



HOUSE OF COMMONS  
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OFFICIAL REPORT  
(HANSARD)

**Thursday, March 28, 2013**

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**Speaker: The Honourable Andrew Scheer**

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# HOUSE OF COMMONS

Thursday, March 28, 2013

The House met at 10 a.m.

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*Prayers*

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• (1005)  
[*English*]

## PRIVILEGE

S. O. 31

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, first, I would appreciate the time today to allow me to offer a few additional comments on what I believe is an important issue for Parliament and an important issue for Canadians.

On March 26, the member for Langley rose to say that his rights as a member of Parliament had been infringed upon when he was prevented by the whip of his own party from delivering a statement in this House, a statement that, in parliamentary terms, we call an “S. O. 31”. Much like the terms “omnibus bill”, “prorogation” and “closure”, the Conservative Party continues to offer what I believe is an unintentional lesson in how parliamentary systems work and can sometimes be abused.

House of Commons Standing Order 31 says that a member may be recognized to make a statement for not more than one minute every day before question period. More commonly we refer to these as members' statements.

[*Translation*]

In the Chief Government Whip's response to the hon. member for Langley, he said that the Speaker of the House did not have to rule on this issue because it is a situation that has to be managed solely by the party whip.

[*English*]

I believe that two central questions face you, Mr. Speaker, and face this House. One concerns the difference between the Standing Orders, or the rules by which this place is guided, and conventions, or practices that have evolved over time to fit changing circumstances. One set is hard and fast rules we must abide by. The other, the conventions, are something we interpret from time to time, and they certainly change from time to time.

The second central question concerns your role as Speaker in trying to help ease the natural tension I believe exists between

members and their political parties and an MP's right to speak in Parliament.

According to O'Brien and Bosc, on page 254, the Standing Orders are “[t]he permanent written rules under which the House regulates its proceedings”. They are the rules we are bound by, and they are there to protect Parliament and MPs.

However, O'Brien and Bosc also tell us, on the very next page, that “interpretations given to the older rules have been adapted over time to fit the modern context”. This is what we call convention, the practice of the House, which has always and must always continue to evolve and adapt to changing times and circumstances. The growing number of members of Parliament in the House of Commons, the fact that our proceedings have been televised for a certain number of decades, and streamed online recently, and the increasing use and importance of social media are just some of the realities Parliament attempts to adapt to. The associated expectations, the increased expectations, of citizens and the media that follow us is something we are all well aware of.

Because the Standing Orders are actually silent on the manner in which statements should be attributed to members, this House has had to interpret Standing Order 31. Convention has evolved, and some perhaps say ossified, over time. It is now the whips of each party who are responsible for providing the Chair with a list of members who will make statements before each question period. This practice is also explained in O'Brien and Bosc, on page 23:

In according Members the opportunity to participate in this period, the Chair is guided by lists provided by the Whips of the various parties

Every day, our whip goes through this exercise, which involves informing the Speaker of the list of NDP members who will make a statement.

Needless to say, the statements allotted to the NDP are reserved for members of the NDP. The New Democratic Party chose to use a simple rotation to attribute the vast majority of its statements, thus giving all New Democrat members an opportunity to speak in this House to local issues and various matters about which their constituents are concerned.

*Privilege*

Here we must emphasize the original intent of members' statements. They are a key tool members of Parliament have to bring forward the matters of their constituents. They are often used to bring awareness to the efforts of local leaders in improving the lives of their communities. They are used to celebrate the achievements of their constituents and the work they do. They are used to honour significant milestones and to highlight important events going on in our ridings. They are also used to bring to the attention of the House serious local, national or international questions that require the attention of all Canadians.

Disturbingly, that original intent has almost been entirely lost on the Conservative side of this House.

The Conservatives have turned their statements by members into partisan attack ads, using their allotted statements before question period primarily to attack the New Democrats and our leader. They use S. O. 31 as a way to launch a coordinated, concentrated attack against the official opposition each and every day instead of talking about issues that really matter to the citizens who elected them.

Mr. Speaker, I would like to refer you to a very good analysis done by Glen McGregor, which appeared on March 26 in the *Ottawa Citizen*. This analysis of statements made by the government MPs in the House since the last election shows that the NDP and our leader are overwhelmingly the most popular topics for Conservatives to use in these statements. While we are certainly flattered by all the attention from the government members, it has obviously created some serious conflicts within the government caucus and has brought further harm to the reputation of Parliament.

[*Translation*]

This shows that the Conservatives are completely abusing this privilege to allow members to express their views and using it to wage petty attacks against the opposition, rather than discuss issues that are important to the Canadians who elected us.

• (1010)

[*English*]

Mr. Speaker, I am sure that like me, you will not fail to see the irony in comparing the current situation with some of the principles of the original Reform Party manifesto. In that document, the party stated:

We believe in accountability of elected representatives to the people who elect them, and that the duty of elected members to their constituents should supersede their obligations to their political parties.

Let me emphasize that at one point, many members opposite believed that the duty of elected members to their constituents should supersede their obligations to their political parties.

Not only is this an abuse of statements by members, but it creates a serious and growing tension between, on the one hand, the need of members of Parliament to represent their constituents and express themselves freely, and on the other hand, their responsibility to their political party. That is, of course, intensified if the party has no respect whatsoever for that member's individual rights.

Standing Order 31 tells us that “[t]he Speaker may order a Member to resume his or her seat if, in the opinion of the Speaker, improper use is made of this Standing Order”. I know that in the

past, Mr. Speaker, you and your predecessors have been hesitant to impose too heavily when it comes to the proper and improper use of this Standing Order and the improper or proper use of statements, but the situation we are faced with here brings new light to the tensions I have just described.

Recently the Chief Government Whip used a hockey analogy, however poorly applied in this case, and equated his role as whip of the Conservative Party to that of a hockey coach deciding which player goes on the ice. He decided that the Speaker was basically a referee and that it is not your place as referee, Mr. Speaker, to interfere with his choices as coach. I simply offer this: If a coach insists on sending only so-called “goons” onto the ice to simply pick fights each and every day, there is no question that the referee will intervene to give some hope that an actual hockey game might be played.

However, the analogy should stop here, because what is happening in the House is not a game. This is the House of Commons, where we, as parliamentarians, must deal every day with complex matters that have a direct impact on the lives of the Canadians who have elected us and trust us to manage the affairs of this country. I believe that by changing the nature of statements and using them to mindlessly attack the official opposition, instead of using that time to raise the issues that matter to the people who have elected them, the Conservatives are clearly abusing this Standing Order.

Allow me to return to the assertion of the member for Langley that his rights and privileges as a member have been breached. It bears repeating and emphasizing that I do not agree with the attempt by the member for Langley to reopen the debate on abortion. The NDP will always promote and protect a woman's right to choose, period. We are clear in our conviction and present ourselves unapologetically and unambiguously to Canadians in that way each and every election. However, whether one agrees or disagrees with the member for Langley is not at issue here. The issue is the need for members of Parliament to speak freely on behalf of those whom we seek to represent.

We have two essential duties: holding the government to account; and speaking for those who have elected us to this place. O'Brien and Bosc, on page 89, explain that “[b]y far, the most important right afforded to Members of the House is the exercise of freedom of speech in parliamentary proceedings”.

The first report of the Special Committee on the Rights and Immunities of Members of the 30th Parliament carefully studied the issue of free expression.

In its 1977 report, the committee defined the right of members to free speech as follows:

...a fundamental right without which they [the members] would be hampered in the performance of their duties. It permits them to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents.

•(1015)

In conclusion, without the right of members of Parliament to express themselves freely, our democratic institutions simply cannot function properly. The NDP recognizes this and has always allowed its members the opportunity to express themselves, arriving at a consensus through discussion, instead of imposing one through unilateral vision. There is always to be a natural tension in being part of any team, any party. The benefits of being in a party are weighed against the responsibility to that same party. That is our parliamentary Westminster system.

Mr. Speaker, you have a difficult task in judging this fine line, and I believe you will need the support and confidence of all parties in this place, whatever you decide. This is why I find this matter so important. I am looking forward to your ruling on this matter and on the matter of the protection of the freedom of speech of members of Parliament.

**Mr. Kyle Seeback (Brampton West, CPC):** Mr. Speaker, I rise today to provide some context I was able to discover with respect to the evolution of members' statements. I think it is important that we look to the history of members' statement, as you decide and make a ruling on this important matter.

If we want to look at the history, we would start with the "Third Report of the Special Committee on Standing Orders and Procedure", November 4, 1982, found in issue no. 7, page 19. The committee says:

Your Committee is of the opinion that Standing Order 43 is being misused, and that a substitute mechanism is required which would enable Members to [rise on] matters of concern on a daily basis.

It goes on to say:

Your Committee believes that a new Standing Order is required which would enable Members to make statements on current issues on a daily basis for the first 15 minutes of the sitting in a manner which would remove the objections arising from the present practice....

Under the new recommended procedure the 15 minutes preceding the question period would be reserved for Members other than Ministers to raise matters of concern for the purpose of placing them on the record. The Speaker would call [them] "Members' Statements" as a routine proceeding preceding the question period.

As well, this is an important section. It says:

Every Member recognized by the Chair would be given a maximum of one minute and a half to state the matter he or she wishes to place on the record and, if appropriate, appeal for a remedy.

That was the report from the committee. When this matter came before the House, the Hon. Yvon Pinard, president of the Privy Council, gave a long speech. I am going to deliver excerpts from that. He started off by saying:

Madam Speaker, it is with great pleasure and even greater satisfaction that I may present a motion in the House today which paves the way for parliamentary reform, a concept I have always cherished and a goal I have...wanted to achieve.

Speaking of the reforms, which include a number of reforms in addition to removing Standing Order 43, he went on to say:

The proposed experiment, Mr. Speaker, is interesting and relevant for three reasons. First, it will help to upgrade the role played by Members of Parliament.

I think that is important. He also says:

It will make Parliament more alive and more effective, without eroding the right of the opposition to a full debate. Finally, the third reason why this experiment will be interesting is that it will update Parliament and give it more respectability in the

### *Privilege*

eyes of the Canadian people. To summarize, the role of Members of Parliament will be upgraded, Parliament will become more alive and more effective without infringing upon the rights of the opposition to a full debate.

When he specifically talks about section 43, he says:

We are doing away with that parliamentary oddity, Standing Order 43, a move which practically all Hon. Members fully endorse. It is a proceeding which no longer serves any useful purpose....

Doing away with motions under Standing Order 43 is in itself a very positive step. Instead, Hon. Members will each have 90 seconds to make a point rather than raise objections.

I think we should try it on an experimental basis...I am convinced that those who want that experiment to succeed will draw maximum benefits from those 15-odd minutes before the Question Period.

Here is another important section. He says:

I hope that the Chair, mindful of the intent of the committee report, will recognize Hon. Members without any regard for party affiliation and that the time available will be equally distributed between both sides....

I believe that it is clear what the intent of this was.

Certainly a convention has developed here in the House of lists being submitted to the Speaker. My understanding, however, is that this convention developed for the Speaker's ease of reference. It was so that the Speaker could easily recognize who was supposed to rise in their place and speak. I do not believe that a convention that was arrived at to enable the Speaker to easily identify who should be speaking should trump a member's right to speak in the House.

I want to also quote page 593 of *O'Brien and Bosc*, where it says:

Freedom of speech is one of the most important privileges enjoyed by Members of Parliament.

•(1020)

This is important. In the notes it goes on to say:

Freedom of speech enables Members to speak in the House (and in its committees), to refer to any matter, to express any opinion and to say what they feel needs to be said in the furtherance of the national interest and of the aspirations of their constituents, without inhibition or fear of legal prosecution.

Mr. Speaker, if you cannot rise at all to speak, you certainly cannot enjoy freedom of speech, which is one of the things that we consider to be sacrosanct in this place.

I want to finish by talking about the reference to playing on a team. We are a team and I am a proud member of my team. I say that without inhibition. I can also say that I have never had my right to speak interfered with. However, if we want to talk about a team, my view would be that this is, certainly for backbench MPs, a house league team. We all get equal time in the House. We all get equal time to play.

I coach a house league hockey team. Every player gets the same chance to get on the ice and the same amount of time. Of course there are rep teams. There is a AA team and a AAA team, perhaps the parliamentary secretaries and the ministers. They are a special team and of course those coaches get to choose which of those players get to play and when. Then they could have no complaints because they are on those teams.

*Government Orders*

However, if members are on the house league team and the coach decides they do not get the opportunity to play, what do they do? I would suggest, as the member for Langley did, they may have to make an appeal to the league convenor and suggest, "I did not get my time to play on the ice, convenor. I would like you to perhaps intervene".

Mr. Speaker, this is a serious question. It is a question of importance to Parliament. Those are my submissions and I look forward to your ruling.

**The Speaker:** I thank the hon. members for Skeena—Bulkley Valley and for Brampton West for their further contributions to the question that I am currently studying.

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## GOVERNMENT ORDERS

[English]

### COMBATING TERRORISM ACT

**Hon. Jason Kenney (for the Minister of Justice)** moved that Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, be read the third time and passed.

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I am pleased to take part in this debate and to speak in favour of Bill S-7, the combatting terrorism act.

The Standing Committee on Public Safety and National Security considered the bill and heard a variety of witnesses. It was a wide-ranging and rich debate with important considerations and contributions from the witnesses who appeared before the committee. Several themes have emerged in the course of the consideration of Bill S-7 that I would like to address in my remarks today. I will first speak to the nature of the Bill S-7 initiative.

First and foremost, Bill S-7 is targeted criminal law reform. A variety of issues outside the scope of the bill have been raised in connection with it. Bill S-7 cannot address all concerns that arise in the context of national security, nor is it designed to do so. The government is working on many fronts to address other national security issues, utilizing the best means suited to the goal, whether it is through programs, training or other legislative initiatives. Rather, Bill S-7 is designed to re-enact the investigative hearings and recognizance with conditions in the Criminal Code that expired in March 2007, with additional safeguards over those that existed in the original legislation.

The bill would also create new offences of leaving or attempting to leave Canada for the purpose of committing certain terrorist offences, would respond to recommendations made during the parliamentary review of the Anti-terrorism Act and includes further improvements to the Criminal Code, the Canada Evidence Act and the Security of Information Act.

The investigative hearing is designed to facilitate the gathering of information by a judge, which may be relevant to the investigation of past or future terrorist offences following an application made by a peace officer.

The recognizance with conditions would allow a peace officer to apply to a judge to have a person appear before the court for the judge to consider whether it is necessary to impose reasonable conditions on a person to prevent a terrorist activity. The burden would be on the state to meet the grounds to make an application and to satisfy the judge that conditions ought to be imposed on the person.

There has been a debate about whether these tools are indeed needed and there has been compelling testimony from various witnesses supporting their reinstatement. For example, Assistant Commissioner James Malizia of the RCMP national security criminal investigations program's protective policing branch spoke of the need for these measures to assist law enforcement, while noting that they would be approached with cautious restraint.

The committee had the benefit of hearing from Maureen Basnicki, a co-founder of the Canadian Coalition Against Terror. She disagreed with those who characterized the original introduction of the investigative hearing and recognizance provisions of 2001 as an example of legislators having hit the panic button after 9/11. Instead, she stated, "Far from being an overreaction to 9/11, these provisions were, in fact, a sober and responsible recognition of the danger posed by terrorism to the future of the international community". As a result, she urged all members to have in mind the security of Canadians when considering and voting on Bill S-7.

As Ms. Basnicki put it:

Canada should not be removing reasonable tools for fighting terrorism while terrorists are busy sharpening their tools for use against Canadians and other innocent victims. While the provisions of Bill S-7 can always be revisited at a later date, the lives shattered by a future terrorist attack that may have been prevented cannot be reconstituted by any act of Parliament.

The bill also proposes the creation of new offences for leaving or attempting to leave Canada for the purpose of committing certain terrorist offences. These offences are specifically designed to prevent persons from leaving Canada in order to participate abroad in the activity of a terrorist group, for example, receiving training, or to commit certain other terrorist acts abroad.

These offences have received the support of certain witnesses. For example, Mr. Rob Alexander, a member of and spokesman for the Air India 182 Victims Families Association, asserted during the hearing that the proposed new offences are necessitated by the globalization of terrorism-related activities, given reports of persons leaving Canada to receive terrorist training abroad. He argued that these potential Canadian offenders may pose a potentially mortal threat and danger to members of the Canadian armed forces on duty abroad. In his view, these proposed offences would help minimize this dilemma.

The horrific nature of terrorism requires a proactive and preventive approach. These new offences would allow law enforcement to intervene at an early stage in the planning process to prevent terrorist acts from being carried out. The proposed new offences would send a strong deterrent message potentially to assist in mitigating the threat of terrorism and would provide an appropriate maximum penalty.

*Government Orders*

● (1025)

In the course of debates on Bill S-7, some have alleged that the bill fails to protect human rights. To the contrary, the bill contains numerous human rights safeguards. I think we can all agree that counterterrorism measures must protect security, while respecting human rights.

Consider, for example, the investigative hearings. Under the investigative hearing provisions, the court would be empowered to compel persons who are reasonably believed to have information about past or future terrorism offences to appear in court and provide information. Without a doubt, the government has gone to great lengths to ensure that witnesses would be protected during the hearing from unintended consequences.

First, the Attorney General must consent before the investigative hearing process could be initiated. This is an important procedural step consistent with other areas of the Criminal Code.

Second, a judge would have to agree that an investigative hearing is in fact warranted for it to be held. Bill S-7 proposes, in particular, that to make an order for gathering of information the judge must be satisfied that the Attorney General's consent was obtained and that there are reasonable grounds to believe that a terrorism offence has been or will be committed; certain information concerning the offence, or the location of a suspect, is likely to be obtained as a result of the order; and reasonable attempts have been made to obtain the information by other means.

Under the provisions in the previous iterations of the bill, the last safeguard only applied to future terrorism offences and not to past ones. This safeguard would now apply to both past and future terrorism offences to further ensure that investigative hearings are only used in appropriate circumstances.

As a third safeguard, I direct the members' attention to the fact that under the original 2001 legislation, there was the power to arrest a person without warrant in certain limited circumstances, such as when the person was about to abscond, in order to ensure his or her attendance before a judge. However, the original legislation was silent as to how long the period of detention could be after such an arrest. Bill S-7 would remedy this defect by stating that section 707 of the Criminal Code, which sets out the maximum period of time an arrested person can be detained at a criminal trial, would also apply to a person arrested to attend an investigative hearing. Section 707 allows the detention of a witness for up to a maximum of 90 days, with judicial review for the detentions within each 30-day period.

Fourth, as a fundamental principle of our legal system in this country, the person named in the investigative hearing order would have the right to retain and instruct counsel at any stage of the proceedings. It is important that we all recognize that there is also a robust prohibition built into the investigative hearing proposal against the state using information or evidence derived from the information against a person who testified. An obvious and a logical exception to this is for prosecutions related to allegations of perjury or giving of contradictory evidence by the investigative hearing witness. Of course, this is an exception that is warranted.

In 2004, the Supreme Court of Canada took note of this robust provision and rejected the argument that the investigative hearing

violated an individual's right to silence and the right against self-incrimination. The court also extended the use and derivative use immunity procedural safeguards found in section 83.28 of the Criminal Code to extradition and deportation proceedings.

On this last point, members may be reminded that Bill S-7 would be read in the context of the judgment of the Supreme Court of Canada to ensure that protections built into this section for use and derivative use immunity would be extended to extradition or deportation hearings. In summary, Bill S-7 incorporates appropriate and balanced safeguards.

The issue of review and accountability also arose during the debate and discussion of the bill. Let there be no mistake; Bill S-7 contains multiple reporting, parliamentary review and sunset provisions. The bill requires that Parliament review the investigative hearing and recognizance with conditions provisions prior to the date they sunset. These measures would be subject to another sunset clause, which would result in their expiry after five years, unless they were renewed by parliamentary resolution.

The proposals in the bill also include, as was the case with the original legislation, annual reporting requirements by the federal government and the provinces on the use of these provisions.

● (1030)

However, Bill S-7 would strengthen the annual reporting requirements, because the annual report of the Attorney General and the public safety minister would include an additional requirement to provide an opinion supported by reasons on why the provision should remain in force. The accountability processes built into the bill are both extensive and robust.

To conclude, the measures proposed in the Bill S-7 are necessary, proportionate and balanced, and they are replete with safeguards. I urge all members to support and vote for the bill.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, my question to the member is in regard to working on the terrorism file. There is an obligation for us to be looking at what is happening in other jurisdictions, in the different provinces. There is always the risk of potential terrorist targets and so forth.

My questions to the minister are: Which department works with the different provinces to highlight those potential threats of terrorist acts, and to what degree do they actually have plans in place, based on communications with those provinces?

● (1035)

**Mr. Robert Goguen:** Mr. Speaker, for reasons that should be plainly obvious, we will not discuss the details of plans, but I can assure the member that the Minister of Justice and the Minister of Public Safety, with all the territorial and provincial ministers, have discussed these matters at length. They have worked together to create a cohesive plan.

*Government Orders*

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, I rise today to speak to Bill S-7, the combating terrorism act, which my NDP colleagues and I opposed at second reading and continue to oppose based on the fact that the hearings in the House of Commons public safety committee, or SECU, revealed some serious hidden agendas on the government's part.

There are other problems we have with the re-enactment of provisions, albeit with some safeguards from the 2001 Anti-terrorism Act. My colleagues will address those in the third reading debate.

I will address how the hearings before the committee confirmed that Bill S-7 creates serious concerns with respect to the rule of law and human rights, notwithstanding the additional safeguards just outlined by the parliamentary secretary.

During the committee hearings on Bill S-7, my NDP colleagues and I raised several issues related to new offences created by the bill, but our questions were never fully answered by the government.

Many of our concerns related to these new “attempting to leave the country” offences remain, especially—and this is key—how they are linked to the re-enacted counter-terrorism measures from the Anti-terrorism Act of 2001, namely preventive detention, recognizance with conditions and investigative hearings.

For starters, it is clear as day from RCMP and CSIS testimony that the concerns I voiced in my speech at second reading are very well founded. There is a real potential that attempting to leave the country offences would serve as the trigger, first, for investigative hearings that would question friends, families and community members who know a suspect.

