people, perhaps 200 Americans who came to Canada looking for refuge based on their conscientious objection to the war in Iraq. Worse perhaps for some people in the House is they are people who do not even vote. They do not have a consideration in terms of whether at the next election anybody is returned to this place.

Despite the behaviour of the government to date, and we hold out hope, the bill would give all members of Parliament a chance to examine not just their consciences but their role as parliamentarians in expressing a will for Canada on important issues.

Underlying a simple law amending two parts of the Immigration Act, which would very directly provide for conscientious objectors to become permanent residents of Canada, to be eligible for wars that were not authorized by the United Nations in particular, that this would give them an ability to be considered. They would still have to meet all kinds of other criteria, and I mentioned that as I will later on, to ensure there is no distortion of what we are dealing with today.

Beyond those simple clauses, protecting them, protecting their families, ensuring they can be heard from is a bigger requirement. That bigger requirement is for this generation of Canadians to address how we feel about Canada's ability to determine who should be part of our country and how we feel not just about our traditions but about a Canadian sensibility going forward.

The bill is meant to give life to a Canadian sensibility that so far has been resisted from the government benches, certainly on the part both the minister responsible and the Prime Minister in terms of the public comments they have made.

It is essential that all Canadians have some access to this debate. It is not because it should command their attention or it should be a worry for them, but it is those quiet noises, the ones we do not ordinarily see, that are the measure of the character of a country.

All Canadians should be alert to those kinds of questions. While the Iraq war resisters from the United States may be voiceless in a classic sense, it is how we treat those kinds of individuals and classes of people that determines who we are as Canadians.

We have answered these questions before. A previous generation had not just the temerity, not a particular courage but just a sense of themselves to say to the Vietnam War resisters, those people who were volunteers in the army and decided, based on what they were asked to do and saw in that war, that they could not prosecute that. Over 10,000 of the 50,000 Vietnam War resisters who came to Canada were people serving in the military service at the time and they were accepted by a previous generation to Canada.

That was done out of a fulsome sense of what Canada was, not better, not against in terms of who we thought Americans are or were at that time, but rather who we are. We are a country of some tolerance, a country of some patience, a country willing to provide for differences in how some of these moral questions are addressed and willing to acknowledge that we in our country will have the gumption to take on those questions without trying to defer or without trying to say it is somebody else's decision.

It is our decision when people from wherever in the world present themselves to us and ask for asylum. This would allow us to address that question.

It is also necessary to keep in mind that this is a remedy because we have already addressed this question in other ways before.

[*Translation*]

In June 2008 and March 2009, the House of Commons adopted motions that we should welcome Iraq war resisters.

[*English*]

The question has already been discussed and by vote decided in terms of whether Canada wishes to provide a welcome availability to those types of people who want to be brought into permanent residence in our country. The difference is the government chose not only not to accept it, but to act in a way that was adversarial to their chances of being considered.

● (1820)

[*Translation*]

But the Conservative government rejected all of the applications. It publicly criticized the resisters, thus limiting their chance of a fair hearing. There were serious penalties for those who were repatriated to the United States.

[*English*]

This is not only about whether people get to become Canadian, but what should happen to them next. For those who were deported even as the debate was taking place, a few days later this chamber decided that it wished to provide a home in Canada to American Iraq war resisters. A few days later the government deported someone who subsequently received a 15 month sentence, someone who had participated in good faith.

Like all questions of principle, this basically rides on a human dimension, a human dimension of being Canadian. This is not a question of just 200 people. It is a question of giving a fair hearing to any group of people who find themselves in difficulty. This debate today is about whether or not this chamber is capable of providing that fair hearing.

Let me use as an example Chuck Wiley, one of the Iraq war resisters, who served 17 years in the American military. There may be some members of this House who believe they can speak of devotion to duty and we have some serving members who have exhibited that. I want people to consider what it was like for Mr. Wiley, who served in the navy for 17 years, and who arrived at a conscientious objection that did not permit him to serve in Iraq. I want people to consider what they know about American military sensibility and how difficult it was for him having served all those years, two years away from a pension, to walk away from his service as a matter of conscience and appeal to this country instead.