Second, once evidence arises through that investigative hearing method, that evidence would then be used to engage in up to 72 hours of preventive detention and then up to 12 months' recognizance with conditions, and indeed, it is important to note, up to 12 months of imprisonment without trial or conviction if one refuses to accept those conditions that are imposed or if one is deemed to have not complied with those conditions.

Such conditions could, and almost certainly would, involve confiscating passports so as to create a veiled, backdoor, de facto control order system, such as the U.K. explicitly uses to prohibit leaving the country. The key here is that all of this would occur implicitly, without it having been debated or structured in a proper way.

In this way, the new leaving the country offences need never be actually prosecuted, and that may well be ultimately the government's intention. They are just as likely, if not more likely, to serve as the reference point for disrupting a person's movement by using these re-enacted, extraordinary procedures of investigative hearings plus the recognizance with conditions provisions in tandem.

Before the bill came to the House, it was before the Senate. It started in the Senate. In committee there, the Minister of Justice said clearly that investigative hearings could be used to seek and get evidence of intent to leave the country for illicit purposes. As the bill itself states, evidence from investigative hearings cannot be used in criminal proceedings against a person questioned in the hearings.

This clearly points to the intention to use investigative hearings to interrogate family, neighbours, friends and others from a suspect's community, with attendant implications for discriminatory profiling, the potential for that discriminatory profiling and for instilling a feeling of harassment in a community that is the target of counter-terrorism surveillance.

CSIS and the RCMP effectively said, “Trust us”. They say that these provisions were not used before they sunsetted, so they will not be used much now. One wonders why there is the insistence of the government to re-enact them, but in any case, we should not believe it. Attempting to leave the country is a new offence of wide-ranging impact, and with respect to that offence or the series of offences that go under that label, the government has every intention of using investigative hearings.

The Minister of Justice, in that same testimony before the Senate, also linked recognizance with conditions orders to the new offence.

In the public security committee, government witnesses were presented with the scenario whereby evidence from investigative hearings is used not only as a basis for arrest of someone before leaving the country but also as the basis for securing recognizance with conditions without the need to actually prosecute.

● (1040)

Keep in mind this fancy term “recognizance with conditions” basically means limiting the liberty of citizens without trial or conviction. No witness denied that this trajectory was possible. It must be borne in mind, and I want to reiterate this, that any refusal to abide by conditions can lead to up to 12 months imprisonment, again without ever having been tried or convicted.

This is obviously a serious chain of state action and it is for this reason that the NDP not only is against the return of the sunset provisions that I have talked about, but also the reason why we have pushed for a range of additional safeguards to heighten monitoring and accountability in relation to how these provisions will operate in practice.

At committee, we concentrated at the amendment stage on such safeguards as it was a given, frankly, that the intrusive provisions would be accepted by the Conservative majority on committee. In committee we moved something like 18 amendments and not one was passed, either because the government majority voted them down or because they were ruled beyond the scope of the bill by the chair. In one case it was because the bill had originated in the Senate, to which I hope to get.



*Government Orders*

All the amendments were designed to enhance accountability as the government brought back these sunset anti-terrorism law provisions, while adding a new series of leaving the country offences and beefing up, from the Conservatives' point of view, a harbouring a terrorist offence. Half were ruled out of order. I argued unsuccessfully that such rulings misunderstood the legislative purposes of the bill and did not take into account a recent Speaker's ruling on when a bill should be deemed to be a money bill. Those are technical matters that we can leave for the moment.

What is important to note, and it was revealed in the parliamentary secretary's speech, is that this is a bill with three purposes. When a number of our amendments were ruled beyond the scope of the bill, the chair was not taking into account more than one purpose.

One purpose is terrorism repression. The second is rights' protections. We grant to the government that there are some elements in this that are a bit more protective of rights than the measures in 2001, including, for example, the right to counsel before an investigative hearing. We just feel they do not go nearly far enough. Third, separate from this, is institutional oversight and accountability and transparency mechanisms. These are all interconnected but have separate purposes. In our view, every amendment we proposed fit into one or other of these three purposes and thus none were beyond the scope of the bill.

The New Democratic Party believes we must seriously address the issue of terrorism. There is no doubt about that. However, we have to ensure respect for rights and freedoms.

That is why we introduced the amendments to heighten oversight, transparency and reporting in the bill in order to lessen the negative impacts on civil liberties, which the bill is bound to have. These amendments drew on testimony at committee and they also reflected the values that we believe were important to Canadians.

Let me describe some of the amendments that were attempted.

The first amendment would have provided for an inter-agency co-operation protocol between CSIS, the RCMP, CBSA and the Canadian Air Transport Security Authority to be put in place before the leaving the country offences could come into effect. Our rationale was that the exceptional state powers should be carefully circumscribed and accompanied by equally rigorous independent oversight which a protocol would have to build in. This amendment was deemed inadmissible as being beyond the scope.

However, the reason we believed the amendment was both necessary and within the scope of the bill was that in the Senate the director of CSIS drew particular attention to the fact that no protocols existed between these agencies for the kind of co-operation that he said would be needed in order to give effect to the leaving the country offences. He made it clear that such protocols were necessary.

Testimony before committee also indicated this, so we took it seriously by proposing a protocol for collaboration and that SIRC, the Security Intelligence Review Committee, which is the only relevant existing oversight committee in this field, must endorse it and only then, once the protocol was in place, would the provisions enter into force. We felt this was a reasonable provision. Now, because it was ruled out of order and adopted, we can only hope that

the various relevant agencies will develop a protocol before these new offences enter into force.

The second amendment related to conditions for people to be charged with an offence related to harbouring terrorists. What the government wants is a provision that says everyone who knowingly harbours or conceals any person whom they know to be a person who is likely to carry out a terrorist activity for the purpose of enabling the person to facilitate or carry out any terrorist activities is guilty of an indictable offence liable to 10 years of imprisonment.

• (1045)

We wanted to change the words "likely to carry out a terrorist activity" to "intends to carry out a terrorist activity". Our view, bolstered by the testimony and submissions, for example, from the Canadian Bar Association, is that likelihood is far too lax a standard, especially when we are asking somebody to think through to the *mens rea* state of another person. The term "likely" is far too speculative, but the amendment was defeated.

The third amendment we proposed was to ensure that testimony gathered from investigative hearings could not be used against the individual in any extradition and deportation proceedings, not only criminal proceedings. We heard from the parliamentary secretary that this was implicit. The Supreme Court ruled on this almost 10 years ago and said that in order to be compatible with the charter, that evidence could not be used in extradition and deportation proceedings. The Conservatives acknowledged this in committee and yet refused to write in the words that said this and made it clear.

We wanted this in bill simply because we believed that criminal law should be as clear as possible and that reasons of certainty, caution and respect for the rulings of the Supreme Court necessitated it. At the same time, it was specifically resisted. One can only ask whether the government is literally hoping that a newly-composed Supreme Court will eventually revisit that jurisprudence and that the only prohibition will be on using that evidence in criminal proceedings. Otherwise, it is impossible to fathom why it would have resisted including that amendment.

We also proposed that the right to counsel, which is written in Bill S-7, be extended to include a right to state-funded counsel, that is legal aid, if a person were dragged before an investigative hearing. Keep in mind that witnesses are brought before investigative hearings with no necessary, and definitely no suspicion of, wrongdoing on their own part. We felt that in this kind of context, it was important to ensure that people were not having to pay the costs of state investigation.

*Government Orders*

We also felt it was especially important to say that the right to counsel was a negative right. Those who can afford it will obviously be able to bring their lawyers and will have much greater protection in investigative hearings. For people who do not have the resources and cannot afford it, there is nothing in Bill S-7 that would allow them access to lawyers, despite the fact that elsewhere in the Criminal Code there is provision for federally-appointed, state-funded legal aid.

Another amendment revealed more information on the government's intent with the bill. We tried amending the provision on recognizance with conditions to ensure it was clear, and I want to emphasize this, that only persons determined to be potential participants in a terrorist activity could be subject to recognizance with conditions. Our concern was that people who were not themselves suspected of terrorist activity should not be the subject of the restrictions of liberty that were part of the recognizance with conditions regime. We thought this was a friendly amendment on a badly-written provision and were bowled over in the clause-by-clause process when what we thought was a friendly amendment was resisted. To our shock, the parliamentary secretary said that the government actually wanted to keep it broad precisely so recognizance with conditions could be imposed on someone who may not be suspected of any potential criminality themselves. The parliamentary secretary said:

The recognizance with conditions in its present form would provide the potential for a recognizance with conditions to be imposed to disrupt the nascent phase of a terrorist activity, even where the person who would be subject to the recognizance with conditions is not necessarily the person carrying out a terrorist activity.

The proposed amendment would seek to restrict the application of this measure.

That was the NDP-proposed amendment. She went on to say:

Because that is inconsistent with the policy intent underpinning the provision, we are opposed to it.

The government is on record as wishing to permit conditions to be imposed on perfectly innocent people. Failure to comply can lead to 12 months of imprisonment. Is that a regime we want in our country?

There was a whole series of amendments we then proposed that dealt with trying to ensure that the reporting procedures in Bill S-7 were more robust and less general than found in the bill. We wanted detailed information on the statistical use of the provisions, for example. A lot of testimony suggested we needed to have clarity and standards with respect to what the reviews of the operation and the provisions would entail, and we were seeking to assist with that.

• (1050)

We also wanted information specifically written into the review that would talk about exit control and exit information systems. The reason for that was, before the Senate, the director of CSIS indicated that there were no such comprehensive systems in place in Canada. However, there was every sign during the committee hearings that the government intended one way or the other to move toward more comprehensive exit information which could lead to exit control systems.

It was very clear that, not in Bill S-7 but in other legislation, the Conservatives had created enabling conditions to enable exit information to be accessed earlier than was currently possible in the process so before a plane left the country, it would be known who

was on the plane and Canadian officers could go onboard and arrest people. However, this was not put in Bill S-7, but in Bill C-45, which is a budget bill.

We were simply taking the cue from the director of CSIS who had indicated that, before the cabinet, our proposals to strengthen the no-fly list were precisely because of the new leaving-the-country offences, yet no information was presented to us on the nature of the debates going on. We felt it was extremely important to ensure that the review mechanisms down the road would ensure that exit information and exit control were taken into account.

I believe I am nearly finished my time, although I have had to talk over an incredible hubbub and ruckus on the other side of the House.

Amendments also sought to ensure that a comprehensive review procedure expressly included the operation of the four leaving the country offences—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. If members want to carry on conversations with their colleagues, they are free to do so in the lobby. However, the member for Toronto—Danforth still has the floor and it is becoming increasingly difficult for the Speaker to hear him.

**Mr. Craig Scott:** Mr. Speaker, I will sum up, as I believe I am running toward the end of my time.

Once again, the government has exercised its strict policy that we have seen over the last two years of no amendments allowed in committee, especially if they come from the opposition. Conservatives voted down our suggestion for higher standards, and they were not willing to discuss with us whether the chair's rulings on beyond the scope were correct. Those that were admissible were dismissed completely by the government members, who had clear intentions going into the committee not to change a word. There was no interest in strengthening the rule of law or human rights beyond what the Conservatives had already decided was necessary.

It has become clear that the government has virtually no interest in legislative co-operation in Parliament. In committees, Conservative majorities routinely refuse to consider good-faith points from opposition committee members on ways to improve legislation, even when they are in line with the government's own objectives, let alone listen to arguments on the serious problems with the bill that need to be fixed.

I also want to note one particular slap in the face of the House of Commons.

*Statements by Members*

It is worth noting that we prioritized having the director of CSIS appear before the public security committee. He had already appeared before the Senate and gave testimony that was very important, which necessitated detailed follow-up on the part of the House. CSIS knew of the need because it was expressly stated in my second reading speech. CSIS officials came to committee twice, yet on neither occasion did Director Fadden appear. This sequence of events shows major disrespect to the House of Commons when a government official would readily appear before a Senate committee but decline to appear before a House committee.

I would also like to add that there was one ruling that rejected the legal aid funding amendment, which said that this was improper because the bill had originated in the Senate. It being a Senate bill, and the Senate not able to table money bills, any amendment in the House of Commons having financial consequences was ruled out of order. Therefore, the practice of the Conservative government of starting legislation in the Senate ties the hands of the House of Commons to engage in the kind of legislative practice that is the right and privilege of the House of Commons. The order in which governments introduce bills is something that very much needs to be addressed and fixed.

Finally, our Liberal friends on this side of the House voted in favour of this legislation both at second reading and in committee. I look forward to seeing whether the party, which likes to call itself the “party of the charter”, is ready to rectify this by voting against the unnecessary and fraught measures contained in Bill S-7.

• (1055)

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I would like to read a quote from the hon. member's colleague from Brome—Missisquoi. He said: “I am confused about what motivated the government to introduce Bill S-7”, and he continued, “because since 2007, nothing has happened in Canada. The country has not even been subject to terrorist attacks.” This was October 17, 2012.

Does the hon. member agree with his colleague from Brome—Missisquoi that there is no risk of future terrorist attacks on Canada, and with his assumption that the government and Parliament should not pass legislation that would provide the necessary tools that would be needed if such an attack were to occur?

**Mr. Craig Scott:** Mr. Speaker, obviously there is a serious concern with terrorism, both globally and in Canada. We had evidence before the committee that I have no reason to disbelieve about a tendency, however large it is, for young members of some communities to actually leave the country in order to be part of terrorist training, et cetera. There are real issues here.

Our point is that the bill goes too far. We had no evidence of the necessity of the bill beyond that one data item. That is the only thing that committee witnesses from CSIS, the RCMP and the government detailed as the necessity for re-enacting the sunset of provisions.

What I have set out is the interconnection between all the provisions and the failure by the government to consider beefing up the protections in a way that meets our concerns, but in terms of the seriousness of terrorism and the need to combat it, I have every reason to believe that we need to be vigilant.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the member makes reference to the fact that we do need to be vigilant. Canadians have an expectation that the government of the day will do what it can to prevent any form of terrorist attacks from occurring, whether in Canada or abroad. We need to recognize that Canada has a role to play not only in Canada but ultimately in a leadership role.

Even though there are some concerns within the Liberal Party, we recognize that there is some value in passing the bill. I can sympathize to a certain degree with my New Democratic—

**The Speaker:** Order, please. I will stop the hon. member there to give the member for Toronto—Danforth a very brief chance to respond. We do have to move on to members' statements.

The hon. member for Toronto—Danforth.

**Mr. Craig Scott:** Mr. Speaker, I was not sure that the member had time to get to the question.

I understand that people are arriving at decisions on Bill S-7 in good faith from different perspectives. I feel, however, that it is more or less accepted in circles that take charter rights and the rule of law seriously that the Anti-terrorism Act went too far. So does this bill.

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## STATEMENTS BY MEMBERS

[Translation]

### CANADA POST

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, Canada Post is slowly but surely moving towards privatizing its services.

Quebec is once again being targeted for closures, cuts and downsizing. This comes 20 years after the post office in Saint-Clément was occupied, which resulted in a moratorium on the closure of rural post offices. Since then, the federal government has done nothing to stop the loss of essential services.

In 2011, Quebec fell victim to half of the closures and reductions in hours. Last year, 17 of the 31 closures happened in Quebec. In April of this year, three postal outlets in the Montreal area will close, and another seven will make staffing cuts.

In my riding, local mail will no longer be processed in Asbestos or Victoriaville; it will be processed in Montreal. The same is true for the post offices in Plessisville, Sherbrooke, Magog and Cowansville.

The Conservative government has already partially deregulated Canada Post, and it is doing everything in its power to undermine this universal public service that Quebec's regions want to preserve in order to avoid their decline.

The Bloc Québécois will fight the government's privatization efforts, and like mail carriers, we will be there come rain or shine, snow or sleet.

*Statements by Members*

●(1100)

*[English]***OUTSTANDING YOUNG FARMERS OF MANITOBA**

**Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC):** Mr. Speaker, I recently attended the awards ceremony at which Tyler and Dorelle Fulton were chosen as Manitoba's outstanding young farmers for 2013.

Tyler and Dorelle farm in the Birtle area in my riding of Dauphin—Swan River—Marquette. The young couple are raising a family while working part-time off the farm, are full-time operators of a hay export business and manage a 450-head cow herd with Tyler's parents.

Their farming philosophy values a balance between family and work, environmental and economic sustainability, risk management and operational innovation.

I want to recognize and congratulate all the nominees: Allan and Carolyn Nykoliation, beef producers from Crandall; organic producer Bryce Lobreau, from Pipestone; dairy farmers Steven Boerchers and Ellen Gorter, from Beausejour. They are all outstanding young farmers.

These producers have faced many challenges over the years, but they have found ways to succeed, innovate and keep an industry and community strong. I want to commend these young family farmers for all their hard work for the benefit of their communities, Canada and the world.

\* \* \*

*[Translation]***JEAN-FRANÇOIS LÉPINE**

**Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP):** Mr. Speaker, some departures mark a turning point in the history of an organization.

Yesterday, the great international journalist Jean-François Lépine announced that he is leaving CBC/Radio-Canada to work on other projects. The international news division of our public broadcaster is turning a page.

A political science graduate of UQAM, Jean-François Lépine epitomized Quebecers' and Canadians' thirst for international news.

Does his departure have something to do with the budget cuts made by this heavy-handed government? Mr. Lépine has too much class and respect for his colleagues to discuss this matter in public.

However, we have to have the courage to face the facts. This year, CBC/Radio-Canada will have to absorb cuts that are three times greater than those made in 2012. The Conservatives do not like the CBC and, consequently, the corporation will have to lower the bar. Watching the work of experienced journalists disappear is distressing, but it is something Quebecers and Canadians will have to get used to, given that next year's cuts will be four times greater.

Thank you, Jean-François Lépine. We hope that each time you visit the Maison de Radio-Canada, you will rediscover the spirit of our public broadcaster's mandate, despite the pall cast by the Conservatives.

*[English]***CHINESE CULTURAL HERITAGE IN KITCHENER-WATERLOO**

**Mr. Peter Braid (Kitchener—Waterloo, CPC):** Mr. Speaker, I am pleased to congratulate the Central Ontario Chinese Cultural Centre and the Kitchener-Waterloo Chinese School as they celebrate their 40th anniversary.

Since 1973, these organizations have been serving Canadians of Chinese descent in the Waterloo region, preserving and promoting the rich culture and heritage of China.

The KW Chinese School plays an important role in passing down family traditions and values through the generations. In addition, the COCCC and the KWCS reach out to our wider community, sharing their festivals and celebrations and strengthening ties of friendship and mutual respect.

Finally, I would like to thank Chinese Canadians in the Waterloo region and across Canada for their significant contributions to the social, economic and cultural fabric of our society and our country.

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**HUGH TWEEDIE**

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, this past weekend in Cape Breton, hundreds attended a funeral for a great humanitarian, Mr. Hugh Tweedie.

He was well respected for his dedication and commitment in business and community initiatives. Hughie was a champion for Cape Breton in every sense, from his business investments to his numerous charities and the organizations he supported.

He loved this island, from the landscape to the people to the endless opportunities it possessed. He was proud to call it home.

Hughie offered his time and expertise to many boards on which he served around the island. He was an integral part and a driving force for several community fundraisers, such as the multi-million-dollar expansion of the YMCA in Sydney.

He supported me and gave me good advice and words of encouragement I will never forget. I ask this House to join with me in extending our deepest condolences to his wife Sharon, his sons Loran and Craig, his daughter Patricia, his grandchildren and a great-grandchild.

Cape Breton has lost a true ambassador, and he will be dearly missed.

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●(1105)

**PASSOVER**

**Mr. Jim Hillyer (Lethbridge, CPC):** Mr. Speaker, I would like to take this opportunity to wish the Jewish community a happy Passover. The tragic history of the Jews over the centuries shows us how important religious freedom and tolerance are to the cause of freedom itself.

*Statements by Members*

The secret to religious tolerance is to tolerate religious expression, even in public, and not to condemn it in fear that someone who does not share the same belief might overhear it.

Jews commemorate Passover, when the children of Israel were led by the hand of God out of captivity. It is also Easter, and Christians believe that Jesus died on the cross and that he rose again on the third day. This is a tremendous time of hope and trust for Jews and Christians as they commemorate the miracles that happened thousands of years ago and that are central to their faith. Their faith in the future is renewed.

Whatever we believe, I wish everyone peace and joy this spring. May we all embrace the spirit of hope and new beginnings that this season brings.

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**HOLOCAUST REMEMBRANCE DAY**

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, on April 8, New Democrats will join with people across Canada, in Israel and around the world commemorating Yom Hashoah, Holocaust remembrance day.

For 68 years, since the end of the Second World War, we have memorialized the victims of one of the darkest periods of history.

During Yom Hashoah, we remember those whose lives were so brutally taken during the Holocaust. They died solely because they were Jewish or Roma, disabled, or members of the gay and lesbian community. Each was a victim of Nazi hatred. Today we remember the survivors, women and men whose profound courage and example taught us that love and life are possible, even after facing the most unspeakable of horrors.

History tells us that those who promote bigotry for political advantage plant the very seeds for crimes against humanity. When we say “never again”, we must also pledge to ensure that the seeds of bigotry and hate are not allowed to grow ever again.

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**INFRASTRUCTURE IN CALGARY EAST**

**Mr. Deepak Obhrai (Calgary East, CPC):** Mr. Speaker, last week I was very pleased to announce federal government funding for infrastructure improvement projects supporting a local community centre and two athletic centres in my constituency of Calgary East. The funding announced was for Marlborough Park community centre, for the East Calgary Twin Arenas and for the Bob Bahan Aquatic and Fitness Centre.

Since forming the government, we have worked hard to see community investments such as these shared equally and fairly across Canada, unlike the previous Liberal governments. With a continued focus on job creation, economic growth and long-term prosperity, which will see Canada return to balanced budgets in 2015, our economic action plan 2013 will be good news for my constituents in Calgary East and all Canadians alike.

I wish everyone a happy Easter.

**TRAILBLAZING NHL HOCKEY PLAYER**

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Speaker, I rise today to honour a great Canadian. Long ago, and almost forgotten, Larry Kwong shattered barriers 65 years ago by becoming the first coloured player in the National Hockey League.

On March 13, 1948, Larry Kwong was called up by the New York Rangers to play in the famed Madison Square Garden. While his National Hockey League career lasted only one minute, his impact was lasting. The man known as the “China Clipper” continued to play hockey, leading to a distinguished 18-year career.

Born in 1923 to Chinese immigrant parents in British Columbia, Larry Kwong overcame racial barriers and poverty. He always remained proud of his Asian heritage. My generation owes a great deal to Larry Kwong. He blazed a trail so that others could follow.

I stand here today because I stand on the shoulders of giants like Larry Kwong. I ask all members in the House to join me in recognizing this great Canadian.

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[*Translation*]

**MARTIN-J. LÉGÈRE**

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, like many Acadians, I was saddened to learn of the death of one of the founding fathers of the Caisse populaires acadiennes and a great builder of modern Acadia, Martin-J. Légère of Caraquet.

We have lost a great man today, but he leaves behind a legacy that will continue to thrive for many years to come.

An advocate for change, Mr. Légère was always willing to fight to make his vision understood. His determination made it possible for Acadians to have their own financial institution, which today has become a vital part of the community. The caisses populaires have made an enormous contribution to the development of the Acadian community, and today they continue to drive economic and social development.

Mr. Légère was very committed to the co-operative movement and many other causes, including the Francophonie. The many honours he received are a testament to his commitment and accomplishments.

Today, I would like to recognize his many contributions to Acadian society. My NDP colleagues and I offer our most sincere condolences to the Légère family. Thank you, Martin.

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●(1110)

[*English*]

**INTERNATIONAL TRADE**

**Mr. Joe Daniel (Don Valley East, CPC):** Mr. Speaker, one in five Canadian jobs is generated through exports. That is why our government is engaged in the most ambitious pro-trade plan in Canadian history, a plan that includes a trade agreement with the world's largest integrated market, the European Union.

*Statements by Members*

It is unfortunate that the NDP uses every opportunity to scoff at the potential this deal would have for Canadians. I would remind those members that the benefits of such a Canada-EU agreement are expected to be enormous, including a boost of 20% in bilateral trade. Let us put that in perspective. That is the equivalent of creating 80,000 new jobs for hard-working Canadians or adding \$1,000 to the pockets of Canadian families.

Try as it might, the NDP cannot hide its anti-trade agenda. While the leader of the NDP travels abroad to attack Canadian interests on the world stage, it is only our government that has a pro-trade plan to create jobs, growth and long-term prosperity.

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**RETIREMENT CONGRATULATIONS**

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, every morning we receive a comprehensive package of news clippings, known as *Quorum*, in our offices. Rarely do we think about the work that goes into preparing such quality products, the early hours and the meticulous attention to detail.

In recent years, *Quorum* was edited by Trina Costantini-Powell. After 35 years of dedicated service to the Library of Parliament, Trina begins her retirement. It is my great honour to rise and congratulate her on her retirement.

Parliament depends upon the professionalism and hard work of people like Trina who are integral to the functioning of our democracy. We will miss Trina on the Hill, but her volunteer work through St. Anthony church, Italian Week, the Dalhousie Food Cupboard and other endeavours will continue to enrich our community.

I urge all members to join me in thanking all the employees of Parliament for their contributions and in wishing Trina a long and wonderful retirement. Thank you, Trina.

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[*Translation*]

**OFFICIAL LANGUAGES**

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, Canada is a bilingual country, and our government is determined to ensure that Canadians can communicate in the official language of their choice.

Today, the Minister of Canadian Heritage unveiled our government's official languages plan for the next five years.

The Roadmap for Canada's Official Languages 2013–2018 allows us to continue our unprecedented commitment with \$1.1 billion focused on three pillars: education, immigration and communities.

Our government will continue to support both of our country's official languages so that Canadians from coast to coast can enjoy the economic and social benefits that come from Canada's linguistic duality.

[*English*]

**VAISAKHI**

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, across Canada, members of the Sikh faith and others will be participating in Vaisakhi, a celebration that highlights the 10th guru of Sikhism, Guru Gobind Singh, who laid down the foundation of the Khalsa Panth.

In 1999, as a member of the Legislative Assembly of Manitoba, I had the privilege of introducing a resolution that recognized the importance of the Khalsa and the five symbols, including the Kesh, the Kanga, the Kachera, the Kara and the Kirpan. That resolution passed unanimously. I am more than happy to provide a copy of the said resolution to interested members.

Vaisakhi is also an important celebration for other religions for both faith reasons and things like the beginning of the new year and what we harvest. The event celebrates our Indo-Canadian heritage, which is characterized by its sense of community, sharing, and of course, great food.

The celebration of Vaisakhi is being celebrated here in Canada by more and more Canadians every year and is becoming a very important part of our Canadian heritage. As we get close to April 13, I would encourage all to participate in some fashion in this year's Vaisakhi celebrations.

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● (1115)

**LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA**

**Ms. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, when the leader of the NDP went to Washington, in between talking down Canada he managed to find time to have dinner with a man convicted of shooting a police officer. This individual shot Terrence Knox, a Chicago police officer, three times, leaving him permanently paralyzed.

The leader of the NDP seems to put a higher priority on bringing this dangerous and violent criminal to Canada than he does on creating high-paying jobs for Canadians. The leader of the NDP has been clear that bringing dangerous criminals to Canada is one of the values that guide him in what he does.

However, the member for Esquimalt—Juan de Fuca has been somewhat silent on this matter. Does the public safety critic for the NDP agree with his leader that a convicted criminal who shot a front-line officer should be imported to Canada? I would encourage the member for Esquimalt—Juan de Fuca to stand up for victims by standing up to his leader and condemning this irresponsible NDP decision to support a violent criminal.

*Oral Questions*

[Translation]

**CONSERVATIVE PARTY OF CANADA**

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, the Conservative mutineers have finally spoken. The Prime Minister and his cronies have crossed the line with their latest orders. On one side, there is the captain of the *Costa Conservative* and his staff, who refuse to admit to the slightest mistake even when one of their own reveals that he believes women are only good for one thing: making cookies. On the other side, there is the crew, which is ready to throw their control-freak captain overboard.

Unfortunately, their revolt has nothing to do with the hundreds of millions of dollars in new taxes set out in the budget. No. The mutineers want to maintain their rights. The mutineers want choice. They want to have control over their own statements and, at the same time, they want to have control over a woman's right to choose.

While the Conservatives are fighting amongst themselves about whether women should be sent back to the 19th or the 18th century, the NDP is proudly supporting the rights of women, workers and families. Our boat is sailing peacefully towards victory in 2015.

\* \* \*

[English]

**NEW DEMOCRATIC PARTY OF CANADA**

**Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC):** Mr. Speaker, our government has been clear. We remain focused on jobs, growth and long-term economic prosperity. Just last week, the Minister of Finance presented in this House a real plan for Canada and Canadians: economic action plan 2013.

Unfortunately, the only plan the Leader of the Opposition and the NDP are proposing is increased spending and taxation. In fact, listed on page four of their party platform, in black and white, the Leader of the Opposition and his party want to impose a \$20 billion job-killing carbon tax on the backs of hard-working Canadians. This sneaky \$20 billion job-killing carbon tax would increase the price of everything, including gas, groceries and electricity.

Canadians cannot afford to have the risky policies the NDP propose. I can proudly say that we will continue to fight for Canadians and oppose this \$20 billion job-killing carbon tax.

**ORAL QUESTIONS**

[Translation]

**TAXATION**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, yesterday, the Prime Minister and the people he controls rose several times to claim that they are not increasing taxes in their budget.

That claim is completely ridiculous and untrue. It is all there in black and white in annex 2. They could simply read their budget and admit the truth, admit that they are imposing billions of dollars in new taxes.

Why are they living in denial?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, our approach is clear.

We are balancing the budget without increasing taxes. I know that the NDP wants to increase the GST by more than \$10 billion, impose a carbon tax of more than \$20 billion and tax job creators to the tune of more than \$30 billion. That is obviously the socialist approach.

We have a very different approach on this side of the House, where we encourage job creation by lowering taxes.

[English]

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, the first step in tax denial is admitting that one has a problem.

If the Prime Minister or his cabinet do not get it, they should turn to pages 331 and 332 in their budget. The Minister of Finance said there would be no increases in taxes, and the Minister of State for finance said, "no one will find tax increases in this [budget]", but there they are, in black and white: billions in tariffs, \$205 million from credit unions, and taxes on bicycles and safety deposit boxes.

Can someone over there just get up, be truthful and admit that they are raising taxes?

• (1120)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government has lowered taxes by over \$3,000 for every Canadian family and household, yet every time we have done that, of course, the NDP votes against it. The NDP wants a \$10 billion increase in the GST, \$20 billion in carbon taxes, and \$30 billion in additional taxes for job creators and employers. What is amazing is, still, all of those taxes would not pay for all of the spending promises made by the NDP.

The reason Canada has such strong job creation and economic performance is we do exactly the opposite of the economic policies—

**The Speaker:** The hon. member for Halifax.

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**ETHICS**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, maybe the Conservatives should read their budget before they decide to vote for it.

A Public Service Commission report on the patronage hiring of Kevin MacAdam shows that this former staffer to the Minister of National Defence received preferential treatment. The rules were broken. Kevin MacAdam got ahead of the line because he worked for a minister. Other more qualified people were pushed out of the way.

Will the government admit that this was wrong?

*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the member knows very well that the Public Service Commission reported on this and found no wrongdoing by any political minister or staff. In fact, the government has followed all the recommendations of the Public Service Commission.

Let me return, for a moment, to taxes. I think what is particularly shameful about the NDP's approach is that the only time it stands up for taxes is when we are trying to close corporate loopholes and are trying to make sure that Canadian companies have a level playing field with producers from China. Only then does the NDP stand up. This high-tax policy is exactly the opposite of what Canada needs.

\* \* \*

[Translation]

**ELECTIONS CANADA**

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, in his report, the Chief Electoral Officer is asking for more investigative powers, additional penalties and fraud prevention tools.

The NDP made the same requests in its motion passed over a year ago and in the bill that I introduced because the Conservatives did not meet their own deadline.

When will the government finally take election fraud seriously and introduce a bill to strengthen the powers of Elections Canada?

[English]

**Hon. Tim Uppal (Minister of State (Democratic Reform), CPC):** Mr. Speaker, as I have previously indicated, the government is looking at reforms to its elections laws. We will consider these suggestions put forward by the Chief Electoral Officer, and that comprehensive proposal will be put forward in due course.

**Mr. Craig Scott (Toronto—Danforth, NDP):** “Will be put forward in due course”, Mr. Speaker. Clearly, the government has no interest in cracking down on electoral fraud and no interest in explaining their involvement in fraudulent election calls. It has failed to act on giving more powers to Elections Canada.

The minister has a responsibility to Canadians. The commissioner is calling for stiffer penalties for election fraud. Why is the Conservative government suddenly so soft on crime when the suspects are its own campaigners?

**Hon. Tim Uppal (Minister of State (Democratic Reform), CPC):** Mr. Speaker, talking about electoral fraud, it was the NDP that accepted hundreds of thousands of dollars in illegal donations from big union bosses. We have committed to looking at our elections laws and that comprehensive proposal will be put forward in due course.

\* \* \*

**INTERNATIONAL CO-OPERATION**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, Canada participated in the work of the United Nations to fight drought for two reasons: first, to help the poorest on earth avoid starvation; and second, to bolster our own ability to farm the dryland prairie.

Maniacal front-line cuts have killed PFRA, which had world-class Canadian brainpower on soil and water conservation. Conservatives vandalized community pastures, the prairie tree farm and the

Experimental Lakes Area. Now Canada is the only country in the world sneaking out the back door on the UN Convention Against Drought.

Why are Conservatives isolating Canada as a global delinquent?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the government always wants to ensure that all times our taxpayer money that is used for foreign aid and development is used effectively. In this case, this organization spends less than 20% of the funds that we send on programming. The rest goes to various bureaucratic measures. That is not an effective way to spend taxpayer money. Through fast-start financing and other means, we are making positive contributions to deal with these problems around the world.

\* \* \*

● (1125)

**ELECTIONS CANADA**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, Elections Canada cannot keep up with Conservatives breaking the law. It started with the in-and-out financing scam for which Conservatives were charged and pled guilty. Then Conservative Pierre Poutine generated robocall election fraud in as many as 200 ridings, still under investigation. Then came the perversions in Peterborough and the chronic cheating by Penashue in Labrador.

Elections Canada wants more investigators, more power to get evidence and stiffer penalties. Will it get what it needs to fight Conservative corruption?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, about robocalls, it is in fact the Liberal Party that is the party actually convicted on this matter. As concerns this, the government—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The right hon. Prime Minister still has the floor.

**Right Hon. Stephen Harper:** Mr. Speaker, it was only yesterday that the Chief Electoral Officer tabled his report with various recommendations on these matters. These recommendations will be strongly taken into account as the government moves forward in the not too distant future with comprehensive reforms on these matters.

[Translation]

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Mr. Speaker, Elections Canada just published a report on the electoral fraud committed by the Conservatives during the last election.



*Oral Questions*

In order to combat this Conservative fraud, Elections Canada is calling for a new law that would dramatically increase the sanctions imposed on fraudsters in order to maintain the integrity of our electoral system.

Will the Conservatives finally co-operate with Elections Canada, admit that they committed electoral fraud and commit to implementing the recommendations made in the report?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the reality is that we just received the report from Elections Canada yesterday.

The recommendations will be considered when we carry out our comprehensive reform of the system.

When it comes to electoral fraud, it is important to remember that the \$40 million that the Liberal Party stole from Canadian taxpayers has still not been recovered.

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Mr. Speaker, regardless of the scandal in which they are embroiled, the Conservatives always use the same strategy: they say that they are going to do something and then they drag their feet and hide behind their own red tape to justify their inaction.

They say that they are waiting for the subcommittee's report to review the potential membership of the commission, which will submit its recommendations on the same colour paper as the report.

It has been over a year since the Conservatives voted in favour of our motion to give the Chief Electoral Officer more authority.

What new, flimsy excuse do they have now for not doing anything about the fraudulent calls?

[*English*]

**Hon. Tim Uppal (Minister of State (Democratic Reform), CPC):** Mr. Speaker, in light of recent events, such as the NDP accepting hundreds of thousands of dollars in illegal donations from its big union bosses, we have agreed to look at reforms of election laws. The Chief Electoral Officer presented a report just yesterday, which was tabled. We are reviewing those recommendations and a comprehensive proposal will be put forward in due course.

[*Translation*]

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Mr. Speaker, it has been over a year since the Conservatives voted in favour of our motion. It is strange that they were prepared to rush the purchase of the F-35s, but it is taking them eons to tighten up the election rules.

I will tell you why they are dragging their feet. The reason is that they are experts in election scheming. Whether we are talking about the in and out scandal, patterns in the donations given by large engineering firms, fraudulent calls or illegal donations, every time there is a scandal, the Conservatives are involved. Canadians are fed up.

When will the Conservatives stop covering their own backsides and really do something about election fraud?

[*English*]

**Hon. Tim Uppal (Minister of State (Democratic Reform), CPC):** Mr. Speaker, a report was tabled just yesterday by the Chief

Electoral Officer and we are considering those recommendations to prepare our proposal on election laws. That proposal will be put forward in due course.

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**GOVERNMENT APPOINTMENTS**

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, Conservatives continue to make up stories. They fail to take responsibility. We now learn that senior ACOA officials fixed a hiring process so a political aide to the Minister of National Defence could get a job for which he was not qualified. He was hired because he was "a minister's staff member". It is blatant patronage, yet the minister fails to take responsibility.

Why did Conservatives break their promise to fight patronage? Why are they putting their government's partisan interests ahead of the interests of Atlantic Canadians?

● (1130)

**Hon. Gail Shea (Minister of National Revenue and Minister for the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, the independent investigation by the Public Service Commission did not find any evidence of wrongdoing or influence on the part of the minister or his political staff in the matter. ACOA has taken action on the recommendations of the Public Service Commission on this issue.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the minister's former aide was hired at a lucrative salary and given two years of paid French training in his home, yet the Conservatives say that they have done nothing wrong. This was patronage, clear and simple, just like Peter Penashue's former campaign manager, Reg Bowers, receiving a golden parachute on to the Newfoundland and Labrador offshore petroleum board.

How can Labradorians trust Peter Penashue when Conservatives treat Atlantic Canadian agencies like their own private patronage pasture? How can they trust a government that has failed to keep its promises of accountability?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, they can trust Peter Penashue because he is, has been and will be in the future, delivering for Labrador. He moved to help scrap the long gun registry, to protect the seal hunt, the polar bear hunt and to create thousands of jobs through the Lower Churchill project.

The reason the people of Labrador trusted him in the last election, and we believe will trust him in the coming byelection, is that he delivers for them.

*Oral Questions*

[Translation]

**INTERNATIONAL CO-OPERATION**

**Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP):** Mr. Speaker, once again, the Conservatives have completely isolated Canada from the rest of the world. Canada is withdrawing from the United Nations Convention to Combat Desertification, particularly in Africa. It is unbelievable. Canada has become the only country that is not participating in this collective effort.

In October, in Dakar, the Prime Minister said that we would not abandon Africa. Why has he gone back on his promise? Why is he abandoning the most vulnerable people on this planet?

[English]

**Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC):** Mr. Speaker, Canada does play a leadership role in advancing global food security and nutrition. Membership in this convention was costly for Canadians and showed few results. As the Prime Minister said, less than 20% of this agency's dollars actually funds projects.

We are focusing Canadian tax dollars where they can provide real results. For example, Canada has helped almost four million farming households in eleven African countries to access better seed varieties for these climates.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, instead of bailing, why do the Conservatives not try to fix it?

The facts are clear. The Conservatives are doing tremendous damage to our international reputation. We are talking about a \$350,000 contribution to mitigate drought, climate change and help fight famine. Instead, we have sent a message to the world that Canada is not serious about these issues.

Will the minister do the right thing and reinstate Canada's involvement in this important UN convention?

**Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC):** Mr. Speaker, we are making Canada's aid dollars more effective, focused and accountable. We are focused on results to deal with drought, rather than paying for conferences and salaries for UN bureaucrats. Recognizing the urgency of the situation in Africa in the last two years, Canada responded quickly and generously to both the drought in East Africa and in the Sahel region. We will continue to focus our assistance dollars on those who need it most.

\* \* \*

[Translation]

**TAXATION**

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I hope that in the future the Conservatives will demonstrate a bit of humility before giving lessons on how to behave on the world stage. This is a disgrace.

Yesterday, the Minister of State for Finance also put on a sorry spectacle in the House. He was unable to admit the truth, that the Conservatives' budget raises taxes on almost everything. From labour-sponsored funds to caisses populaires, hospital parking lots to bicycles, life insurance to small business, no one is spared.

Why is the Minister of State for Finance denying what is written in black and white on pages 331 and 332 of the budget?

● (1135)

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, our economic action plan 2013 continues on our plan of jobs, growth and long-term prosperity. It also continues on our plan of low taxes for Canadians. Through our low tax plan in consecutive budgets, we have reduced the tax burden on an ordinary family of four by over \$3,000. We have reduced 150 different taxes that help individuals and help businesses, which employ individuals.

I would encourage the hon. members to think about that when they are considering—

**The Speaker:** The hon. member for Victoria.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, if Conservatives cannot even read their own budget, it is no surprise they cannot listen to their own caucus.

The Minister of Finance said clearly last week that no one could find any tax increases in the budget. However, any Canadian could look at pages 331 and 332 of the budget and see with their own eyes billions of dollars in tax increases in black and white. Let me ask a very simple question. Could the Conservatives admit that they are raising taxes on, say, safety deposit boxes?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, a low-tax plan involves tax fairness, ensuring that everyone pays their fair share. A number of tax loopholes and aggressive tax planning are addressed in this budget.

I know the only plan of the NDP is to increase taxes and increase costs on Canadians. We will continue on a low tax plan, continue to help Canadians, help them get back to work and help them to enjoy a good life in this strong country that the NDP keeps trashing.

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, the Conservatives are making up budget facts and watching their own caucus disintegrate at the same time; very good. It is like the minister over there has not even read the budget. He is free, however, to borrow my copy and have a look for himself at pages 331 and 332. There he will find billions of dollars in Conservative tax increases very clearly laid out.

Will the minister now admit that he is raising taxes on thousands of everyday items and even making family, friends and patients pay for hospital parking?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, speaking of numbers, I remember when the NDP members came forward with their suggestions for the budget that had no numbers in it. Our budget has numbers and those numbers are what Canadians wanted to see.

*Oral Questions*

We have business associations across the country that are supportive of the measures we have put in this budget. We have individual groups across the country that have had their tax burden reduced. They are onside with what we are implementing in this budget. It is about time the NDP stops trashing Canada and support it.

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**ELECTIONS CANADA**

**Mr. Scott Andrews (Avalon, Lib.):** Mr. Speaker, yesterday, Elections Canada asked for more investigators to root out Conservative crime. Surely the member for Peterborough, the Parliamentary Secretary to the Prime Minister, would agree to fast-track this request as he remains under a cloud of deep suspicion for electoral fraud. The member has not showed up for an ethics committee meeting in almost 10 months.

Will the Prime Minister fast-track Elections Canada's request so there is a chance that his parliamentary secretary might show up to work again?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, the Parliamentary Secretary to the Prime Minister shows up to work every day and works hard on behalf of the people of Peterborough. We are proud to have him on our team. He is helping to deliver our low-tax plan for jobs and growth. He has delivered for his constituents back home in Peterborough. He has nothing to learn from the Liberals on working hard to deliver for his people.

**Mr. Scott Andrews (Avalon, Lib.):** Mr. Speaker, while ACOA employees were having their jobs cut, the Conservatives were breaking the rules to give one of their cushy cronies an appointment with ACOA. Like the disgraced Peter the cheater, ACOA has now been found guilty of improper conduct and Conservative cabinet ministers have their dirty little fingerprints all over it.

The Public Service Commission has confirmed that Kevin MacAdam got his job with ACOA illegally. Will the Prime Minister remove Mr. MacAdam and have ACOA officials drop its appeal and refer the matter to the director of public prosecutions?

• (1140)

**Hon. Gail Shea (Minister of National Revenue and Minister for the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, the independent investigation by the Public Service Commission did not find any evidence of any wrongdoing or influence on the part of the minister or his political staff in this matter. ACOA has taken action on the recommendations of the Public Service Commission on this issue.