Words have been used by some of the members and ministers opposite and they invoke things like cowardice. They walk in the easy shoes of judging people without really giving full consideration to what happened in terms of an individual situation. The situation is tied to a larger perspective, the Iraq war itself.

Canadians had a perspective on the Iraq war. All we are being asked to do today with this bill is to confirm a perspective where 82% of the people of Canada oppose the war in Iraq, a perspective where the Government of Canada decided that this country did not support the war in Iraq. With all due respect to others who decided to participate and to sanction that war, we did not and neither did the United Nations Security Council. The facts about the famous weapons of mass destruction that informed that debate are available to members of this House.

Canada has spoken in that regard. It was a difficult debate. A decision was made after due consideration, and it is a decision that needs to be upheld not out of any sense of superiority but simply because we have the right to be sovereign in terms of how we look at developments in the world that engage us both ethically and morally and with the resources of this country. We made that decision.

The question for this House now is: Why in the face of that decision do we not extend some understanding to the people who appeal to us? Why does the government instead wish to impose its minority view, a view at one time that supported the war in Iraq, but a view that has changed? The Prime Minister has now said it was a mistake and he shares the same view as that held by the current President of the United States, that the Iraq war was a dumb war, that the United States should not have been involved in the first place. The Iraq war has a strong resonance for Canadians. It is something that they understand was a distinction Canada decided to make.

Some people might ask why we would entertain service personnel from another country. Would that not somehow affect us? It would not.

Different rules prevail and much of that is now recognized in the United States itself. Various hearings have been held in the U.S. which indicated that people were subject to irregularities, to conduct in terms of some of the incidents involving civilians, the Abu Ghraib prison, things that I believe this House, this country would wish the discretion for our service personnel faced with certain decisions of conscience. I believe there is faith in this House and faith in this country that Canadian soldiers would take those kinds of decisions if they were faced with them.

People who are asking for our consideration through this bill today faced a number of situations, but again many of them, like Mr. Wiley, are people who served not just a tremendous amount of time but served under a tremendous amount of difficulty. Some of them were subject to provisions that do not exist for service personnel in our country.

● (1825)

For example, there is the question of stop-loss. People like Phil McDowell served his time in Iraq. He served his contract. The Iraq war was being prosecuted at the time and there was a dearth of personnel. People may not realize it, but the Americans have fewer people under arms than at any time in their history. To conduct a war in Iraq required taking people and bringing them back again and again. That form of compulsion that exists is not to be found in how we deploy our service today.

The contract provisions for stop-loss have been found to be extremely difficult. The current President of the United States has asked that they be eliminated, but they were enforced particularly at the peak of the war. Phil McDowell, who served in Iraq under difficult circumstances, came back to the United States to find that the fine print in his contract required him to go back. After what he had seen, in good conscience, he could not.

That is what the House is being asked to uphold. This is how we respect some of those decisions that were made, a sensibility that in this country is every bit about endorsing a view of how we see our military operating, which is with some extreme level of decision making for individuals based on their conscience.

Those provisions exist and are available in the Canadian armed services. They were not available to many of the people like Jeremy Hinzman, who sought to be seen as conscientious objectors. Because of the difficulties and the challenges in terms of having enough personnel, for months stretching into years in terms of deployments, those provisions were not available to American service personnel.

There are distinctions that are made in how the National Guard was used and how other things were done in this war that meant there were some extraordinary circumstances faced by these personnel. That relates back to the war itself. People like Robin Long, who got 15 months in military jail, faced a very harsh outcome as a result of the government not listening to the House.

We understand there is a characteristic that some members opposite feel very comfortable with of a government that puts itself above Parliament and that is accountable to no one and to nothing. I would like to believe it will not find its way expressed in this bill. However, there is also something just as serious and that is the government putting itself above the Canadian people.

[*Translation*]

According to an Angus Reid poll conducted in 2008, nearly one-third of Canadians wanted Americans who opposed to the war in Iraq to be allowed to stay in the country.

[*English*]

Two-thirds, or 65%, of Canadians would like to give American resisters a chance to be citizens in this country, just as a previous generation gave to those from the Vietnam War. That may sit uncomfortably with members opposite, but it is something to be listened to. How Canadians feel on a question of conscience is something to have regard for. It needs to find expression and I am hoping that is the spirit in which this debate will be considered.