\* \* \*

[*Translation*]

**OFFICIAL LANGUAGES**

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, will the minister guarantee that his official languages plan is not just a smokescreen to hide all the cuts in the departments, as was the case in the past?

Can he explain why the plan includes \$120 million essentially for English-language training of immigrants in English-speaking provinces?

And will he convince his colleague at Fisheries and Oceans Canada to abandon his ridiculous plan to close the Quebec City marine rescue sub-centre on April 15, given that the Halifax centre is in absolutely no position to provide proper services in French?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, the member has asked several questions.

I will just say that I am very proud today to table our action plan for official languages, the Roadmap for Canada's Official Languages 2013–2018. This shows our government's ongoing commitment to protecting, promoting and celebrating Canada's official languages. With our unprecedented commitment to the francophone and anglophone communities across the country and the record investments to protect and promote our official languages, we have done much to protect these interests, which are very important to Canada.

\* \* \*

[*English*]

**ABORIGINAL AFFAIRS**

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, last night another Conservative minister let his true feelings slip. This time the Minister of Aboriginal Affairs summed up the Conservatives' position on first nations relations as they should shut up and leave the Conservatives alone.

I have a better solution. The Conservatives should give meaning to their own words and follow through on the repeated promises for face-to-face, nation-to-nation negotiations. When will they take the necessary steps to fix this broken relationship?

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, the NDP continues to support the position and the likes of protesters who, yesterday in Winnipeg, shut down a first nation mother who was simply asking to have the same rights and enjoy the rights that every other non-aboriginal has in Canada, that is, accountability and transparency in the spending of tax dollars by their government.

Notwithstanding the opposition of the NDP, first nation members today enjoy that same right all across—

**The Speaker:** Order, please. The hon. member for Abitibi—Baie-James—Nunavik—Eeyou.

[*Translation*]

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, speaking of freedom of speech, a few members behind the minister would like to have it as well.

I do not know what the minister expected yesterday when he made a fuss about legislation that does not have unanimous support. The former Minister of Aboriginal Affairs did not do much. He did not listen to aboriginal peoples, but at least he did not come right out and tell them to shut up.

*Oral Questions*

When we talk about rebuilding a relationship with aboriginal peoples, we must do it with respect. The new minister showed yesterday that he was no better than the previous one.

I have a suggestion to make. Instead of changing ministers, why not change their tune—

**The Speaker:** The hon. Minister of Aboriginal Affairs.

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, that is coming from a member who says he belongs to Canada's first nation and who is rising to prevent and lessen the right of a woman—

**The Speaker:** Order, please.

The hon. Minister of Aboriginal Affairs and Northern Development has the floor.

**Hon. Bernard Valcourt:** Mr. Speaker, the members opposite do not like hearing the truth.

The fact is that this legislation, which received royal assent yesterday, gives all first nations members across the country the same right as all other Canadians with regard to all levels of government. It is the right to transparency and accountability on the part of their council.

For that reason, we believe that—

• (1145)

**The Speaker:** Order, please.

The hon. member for Esquimalt—Juan de Fuca.

\* \* \*

[English]

**HUMAN RIGHTS**

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, it is not just first nations who are waiting to get more respect from the government. The LGBTQ community also has reason to worry about the protection of our rights, seeing the Conservative priorities in this budget. The Conservatives are giving a \$6 million grant to Crandall University, a private institution that explicitly discriminates against gays and lesbians, prohibiting their employment.

Was the minister aware of this university's discriminatory hiring practices when he approved this grant?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we have a bill before Parliament right now on non-resident divorces that fixes some of the problems in the bill, which was originally introduced by the Liberal Party and supported by the NDP. Why does the hon. member not get up on his feet and get this bill passed so that it would benefit everyone?

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, there seems to be some confusion about who the minister is here. It is up to him to bring his legislation forward.

I will ask the same question again. On page 165 of the budget, the government highlights a \$6 million grant to Crandall University in Moncton. When public post-secondary institutions across the country have crumbling infrastructure, why are the Conservatives

giving \$6 million of public money to a private institution that bans the hiring of gays and lesbians?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, if the hon. member really cares about some of these issues, why does he not get behind the government legislation? The government has introduced this bill in Parliament. All it needs is the support of the opposition parties to move forward on this. The hon. member cannot talk out of both sides of his mouth. Either he supports this or he does not. If he does, let us get on with it.

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**MANUFACTURING INDUSTRY**

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Speaker, Canadian manufacturers are major contributors to our economy, employing nearly 1.8 million Canadians in a wide range of industries. With 60,000 jobs in research and development, it is the number one sector for direct foreign investment and accounts for well over half of our merchandise exports.

Can the Minister of State (Science and Technology) please tell the House how our government continues to be an active partner in helping our manufacturers innovate and compete in the global economy?

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, since 2006, our government has lowered taxes and made Canada the first tariff-free zone for manufacturing in the G20. We have reduced red tape. Economic action plan 2013 builds on these initiatives by providing more tax relief for new manufacturing equipment, supporting large-scale technology projects and helping businesses commercialize their products and find new markets. Our government will continue to help the sector grow, expand and create more jobs for Canada.

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**THE BUDGET**

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, budget 2013 is one letdown after another for British Columbians. The Conservatives are cutting infrastructure funding by over \$4 billion. They make no mention of public transit investment. They are slashing the homelessness partnership strategy by over \$15 million and they are even implementing new tariffs that make everyday goods more expensive. A tax by any other name is still a tax.

Why do the Conservatives insist on ignoring the needs of British Columbians?

*Oral Questions*

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, economic action plan 2013 is about jobs, growth and long-term prosperity. I am not sure how many times we have to repeat this for the opposition members to actually understand that. They seem to vote against every initiative that is put forward, whether it is helping the knowledge infrastructure, which was referenced in the previous question, that helps rebuild universities, the infrastructure that is needed, the infrastructure in all of our communities. This will impact every Canadian through improved infrastructure, the strongest and largest infrastructure program in Canadian history.

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**INFRASTRUCTURE**

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, last week, in their panic to ram a bitumen pipeline through to British Columbia's north coast, the Conservatives simply decreed that they would take over the Port of Kitimat. Rather than picking up the phone and talking with the local council or the Haisla Nation, the government parachuted in a minister from Toronto to make the announcement. There was no consultation, no respect, just bulldozers.

We see again the fundamental disrespect the government has for first nations here today. Now the Conservatives are scrambling, saying that they will consult after they have clearly made up their minds, the exact approach they take on the pipeline. When will the government start to respect the people of the northwest?

• (1150)

[Translation]

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities, Minister of the Economic Development Agency of Canada for the Regions of Quebec, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada, CPC):** Mr. Speaker, last week we announced the creation of an expert panel. These people will work together to think of how to improve things.

We have a very good system for dealing with oil spills. We will continue to move forward and keep everyone safe.

Canada has not had any major oil spills in its history. There is no need to scare people. We will continue to work on measures.

I thank all members of the panel led by Mr. Houston for their ability to find solutions.

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**HEALTH**

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, just because something has never happened before does not mean that it will never happen.

Environment Canada has been collecting data on air pollution in Limoilou for 20 years, including at the station on des Sables street in Vieux-Limoilou.

Environment Canada is a federal department. However, when I asked questions in the House about concentrations of nickel dust and health problems, the Minister of Transport dismissed questions from

me and my constituents. He said that I was scaring people and that it was not his responsibility.

Environment Canada has that information, so why have the Conservatives not made it public?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities, Minister of the Economic Development Agency of Canada for the Regions of Quebec, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada, CPC):** Mr. Speaker, what I was saying last week was confirmed yesterday. The Public Health Agency issued a press release saying that there was no reason for concern.

Yesterday, authorities from the Port of Québec met with two Government of Quebec ministers.

The port is an independent entity, but we are made aware of what is going on. We have been collaborating on this from the beginning. Everything he said last week was confirmed yesterday. They scared people for nothing.

Yesterday, the Public Health Agency and public safety officials confirmed that there was no danger to the public. The member should stop scaring people.

[English]

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, a report from physicians, the Lung Association, the Asthma Society and Pembina reveals significant health and economic costs from emissions from coal-fired power plants. Alberta's annual coal-fired emissions are forecast to result in a shocking \$300 million in medical costs, 100 premature deaths, 4,800 lost work and school days, and 700 emergency visits each year.

The federal Minister of Health has a mandatory duty, when this information comes to her attention, to act, so why is the Minister of Health turning a blind eye to the health impacts of coal-fired power?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, our government is well aware of the health hazards created by the coal-fired electricity generating sector. The regulations that we brought in last year significantly reduced not only greenhouse gases but other toxins. They help us to meet our 2020 Copenhagen emission reduction target, and we are also working with the provinces on a new reduction of industrial emissions through the air quality standards agreement reached with the provinces last November.

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**TELECOMMUNICATIONS**

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, with Wind Mobile up for sale and Shaw selling its spectrum to Rogers, we will be seeing less competition in the cellphone sector. The Minister of Industry's only response is to beg continually for more foreign investment, but the rules he has created do not help. The minister had a chance to increase competition and expand rural coverage through this fall's spectrum auction, but he failed to do so.

*Oral Questions*

Why should Canadians have to pay higher cellphone bills because of his incompetence?

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, wireless services are changing our families, our work and our economy. We are very proud of that. Our government has worked very hard to increase competition in the Canadian wireless sector to improve the choices and reduce prices for Canadian families, something the Liberals are obviously much against.

Canadian families work hard for their money. Our government is ensuring that they have access to the wireless services that they need for their families and their businesses.

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**LIBRARY AND ARCHIVES CANADA**

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, my question concerns Library and Archives Canada.

After essentially cutting it to the bone last year, a lot of the soul of Library and Archives Canada is now absent. In the wake of that, there were protests. In the wake of that, we had a code of conduct put on members of Library and Archives Canada.

The Canadian Library Association calls it infringing “unnecessarily on the personal activities and opinions of public servants beyond the workplace”. It also refers to “duty of loyalty” to the duly elected government.

Will the minister please go to LAC and say “Look, you cannot do this. It is a ridiculous thing to do. You cannot silence the—

• (1155)

**The Speaker:** The hon. Minister of Canadian Heritage and Official Languages.

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, first of all, as I have said before, the code of conduct that was put in place was put in place by Daniel Caron, the president of Library and Archives, with no consultation with me.

If my hon. colleague has questions about that, he might want to bring him before the committee. Among the questions he might ask Daniel Caron is whether or not he agrees with this process, because it was in fact in 2004 under Bill C-11 that the Liberals mandated that crown corporations have these codes of conduct.

If he does not agree with the idea of these codes of conduct, perhaps he might take an opportunity to invite some former Liberal cabinet ministers before the committee to condemn them for suggesting this very policy.

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**HUMAN RIGHTS**

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, earlier in question period we gave the Minister of Justice not one but two opportunities to apologize for his government's funding of a private university with homophobic, explicitly homophobic, hiring policies.

Again we offer the government the chance to condemn this reprehensible use of public funds to support an institution with archaic and outdated practices.

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I am going to give the NDP another opportunity.

I will tell it in this House what I have already told it. We introduced Bill C-32, the bill that was introduced originally by the Liberals in this area. We are correcting the mistakes that were made in that, mistakes that were supported by the NDP at the time.

I said this to the NDP, and I will say it publicly. If it is sincere about moving forward on this, let us get this bill passed at all stages. Why does the member not do that? Why does he not stand up and support that? Let us do it.

\* \* \*

**GASOLINE PRICES**

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, gas prices have gone up a whopping 39% under the government's watch, but it still refuses to crack down on collusion and price gouging.

For years, we have been calling for an independent ombudsman to finally put an end to these ripoffs, but the Conservatives have done nothing. Canadians keep getting ripped off at the pumps, especially on long weekends.

Why are the Conservatives refusing to act? Why are they opposed to an ombudsman or regulations that would finally protect Canadians from price fixing?

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, our government has helped Canadians keep more of their hard-earned tax dollars.

We have reduced the GST from 7% to 6% to 5%. The opposition voted against that. We strengthened the powers of the Competition Bureau and brought in the Fairness at the Pumps Act.

When Competition Bureau officials find evidence of behaviour that violates the act, they themselves do not hesitate to bring in law enforcement.

The NDP, on the other hand, is trying to bring in a \$21 billion carbon tax.

\* \* \*

[*Translation*]

**OFFICIAL LANGUAGES**

**Mr. Royal Galipeau (Ottawa—Orléans, CPC):** Mr. Speaker, Canada is a bilingual country, and our government is determined to ensure that Canadians can communicate with the federal government in the official language of their choice.

*Oral Questions**[English]*

Our government's road map for linguistic duality in 2008 produced real results for our official language communities, *a mari usque ad mare*.

*[Translation]*

Could the Minister of Canadian Heritage and Official Languages tell the House how our government is continuing to offer daily support, both today and for the future?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, I would like to thank the member for his question. He is a true champion of official languages in Canada.

*[English]*

Today I was very pleased to put forward our government's five-year road map for Canada's linguistic duality. Five years of commitment by this government have resulted in real results for Canada's official languages community.

As Graham Fraser, the Commissioner of Official Languages, said, the road map is getting results for Canadians.

Marie-France Kenny, head of the Fédération des communautés francophones et acadienne du Canada, thanked the Government of Canada for defending the interests of francophone and Acadian Canadians.

Our road map is about educating young Canadians on the value of Canada's official languages, supporting new Canadians and building—

**The Speaker:** The hon. member for St. Paul's.

\* \* \*

**ABORIGINAL AFFAIRS**

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, appallingly, only one-third of aboriginal youth are finishing high school. Students attending schools on reserve are funded at an average of two-thirds of the rate in the provincial systems. This week we learned that in Saskatchewan, it is often only half.

In a modern economy, access to jobs and even skills training requires math and reading skills. Will the minister stop denying the gap, finally close the gap or continue to exclude aboriginal youth from Canada's economy?

● (1200)

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, it is surprising to hear such a statement when the member will not even support the budget that is investing hundreds of millions of dollars to provide those aboriginal Canadians with the skills they need.

The fact of the matter is, first of all, that the premise of her question is totally false. We invest in the education of aboriginal students at an amount equivalent to what the provinces do. However, that is not the issue. We are consulting right now with first nation stakeholders and Canadians on providing them with a legislative framework for an education system that would produce results. The Liberals should support it.

*[Translation]***EMPLOYMENT**

**Mr. Jean-François Larose (Repentigny, NDP):** Mr. Speaker, 2013 is a very difficult year for my riding of Repentigny. Two thousand jobs have been lost because Mabe and Electrolux have closed down. This is having a negative impact on families. Some people have even tried to commit suicide.

For years now, people have been working very hard to find solutions to help workers. Easter is approaching; it is a time for families.

Is the Minister of Human Resources finally ready to sit down with us and discuss how we can help these workers?

*[English]*

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, the minister has informed me that she has discussed this matter with the member. She has directed Service Canada to work with the employer in the local community to provide what support they can. Information sessions have been scheduled to provide details, benefits, programs and support services for the constituents in this riding. There is a community group that has been established with government representation, and we plan to work together to help the members of this community.

\* \* \*

**SUCCESSION TO THE THRONE**

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, the Canadian Crown plays an integral part in Canada's unique history and is central to our institutions of government. We have always lived under a crown, whether under the French crown originally or today under the English Crown.

The Crown has helped make Canada one of the most stable and enduring democracies on earth. Canadians have a deep and historic connection with our royal family. Can the Minister of Justice please inform this House of the effects that Bill C-53 would have on the line of succession?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I am happy to report that the Succession to the Throne Act received royal assent yesterday. The legislation will end the practice of placing male heirs ahead of their older sisters in the line of succession. It will also mean that heirs to the throne who marry Roman Catholics will remain eligible in the line of succession.

These changes will ensure that the Crown evolves to reflect Canadian culture and values. Canadians are proud of the Crown, and we are proud of this legislation.

*Business of the House***EMPLOYMENT**

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Mr. Speaker, young adults in Toronto face an unemployment rate almost three times higher than other adults. Tuition fees are rising, students are drowning in debt and food and housing costs are increasing faster than incomes. Yet Conservatives offer no answers and no help, only repackaged old programs from a government that has run out of ideas.

When will the Conservative government listen to young Canadians, and will it work with New Democrats on finding real solutions for youth unemployment in the GTA?

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, this government is putting job creation and training in the hands of individuals who are job creators and employers. There are too many jobs that are going unfilled in Canada because employers cannot find workers to fill those roles.

We have the Canada jobs grant and our initiatives with respect to apprentices, and we are moving forward on 5,000 new internships for post-secondary education individuals. This is what we are doing. We are creating jobs and opportunities for young Canadians.

I encourage the NDP members to get on board instead of raising taxes. They should get with our jobs plan.

\* \* \*

[*Translation*]

**INTERGOVERNMENTAL RELATIONS**

**Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matapédia, BQ):** Mr. Speaker, in January, just before Parliament resumed, the Minister of Industry claimed that the government would negotiate pragmatic agreements with the Government of Quebec in good faith.

With the adoption of the budget, which penalizes Quebec in particular, I have a question for him. Where is the negotiation on the labour program that will deprive Quebec of millions of dollars? Where is the negotiation on abolishing the tax credit for labour-sponsored funds? Where is the negotiation on the tax increase for Caisses populaires Desjardins, which will reduce the dividend given to every member in Quebec?

What happened to good faith?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities, Minister of the Economic Development Agency of Canada for the Regions of Quebec, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada, CPC):** Mr. Speaker, since being elected, we have said that we would work on things that bring us together. The hon. member's party wants to separate Quebec from Canada. That is not what we want. The Bloc may want that, but we are going to continue to work hard to have a very strong Quebec within a united Canada.

I have started to have discussions with our provincial colleagues. We will continue to work very hard while respecting jurisdictions, but we are not going to put on the show that the Bloc wants. Quebecers are fed up with the same old bickering. We are going to build the future.

● (1205)

**POINTS OF ORDER**

## ORAL QUESTIONS

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, when answering my question earlier, the Minister of Aboriginal Affairs and Northern Development said, "...that is coming from a member who says he belongs to Canada's first nation...".

I would like to give the minister the opportunity to correct what he said, because he is casting doubt on my aboriginal ancestry, which I am very proud of. Moreover, there is not just one first nation—

**Some hon. members:** Bravo.

**Mr. Romeo Saganash:** As well, he knows that there is not just one first nation in Canada.

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, I had no intention of calling into question the member's integrity or identity. I extend my deepest apology if he was offended by my remarks.

The only point I was trying to make is that if we truly care about the plight of Canada's aboriginal peoples and first nations—as I concur that there is more than one—we should work together in a positive fashion and support measures in that regard.

\* \* \*

**BUSINESS OF THE HOUSE**

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I have the honour to rise and ask the Leader of the Government in the House of Commons the usual Thursday question about what is on the agenda for the week after the break. I look forward to hearing what he has to say about his legislative agenda.

[*English*]

We also look forward to the break from Parliament to return to our constituencies and the work that awaits us there.

Mr. Speaker, on behalf of the official opposition and all New Democrats, I would like to wish you and your family and all my friends across the way a happy Easter. I would also like to wish a restful long weekend to all of the hundreds of staff who support all members of Parliament in our daily work. Their work is invaluable and much appreciated.

In particular, I would like to wish my friends across the way a peaceful break from caucus deliberations.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I thank the opposition House leader for his very kind, thoughtful and sensitive comments and concern for our welfare over here.



This afternoon, we will continue the third reading debate on Bill S-9, the nuclear terrorism act. This will be the third time that the bill has been debated at third reading. In the previous two days that it was debated, we actually heard from the comments of the New Democrats that they were quite supportive of the bill and that they called for it to be passed without delay. We are asking them to heed their own advice and allow this matter to come to a vote. The government shares the view that it does need to proceed quickly. If we do care about giving people a safe and peaceful Easter now and in years to come, we certainly want to have this kind of legislation in place to protect Canadians and ensure their peace from nuclear terrorism. I hope the NDP will back up those words and allow a vote to occur.

[Translation]

Monday, April 15, when we return from the time in our constituencies, will be the first opposition day of the new supply period where I understand we will debate a motion from the NDP.

Tuesday, April 16, will be the second opposition day, and I understand we will debate a motion from the Liberals.

[English]

On the Wednesday of that week, the House will return to second reading debate of Bill S-2, the family homes on reserves and matrimonial interests or rights act. The bill would finally provide the legal protections for the women on reserve that they have lacked for far too long. This discrimination should not exist. That is why aboriginal people and even the Manitoba NDP have been calling for the passage of Bill S-2. I would hope that the federal NDP would heed that call and allow a vote to take place, giving aboriginal women rights regarding matrimonial property.

If debate on S-2 concludes, the House will then debate at report stage Bill C-15, the strengthening military justice in the defence of Canada act. I believe that this is also very close to the finish line.

[Translation]

Following that, we would consider Bill S-12, the Incorporation by Reference in Regulations Act at second reading. Thursday, April 18, will be another opposition day for the NDP.

Before I conclude, let me wish all the MPs and the parliamentary staff a happy Easter.

\* \* \*

● (1210)

[English]

## PRIVILEGE

### QUESTIONING OF COMMITTEE WITNESS

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, although the question of privilege I am about to raise happened at committee, I raise it with you because I believe the actions of government members have severely affected my ability to do my job as a member of Parliament in this place by, in effect, limiting who may be willing, and I emphasize the word “willing”, to come forward to committees as witnesses. I will explain why the emphasis is on the word “willing”.

## Privilege

As a member of this place for almost 20 years, I saw what occurred yesterday at the Standing Committee on International Trade as a shameful display of a direct attempt to smear, through implication and innuendo, a witness asked to testify at that committee.

During the course of the meeting, five witnesses testified. As his opening line of questioning, the member for Kelowna—Lake Country, who is a privy councillor, asked only one witness, Professor Gus Van Harten, who is affiliated with the Osgoode Hall Law School, to name his political affiliations and donations to political parties.

I specifically note that the suggestion to the committee that it hear from this witness in relation to its study of a Canada—India trade agreement was submitted to the committee, according to the clerk of the committee, by me as Liberal international trade critic and also by the member for Vancouver Kingsway. In other words, this witness was suggested by members of opposition parties.

I raise this matter in the House for the simple reason that the conduct of government members yesterday could well impede my ability as a member of Parliament in having witnesses I propose willing to appear before any committee of this place. After reading the proceedings of yesterday's Conservative inquisition, prospective witnesses I or any other member of any opposition party propose to any committee could well reconsider appearing before a committee because they may be subject to such a disgraceful interrogation on issues that have nothing whatsoever to do with the issue before any committee. This, I would submit, is nothing more than an effort at intimidation of prospective witnesses.

Do we now need to warn witnesses whom opposition members invite to committee and who expect to testify on specific issues that they could be subject to an inquisition by Conservative members related to their personal lives, related to their political affiliations or related to their religious beliefs? That is most certainly what happened yesterday and where we may be going. It was apparent in the line of questioning by the member for Kelowna—Lake Country that a substantial amount of research on Mr. Van Harten had been done by the government in preparation for the meeting yesterday.

This is from the blues of that meeting. The member for Kelowna—Lake Country said:

Now I just have a list of about eleven times in the last couple of years you've donated to the NDP.

Someone went to a lot of trouble to research Mr. Van Harten. Whether it was the member for Kelowna—Lake Country is irrelevant. It certainly was a government investigation. I note as well that neither the member for Kelowna—Lake Country nor any other Conservative member of the committee asked any other witnesses appearing before the committee that same kind of question.

I now draw the Speaker's attention to the following reference found on page 1,068 of O'Brien and Bosc, *House of Commons Procedure and Practice*, second edition, 2009. It states:

There are no specific rules governing the nature of questions which may be put to witnesses appearing before committees, beyond the general requirement of relevance to the issue before the committee.

*Privilege*

The issue before the committee was that of examining a comprehensive economic partnership agreement, or CEPA, with India. Mr. Van Harten was asked to appear on this issue in relation to the ongoing matter of a foreign investment agreement that is currently under negotiation with India.

● (1215)

The question posed by the member for Kelowna—Lake Country had nothing whatsoever to do with the issue before the committee. It was done for the purpose of attempting to discredit the testimony of the witness, to impugn the testimony of the witness, to place on the record an innuendo that somehow the political affiliation of the witness taints the testimony he provides. The nature of the question, which remains on the permanent public record, was done with the purpose of maligning the witness.

Mr. Speaker, I would hope you will at the very least consider my point of privilege and give some thought to how you could use your good offices to ensure the kind of disgraceful and maligning interrogation of a witness invited to present before a committee of this House never occurs again.

Simply put, what happened at committee smacks of McCarthyism. If I am to ask witnesses to come, do I have to tell them that their lives, their political affiliations and their families are going to be investigated by the Conservative research department and they may be attacked by the Conservative attack machine at committee?

That is where this goes. I raised the question myself with another witness, and said I raised it in jest: who did they contribute to?

Mr. Speaker, I raise this point with you today because I think if you look at the records of the committee yesterday, you are going to see a terrible deterioration in terms of how committees operate and in terms of how questions are asked of witnesses. I think that kind of research into their lives and that interrogation will even jeopardize some witnesses from coming before committees.

If it is at the ethics committee and it is related to a political situation, fine, but this happened at a committee in which we were discussing Canada-India trade. I think it is wrong and I just ask you, Mr. Speaker, to use your good offices to look at this and come up with at least some suggestions so that this does not happen again. I think it is unfair, and it jeopardizes the availability of certain witnesses we may want to invite before committee. It is plainly wrong.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, it is with some regret, but also hope, that I rise to speak on the question of privilege raised by the member for Malpeque.

I say “regret” because in Canada, in 2013, I believe we should not need to address the issue of a politician publicly grilling a witness appearing as a guest of Parliament on his or her beliefs, memberships or donations. It is not a stretch to name this practice for what it is: a shameful act of McCarthyism that should properly be a relic of an intolerant and undemocratic past.

I say “hope” because the discussion today gives parliamentarians an opportunity to commit themselves to a better future, one with a higher standard of conduct for parliamentarians and with renewed respect for Canadians.

This discussion on a higher standard of conduct has also been raised just this morning by my colleague from Skeena—Bulkley Valley, who stood in this House to talk about the duty parliamentarians have to truly represent and respect their constituents.

No party in this House can say it has an unblemished record and claim to have never questioned witnesses appearing before committees of Parliament about their partisan activities or beliefs, but I believe this in every case has been regrettable and wrong.

Witnesses appear before committees at the invitation of the committees and do Parliament the honour of sharing their experience, expertise and perspectives. It is interchangeably disrespectful and indeed counterproductive to this process to try to discredit those witnesses by making their personal beliefs or activities a source of attack.

Like the hon. member for Malpeque, I also agree that it is fundamentally irrelevant to the question at hand.

If we endorse processes that make testifying before committee a prying inquiry into matters of personal behaviour, we risk driving away necessary and helpful voices from our deliberations—

● (1220)

**Mr. Gerald Keddy:** This guy should not have started it—

**The Speaker:** Order, please. If the hon. member for South Shore—St. Margaret's wants to contribute to this point, I would be happy to give him the floor, but I will do so when the member for Vancouver—Kingsway is done.

**Mr. Don Davies:** Mr. Speaker, in Canada and in every democracy, citizens have every right to hold political opinions and express those views by participating in all facets of the political process. In many ways this right is a very personal one and worthy of protection and respect.

As we sit on the verge of the Easter weekend, let us reflect on the lesson of redemption that this solemn weekend presents. As we set to commence a two week break, let us reflect on how we as parliamentarians can make this place a better one. As elected representatives of the people, let us commit to strengthening our democracy and renew our respect for those cherished rights of political freedom that are the cornerstones of our nation. Let us each commit to a better standard of conduct. We, the official opposition New Democrats, will certainly do our part.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, more and more often when I get up in the House, there is a recurring theme. It is me responding to the opposition and asking why they are continually on a sanctimonious high horse saying “Do as I say, not as I do”.

*Privilege*

Today's point of order falls four-square in exactly the same category. The concern is that a question was asked about someone's partisan affiliation, suggesting that perhaps the person's involvement in politics had tainted the credibility of the witness's opinion. It goes to the credibility as a witness. It speaks to the motive and why the witness is saying because of particular beliefs. That may or may not be valid.

However, those who are complaining of that today have engaged in exactly that practice, in exactly that committee, in exactly this Parliament. They did not rise on a point of order when that happened. The New Democrats did not get up and say "Hold it, one of us made a grave mistake and did something terribly wrong. Let's rise above it and do better now". No, they rise and complain when someone else does to them the exact same thing they do again and again. It is sanctimony of the highest order and we are hearing it today.

The fact is, at this very committee, in this Parliament, there was a witness who appeared and a member of the opposition asked this question of the witness, "Are you the one who was a candidate in 1993 for the Conservative Party?" It was an inquiry into the person's background. Obviously, the NDP felt it was worthy of drawing attention to a partisan affiliation, albeit one that is two decades old, as a way of trying to effect the credibility of that witness and to say what was said say had no value.

At the same committee, following that lead in example and practice, a member of the Conservative Party did the same when another witness appeared. All of a sudden it is worthy of a point of order. Never before had it been.

We have had a year and a half since then for the New Democrats to seek into their own souls for a concern about this, to inquire and seek redemption. However, they do not seek redemption until they see the same thing happening to them. One way or another, however we slice it, where I come from, where my constituents are, that is what they call hypocrisy. That is what they call "Do as I say, not as I do".

I appreciate that now we may be on a different path. Maybe now the New Democrats want to exclaim a truce and say that it is alright for us to them to take shots at us, but as soon as we take shots at them "let's all disarm". That may be how they want to play the game. We will find out.

What I have heard right now is that it is alright for us to be criticized as a government and for supporters of the government to be criticized, but God forbid we should ever criticize anyone on the opposition side. That is crossing the line. That is bad when it comes to members' statements. That is bad when it comes to questions in the House of Commons in question period, Now it is bad for conduct at committee. That speaks for itself. It speaks to the quality of those members judgment and how they conduct themselves and their consistency and principles.

As for the actual rules in this case, they are clearly established. The practice of committees and the procedures at committees are decided by those committees. In this case, we have a really good situation because what the opposition members were doing was in the exact same committee. The conduct they complain of was the

conduct they were undertaking in that committee. It is appropriate for that committee to deal with the question and resolve it.

As my staff likes to say on frequent occasions, "You know the references, they're in that green book" and the green book says that these are matters for the committees to determine themselves.

• (1225)

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I will make my intervention blessedly short. Perhaps the government House leader has not understand what we are seeking to do, so I will repeat it for him now. I am quoting from my friend just minutes ago, "No party in this House can say that they have an unblemished record and claim to have never questioned a witness appearing before committees of Parliament about their partisan activities or beliefs. But I believe this in every case is regrettable and wrong".

Let us allow the accusations of sanctimony and hypocrisy to die down just a little. If this is in effect the affairs of a committee, and I am sure you may be of some similar opinion, Mr. Speaker, let me offer this for the government House leader. If his party is willing to stand down on this practice that we equate much too close to McCarthyism, then we will do the same. We in fact will go one further and I will commit to report to my caucus that I will ask that we never use this practice again. There may be some mistakes made, but those will not be by intention. They will be by our efforts to sincerely attribute some respect to the place, that is the House of Commons and the committees that we strike.

I wonder if the government House leader would like to commit to the idea of this being a no-go zone in terms of committee members asking questions of witnesses who we invite, as members of Parliament in front of the committee, and we think this is reprehensible practice and unfortunate, as my colleague said in his statement. If the government House leader agrees with me and will so instruct his members to say that this is not a subject we should approach trying to undermine and undercut the credibility of witnesses if they have ever made a donation or ever run for one of the political parties, then we absolutely will cross the floor and shake hands and say that this shall be the practice of the House and all the efforts and influence that we can make on the members of the official opposition.

In the spirit of the season, redemption is in fact possible. We said as much in our statements. I am sure the government House leader will enthusiastically jump to his feet and support such an effort by all members of the House, so when we invite witnesses to the committees, that we treat them with the respect they deserve.

**Hon. Peter Van Loan:** Mr. Speaker, in the spirit of the season and in the spirit of truth telling, there is a difference. When the member gets up and says that the government is guilty of McCarthyism and then makes an oblique reference to perhaps other parties at some time having done something wrong, that is not the spirit of the season. That is not reconciliation. That is not reaching out his hand.

I welcome the member's kind spirit that he offers here, but the fact remains this is a question for the committee, and I hope we will see the same spirit reign at committee.

*Privilege*

**The Speaker:** I have heard from several members now on this issue. While there is no doubt members feel strongly about some of the practices that may have happened at committee, members do know that committees have chairs to enforce the rules of the committee and to make decisions about decorum and proper proceedings at committee. Until there is a report back to the House, there is really nothing for the Speaker to delve into.

Although the member for Malpeque encouraged me to use my good offices to address this concern, of course, until the procedures are followed and the committee has reported back to the House, the Speaker does not play a role in that. While all this discussion is very interesting, unfortunately for the member for Malpeque who feels aggrieved of this, there is nothing the Speaker can do at this time. I rule that there is not a question of privilege properly before the House to rule on.

The Chair has notice of other interventions on the question of privilege raised on March 26 by the member for Langley. I will hear first from the hon. member for Kitchener Centre. I will hear him and then the member for New Brunswick Southwest.

• (1230)

S. O. 31

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** Mr. Speaker, I do indeed rise to speak to the question of privilege raised by the member for Langley and discern the following two very important issues.

First, does Standing Order 31 give a right to every member equally to make a statement or does Standing Order 31 give a right to make a statement only to the party whip and his or her designates?

Second, does Standing Order 31 give you as Speaker the right to deny a member the opportunity to make a statement because you disagree with the content of it? If you as Speaker do not have the right to deny a member the opportunity to make an S. O. 31 statement for such a reason, how could you delegate such a prerogative to any whip or anyone else?

Delegating the right to deny what the Standing Order gives to members is altogether different from delegating mere administrative assistance to the whips.

If Standing Order 31 gives every member the equal right to make a statement, except for usual reasons relating to unparliamentary conduct, surely the House would need to amend the Standing Orders if the House wanted to restrict such statements to only the whips and their designates.

Before proceeding, I offer two qualifications to my remarks. The first is that I have no personal knowledge of the facts on which the member for Langley raises his point of privilege. I have never been refused my place in the rotation of private members' statements, so I leave it to you, Mr. Speaker, to determine the facts of the member for Langley's case from the record before you.

My remarks will be based on the premise that a member has been denied the opportunity to make a member's statement pursuant to S. O. 31 for no other reason except that his whip did not agree with his point of view. As such, this issue transcends the case of the member for Langley and transcends party boundaries.

I heard in fact that a former NDP member reported to the media that the NDP whip or leader refused him an S. O. 31 opportunity for similar reasons. I am quite certain that this is possible in every party.

The Liberal member for Papineau expressed concern about empowering members of Parliament. I am sure many will no doubt be deeply disappointed if he does not intervene on this point to urge you, Mr. Speaker, to empower MPs in this matter now that the opportunity has arisen for him to do so.

I am sure that the member for Langley himself really would not care very much about losing a mere 60 seconds of airtime. I am convinced that his concern is not simply about his 60 seconds but about the democratic governance of the House.

Many Canadians have voiced concerns that members of all parties are becoming mere proxies for party leaders. Is that phenomenon now extended even to 60-second statements?

Such democratic safeguards are more important than any single issue, even that of abortion. Such democratic safeguards also transcend partisan boundaries.

My second caution is that I do not hold myself out as an expert in the arcane precedents which govern the interpretation of the Standing Orders. I caught some of the remarks of the member for Edmonton—St. Albert on this issue. He seemed to be doing a good lawyerly job of reviewing the effect of those precedents. To that extent, I agree with and adopt his submissions.

My remarks on the other hand will be simply based on a common sense reading of Standing Order 31.

After having practised law for almost 30 years, I am well aware of how arcane precedents can lead one away from a common sense interpretation and even away from the very spirit of the enactment in question. However, I hope the precedents in this matter do not have such an unfortunate result with you, Mr. Speaker.

I have three observations to the first of the two questions I have discerned in this, and that is does Standing Order 31 give an equal right to every member to make a statement or does it give a right to make a statement only to the party whips and their designates?

First, Standing Order 31 itself clearly does not say that only a whip and his or her designate may be recognized. To my knowledge, that proposition has never before even been proposed until the government whip rose to speak to the member for Langley's question of privilege.

• (1235)

The practice whereby the Chair is guided by lists provided by party whips surely cannot compel the Speaker to deny a member the opportunity to speak, which Standing Order 31 itself provides to the member. Surely an administrative aid cannot now be cited as support for negating the Standing Order itself. If the House wishes to amend Standing Order 31 to limit opportunities to speak to only party whips and their designates, surely the House would give that direction to you through the ordinary process of amending the Standing Orders. Surely such as an important amendment cannot be accomplished by stealth, without any debate or vote.

Second, I understand from the commentary in O'Brien and Bosc that Standing Order 31 apparently replaced previous opportunities for members to move motions in the House. Did the House really intend to remove every member's right to make a motion and not at least give, in return, every member the right to make a mere 60-second statement? It seems to me that it was a quid pro quo at that time. That bargain having been made cannot be unmade now without an amendment to the Standing Order sanctioned by the whole House.

Third, I understand that even independent members are offered the opportunity afforded by S. O. 31. They are not recognized as parties in the House and have no recognized whip. Are they offered S. O. 31 statements merely as designates of some other party's whip? I suggest not. Rather, they are offered S. O. 31 statements in their own right as members, since that is what S. O. 31 provides to every member equally.

As to the second question, does Standing Order 31 give you, as Speaker, the prerogative to deny a member the right to make a statement simply because you disagree with the content of it? It seems obvious to me; I find no evidence that you possess such a tyrannical and anti-democratic prerogative to deny a member the right to make a statement simply because you disagree, as Speaker, with the content of it. In fact, the commentary in O'Brien and Bosc suggests that only a very limited list of reasons entitles you to disallow a member's S. O. 31 statement.

This is my next question. If you do not, as Speaker, possess such a tyrannical, anti-democratic prerogative, then how can you delegate it to anyone else, party whip or otherwise? Further, if you were to insist that you do have such a prerogative, the effect would be to make you and your opinion about statements more equal than any other member of Parliament or their opinion, to purloin a phrase from George Orwell. To delegate such a power to anyone else would make that member more equal than any other member of Parliament. I have to wonder if that is really what we have come to in this Parliament.

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, I wish to join the debate on the matter raised by the member of Parliament for Langley regarding speaking rights in the House. I am going to turn to a number of reference documents, so if the House will bear with me, I will try not to sound or look too much like a professor flipping through volumes quickly.

From O'Brien and Bosc, we begin with:

Members are expected to show respect for one another and for viewpoints differing from their own; offensive or rude behaviour or language is not tolerated. Emotions are to be expressed verbally rather than acted out; opinions are to be expressed with civility and freely, without fear of punishment or reprisal. Freedom of speech is one of the most important privileges enjoyed by Members of Parliament.

I will turn now to some of these privileges.

O'Brien and Bosc, on page 60, states:

The classic definition of parliamentary privilege is found in *Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament*:

*Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively...and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals.*

### *Privilege*

...The rights and immunities accorded to Members individually are generally categorized under the following headings:

The first is freedom of speech.

Page 212 reads:

Members sit in the House of Commons to serve as representatives of the people who have elected them to that office....

*The member of parliament represents his constituency through service in the House of Commons.*

Later we find:

The privileges of the Commons are designed to safeguard the rights of each and every elector. For example, the privilege of freedom of speech is secured to Members not for their personal benefit, but to enable them to discharge their functions of representing their constituents without fear

It goes on.

Privilege essentially belongs to the House as a whole; individual Members cannot claim privilege insofar as any denial of their rights, or threat made to them, would impede the functioning of the House.

I would put to the House that this is where we are.

I would like to turn next to a report that really is the genesis of the S. O. 31, or the member's statement. It is the third report of the special committee that dates back to 1982. There is one paragraph I will draw your attention to, sir, and I quote it, although I will jump through it and not read the whole thing. This is effectively what it says:

Under the new recommended procedure the 15 minutes preceding the question period will be reserved for Members...to raise matters of concern for the purpose of place them on the record.... Every Member recognized by the Chair would be given a maximum of one minute

I will just highlight. It is members that are "recognized by the Chair". That is to say, you, Mr. Speaker.

Later we see, in debates, that the hon. Yvon Pinard, and I think this captures the intention of this reform, stated:

I hope that the Chair, mindful of the intent of the committee report, will recognize Hon. Members without any regard for party affiliation and that the time available will be equally distributed between both sides of the House.

Then if we turn quickly to page 423 of O'Brien and Bosc, just to summarize where we are at today, 30 years later:

The opportunity to speak during Statements by Members is allocated to private Members of all parties. In according Members the opportunity to participate in this period, the Chair is guided by lists provided by the Whips of the various parties and attempts to recognize those Members supporting the government and those Members in opposition on an equitable basis.

● (1240)

Others who have gone before me, in particular the member for Edmonton—St. Albert, have given a good overview of how those rules are to be interpreted today. However, my point to you, Mr. Speaker, is that rules and conventions cannot trump parliamentary privilege. That is to say that whether the situation in which we find ourselves today evolved to where it is or was actually passed and can be found in the Standing Orders is irrelevant, simply because anything that comes along that blocks or impedes members from acting on their rights ought to be placed out of order. Blocking any MP from delivering a statement, known as an S. O. 31, is a violation of a privilege or right.

*Routine Proceedings*

You, Mr. Speaker, recognize MPs. You do not do so through any other authority or any other institution. We have heard the analogy to a hockey game and who decides who plays and who does not, but I put it to you that the decision was made by voters. They chose who would be on the ice in this House of Commons.

If we were to accept the analogy and that the Speaker does not decide, and I urge you not to, it would mean that the Speaker does not have the ultimate authority to recognize members. That actually goes against the entire set of rules, laws and institutions that govern this House.

What is being proposed by that flawed analogy is that in addition to removing the right of MPs to speak, your authority is extinguished. It suggests that there is a higher authority. I ask you, Mr. Speaker, whether you are prepared to yield this ground.

Earlier, one of my hon. colleagues in the House further expanded on this analogy and likened this to a house league, saying that we all ought to have equal time on the ice. That is an apt analogy.

I will go in a different direction, which I think is a better one. I view this Parliament as the NHL, the top league in terms of law-making in this country, and the government is the Stanley Cup champion. It wins, in large part, through team discipline.

Parties have great authority and great powers. They can rotate members in and off committees. The whip can cajole and intimidate. Ultimately, these teams can decide who will sit on the team and who will not. However, the teams do not decide who is able to speak in this House.

I believe that there are limits that have been crossed that involve removing speaking rights and that suddenly now involve veto rights over who is able to be recognized as a member of Parliament.

Earlier today we heard from the opposition House leader. He very nearly missed the point. His focus was on decorum. That is something I think all members of Parliament would like to see improved. Let us not forget that even the opposition party has begun to move into territory where S. O. 31s are being used by the opposition similarly. The opposition whip picks and chooses who will speak. I believe that one out of every five is used in this manner.

The point that was nearly missed, and the House leader came through on the end, was that in addition to decorum, this also involves our democratic principles. If the Speaker reinforces the authority of members of Parliament by reaffirming their right to speak and the Speaker's right to recognize them, we will together strengthen democracy in this chamber and the power of representation. In turn, I believe, decorum will be improved. This brings me to my final point.

•(1245)

Mr. Speaker, your review of the S. O. 31 and how it is governed will logically take you into another area, and that involves question period and how you recognize members.

There is a wonderful daily spectacle in Westminster of MPs bobbing up and down hoping to catch the Speaker's attention. The Speaker uses a combination of judgment and skill to select members to speak, and that could include party affiliation, the region the

member comes from, the rural-urban balance, gender and ethnicity. These are the balls the Speaker must juggle in determining who will be recognized. On that, I would like to recite few lines from a book called, *How Parliament Works*, 6th edition, authored by Rogers and Walters. On the Speaker's power of the chamber, on page 50, it says:

First...there is *the power to call MPs to speak in a debate or to ask a question*, described by Speaker Thomas as his most potent weapon. [Of course] Speakers strive to be fair to every MP...