Canadians have that point of view and they look to the House to give it respect. I submit the only way for that to be given respect is to give this its expression in law.

We hear from some of the members opposite the idea that they cannot even give it consideration. Somebody said, “Not a chance”. People need a chance because this is a test.

As John F. Kennedy said, war will be less available when conscientious objectors have the same status as warriors in our society. Canada is not afraid to be a refuge against a militarism that is unthinking and that does not trade off against the rights and needs of individuals. This law will do exactly that.

● (1830)

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, I have listened to the member for Parkdale—High Park. I find it astonishing that he would actually try to present a bill to the House that would cause us to have to pick and choose between the conflicts of our neighbour to the south. It is our best trading partner. It is the longest undefended border in the world and we have great relationship. We would have to pick and choose which conflict we would allow the deserters to come here as a safe haven or not. That is what he is suggesting.

He is also suggesting something regarding a volunteer force and giving them safe haven. We have a very clear understanding with our own military personnel when they sign up. In fact, many of those in the military have said to me that they understand when they sign up and the government says go, they go.

How can the member possibly do this to President Barack Obama, who has actually sustained the troops in Iraq? How could the member possibly say that we would give them safe haven when they are shirking the duty and responsibility they volunteered for in the United States military?

Mr. Gerard Kennedy: Mr. Speaker, this is exactly the idea. This is an actual chance to look at the idea of when there are limits for people to say no, for our troops, for other troops. There is a common human principle of how much we expect and in what conditions people can have a conscientious objection. It is recognized in international law. It is recognized at the United Nations. It is recognized in much of what we in Canada have available so far, and this simply clarifies it.

In the matter of the Iraq war, in the matter of these particular individuals, yes, I would say we can be both friends to the United States and still ask these fundamental questions and answer them somewhat differently. That is exactly the choice we have. It is out of respect for the United States that we can do this in open debate and come to a different conclusion.

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the majority of members of Parliament in the 39th Parliament on June 3, 2008 supported the New Democrats' call to end the deportation of war resisters and allow them to stay in Canada permanently as residents and landed immigrants. Then in the 40th Parliament, on March 30, 2009, this Parliament did it again. This is a minority Parliament and it is hoped that this private member's bill eventually will pass third reading.

Perhaps the hon. member could comment on the state of democracy where in Canada the House of Commons keeps passing motions and laws to stop deportation of war resisters, yet this summer, no doubt some of these war resisters again will face deportation.

Perhaps the member could comment on the state of democracy where the Prime Minister and his Conservative government refuse to follow the lead of the House of Commons.

[*Translation*]

Mr. Gerard Kennedy: Mr. Speaker, we want the Conservative government to assure us that there will be no more deportations until Parliament has voted on this bill.

[*English*]

It is a simple request. There should be no deportations. There should be respect for the fact that there were two motions. Canadians have expressed themselves when asked. In fact there is no reason to thwart this little bit of democracy.

I am not saying that this trumps all of their issues, but there are some fundamental principles at work here. I would say the capacity of the government in its minority position to listen, whether it is the majority or whether it is a significant point of view, I think is very much in doubt in terms of the character it presents to Canadians.

I am hoping that this debate will be different. I believe it deserves that, even if people hold other different, distinct and opposing views. Let the debate happen. Let us have no deportations until that is done.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I wonder if the member for Parkdale—High Park could address the fiction that the American armed forces is a voluntary force. We know about the stop loss program that has involuntarily re-enlisted 185,000 American soldiers, and despite promises to reduce the dependence on involuntary re-enlistment, it has actually gone up by 43%.

It is not a volunteer army we are talking about in the United States. I wonder if he could put to rest that fiction that is being promoted in the House this afternoon.

● (1835)

Mr. Gerard Kennedy: Mr. Speaker, as I addressed in my speech, there are four or five different ways that compulsion was being used, at least at the depth of the Iraq war, on U.S. personnel in ways that are different from the Canadian armed forces and in a way that is a de facto draft for many of the people who are affected. That is why those kinds of compulsions are addressed in this bill.

Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, implicit in any debate on U.S. military deserters is whether or not they are refugees, whether they face persecution.

The Liberals have said that U.S. military deserters, or as they call them, war resisters, should be granted refugee status even though the independent Immigration and Refugee Board has rejected all deserter claims as bogus.

A further question is raised as to why the Liberals are accusing the government of our friend President Barack Obama of persecuting U. S. citizens.

We feel that this bill, if enacted, would pose risks to the safety of Canadian citizens and to the laws governing our military.

Bill C-440 proposes that individuals who meet the criteria could become permanent residents by asking for humanitarian and compassionate consideration. Section (1.1) of the bill also says that military deserters:

> —shall be exempted by the Minister from any legal obligation applicable to that foreign national—or his or her immediate family—that would prevent them from being allowed to remain in Canada, [for] that foreign national—

Citizenship and Immigration Canada officials have determined that, as a result of this provision, immigration officers would be powerless to refuse military deserters or a member of their family, even if they would otherwise be inadmissible for war crimes, crimes against humanity, security or—

Mr. Gerard Kennedy: Mr. Speaker, I rise on a point of order. The ministry has never tabled such an opinion. There are independent opinions that have been put forward that all protections for inadmissibility are in place. I am sure the hon. members want—

The Deputy Speaker: That sounds like a point of debate, not a point of order.

We will go back to the parliamentary secretary.

Mr. Pierre Poilievre: Mr. Speaker, Citizenship and Immigration Canada officials have determined and proven that, as a result of this provision, immigration officials would be powerless to refuse military deserters or a family member, even if they would otherwise be inadmissible for a war crimes, crimes against humanity or serious criminality.

To put it frankly, the bill would leave Canada unable to stop foreign criminals from remaining in Canada even if they happen to be military deserters or if they are required to serve in their country's armed forces.

Bill C-440 also goes against some other laws and principles that govern Canada's own military. The bill is also incompatible with Canada's code of service discipline as set out in the National Defence Act. This code is the basis for Canadian Forces military justice and is designed to assist military commanders in maintaining discipline, efficiency and morale within the force. The code deems that desertion by a member of the Canadian Forces is punishable as an offence in Canada. This would apply even if forces members refused a lawful order to participate in an armed conflict not sanctioned by the United Nations.

As a result, if the bill were implemented, Canadian soldiers would be punished for desertion while foreign nationals would be welcomed to Canada even after they had committed the same offence.

Under the logic of the bill, Canadians who abandon their comrades in arms would continue to be treated like criminals and Americans who do the same would be welcomed by the Liberal Party as heroes.

In fact, the member across the way has singled out the Iraq war. I would simply ask that he rise on the first occasion and explain why he has singled out only that conflict. There are conscientious Americans who believe, through conviction, that the American involvement in Afghanistan is unjust and wrong.

I happen to disagree with that particular perspective, but it is a legitimate point of view. If the hon. member were to take the logic that he has applied to the Iraq war, he would then also allow deserters from the U.S. forces who are escaping their service in Afghanistan and allow them to come here, desert their comrades in arms, and leave behind the duties that they joined the forces to undertake. They would be able to come to Canada as deserters and be given an opportunity to jump ahead of the queue and have a status as permanent residents in this country.

Would it not be ironic then if we would have members of the American forces allowed to desert from the U.S. involvement in Afghanistan, but at the same time Canadian soldiers, who if they did exactly the same thing, would be treated as criminals? That would be an incredible double standard.

I would also like to point out that this bill does a great disservice to the thousands of would be immigrants from around the world who follow the rules, who obey the law, and who come to this country, going through all of the normal steps in order to become citizens of Canada. It would be a disservice to have them pushed back in the line-up so that we could give preferential treatment, as the bill would give, to deserters of the U.S. armed forces. It would not only be an insult to our own soldiers but also be an insult to the legitimate would be immigrants from around the world who are following the rules.

The bill also seeks to grant permanent resident status to individuals who upon their return to their country of origin may be compelled to return to military service. This means that former military personnel from countries with conscription could be captured under this provision.

Citizenship and Immigration Canada researchers have found that some three dozen countries have some type of mandatory military service. This bill would throw the door wide open to anyone from those countries who could in theory eventually be forced into military service. This list includes countries such as Israel, Germany and Denmark, countries which are both democracies and close allies of Canada. If Bill C-440 were made law, it could apply to all former military personnel from these countries.