Later, regarding questions in the commons, it states on page 337, that question period is:

—one of the main opportunities for back-bench MPs on all sides of the House to pursue and expose issues, and to get the government of the day to put information on the public record. The very existence of parliamentary questions, and the opportunities that they provide for the representatives of the people to question the government of the day, are of constitutional importance. Their effectiveness has always been down to the tenacity and skill of individual MPs; but whether the system can survive the strains that are now being put upon it is also in the hands of MPs generally.

I feel like that last line is perhaps foreshadowing the decision that you face here, Mr. Speaker.

On that note, as I ask you to expand your review of this question to not just consider S. O. 31s but questions in the House, I would remind you again, sir, that rules and convention cannot trump a parliamentary privilege, a right. What we have seen over the last 30 years has all happened very slowly. To use an analogy, it is a bit like a frog in a pot of water: if we toss a frog in hot water, it will quickly recoil and jump out, but if we slowly increase the heat, the frog will not jump out. Instead, the increasing heat will eventually kill it.

As I said, Mr. Speaker, I propose that your review go further and that you are guided both by your judgment and authority on these questions and yield to no one.

•(1250)

**The Speaker:** I thank both the member for Kitchener Centre and the member for New Brunswick Southwest for their comments on this question as I continue to study it.

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## ROUTINE PROCEEDINGS

[English]

**Hon. Peter Van Loan:** Mr. Speaker, I believe that, because routine proceedings was delayed without a clear indication of the time, the Treasury Board secretary will be back shortly to table the reports on plans and priorities. I would appreciate it if we could return at that time, with the consent of all, to that item.

\* \* \*

## COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the 21st report of the Standing Committee on Justice and Human Rights in relation to Bill C-394, an act to amend the Criminal Code and the National Defence Act (criminal organization recruitment).

•(1255)

[Translation]

The committee has studied the bill and has agreed to report the bill back to the House with amendments.

[English]

PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, pursuant to Standing Order 104 and 114, I have the honour to present, in both official languages, the 46th report of the Standing Committee on Procedure and House Affairs regarding membership of committees of the House. If the House gives its consent, I intend to move concurrence in the 46th report later this day.

I also have the honour to present, in both official languages, the 47th report of the Standing Committee on Procedure and House Affairs. Pursuant to Standing Order 92(3)(a) the committee reports that it has concurred in the report of the Subcommittee on Private Members' Business arising that the M-408 item of private members' business should be designated non-votable.

**The Speaker:** Members will recall that Standing Order 92(4) allows the member for Langley to appeal the decision of the Standing Committee on Procedure and House Affairs within five sitting days of the presentation of the report we have just received.

[Translation]

Given that Motion No. 408 will come up for debate in the House prior to the end of the appeal period, I would ask the table officers to drop this item of business to the bottom of the order of precedence. The hon. member for Langley has been so advised.

[English]

On Monday, April 15, 2013, private members' hour will thus be cancelled and consideration of government orders will start at 11 a. m.

\* \* \*

[Translation]

PLANS AND PRIORITIES

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, I have the honour to table, in both official languages, on behalf of 93 departments and agencies, the reports on plans and priorities for 2013-14.

\* \* \*

[English]

COMMITTEES OF THE HOUSE

VETERANS AFFAIRS

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, there have been consultations and I believe you will find unanimous consent for the following travel motions. I move:

That seven members of the Standing Committee on Veterans Affairs be authorized to travel to Washington, D.C., United States of America, in the Spring of 2013, for the purpose of inquiring about programs and benefits offered to veterans by Veteran

Routine Proceedings

organizations, Government and NGOs and to visit the Walter Reed National Military Medical Center, and that the necessary staff accompany the Committee.

(Motion agreed to)

FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, I move:

That in relation to its study on the Organization of American States (OAS) and Canada's Engagement in the Americas, eight members of the Standing Committee on Foreign Affairs and International Development be authorized to travel to Washington, D.C., United States of America, in the Spring of 2013, and that the necessary staff accompany the Committee.

(Motion agreed to)

PUBLIC SAFETY AND NATIONAL SECURITY

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, I move:

That in relation to its study on the Economics of Policing, six members of the Standing Committee on Public Safety and National Security be authorized to travel to Calgary, Alberta, and Prince Albert, Saskatchewan, in the Spring of 2013, and that the necessary staff accompany the Committee.

(Motion agreed to)

PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, I move that the 46th report of the Standing Committee on Procedure and House Affairs presented to this House earlier today be concurred in.

(Motion agreed to)

\* \* \*

•(1300)

PETITIONS

SEX SELECTION

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, it is a great honour to rise on behalf of hundreds of constituents in the riding of West Vancouver—Sunshine Coast—Sea to Sky Country who condemn what they call a reprehensible practice, which targets baby girls for female gendercide.

It is particularly important, given that the motion introduced by the member for Langley may not be heard in the House, that their voices be heard on the matter.

THE ENVIRONMENT

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusking, NDP):** Mr. Speaker, I am pleased to table another petition with respect to requesting to restore the Great Lakes water level. The petitions are signed by many people from Manitoulin Island, including Silver Water, Michael's Bay, Ice Bay, Bay of State, Kagawong, Sheguiandah, Tehkummah and Sagamok. Sagamok is not on Manitoulin, but these people are also concerned because the water level affects them as well. The petition is also signed by people from North Bay, Lively, Sudbury, Corbeil, Hamilton and Ohsweken, among others.

*Routine Proceedings*

The petition talks about the fact that since 1999, the water level in Lake Huron has dropped four to five feet, with no sign of rebounding 13 years later. As we can imagine, the economic impact of such a drop is serious as these communities rely a lot on tourism, cottaging and boating. As for their day-to-day activities, some of the homeowners are having difficulties with their water lines as well.

They are asking the Canadian federal ministers of natural resources, environment, fisheries and transport to increase their efforts significantly to halt and reverse the ongoing loss of water from the Great Lakes basin in general and the Lake Huron-Michigan-Georgian Bay-North Channel basin in particular.

ELECTIONS CANADA

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is with pleasure that I bring forward a petition today signed by many of my constituents and other people from Winnipeg. They are calling upon the government and members of Parliament to immediately enact legislation that will give Elections Canada the ability to restore public confidence in Canada's electoral process.

This is most interesting given the report yesterday in which Elections Canada clearly indicated that it needs more ability to compel testimony, among other things.

THE ENVIRONMENT

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, it is with pleasure that I present a petition signed by Canadians from Toronto and all over northern and southern Ontario requesting that the Canadian federal ministers of natural resources, environment, fisheries and transport increase their efforts significantly to halt and reverse the ongoing loss of water from the Great Lakes basin in general and the Lake Huron-Michigan-Georgian Bay-North Channel basin in particular.

The ongoing loss of water has resulted in a drop of four to five feet in water level, with no sign of rebounding and it has caused serious economic, health and safety concerns to the residents of these areas.

\* \* \*

**QUESTIONS ON THE ORDER PAPER**

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, the following questions will be answered today: Nos. 1183, 1185 and 1186.

[Text]

Question No. 1183—**Mr. Kevin Lamoureux:**

With regard to the Prime Minister's statement in the House of Commons on Wednesday, January 30, 2013, when he stated that "job creation and economic prosperity are our top priorities. In fact, the Canadian economy has created more than 900,000 net new jobs since the end of the recession. That is the best record of all G7 countries." (a) what is the statistical breakdown of the job numbers that support those claims; (b) for the period from July 1, 2009, to March 1, 2013, out of the 900,000 net new jobs the government states have been created, how many of the positions were filled by temporary foreign workers, (i) how many were part-time positions (fewer than 30 hours per week), (ii) how many were indeterminate positions (permanent, full-time), (iii) how many were specified term contracts positions (contracts of six months or less), (iv) what percentage of the positions paid above minimum wage, (v) how many jobs were lost during that period; and (c) for the period from January 1, 2006, to March 31, 2013, how many net new jobs were created, (i) how many of the positions were filled by temporary foreign workers, (ii)

how many were part-time positions (fewer than 30 hours per week), (iii) how many were indeterminate positions (permanent, full-time), (iv) how many were specified term contracts positions (contracts of six months or less), (v) what percentage of the positions paid above minimum wage, (vi) how many jobs were lost during that period?

**Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC):** Mr. Speaker, with regard to (a), please be advised that due to 50,700 net new jobs created in February 2013, Canada's economy has now created over 950,000 net new jobs since July 2009. This represents the strongest job growth among G7 countries over the recovery, as the employment gain over the recovery in Canada represents an increase of 5.7%, which is above the U.S., 4.4%; Germany, 3.6%; the United Kingdom, 3.2%; Japan, 0.5%; France, 0.5%; and Italy, where employment is still declining.

With regard to (b), additionally, more than 90% of all jobs created since July 2009 have been in full-time positions, and close to 80% are in the private sector. Moreover, more than two-thirds of the new jobs are in industries with above-average wages, above \$23.65 per hour in 2012. Less than 9% of all jobs created since July 2009, or 82,800 positions, have been in part-time positions.

With regard to (c), since January 2006, close to 1.5 million net new jobs have been created in Canada, which also represents the strongest job growth among G7 countries over that period. Of these jobs, 75% are full-time positions and 70% are in the private sector and in high-wage industries. In contrast, 25% of all jobs created since January 2006 have been in part-time positions.

The information referenced above is outlined in the publicly available labour force survey from Statistics Canada. To further familiarize themselves with the labour force survey, members may consider visiting <http://www.statcan.gc.ca>.

The labour force survey does not collect data related to temporary foreign workers.

Question No. 1185—**Hon. Denis Coderre:**

With regard to advertising by the government during the broadcast of the Academy Awards on February 24, 2013: (a) what was the total cost for advertising; and (b) what was the cost for each advertisement shown?

**Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC):** Mr. Speaker, with regard to (a), the Government of Canada purchased airtime during the broadcast of the 85th Academy Awards on CTV—one 30-second spot for Finance Canada's economic action plan campaign and two 15-second spots for Canada Revenue Agency's tax relief measures campaign. The network aired one additional 15-second tax relief ad free of charge.

With regard to (b), the Government of Canada does not disclose information about the specific amounts paid for individual ad placements or the amounts paid to specific media outlets. This information is considered third party business sensitive and is protected under subsection 20(1) of the Access to Information Act.



*Routine Proceedings*

Question No. 1186—**Hon. Bob Rae:**

With regard to the program that has government employees visiting recipients of Employment Insurance: (a) what is the rationale for this program; (b) when was this program created; (c) what are the specific locations the program is being run from; (d) what is the process by which these locations were chosen to do the house calls; (e) what is the total cost to taxpayers of this program, including the total cost for all travel and meal expenses for each employee; (f) which program activity does the funding for this program come from; (g) was any document review, literature review, expert and key informant interview, survey, case study, qualitative or quantitative analysis, or cost-effectiveness analysis conducted to support creating the program, and if so, what are the details of these documents; and (h) what scripts, instructions or guidelines did each employee of this program use?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, with regard to (a), as part of its mandate, Service Canada's Integrity Services branch undertakes various measures to ensure the integrity of programs, including performing random reviews of client files to validate the accuracy of client information and to ensure that clients continue to receive the right benefits, at the right time, for the intended purpose. Employment Insurance, EI, claimants have a responsibility to meet the eligibility requirements as set out in the Employment Insurance Act and Regulations. Failure to meet the said requirements may result in overpayments and penalties.

With regard to (b), for more than 40 years, Service Canada has had an integrity function, which has played an ongoing role in ensuring that clients receive the benefits to which they are entitled. A specific review, referred to as the employment insurance stewardship review, started in January 2013 and will end in March 2013.

With regard to (c), 1,200 EI claimants from across Canada were randomly selected. Integrity Services staff are assigned to work on these files throughout the country.

With regard to (d), the 1,200 EI claimants from across Canada were randomly selected.

With regard to (e), this review is considered part of the ongoing operations for Integrity Services.

With regard to (f), EI integrity operations are funded from the EI operating account.

With regard to (g), review activity conducted by the Integrity Services branch is based upon a wide range of best practices and experiences. Specific considerations for the development of the EI stewardship review include analysis of past activities internal to the department, such as the stewardship review for Canada pension plan and old age security performed in 2010; review of best practices from other countries via membership in the Six Countries Fraud International Consortium, now known as The Windsor Arrangement for Mutual Co-operation on Benefit Fraud between the Heads of Department of the Six Countries; and partnership with the Office of the Auditor General to develop and initiate measurement of payment accuracy.

With regard to (h), departmental investigative methods and materials used to conduct this work are classified Protected B and are not available for distribution.

[English]

### QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, if Questions Nos. 1108, 1170 and 1225 could be made orders for return, these returns would be tabled immediately.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 1108—**Mrs. Sadia Groguhé:**

With regard to the May 29, 2012, announcement of the closure, to the public, of the visa section of the Canadian Consulate General in Buffalo: (a) how many permanent resident visa applications were transferred to Ottawa (i) in total, (ii) broken down by type of visa application, including Federal Skilled Worker, Quebec Skilled Worker, Provincial Nominee Program, Federal Investor Program, Self-employed Class, Quebec Business Class, Canadian Experience Class, Entrepreneur Class, Permanent Resident Class, Family Class, and other classes of application; (b) how many of the total permanent resident visa applications that were transferred to Ottawa have been fully processed as of (i) May 29, 2012, (ii) June 29, 2012, (iii) July 29, 2012, (iv) August 29, 2012, (v) September 29, 2012, (vi) October 29, 2012, (vii) November 29, 2012; (c) how many of the permanent resident visa applications that were transferred to Ottawa have been fully processed, broken down by type of application including Federal Skilled Worker, Quebec Skilled Worker, Provincial Nominee Program, Federal Investor Program, Self-employed Class, Quebec Business Class, Canadian Experience Class, Entrepreneur Class, Permanent Resident Class, Family Class, and other classes of application; (d) how many of the total permanent resident visa applications that were transferred to Ottawa have been fully processed as of (i) May 29, 2012, (ii) June 29, 2012, (iii) July 29, 2012, (iv) August 29, 2012, (v) September 29, 2012, (vi) October 29, 2012, (vii) November 29, 2012; (e) how many of the total permanent resident visa applications that have been transferred from Buffalo to Ottawa required medical examination results; (f) of the total permanent resident visa applications that have been transferred from Buffalo to Ottawa that required medical examination results, (i) how many more exceeded the 12-month validity period of the medical examination results, (ii) how many more can be reasonably expected to exceed the 12-month validity period of the medical examination results; (g) what kind of provisions has or will Citizenship and Immigration Canada make for permanent resident applicants that have seen the validity of their medical examination results expire as a result of the delays in processing that have arisen from the transfer of applications from the Buffalo to the Ottawa office, in particular for those applicants that already have a job waiting for them and in general for other applicants; (h) how many calls and emails has the department received regarding the delays that have resulted from the transfer of applications from the Buffalo to the Ottawa office, broken down by (i) inquiries regarding the status of an application due to delays in applications processing, (ii) complaints regarding the status of an application due to delays in applications processing; and (i) what is the value of Budget 2012 cuts reflected in the closure of the Buffalo office in (i) personnel reductions, measured in full-time equivalence, (ii) service level impacts?

(Return tabled)

*Government Orders*Question No. 1170—**Mr. Justin Trudeau:**

With regard to overseas tax evasion for the period from February 6, 2006 to September 30, 2012: (a) how many Canadians have been identified as having undeclared overseas bank accounts; (b) how many accounts have been identified; (c) how many identified Canadians have availed themselves of the Voluntary Disclosure Program (VDP) with the Canada Revenue Agency (CRA); (d) how many identified Canadian accounts have settled with the CRA; (e) how much money has the CRA assessed as a result of investigating these secret overseas bank accounts (i) in unpaid taxes, (ii) in interest, (iii) in fines, (iv) in penalties; (f) how much of the money in (e) has been collected; (g) how many of the cases are under appeal; (h) how many cases remain open; (i) how many more cases does the CRA anticipate will be opened; (j) how many cases have been closed (i.e. the full amount of taxes, interest, fines and penalties has been collected); (k) how much money in (j) has been collected (i) in unpaid taxes, (ii) in interest, (iii) in fines, (iv) in penalties; (l) how many account holders in the cases have made partial payment; (m) of the partial payments made, (i) what was the largest amount, (ii) what was the smallest amount, (iii) what was the average amount; (n) how much does the CRA anticipate it has yet to collect (i) in taxes, (ii) in interest, (iii) in fines, (iv) in penalties; (o) of the amounts of money contained in overseas accounts declared or discovered by CRA (i) what was the largest amount, (ii) what was the smallest amount, (iii) what was the average amount; (p) how many of the identified Canadians with overseas bank accounts (i) have had their account(s) audited, (ii) have had their account(s) reassessed, (iii) have been the subject of a compliance action; (q) how many of the identified Canadians with overseas bank accounts (i) have not had their account(s) audited, (ii) have not had their account(s) reassessed, (iii) have not been the subject of a compliance action; (r) how many tax evasion charges were laid; (s) has the government made any changes to the VDP in the past 24 months; (t) how many Canadians have been convicted of tax evasion; and (u) how many Canadians have been convicted of tax evasion related to money and other assets held overseas?

(Return tabled)

Question No. 1225—**Mr. Scott Andrews:**

With regard to the March 11, 2013, announcement regarding broadband improvements for Labrador communities, what are all the costs associated with the event, including (i) writing, translating, and transmission of press releases, (ii) printing, (iii) production of backdrops, banners, or other visual material, (iv) travel and accommodation for any participants, (v) rental of equipment or facilities, (vi) any other costs?

(Return tabled)

[English]

**Mr. David Anderson:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

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## GOVERNMENT ORDERS

[Translation]

### NUCLEAR TERRORISM ACT

The House resumed from March 18 consideration of the motion that Bill S-9, An Act to amend the Criminal Code, be read the third time and passed.

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for Manicouagan has eight and a half minutes left for questions and comments.

The hon. member for Chambly—Borduas.

• (1305)

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, unfortunately, I missed my colleague's speech because of the House schedule.

I would still like to ask him a question, which I believe gets to the heart of what we are trying to do with this bill.

While this issue is a challenge for our country, it still involves international treaties and commitments we have made regarding those treaties.

I would ask him to speak about how we hope that this bill is a signal that Canada will begin to do more to honour its international commitments.

I would also like him to demonstrate how our international reputation is waning and how the NDP's vision is quite different.

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, I thank my colleague for his question.

I will start with an international perspective and a familiar example. If Canada extracts uranium from the soil and exports it, Canada must bring the radioactive and nuclear waste back in the end. This is a real problem, especially if we take into account the lax approach and other problems we are seeing right now, as I mentioned in my speech.

Currently, it is almost impossible for humans to contain this waste. This is a really hot topic in Quebec right now that senior officials in Quebec are discussing, perhaps at this very moment.

It remains a highly controversial industry, and governments must make significant efforts in this respect. We are left with some real questions here.

[English]

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, I am interested in my hon. colleague's comments about the appropriateness of government bills coming through the Senate. Of course we are happy that the government is addressing this, but we are a little concerned that it came through Senate. I know it is an issue of interest and concern to our party, the official opposition, and I am very interested in the member's comments on that.

[Translation]

**Mr. Jonathan Genest-Jourdain:** Mr. Speaker, I thank my colleague for his question.

My position on the Senate is shared by a number of my colleagues. We know that an almost air-tight seal surrounds all the discussions there. We also know that partisan behaviour is behind all of it. I am not saying that I have studied all these ideas specifically, but I know quite well that these individuals are not elected and are, in fact, appointed. This is about political capital and these are, first and foremost, partisan positions.

I am highly dubious of the relevance in 2013 of submitting such bills that could have a major impact to a House—in this case, the Senate—made up of people who, at the end of the day, benefited from favouritism.

*Government Orders*

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I would like to thank my colleague for his speech and his informed answers.

With respect to international affairs, it is well known that the New Democrats are in favour of multilateral diplomacy rather than the very limited, and even simplistic, bilateral negotiations the government prefers. I spoke about this at the Standing Committee on International Trade.

After adopting this bill, we will still have to move forward and ratify the agreement that brought about this bill, and also implement measures to address it.

Does my colleague believe that the government will take appropriate measures after adopting Bill S-9?

**Mr. Jonathan Genest-Jourdain:** Mr. Speaker, I thank my colleague for his question.

Here are my thoughts. I am aware of and have seen the pernicious effects of lobbies and how they presently have the ear of this Conservative government. I would say that there are very powerful lobbies behind the nuclear movement. I would also say that there is a very strong likelihood that the hands of some people are definitely tied because there is great interest in growing the economy at any cost. This growth is always based on the exploitation of natural resources as the sole agent and driver of Canada's economy.

Once this bill is adopted, there will be waffling: people will pussyfoot around, take a step back and then take a step forward. I guarantee that over the next few years, there will be backpedalling and pussyfooting around because of the undue influence of a number of lobbies and special interest groups in Canada.

• (1310)

[*English*]

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, this is one of the bills put forward by the government through the Senate, unfortunately, that deals with the Criminal Code of Canada, and the current government has touted itself on being tough on crime or making changes to the Criminal Code. However, when we review the history, it is not a very progressive agenda.

In fact, there are numerous actions that the Conservatives have taken over the past little while that would speak to the fact that they are not actually trying to prevent crime in this country. In particular, I am referring to the recent reductions in funding to the RCMP and, in particular, reductions in funding to the native reserves for their policing.

Can you comment on whether this is as important as that to the people of Canada?

**The Acting Speaker (Mr. Barry Devolin):** I will not comment on it, but perhaps the hon. member for Manicouagan will.

[*Translation*]

**Mr. Jonathan Genest-Jourdain:** Mr. Speaker, I want to thank the hon. member for the question.

As he said, cuts have been made to service delivery and services to the public, and also to environmental assessment.

The Conservatives claim to be tough on crime.

I would say that adding these new provisions to the Criminal Code will cause problems. I am speaking from the point of view of a criminal lawyer. I still like to think of myself as one, even though I do not currently practice law. I know that some of my clients who were not in full control of their faculties would utter threats left and right without necessarily being in a position—especially physically—to carry out those threats. A number of those clients, who had mental health issues, might threaten to use nuclear devices even though such devices are not available to the average citizen.