● (1840)

It should be noted that in the American context the United States armed forces do not have conscription, so those who sign on to join the forces do so knowing that at some point they could be called to duty and, as a result, have already made their conscientious decision to sign on for that duty at the time they join the American armed forces.

We are also concerned with the impact this bill would have on Canada's foreign relations if Canada is compelled to grant permanent residence to citizens of our allies trying to avoid obligatory military service. Passage of this bill would send an implicit signal that Canada condemns the practices of our allies and could establish Canada as a safe haven for individuals seeking to circumvent those practices.

We also object to the fact that Bill C-440 distinguishes conflicts sanctioned by the United Nations from conflicts that are not. It would be presumptuous and unprecedented to require Canadian immigration officials to pronounce on the so-called illegality of a given conflict. Furthermore, Canada and its NATO allies have in the past and reserve the right in the future to participate in military action that the United Nations may or may not have already sanctioned.

I should note that a decision by the Canadian government to resort to force is not subject to review by Canadian courts. It is a matter of high policy reserved to the executive. Scrutiny by a Canadian court or a Canadian immigration official of a foreign government's decision to resort to force would, therefore, be unwarranted and could have a negative impact on foreign relations.

Finally, Bill C-440 proposes that the government stay the removal of applicants until a decision on permanent residence for individuals could be made. This undermines the security and enforcement agenda that this government is undertaking and could be open to abuse.

I will simply point out that this government will be voting against this bill as it causes serious problems for the security of this country, and the integrity of our immigration and foreign relations systems.

● (1845)

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, I am pleased to be able to comment on the bill before us today. This bill raises a moral question: should we force the beliefs of this Parliament and this country on the world?

We are asking if we should welcome someone who has refused to participate in overseas military action—which Canada is not involved in and for which there are no United Nations sanctions—and who is asking for our protection.

The Bloc Québécois' answer is yes, of course we should. The war in Iraq is perhaps the prime example, the one the first comes to mind. I remind members that there was once widespread disapproval of the war in Iraq. Despite this, some politicians supported action in Iraq. Obviously, the Prime Minister of Canada, leader of the Conservative Party, was in favour of action in Iraq. The Leader of the Opposition and leader of the Liberal Party was also in favour of the war in Iraq. However, even though these two leaders defended the war, the majority of Canadians and Quebeckers were undoubtedly against it.

Who could forget that, at the time, hundreds of thousands of people in different cities, including 200,000 or 300,000 in Montreal alone, filled the streets. They braved the cold to say that they did not want to participate in what they felt was an unjust war not sanctioned by the United Nations, an unjust and unjustifiable war. They felt that the war would unduly punish Iraqi civilians and society. People also knew that there was a hidden strategic agenda involving control over oil production and so on.

Now we know that George Bush and his administration told all kinds of lies to convince people that there were weapons of mass destruction in Iraq. There were no such weapons. There was widespread consensus.

People considered the war illegitimate. Reacting to public opinion, Parliament decided it would be illegitimate to send soldiers there to fight. That is logical. If something appears to be illegitimate, stay out of it.

That being said, my Liberal Party colleague's bill raises a very interesting question. Were we justified in believing that people around the world should have shared our conviction at the time? If the Iraq war is illegitimate from our perspective, should it not also be illegitimate from the perspective of the United States, Germany, England and lots of other countries?

If, as parliamentarians, we strongly believe that this is a universal value and that human beings should not participate in immoral bilateral conflicts not sanctioned by the UN, then we should also believe that people from other countries who share that conviction should not be required to participate. That is what the bill before us proposes.

This bill would not allow people who simply refuse military service to stay in Canada, but it would admit people who refuse military service because they are ordered to participate in a mission they consider to be illegitimate or immoral. Such individuals would be permitted to apply for permanent residency on humanitarian grounds as conscientious objectors if they believe, as we do, that the war they are expected to join is immoral and illegitimate.

● (1850)

That makes sense to me. The government had a number of things to say about this. My Conservative colleague who spoke before me said that this does not at all correspond to the definition of a refugee. I will admit that, but we are not talking about refugees. We are talking about an application for permanent residence on humanitarian grounds. This does not correspond to the definition of a refugee and it is for that reason that the spokesperson for the bill did not put it in the section on refugees. I do not know whether my Conservative colleague read the bill before writing his speech, but his comment is irrelevant.

They also pointed out the possibility of an incredible influx into Canada of conscientious objectors from all over the world. That is somewhat exaggerated. Most people who decide on a military career will abide by the army's decisions. A certain number believe they made a mistake. They joined the army in good faith but, after deployment, they realized that it was an illegitimate war and changed their minds. Not all of them want to leave their families. If they are considered deserters in the United States, they can come to Canada, but they can never return to their country. There is no reason to believe that there will be an influx of applicants. There will be applications in particular circumstances. Nevertheless, we must listen to these people and protect them.

We also heard the government cite the issue of national security. I wonder how anyone who has been security cleared in order to become a member of the U.S. army could suddenly become a threat to national security. Was the parliamentary secretary suggesting that the American army hires potential terrorists? This seems to be a ridiculous argument.

Behind these supposedly rational arguments, the government simply does not want to rub the Americans the wrong way or jeopardize its relationship with the Republicans and George W. Bush in the United States. Then there are the Liberals who do not want to jeopardize the position of their leader, who was in favour of the war in Iraq. I applaud the fact that even though he supported the war in Iraq, the Liberal Party leader—the Leader of the Opposition—nevertheless allowed one of his party members to introduce a bill on an issue that directly concerns that unjust war. Most of the recent cases involve people who participated or are being forced to participate in the war in Iraq.

The Liberal Party leader has not yet told us whether he has changed his mind. He has not told us whether he believes, like most Canadians and Quebeckers believed at the time, that the war was immoral or illegitimate or whether he still believes that Canada should have participated in the war. Even though he has not stated his position, he allowed the Liberal Party member to introduce this bill. That is a good sign.

I hope that, contrary to what happened with a recent motion, all Liberal members will support their colleague's bill to make it the law of the land.

I would like to conclude by comparing this issue to the ongoing debate on access to abortion services in other countries, which is a major issue. We know that even though they will never say so openly, the Conservatives want to reopen the abortion debate, and they are imposing their beliefs on other countries.

● (1855)

It is kind of the same thing with deserters. As the parliamentary secretary pointed out, they say that the war was legitimate and moral. They do not see why we would accept American deserters who refused to take part in it. The two situations are similar, and I would like them to stop.

[*English*]

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, deciding to leave the army, navy or marines is never an easy decision for a soldier.

In speaking about his decision to leave the army after nine years, Patrick Hart, a constituent in my riding, who was a supply sergeant who served in Germany, the U.S. and Kuwait after the invasion of Iraq, explained the reasons that led him to resist serving in Iraq. He recounts that he spoke to many of the soldiers who had been in Iraq and he heard really upsetting things, especially about what happened to children caught in the fighting. He said that he thought of his son, Ryan, and realized how horrible it must be for Iraqi parents. He realized that he could not continue to be part of the army anymore. It was a hard decision but in August 2006 he moved to Toronto.

Patrick Hart, his wife, Jill, and his son, Ryan, are contributing residents of Canada. Patrick volunteers at his son's school and fundraises for the Epilepsy Foundation of Canada. They serve as active members in a housing co-op. Jill works at Lula Lounge, a very famous place for downtown Torontonians. They are constantly worrying about being deported from Canada.

The war in Iraq is an invasion, no doubt about it. It is not liberation. The invasion of 2003 has caused a million people in Iraq to die in the wake of post-invasion violence. Sectarian wars have torn the country apart, while foreign troops have established huge military bases.

Today, 70% of Iraqis lack potable water and unemployment hovers around 50%. The situation is so grim that there are over two million Iraqi refugees and almost three million internally displaced Iraqis. That is a fifth of the population of Iraq.

Phil McDowell, a former sergeant in the United States army, is one of the many resisters who has first-hand experience on the front lines in Iraq. He said that throughout his tour he was told to run civilian cars off the road if they got in the way. He said that he saw the mistreatment of Iraqi civilians or detainees who he found out later had done nothing wrong at all. He saw more evil being brought to the country that they were supposed to be liberating. He said that he went there to look for weapons of mass destruction so he could protect his country but he found none.