Canada's complacency towards environmental assessment might please the mining lobby and very specific individuals, but it exposes Canadians to serious threats, including in the nuclear industry in terms of monitoring waste storage sites. This is currently a serious problem.

The potential for nuclear terrorism is right under our noses, here in Canada.

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I am very honoured to follow the hon. member for Manicouagan, who is sitting beside me, but who will likely have to leave the House to attend to business. I wish him a happy Easter weekend.

Before I begin, I would like to indicate that I will be sharing the time I have been given to speak about Bill S-9.

I am trained as an archivist and historian, and I have been interested in history and international issues for a long time now. To put Bill S-9 into context, it is important to understand that, in the late 1980s and early 1990s, we moved fairly quickly from a very polarized world to one that was more fractured. Previously, the world was relatively simple to understand and keep in balance. The two major powers that divided the world were making extraordinary efforts to acquire nuclear weapons. They had the means to use them, but they also had to deal with the related security issues.

Now we live in a more fractured world. Among the sovereign states, there are states whose sovereignty is more or less assured, as well as states that are completely disorganized. What is more, there are groups throughout the world in possession of nuclear weapons. Their ability to act is difficult to assess, but they are scattered throughout the world.

This fractured world has created additional hazards, security hazards related to the possession, handling and use of nuclear material. As a result, it is particularly appropriate and vital—I would even go as far as to say urgent—to consider a bill such as Bill S-9, which makes it possible to take measures related in part to Criminal Code amendments.

I would like to talk about some of these measures. A number of my colleagues have already spoken very eloquently on the subject. Nevertheless, I am going to spend much of my time talking about the methods used and the impact, since those are the most important factors. In fact, this was my pet topic when I had the honour of being a member of the Standing Committee on Justice and Human Rights. It was a wonderful opportunity to talk about, understand and learn more about how Canada's Criminal Code works.

*Government Orders*

We fulfill our responsibility for implementing effective and comprehensive measures through bills. Yet that is far from the only method that can be used. In fact, as I have said before, when you come right down to it, a bill alone is nothing more than a marketing ploy that gives the appearance of solving all the problems, if there is no way of implementing it. In reality, a law without the means to act, without the means to be implemented, can be completely powerless.

Our legislative system is one of the pillars of our society, of our democracy, but it is not the only one. That is why the judicial system is completely independent. This system acts with the legislative system to enforce legislation. The judicial system obviously cannot be effective and productive without police forces, without the tool society has developed to investigate and understand what goes on in society. We obviously need courts to try people who are accused of planning or committing crimes that threaten our society.

As my colleagues and I have said, our responsibility is greater because the bill is associated with a multilateral treaty.

• (1315)

As a country that is rich and advanced and has an excellent international reputation on nuclear issues, Canada has a much bigger responsibility to implement nuclear measures. We must also act as a leader. We must at least reach out to help less fortunate or less advanced countries that have a nuclear liability or legacy meaningfully and effectively address the situation.

This situation is far from benign. A fractured world has given rise to more opportunities. The circle of nations that are developing nuclear weapons or that have nuclear facilities—either for energy production or research—has expanded a lot in the past 20 or 30 years. The so-called threat has expanded, and we have to pay attention because it remains a reality.

Canada has pulled out of the multilateral anti-drought convention. The government sent a rather strange message. It would be funny if it were a joke, but this message is just bad. This could cause our allies, the world community, to lose trust in us, even if we pass Bill S-9.

I cannot help but speak to the economic consequences of implementing Bill S-9. As a member of the Standing Committee on Finance, I will not hide the fact that I am concerned by the current dynamic. The government has no qualms about blindly cutting left, right and centre.

I am very concerned about the fact that this may well be a useful bill that would give us the potential means to deal with a threat of nuclear terrorism. Unfortunately, it will be practically unenforceable because the government will not have taken the measures to secure sites and draft protocols.

I am also concerned about management and planning. Management is not necessarily the government's strong suit, as it has amply demonstrated over the past seven years. I have no idea how the urban legend about the Conservatives being good managers came to be.

A tree is known by its fruit. Up to now, that fruit has been mostly rotten tomatoes, which Canadians do not find very appealing. The Conservatives do not have a very good record. I have often felt sick

to my stomach because of some of the decisions this government has made.

I jest to lighten the mood, but that does not change the fact that it is essential that the government give research institutions, universities, existing and even private facilities the means to truly ensure that we can prevent theft or any type of nuclear threat in our society.

We also need to be able to arrest people who could use a nuclear threat to terrorize the public or to retaliate on behalf of a cause. Certain causes may be fundamentally just, but with the world the way it is, even just causes can be perversely and deviously manipulated and threaten lives.

• (1320)

[English]

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, I am curious specifically about the member's riding. Chalk River has spent nuclear fuel that it will be transporting back to the U.S. under an agreement we reached the last time Mr. Obama was here, I believe, or around that time. There have been concerns raised about the safety of transporting it like that and the risk of somebody trying to intervene and steal it.

As this is weapons-grade fuel, I am wondering what the reaction has been in the member's riding.

[Translation]

**Mr. Raymond Côté:** Mr. Speaker, I thank my colleague from Hamilton East—Stoney Creek very much for his question. I particularly thank him for bringing up that point of view.

Among the five federal ridings in Quebec City, the Beauport—Limoilou riding has the distinctive feature of containing three of the five major hospitals in the region. Hospitals are potential threats because they still make significant use of radioactive material and there are safety standards related to the use of such material.

The government's massive cuts to health and other transfers to the provinces could threaten the management of this risk. Not to mention that all this radioactive material could be diverted for use in poisoning large numbers of people. It might not kill them, but it could pose a threat and frighten people, thereby paralyzing public authorities, governments and average citizens. This could be petty crime, and not just far-reaching and large-scale terrorist crime.

• (1325)

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I want to pick up on the last question.

The member made reference to the medical use of isotopes. We need to recognize that within Canada we do use nuclear materials. Hydro is one company or organization, and there are other stakeholders out there. Our provincial governments are somewhat involved in terms of the monitoring that takes place.

My question to the member is this. Can he provide his thoughts on the importance of the Government of Canada developing a plan because of the threat of potential local terrorist activities? Also, how important is it that it takes stock of or knows of the potential targets in Canada? What is it doing to minimize the potential threat of terrorist actions, even here in Canada, underlining the importance of working with the different stakeholders in particular and different levels of government?

[Translation]

**Mr. Raymond Côté:** Mr. Speaker, I thank my colleague from Winnipeg North for his question, which I find fairly ironic. Like him, I agree on the importance of having a plan, but what good is it if we do not have all the means to implement it?

I find it ironic coming from a member of a party that, back in the day of the Jean Chrétien and Paul Martin governments, made massive cuts in transfers to the provinces. In other words, he is from a party that shovelled its deficit onto the backs of the provinces, thereby weakening, for lack of resources, the capacity of the provinces and related institutions, including health and higher education institutions, to manage and secure sites and to implement some kind of plan.

Yes, we need a detailed plan, but without the resources to implement the plan, it has no more actual value than a bill that cannot be implemented for lack of resources.

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I am always pleased to ask my hon. colleague from Beauport—Limoulu a question.

Given that this is the second day that we are studying this bill at third reading stage and that neither he nor his NDP colleagues have given any reason why we should not take action to ensure nuclear safety, why does the hon. member believe that we should wait some more before taking action and passing this bill?

This bill will allow Canada to fulfill some very important national obligations and address a very urgent global challenge. We have yet to see an act of nuclear terrorism, but without the measures proposed in this bill, Canada is exposed to certain risks.

**Mr. Raymond Côté:** Mr. Speaker, I thank my esteemed colleague for his question.

I will answer in another way. I hope he took the time to listen to my speech. After passing Bill S-9 relatively quickly, we will have to implement it and meet our international obligations. However, Bill S-9 will not be enough. I hope that the member was listening carefully.

Will the government implement measures to ensure that Bill S-9 is not just a document that is not worth the paper it is written on? We have to be able to secure sites and have adequate police resources to deal with this famous terrorist threat. Above all, the provinces must be able to use radioactive material in a safe manner.

### *Private Members' Business*

●(1330)

**The Acting Speaker (Mr. Barry Devolin):** It being 1:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

[English]

### QALIPU MI'KMAQ FIRST NATION BAND

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.)** moved:

That, in the opinion of this House, in relation to the enrollment and registration process for the Qalipu Mi'kmaq First Nation Band, the government should commit: (a) to completing the enrollment and registration process for all applicants who applied on or before November 30, 2012 by agreeing to extend the 2007 Agreement for the Recognition of the Qalipu Mi'kmaq First Nation Band beyond March 21, 2013 until all such applications are processed; (b) to ensuring that the rules of eligibility for membership are followed by all government decision makers in any continuation of the enrollment process; (c) that all previous interpretations, precedents and rulings on matters affecting enrollment that were not specifically addressed within the 2007 Agreement but were established instead through the records of decisions made by the Enrollment Committee and the Appeals Master be made known to all participants in any future enrollment process and that the decision makers in any future enrollment process be instructed to guide their decisions in a manner consistent with such previous interpretations, precedents and rulings; (d) to the same standard of evidence as well as the same thresholds for the quantity and quality of information that was previously deemed acceptable by the Enrollment Committee, for the remaining 75,000 unprocessed applications to the Band; (e) that an independent Appeals Master will continue to be employed in any future enrollment process for the assessment of the remaining 75,000 applicants and that this person will be drawn from outside of government, from outside of the Federation of Newfoundland Indians and from outside of the Qalipu Mi'kmaq First Nation Band and that this Appeal Master will be vested with the same powers and authority and be drawn from the same legal and administrative background as the previous Appeals Master to ensure consistency with the rules and standards established under the previous enrollment process; (f) to maintaining all existing memberships, except in cases where fraud can be established that is material to the application; and (g) to ensuring that no eligible applicant who submitted an application in good faith prior to the November 30, 2012 deadline is disenfranchised from enrollment.

He said: Mr. Speaker, thank you for giving leave to present my motion, Motion No. 432.

In 2007 the Prime Minister of Canada came to a small community on Newfoundland's west coast to personally announce that negotiations between the Federation of Newfoundland Indians and the Government of Canada had concluded in a workable arrangement that, once formally ratified by both parties, would see the formation and the recognition of a new first nation band and the recognition of all Newfoundland Mi'kmaq as Indians under Canadian law. On September 26, 2007, the Prime Minister said:

For more than half a century, the Mi'kmaq people of Newfoundland were among the 'Forgotten People,' as the Congress of Aboriginal Peoples calls its members... They never stopped fighting for recognition and now, at last, that title can be cast aside.

It was on that day that the Prime Minister of Canada personally authorized the agreement in principle to establish a modern day recognition of a very ancient people and he endorsed its every word as his own.

*Private Members' Business*

Unfortunately, time appears to have worn down, if not exhausted, the Prime Minister's enthusiasm toward his earlier promise and today, despite an assumption that all Mi'kmaq would be treated fairly and equally under the terms of an agreement that had the personal backing of a Prime Minister, tens of thousands of Mi'kmaq people have been left feeling abandoned and frustrated. They are concerned.

My motion today is not only about what was originally promised in the Prime Minister's agreement; it is about the work yet undone. It is about the task of completing the enrolment process of the Qalipu Mi'kmaq First Nation Band and for all of its deserving members, as promised. My motion is also about ensuring that those who have already been established as members of the Qalipu band do not lose that recognition from any arbitrary or unjust decision by their respective leaders.

My motion is based on, in part, the very words of the Chief of the Qalipu First Nation who has formally asked the Government of Canada to allow the enrolment process to continue beyond the agreement's scheduled expiry date of March 21, and that it continue under the same rules and practices established within the original agreement and through the same practices established within the first four years of its implementation.

The government contends that the issue for it is the unforeseen numbers of members and applicants who have presented themselves for recognition. The government contends that this issue was only recently identified and could only now be dealt with at a time coinciding with the expiry of the agreement.

For the record, in 2009, almost four years ago, the number of members to the band stood at 10,000 and the number of applicants awaiting processing stood at 20,000. If the expectation was ever that only 10,000 to 12,000 members would be targeted as being eligible for the band, that notion and that forecast was proven totally inaccurate almost four years ago.

Looking back at 2009, with several years still remaining in the intake and registration process, any belief that the numbers would not grow the way they have is totally disingenuous on the part of anyone who would suggest it. This is the focus of my argument.

Today, the band stands with an estimated membership of 24,000 Mi'kmaq. As of March 21, the number of Mi'kmaq whose applications for enrolment have been left unprocessed stands at roughly 75,000, and 75,000 non-status Mi'kmaq, who applied in good faith and within the time frame established within the agreement for recognition under the Indian Act, were left in limbo.

Concern erupted only after the government made a statement to the media on November 4, 2012, that it was, just now, identifying problems with either the membership criteria or the enrolment process and that one or both may be subject to being altered after the fact.

There were 24,000 existing members left not knowing whether they would retain their status should any change occur within the rules and prospective members would also have to consider their loss. So far, 75,000 applications have been left unprocessed. The situation is very serious and answers have not been provided by the government.

Instead of any discussions or consultations with the applicants, the government has woven a story to the public that the number of members and applicants to the band is far more than what should have been expected or considered to be reasonable. The suggestion is that the problem is not really of the government's doing, it is the doing of the applicants who are applying for membership without the proper entitlement to do so.

• (1335)

Nothing could be further from the truth, and I will deconstruct the government's argument.

Allow me to establish the baseline for a discussion on this issue by informing the House of the agreement and its implementation with a particular view to the enrolment criteria.

To try to find an out of court resolution to a motion filed in 1989 in the Federal Court of Canada by a representative group of Newfoundland Mi'kmaq seeking to have their rights under section 91 of the Constitution Act recognized under law, the federal cabinet took a decision in 2002 to enter into a discussion with the Federation of Newfoundland Indians to determine if there was a basis for a negotiated recognition of the Mi'kmaq of Newfoundland. For decades before that, the federal government had engaged in what can only be described as a totally incoherent, inconsistent and politically directed handling of the settlement issue, which in retrospect serves to define the true meaning of the phrase "bad faith negotiations".

For three decades, talks with the Mi'kmaq were initiated, stopped and then restarted according to the changing political moods of provincial premiers and federal cabinet ministers and caused the 1989 motion to be filed. As it proceeded clumsily through the courts, it was obstructed by motions filed by the Department of Justice simply to effect delays to the hearing of the case. After years of this type of behaviour, time had caught up with the federal government and its tactics. Knowing that its past conduct would likely be highly prejudicial against it in trial, the Crown eventually took a more reasoned approach to settlement. The Mi'kmaq put their court case in abeyance and after four years of hard work, a draft agreement in principle was reached between the FNI and the government's negotiators in 2006.

Under its terms, formal ratification of the agreement was required by both parties before the agreement could take effect. For the FNI, this meant a vote by the full membership of the entire organization. Needless to say, the agreement was dissected clause by clause, word by word, by both the federal cabinet and by the Federation of Newfoundland Indians and its membership during a sometimes intense but civil nine-month-long ratification debate that was held in church basements, community halls and kitchen tables all over, just as it was at the cabinet table.

On May 30, 2008, the Federation of Newfoundland Indians voted 90% in favour of ratifying the agreement. Nothing in the agreement was misunderstood or could be considered to be unclear to any party to the process, and in June of the same year the Government of Canada signed the order in council to ratify the agreement, moving it into implementation phase.

*Private Members' Business*

That agreement spelled out in very plain language what the enrolment criteria for the founding members in the future band would be. The agreement stated the following: to become a member, applicants must demonstrate that one of their ancestors must be of Canadian aboriginal descent.

It was an intentional decision by both parties to the agreement to stipulate in plain language that individuals would not have to show that they were necessarily of Mi'kmaq descent, just that they were of Canadian Indian ancestry by birth or adoption. This ancestry could then be established by means of their descendant being referred to in historical records as, and I quote directly from the agreement:

Indian  
 French Indian  
 English Indian  
 Micmac or variations thereof  
 Montagnais or variations thereof  
 Abenaki or variations thereof  
 Naskapi  
 savage or variations thereof  
 aboriginal or of aboriginal descent.

No blood quantum or measurement of the degree of generational separation from a person and their Indian descendant was required or relevant under the agreement.

These open criteria alone would obviously have alerted the Department of Indian Affairs to understand that a relatively high number of prospective applicants might likely be eligible; yet this is what the Department of Indian Affairs negotiated over a four-year period and obviously intended.

The next criteria for enrolment required that the applicants or their descendants be either resident of or connected to a pre-Confederation Newfoundland Mi'kmaq community as listed within the agreement in 1949.

For non-residents, the applicants would show an ongoing connection to that community. This was achieved, as according to the document, by their self-identifying as members of the Mi'kmaq group of Indians, by demonstrating an ongoing connection to a Newfoundland Mi'kmaq community by way of regular telephone calls or travel to the community and by establishing that the applicants continued to live the Mi'kmaq way of life.

● (1340)

This is spelled out in plain language within the agreement and within the application guides that were produced for applicants by the federal government and by the Federation of Newfoundland Indians authorities. For instance, according to the agreement at paragraph 25(B)(ii) of annex A, the latter requirement could be established by way of the following: by demonstrating "knowledge of Mi'kmaq customs and beliefs...or pursuit of traditional activities" within Federation of Newfoundland Indians members, by hunting and fishing. That is what the Federation of Newfoundland Indians and the enrolment committee found would satisfy that particular test.

I will also highlight a couple of points as to what the government knew it signed as part of its agreement with the Mi'kmaq. Paragraph 13 of annex A specifically states:

The applicant must provide evidence that he is of Canadian Indian Ancestry. There is no minimum blood quantum.

To reinforce that both the government and the FNI were fully aware of the criteria that had been agreed to, documents produced to assist applicants in preparing their applications, as well as information found on the Government of Canada's own website, specifically state that residency is not a requirement of enrolment as long as a connection to a Mi'kmaq community can be established and maintained. A connection is described in those documents as visits and communication. Membership in the Federation of Newfoundland Indians was also specifically described in literature and in web portals as being of value but optional. That point is further proved by the history of decisions on membership. Literally thousands of out-of-province applicants who are not members of the FNI have been already approved for membership in Qalipu, with federal representatives and FNI member representatives on the enrolment committee making those decisions for the last four years.

Furthermore, during the course of the agreement's implementation, the government members had several mechanisms available to them to address any problems that they foresaw with the integrity of the membership through the enrolment committee, which they did not exercise. This circumstance is highly material to the discussion from an administrative fairness perspective. Federal government members sat on the enrolment committee and assessed every application for the last four years. They knew every detail of every application and the number of approvals and applications received. They could have asserted a concern and their position on matters at that table. They did not.

The federal government members could have also appealed any decision of the enrolment committee that they did not like to a former justice of the Supreme Court of Newfoundland and Labrador who served as the appeals master for the process. As early as 2009, with three years left in the application intake process, and with the number of recognized members already standing at 10,000 and the number of applications awaiting review standing at 20,000 and growing on a day-to-day basis, not once did the government exercise this option. Only when the membership grew to 24,000, and only when 75,000 applications were awaiting processing, did it act.

If the original target was for a total membership of 8,000 to 12,000 members at the onset of the agreement, the government's inaction defies credibility. It should also be noted that the federal government had a unique authority within the process. It could veto any application on the basis of unfounded Indian ancestry. Further, the federal government had other means to identify and address issues. For instance, the federal government members could audit the enrolment process and that of the enrolment committee's decisions. They did so in 2010 and 2011, with no significant concerns being registered by the federal auditors. They audited to ensure the integrity of the process and the integrity of the enrolment. The audits found no problems.

*Private Members' Business*

● (1345)

My time is expiring, but I would like to conclude my first presentation to the House on this matter by saying the government cannot reasonably make any case that the situation surrounding the registration of the Mi'kmaq of Newfoundland is not anything but of their own hand. They established the rules, they enforced the rules for four years, and now they are suggesting that they do not like the rules that they established and they want to take them back.

The law does not work that way.

**Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, I would be curious to know just what the member knows about the law, but we can talk about that some other day. The fact of the matter is that I have a couple of serious, substantive concerns with the motion.

In the first instance, it simply seeks to maintain the status quo. It completely ignores the fact that calls for greater rigour in the enrolment process came directly from the community. The fact that we are currently in negotiations with the first nation's leadership, which has addressed similar concerns about this very issue, is another important piece. It is absolutely critical that the criteria for membership be based upon input from the first nation leadership. Clearly, the member does not agree with that view.

The outcome of these discussions must also treat all applicants fairly and equally.

What I find interesting, then, is that the member who has put the motion forward is not listening to the concerns of first nations. Is it perhaps because he has a vested interest in the outcome of these negotiations?

**Hon. Gerry Byrne:** Mr. Speaker, the community was involved in these negotiations and in these rules since 2002—in fact, since 1970. It is a fact that the negotiations occurred in good faith from 2002 to 2006.

I will also state for the record and table for the hon. member that the chief of the Qalipu Mi'kmaq First Nation has publicly asked for the Government of Canada to extend the enrolment process under the terms of the agreement and that it continue within the role.

I will answer the question of the hon. member. He would be aware, if he bothered to read the Journals, that there was an issue brought forward to the conflict of interest commissioner, and the conflict of interest commissioner ruled that any member of this House who is an applicant to this band who advocates for any continuation on the rules of the band based on the agreement is not acting in any conflict.

The Ethics Commissioner has decided that issue. It has been tabled and recorded within the Journals.

In fact, I actually presented a note to the Minister of Aboriginal Affairs and Northern Development personally informing him of that decision of the Ethics Commissioner and telling him that in order to avoid the politicization of this issue, I wanted him to be aware of this

so that he understood that the matter has been ruled on and that there is no conflict.

For the hon. member to raise this issue right now is pure politicization.

● (1350)

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I want to thank the member for bringing the motion forward.

The question I have for him is really moving outside the numbers. We have seen this happen over and over again. In 1985, when women were able to regain status under Bill C-31, what we saw was the government underestimate the resources and the amount of time that were required in order to process those applications and the resources that needed to go back to communities.

We saw the residential schools system, where again there was an underestimation of the number of applicants and the amount of time that it was going to take to process them.

Now, of course, we have another situation in which the same kind of thing is playing out.

Moving beyond the numbers, I wonder if the member could talk about what being held up and not being able to get this settled would mean to people in their daily lives.