What is this Iraq war all about? It is all about oil. It makes one wonder if maybe that is why the Conservative government has ignored both motions put forward by New Democrats and have passed this Parliament. The first one passed on June 3, 2008 in the 38th Parliament. A year later, on March 30, 2009, it passed in the 39th Parliament.

Is it possible that the government would rather listen to its pals in the oil companies, such as Talisman, Western Zagros and Nexen which have oil interests in Iraq, than listen to the will of Parliament? Last fall, Iraq oil fields management, the government, signed contracts with both Shell and CNPC, a Chinese firm. By the end of this year, 30 more countries have been approved to bid on the next round of contracts.

What we are seeing in Iraq is the real reason for this war. It is not about liberation. It is really about oil. That is why some of the soldiers have said that they do not want to go back to Iraq. They were there and do not support stop-loss, and they do not want to be forced back.

If they are deported from Canada, the war resisters will be court-martialled and given dishonourable discharges. This would go on their record as a felony offence and it would greatly hamper their future educational and employment opportunities as they serve time in jail.

I visited a war resister, Robin Long, in jail. Robin served a year and said that he was having a hard time coming back to Canada to visit his son. He served a longer sentence than those who have committed serious crimes. His only mistake was refusing to fight in an unsanctioned war.

● (1900)

In 2004, Jeremy Hinzman and his family were the first Iraq war resisters to come to Canada and apply for asylum. Today his case was heard in court again.

For six years, the war resister campaign support team, led by Michelle Robidoux, with members such as Alex Lisman, Lee Zaslosky, Charlie Diamond, Ken Marciniec, and lawyers Carolyn Egan, Alyssa Manning and Jeff House, have been working hard. They have been meeting every Wednesday to assist war resisters in their efforts. I want to take this opportunity to thank them for their dedication and hard work.

They are not alone. A public opinion poll conducted by Angus Reid found that 64% of Canadians supported Parliament's vote directing the minority Conservative government to immediately stop deporting Iraq war resisters and to create a program to facilitate the resisters' requests for permanent resident status.

The Nuremberg principles established that soldiers have a duty, not a choice, to refuse to carry out immoral orders. Article 18 of the UN International Covenant on Civil and Political Rights, and chapter 5, section B, of the UN handbook for determining refugee status, make clear that conscientious objectors to war have rights and can require protection from states.

Kimberly Rivera and her family felt the need to come to Canada because her Christian values were opposed to the war in Iraq. She explained that "on leave back in the U.S., my husband and I decided the war was wrong based on our values as Christians, and the Army was tearing my family apart. We decided that we would go to Canada". She said that as a Christian, when she was told to harm mothers and children, every time she imagined her own children being harmed, and that is why she could not go back to Iraq.

Perhaps Kim Rivera is sympathizing with the one million widows in Iraq. That is correct. Right now, after all the years of fighting and invasions, there are one million widows in Iraq. Kim Rivera, thinking of her children, did not want to participate in this war. She has other children, but we should allow her and her two children born in Canada to be allowed to stay in Canada, together with other families, whether those of Phil McDowell, Jeremy Hinzman, or Patrick Hart.

We should support this private member's bill and let the war resisters stay in Canada. As we go through second reading and when the bill is sent eventually to the immigration committee, I would ask the government to respect the will of Parliament and not inflict deportation on the war resisters, because if they were deported they would experience serious jail sentences.

We in the New Democratic Party of Canada are supporting this private member's bill. We have tabled in motions to that end and will continue to push for war resisters to be able to stay in Canada.

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I am pleased to lend my support for Bill C-440 as presented by the member for Parkdale—High Park. I am very pleased that he has advanced this bill. It will come as no surprise to members of the House that on many occasions, I have had the opportunity to speak to the importance of giving asylum to those who have engaged in the war in Iraq, and for conscientious reasons have objected to that war and asked for asylum in Canada.

The story resonates well with me, because the first war resister I had the opportunity to meet was Jeremy Hinzman, who was a constituent of mine in Davenport. Mr. Hinzman was a soldier with the 82nd Airborne Division. He applied for conscientious objector status and served one tour of duty in Afghanistan in a non-combat position. After being denied conscientious objector status, Jeremy learned that he was being deployed to Iraq. He and his wife, Nga Nguyen, and their son, Liam, came to Canada in January 2004. Their daughter Meghan was born in Toronto in the summer of 2008.

The member for Trinity—Spadina was also present at many of the meetings that I had with Jeremy Hinzman, as well as at several rallies that took place throughout Toronto with the participation of church groups, different faith groups, NGOs, civil society and labour groups. They showed solidarity for Mr. Hinzman and his family. As I said, one of his children was born in Canada.

Many of these soldiers who came to Canada to seek refugee status in fact have established themselves with their families and have children who were born in Canada. They have lived here for quite some time.

I have also had the opportunity to speak to Robin Long, who served two years as a tanker in the U.S. army. He came to Canada in July 2005 and applied for refugee status because he felt he could not participate in the war in Iraq. On July 15, 2008, the Canadian government deported Robin to the United States, where he was arrested and court martialled for desertion. Robin was sentenced to 15 months in a military prison and received a dishonourable discharge from the military. The sentence is one of the harshest handed out to U.S. Iraq war resisters.

The other war resister whom I would like to mention is Joshua Key. I would encourage all members to read his book about a soldier's story of what takes place in Iraq. It is a compelling story of what took place in that war and why he came to the conclusion that he was against the war and why he could not serve his country and made the difficult and painful decision to come to Canada.

Key was a private first class in the U.S. army. He served an eight-month tour in Iraq in 2003. What he saw in Iraq convinced him that he could not participate in the war any longer. He went AWOL and came to Canada with his family in March 2005. On July 4, 2008, the Federal Court ordered the Immigration and Refugee Board to hold a new hearing for Joshua's refugee claim. Joshua is awaiting a decision on that hearing from the Immigration and Refugee Board.

As far back as December 2008, I issued a press release. I was very concerned that on Christmas Eve of 2008, there was an order to deport Clifford Cornell in advance of the decision of the Federal Court of Canada on the appeal of the war resister Jeremy Hinzman. What concerned me was that the plan was to move Mr. Cornell the day before Christmas Day. I thought that would be incredibly painful for the family, but I think that for most Canadians, however they felt about the issue, it just did not seem right that on Christmas Eve there would be a deportation order, when the minds of Canadians were focused elsewhere. In many ways, it was designed to have as little publicity as possible and it worked.

● (1905)

I thought it was very tragic and sad for that to happen, and most Canadians would want the decisions to be made in a way that certainly has sentiment and feeling for that very important occasion of Christmas.

What this particular bill tries to establish is the whole idea of the Canadian government supporting people who have made a claim of conscientious objection in Canada and allowing them to stay here. This is consistent with many polls and with the views of Canadians. In fact, the majority of parliamentarians have voted twice in past Parliaments to allow them to stay in Canada. The will of Parliament, expressed in both June 2008 and March 2009, should be respected.

The House and the previous prime minister, Jean Chrétien, made what I think will be known in history and will certainly be recorded in history as one of the most courageous and righteous things ever done by any prime minister. He said no to an illegal war, a war not sanctioned by the United Nations. That was the invasion of Iraq.

Interestingly enough, Mr. Chrétien was here today for the unveiling of his portrait. We certainly wish him luck. Most of us were quite impressed with the portrait that was unveiled today.

We owe him a great deal of gratitude for the many things he has done for this country. Canadians will also remember him fondly for saying no to the war in Iraq. Many of the coalition partners at that time were, like Canada, strong allies of the U.S., but as an independent nation, we decided to take an independent stand.

We have done this throughout our history. Canada has always shown that yes, we are best friends with the U.S. Yes, Canadians love the U.S. and think very highly of its institutions, government, and people, but at the same time, as friends, we can disagree on many issues. We disagreed on the war in Iraq, but we participated in the war in Afghanistan, because it had a UN mandate, and we thought it was important to go through UN channels.

The UN is very clear that under chapter VII, article 39, the Security Council should be the only one to determine whether there is a threat to peace. There was no chapter VII, article 39 authorization for the invasion of Iraq. There was one for Afghanistan. Chapter VII was never called upon for Iraq. Of course, there is always article 51 on the inherent right to collective self-defence—

● (1910)

The Deputy Speaker: I have to stop the hon. member there. He will have a minute and a half left to conclude his remarks the next time the bill is before the House.

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.

It being 7:13 p.m., the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:13 p.m.)

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