**Hon. Gerry Byrne:** Mr. Speaker, I thank the member for that very reasoned question based upon experience.

What this would mean for the personal lives of the Mi'kmaq of Newfoundland is that it would provide closure to an issue that has been ongoing since 1949, since the inception of Confederation. When Canada joined Newfoundland and Labrador in 1949 in Confederation, there was no recognition of aboriginal rights or existence after that time. It was not until 2002 that serious negotiation began. They were upfront about it: it would be based upon a landless band. There would be no reserve or land entitlement attached to this particular agreement.

The essence of this agreement is one of very pure fact. The Mi'kmaq people of our province and of Canada were denied for years. They were told by premiers and by governments that they did not exist. The recognition through this agreement was very important, because after decades of battling that notion, it was proven that they do exist and that they were to be recognized by the nation as a first nation.

Now, apparently, the government intends to take that back again. We have started all over again. We are going back to where we were.



*Private Members' Business*

**Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, at the outset of my speech with respect to this motion, I certainly do not appreciate the accusation that I am politicizing this. I responded in my duties as parliamentary secretary on this matter to the media and I read with great disappointment the transcript of the interview. I do not know the member very well at all, but his attacks on my credibility were certainly unwarranted and not appreciated. I can assure him that whether it is this file or anything within aboriginal affairs, I remain on top of all of the files. Right back at you, of course through you, Mr. Speaker, on this whole notion of politicization.

Our government has significant concerns with respect to the motion put forward by the member opposite, as I had alluded to in my question. Motion No. 432 would foreclose options and undermine the current efforts of the chief federal negotiator to reach a negotiated solution to questions surrounding enrolment in the Qalipu Mi'kmaq First Nation and that it would be a mistake because it would interfere with a productive process already under way to address the problems with a motion that purports to fix it.

Even more important, it would go against what the first nations want and unilaterally impose a course of action, which is what the first nations were complaining about last week with respect to some of the ideas the NDP had come up with for a number of first nation issues. It would undermine efforts to reach a lasting resolution to the current challenges facing that community. I remind the House that calls for greater rigour in the enrolment process came directly from the community. Therefore, if it is determined that any changes need to be made to the criteria or process to qualify for membership, these changes should be made in full co-operation with the Federation of Newfoundland Indians and the Qalipu band.

• (1355)

[Translation]

It is presumptuous, to say the least, for the opposition member from the third party to suggest that he knows what is best for band members. Perhaps it would be useful to review the initial agreement.

The original intent of the 2008 Agreement for the Recognition of the Qalipu Mi'kmaq Band was to address the fact that the Mi'kmaq communities in Newfoundland were not recognized when the province joined Confederation in 1949.

[English]

As members will recall, the agreement brought resolution to a court case initiated in 1989 by the Federation of Newfoundland Indians, seeking eligibility for registration under the Indian Act. At that time, the Federation of Newfoundland Indians represented approximately 7,800 members.

[Translation]

The agreement provided for two things: first, the creation of the Qalipu Mi'kmaq First Nation, a band without a land base whose members could obtain Indian status under the Indian Act; second, eligibility criteria that would be applied by an arm's-length enrolment committee led by an independent chair.

[English]

When the agreement was signed in 2008, both Canada and the federation estimated the new first nation would be comprised of approximately 8,700 to 12,000 members. That made sense in light of the fact that the 2006 census found there were approximately 23,450 residents of Newfoundland and Labrador who identified themselves as aboriginal. Of this number, 33%, or 7,765, identified themselves as first nations members. However, following the official creation of the band in September 2011, which included over 23,000 members, another 70,000 applications were received before the application deadline of November 30, 2012, and now it seems to be a matter of public record that includes the member putting this motion forward.

The Federation of Newfoundland Indians and the Government of Canada never anticipated that four times that, over 100,000 people, would sign up to attempt to become members of that first nation. It is simply not reasonable to expect that there would be more than 100,000 credible applications to be members of the Qalipu band. That would be over four times the original estimated number. These figures are all the more questionable since it has become clear that many of the late stage of applications appear to no longer reside in that province.

[Translation]

In fact, the Federation of Newfoundland Indians and the Government of Canada estimate that roughly two-thirds of the applicants do not live in one of the Mi'kmaq communities at the centre of this recognition process, but elsewhere in Canada.

That is precisely why it is essential to guarantee the credibility of the process and the integrity of the Qalipu Mi'kmaq First Nation Band. To ensure the reliability of the registration process and to protect the reputation of the First Nation, we are working closely with the directors of the Federation of Newfoundland Indians and the Qalipu Mi'kmaq First Nation Band.

Together we are working on the application process and on implementing the agreement to recognize the Qalipu Mi'kmaq First Nation Band. We are trying to determine the best way to address this very complex situation.

• (1400)

[English]

Last year, the Minister of Aboriginal Affairs and Northern Development appointed a chief federal negotiator, Mr. Fred Caron, to work with the first nations leadership toward a negotiated solution to address the issues connected to the enrolment process. They are meeting regularly to address the issues that have arisen in the enrolment process, including the unexpected large number of applications received and the fact that the deadline for dealing with applications has expired. The goal of the current negotiations is to find a solution that treats all applicants fairly and equally, reflects the original intent of the agreement and, of course, ensures the integrity of the enrolment process.

*Private Members' Business*

On this point, I want to reassure people that all applications received during the enrolment process are, and will continue to be, stored in an access-controlled and secure location. Canadians can be confident that the information provided is protected under, and will be treated in accordance with, the Privacy Act and the Access to Information Act. There is no question that many people have applied in good faith and wish to be advised of what is happening. Given the ongoing nature of the discussions and the complexity of the issues, it is not possible to predict what the results will be or when a final decision will be made.

However, the parties hope to be able to arrive at an agreement soon and then they will be in a position to provide further details. There is no question that the government is committed to working closely with the elected leadership of Qalipu First Nation, supporting them and exploring all avenues to resolve this situation.

[Translation]

When the band was created, we were committed to working in good faith with the Federation of Newfoundland Indians. We remain determined to address the lack of recognition of Mi'kmaq communities that existed when Newfoundland entered Confederation in 1949.

Settling this long-standing omission is good for the members of the Qalipu Mi'kmaq First Nation Band, the residents, the Government of Newfoundland and Labrador and for Canada.

[English]

Once the membership list is finalized, eligible band members will be registered under the Indian Act and able to access the important federal programs and services to which they would be entitled. These include post-secondary education financial assistance and non-insured health benefits, things that we have been showcasing in the last couple of installations of Canada's economic action plan 2013.

This gives us all the more reason to ensure that the integrity of the agreement is upheld and that all applicants are treated fairly and equally. For these reasons I cannot question the unilateral nature of Motion No. 432 and urge my hon. colleagues to take note of the ongoing negotiations with the first nations on this very issue.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, on behalf of the NDP, I am rising to speak to Motion No. 432 on the Qalipu First Nation. We will be supporting the motion brought forward by the member for Humber—St. Barbe—Baie Verte.

The member who presented the motion ably outlined the details of the motion and some of the concerns about the progress. Essentially, this motion calls upon the government to establish a procedure to review all of its standing requests for membership in the new Qalipu First Nation.

At the heart of this, is the issue around who gets to determine membership. As I mentioned in my question, in the past when there have been membership changes, governments of various political stripes have consistently underestimated the resources and length of time it takes in order to, first, make people aware of the changes and second, to process those applications.

I want to touch a bit on the history because I think this is very important. I will quote from an article written by Justin Brake called,

“We're Rebuilding a Nation”, in [theindependent.ca](http://theindependent.ca). He lays out a solid historical overview of how we got to this place today. He starts with:

—in the early 1600s at the latest, most generations of Mi'kmaq have inhabited the island in an environment of oppression, discrimination and stigmatization.

Sadly, I would like to say that this is no longer the case, that first nations are facing oppression, discrimination and stigmatization. However, in my riding of Nanaimo—Cowichan, in the last 24 hours we saw a letter to the editor of one of my local newspapers that continued with this discrimination and stigmatization. I have been in contact with the Snuneymuxw Chief Doug White to express my concern on what has happened. It is very sad, in this time of first nations that are achieving so much, that there are so many unaware as to what a real partnership could bring to all of us.

I think many of us are very well aware of what first nations have contributed to both our country and others like the United States, not only around culture and art but something as important as democracy. Most of us are aware that the Iroquois Confederacy was part of the founding principles for the democratic process in the United States. Therefore, when people try to define others by using racist language, they just display their own ignorance.

First nations are not waiting for people like those who wrote the letter to the local paper in Nanaimo to catch up to the vibrant cultures, economies and the futures that are currently the lot of many first nations.

In Justin Brake's article, he goes on to talk about the fact that in those early days in the 1600s it was a nomadic culture that hunted, fished and foraged then transitioned to seasonal settlements, but this was all disrupted by the expropriation of lands. He says:

—out of which grew a struggle to survive the way they always have. An increasing number of Mi'kmaq on the island had no choice but to begin selling their labour for money to buy the necessities they once acquired freely themselves.

By many accounts...Mi'kmaq were prohibited from speaking their own language, children were forced into residential schools...In a nutshell, the Mi'kmaq were stripped of a way of life they had developed over a significant period of time and forced into the much harsher social, political and economic world of the island's new colonizers.

Adrian Tanner, a retired professor of anthropology at Memorial University, said that the Mi'kmaq were presumed to be on the verge of full integration into society when Newfoundland joined Confederation in 1949.

Mr. Brake says:

Joey Smallwood told the federal government they had all disappeared or had intermarried and that there were none...Any small amount of research that he would have done would show that there were clearly existing bands at that time, of clearly identifiable Mi'kmaq.

Though the Mi'kmaq continued practicing what customs and traditions they could, the silence generated from their oppression endured until the late 1960s, when a shift in aboriginal consciousness began to grow across the country.

*Private Members' Business*

Mr. Brake goes on to outline the resurgence that happened through the National Indian Brotherhood and others partly in response to the 1969 assimilationist paper, the white paper, that was presented to my colleague by the Liberals of the day. However, we had this rising consciousness, which happened in Newfoundland as well.

• (1405)

Mr. Brake goes on to describe this awakening. He wrote:

“They were calling it ‘the awakening’ here (in Corner Brook), awakening to the realization that they were aboriginal people.... It was awakening to the fact that they had aboriginal ancestry and the fact that they wanted to, I guess, develop that part of their identity. Some people knew all along that they had aboriginal ancestry because their families spoke about it, but from what I understand the majority of people here didn’t know. So you look at those 21,500 people who just got status—the majority of them had no idea they had aboriginal ancestry.”

It is a sad commentary on our country that for many first nations, and Métis in particular, there were long periods of time when people simply did not want to acknowledge their ancestors, their traditions, their culture, their language, because of the way that non-aboriginal society responded. Then of course there were the residential schools, which was another attempt at assimilation.

Mr. Brake goes on in his article to write:

“The whole concept of displacement is very important in terms of identity because families got fractured and dispersed. It was almost like a diaspora as far as I’m concerned. People got flung into different areas in and around the Bay of Islands and wherever, and so where they had concentrated communities at one point in time, and when industry came in and dispersed them—that is an issue of identity because all of a sudden you don’t even know who your relatives are.

Further in the article, he writes:

“We were becoming extinct through ignorance. There was very little history, no written history. Even the people themselves were very unaware of who they were, so we were a lost people,” he continues. “And what we started to do in 1969, 1970 is we started to educate ourselves and educate people about who they were, what they belonged to, the values of aboriginal culture, the values of communities working together with one objective in mind: prosperity for our people. And not only prosperity through the ownership of material things, but prosperity that comes from people working together and sharing in responsibility of the upbringing of each other’s children, which is the kind of upbringing that I’m familiar with.

That is a bit of the history about how we came to this situation where the Qalipu people started to examine their ancestry, their geneology, their ties to the Mi’kmaq people, and said they wanted to be recognized as such.

I said at the outset, it comes to the heart of who gets to determine citizenship. We continue to see that play out in any number of ways, because the Indian Act still has very tight control on who determines citizenship. We have the infamous second generation cut-off clause right now, which talks about when people marry out and eventually if their children marry out, people will no longer have status. That is controlled under the Indian Act. First nations from coast to coast to coast, Inuit and Métis have continued to say the government has no right to determine who maintains status.

I mentioned Mr. Caron earlier, the special person who was hired to sort this out. The Qalipu Watchdogs indicated that it was hard to get information about why Mr. Caron was hired. They finally were able to get information that said he was hired to “engage with the Chief and Council of the Qalipu Mi’kmaq First Nation to amend the agreement for the recognition or, if necessary, negotiate a new agreement; to tighten the current enrolment process; and to adopt a

new process and criteria in light of the surge in the number of applications for membership and the concerns regarding how the criteria have been applied”.

The letter goes on to say:

This news confirms our worst fears and suspicions that the agreement will be altered and decisions regarding the remaining applications dragged out for some indefinite period of time. Qalipu Watchdogs was formed to act as a single voice for the people, because we believe in fair and equal treatment for everyone; including applicants who have not had their applications reviewed, applicants who are in the appeal process, as well as members of the Band who already have their status and might now face the prospect of changes.

All of this uncertainty contributes to a people who have been waiting centuries if we go back to the 1600s but certainly over the last several decades to be able to clean up the mess around their right to be acknowledged as the Qalipu First Nation.

I would encourage all members of the House to support Motion No. 432.

• (1410)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is actually a pleasure for me to be able to stand to address Motion No. 432 from my colleague, who I know has put in a great deal of effort.

I listened to both his speech and the government’s response to the speech, and in particular the question. A number of thoughts came to mind. I know how passionate the member is on this particular issue. I have had the opportunity to have some discussions in regard to the issue of accountability and transparency and so forth.

At the end of the day, the member from Newfoundland and Labrador has really captured an issue that is of critical importance, not only to the area he represents but to the province of Newfoundland and Labrador and ultimately to our country, I would argue. I applaud him for taking the issue that is so very important to the communities I just listed and bringing it to the floor of the House.

I can appreciate the reason why so many individuals living in Newfoundland and Labrador would be very concerned in regard to the government’s lack of action in recent years. When we look back to when the Prime Minister was first elected, it was shortly thereafter that he rushed off to Newfoundland and Labrador and said to the Qalipu Mi’kmaq band that there was an agreement in principle and it was an agreement upon which the government wanted to act.

He was building an expectation. No doubt there would have been a huge expectation that the government wanted to deal with an issue that has been there for a number of years. I and all Canadians who would have been around at the time were happy that Newfoundland and Labrador entered Confederation. There is no doubt about that.

At the end of the day, there was still some unfinished business that needed to be dealt with. This is something I believe a good percentage of the people of Newfoundland and Labrador were anxious to see resolved. Decades have passed since Newfoundland and Labrador entered Confederation, and there is this one real outstanding issue that needed to be addressed.

*Private Members' Business*

Back in 2007, when the Prime Minister went to visit and indicated that the Qalipu Mi'kmaq band was going to get recognition and know who would make up that band, or the reserve or Indian community, there was a heightened level of expectation that something was going to be done.

My colleague has waited a number of years and has seen the results of that expectation. I do not claim to know the hard numbers, but what I do know is that we are talking about well over 20,000 people who have now registered. Through the current process, the guidelines that were established, another 70,000-plus people are now hoping to get the recognition they believe is important to them, based on the guidelines and rules established a number of years ago.

Through this motion the member brings a very important issue to the House, and he should be applauded, not questioned to the degree in which he was questioned by the government member. He should be applauded for taking up the issue that is so very important and ensuring that it is being debated inside the House of Commons today.

I appreciate the fact that the New Democrats, in a forthright way, stand up and support the motion. We are hoping to see what other members of the government might have to say in regard to the motion and the issue at hand.

● (1415)

Ancestry and one's heritage is of critical importance. I represent the province of Manitoba where there are a wide variety of issues related to our first nations people and the Manitoba Métis community that we are still trying to overcome. There are many questions dealing with the issue of membership, who qualifies and why it is so critically important that those types of issues be addressed.

The government's actions back in 2007 established the fact that we needed to deal with the issue of recognition of those who were a part of the band in a forthright and timely fashion.

It was interesting when the Conservative member said that the government would have an agreement soon. It would be wonderful if a government member would stand in this place and give a definition of "soon".

Over my relatively short time here I have had opportunity to experience a number of motions. I will give the member credit for the detail that has been enunciated within this motion. If the government took the time to read through the motion and understand its details, it would have a better appreciation of what the issue is all about and why there is a sense of urgency in the plea of the member and others in the chamber that the government respond to the issue in a more urgent manner. When I say "urgent", I am talking about making some sort of announcement that would be more fitting in terms of recognizing the urgency at hand.

There are literally tens of thousands of individuals who have entered into this process in good faith and who will be affected by this. They understood the rules and the questions asked of them and provided the information to submit their applications. They did the necessary homework that was required. They looked into their own heritage and ancestry, who their parents, grandparents and so forth were, in order to submit their applications. For the most part, it has

been my experience that people of aboriginal descent have a great sense of pride and want to share that heritage not only with the communities of today but also future generations.

I speak from first-hand knowledge. There are thousands of individuals exploring their ancestry and heritage to find their place in the Métis community of the province of Manitoba. I suspect that is what we see here, people who have done that in good faith. Their motives should not be challenged because I believe, as do many in the province of Manitoba, and I would ultimately argue in other areas of Canada, they are doing it for the right reasons. We should appreciate their efforts and ensure that each and every one of those individuals is heard and reviewed properly so it can be done in a timely fashion.

Saying "soon" is just not good enough. We look forward to other members' participation on the motion itself.

● (1420)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, together with the parliamentary secretary for aboriginal affairs, I look forward to contributing to the debate.

An important issue needs to be understood properly. The record needs to be set straight. The members for Winnipeg North and Humber—St. Barbe—Baie Verte are asking for exactly the opposite of what they claim to be asking for. They are asking that due process and a thorough review not take place. Our duty here before the House, on behalf of the government, is to show why best practices and due diligence are necessary on this important issue.

As we know, historical context is important here. There is archeological evidence of first nations' presence in Newfoundland and Labrador going back to at least 7000 B.C. Archaic maritime aboriginal peoples were there. We know the tragic story, as my colleagues from St. John's East, Humber—St. Barbe—Baie Verte and Avalon will know even better, and as our once and future colleague, Peter Penashue, would know best, of the Beothuk. There was a Beothuk institute in Newfoundland in 1827, but the last reported confirmed member of that first nation passed away in St. John's in 1829.

Then, of course, we have the European presence, the Norse 12 centuries ago and other European nations starting five or six centuries ago. We know the context of Newfoundland and Labrador's aboriginal reality.

As the member for Humber—St. Barbe—Baie Verte put it, Canada only joined Newfoundland and Labrador in Confederation in 1949. Let us remember that there was no agreement between the province and Canada on if, how and when the Indian Act would apply to the Mi'kmaq of Newfoundland. In the absence of that agreement, the Indian Act was not applied. It was only in 1989 that the Federation of Newfoundland Indians, established to advocate for Mi'kmaq interests, brought forward its lawsuit against the federal government, which we have heard about here.

*Private Members' Business*

• (1425)

[*Translation*]

In 2008, our government agreed to recognize the Qalipu Mi'kmaq First Nation Band to acknowledge the fact that Newfoundland's Mi'kmaq communities were not recognized when Newfoundland joined Canada in 1949.

[*English*]

This history underscores that we are dealing with 60 years of non-recognition of the Mi'kmaq in Newfoundland. The member for Humber—St. Barbe—Baie Verte mentioned that time had run out for the government on this issue. In fact, we have been working on this issue non-stop.

What happened between 1993 and 2006? Four years after the court decision, through 13 years of Liberal governments, we do not seem to have had action on this issue.

The Conservatives have been taking action, and the agreement we have reached is yet another plank in the platform of achievement we have in moving forward relations with first nations.

Clearly, this complicated history will not be resolved overnight. What is important is to achieve certainty in the enrolment process and the rules of eligibility for membership so that all applicants are treated fairly and equitably. That is what Canadians insist on with regard to all the programs delivered by our government, especially those delivered under the Indian Act.

Remember that status brings with it a range of important benefits. This cannot and should not be taken lightly.

[*Translation*]

Even more important: it is crucial that the criteria for becoming a member be based on the expertise provided by the leadership of the Federation of Newfoundland Indians and by the Qalipu Mi'kmaq First Nation Band. That is absolutely vital to the credibility of the process and the integrity of this First Nation.

[*English*]

This motion overlooks the fact that concerns about enrolment are coming from community members in the Qalipu Mi'kmaq First Nation itself. They share our concerns and have a direct stake in the outcome of this process. They must have a say in these matters.

As the members opposite are well aware, the Minister of Aboriginal Affairs has put forward a chief federal negotiator. Work is happening on an intensive basis.

However, there is consensus that, whatever the final number may be, new members should contribute to the community and to the province of Newfoundland. All parties want to be sure that the membership is valid and that the original intention of the parties to the 2008 agreement is reflected, but also that the members are actually contributing to the community in which this first nation is being established or re-established. Members can understand the concern. Almost 70% of more than 100,000 applicants do not reside in any of the Mi'kmaq communities targeted for recognition in this initiative. They live elsewhere in Canada.

This last point gets to the real heart of the matter. When the agreement was signed, it was estimated there would be 9,000 to 12,000 people joining this first nation. It seemed to be a reasonable assumption based on the 2006 census, which showed roughly 23,500 residents of Newfoundland and Labrador who identified themselves as aboriginal. That includes, of course, Inuit and Innu members from Labrador and it includes others of aboriginal descent who were not, and did not want to be, part of this first nation. However, it was neither reasonable nor credible to expect more than 100,000 applications to become members of the Qalipu band.

The concerns in this regard are coming from the community. We are giving voice to them. Let us let the work take place. Let us ensure due diligence. Let us ensure it is quality work.

• (1430)

**The Acting Speaker (Mr. Barry Devolin):** The time provided for the consideration of private members' business is now expired and the order is dropped to the bottom of the order of precedence on the order paper. The hon. parliamentary secretary will have four minutes remaining when this matter returns before the House.

It being 2:30 p.m., pursuant to an order made Monday, February 25, the House stands adjourned until Monday, April 15 at 11 a.m., pursuant to Standing Orders 28(2) and 24(1).

(The House adjourned at 2:30 p.m.)



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