



CANADA

# House of Commons Debates

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VOLUME 140 • NUMBER 008 • 1st SESSION • 38th PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

**Thursday, October 14, 2004**

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**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Thursday, October 14, 2004

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1000)  
[English]

### PETITIONS

#### INCOME TAX

**Mr. Jay Hill (Prince George—Peace River, CPC):** Mr. Speaker, it is a pleasure to rise again today to present some petitions on behalf of my constituents and other citizens of Canada. I have two petitions this morning.

First, for the third day in a row I have yet another petition from the residents of Mackenzie, B.C. demanding Parliament immediately act to reinstate their eligibility for the northern residents tax deduction.

The boundary line determining eligibility for this deduction, which is designed to counter the higher costs of living associated with residing in a northern remote community, was altered eight years ago to make an incomprehensible and indefensible jog around Mackenzie. The federal government has never even adequately provided an explanation to my constituents. I would say that Mackenzie residents have waited long enough for the government to come to its senses.

• (1000)

#### CANADIAN FORCES HOUSING AGENCY

**Mr. Jay Hill (Prince George—Peace River, CPC):** Mr. Speaker, the second petition is yet another one. Again, it is the third day in a row that I have risen to present petitions on behalf of citizens of Canada.

This petition is from residents of Enderby, B.C. who wish to draw to the attention of the House that housing accommodations provided by the Canadian Forces Housing Agency are, in many instances, substandard. The housing provided has seen dramatic increases in annual rent charges.

Therefore they call upon Parliament to immediately suspend any future rent increases for accommodation provided by the Canadian Forces Housing Agency until such time as the Government of Canada makes substantive improvements to the living conditions of housing provided for our military families.

### MARRIAGE

**Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC):** Mr. Speaker, these petitioners, 147 people from the Saskatchewan riding of Saskatoon—Wanuskewin, deem that since the dawn of civilization marriage has been the union between one man and one woman. They call upon Parliament to support the traditional historic heterosexual sacred definition of marriage.

• (1005)

### PUBLIC SAFETY OFFICERS

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I have three petitions this morning.

The first petition concerns firefighters or public safety officers. The petitioners would like to draw to the attention of the House that firefighters are required to place their lives at risk in the execution of their duties on a daily basis and that the employment benefits of public safety officers are often insufficient to provide compensation to the families of those who are killed on duty.

The petitioners therefore call upon Parliament to establish a public safety officers compensation fund for the benefit of families of public safety officers who are killed in the line of duty.

### STEM CELL RESEARCH

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, the second petition is on stem cells.

The petitioners would like to draw to the attention of the House that Canadians do support ethical stem cell research which has already shown encouraging potential for the cures and therapies for the illnesses and diseases of Canadians.

They also point out that non-embryonic stem cells, also known as adult stem cells, have shown significant research progress without the immune rejection or ethical problems associated with embryonic stem cells, which we know has been an issue in the presidential election in the U.S.

Therefore the petitioners call upon Parliament to focus its legislative support on adult stem cell research to find the cures and therapies necessary to treat Canadians.

### MARRIAGE

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, the final petition is on the issue of marriage.

*Government Orders*

The petitioners would like to point out that marriage is an institution which pre-existed the state and is based on a profound human need for having children and continuing the family from generation to generation.

They also want to point out that marriage is an institution so basic to the human condition and common good that its nature is beyond the reach of civil law.

They therefore call upon Parliament to take all necessary means to support the definition of marriage.

RURAL COMMUNITIES

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, the petitioners of Renfrew—Nipissing—Pembroke believe that the federal government has abandoned rural communities under the weight of urban socialism and government regulations, and that it is destroying the rural foundation our society was founded upon; that the government has enforced gun control, animal control, unnecessary pollution and waste control, farmland, bush and forest control, and a debt for which they are not responsible.

Therefore they are petitioning Parliament to correct the mistake of 1982 and amend the Constitution Act of 1867 to include the right to own, use and earn a living from private property.

\* \* \*

[*Translation*]

**QUESTIONS ON THE ORDER PAPER**

**Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

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**GOVERNMENT ORDERS**

[*English*]

**PUBLIC SERVANTS DISCLOSURE PROTECTION ACT**

Bill C-11. On the Order: Government Orders

October 8, 2004—The President of the Treasury Board—Second reading and reference to the Standing Committee on Government Operations and Estimates, of Bill C-11, an act to establish a procedure for the disclosure of wrongdoings in the public sector, including the protection of persons who disclose the wrongdoings.

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, I move:

That Bill C-11, an act to establish a procedure for the disclosure of wrongdoings in the public sector, including the protection of persons who disclose the wrongdoings, be referred forthwith to the Standing Committee on Government Operations and Estimates.

Mr. Speaker, I wish to start by recognizing a lot of hard work that has gone on in the journey that has brought the bill before the House. A number of the members of the original Standing Committee on

Government Operations were seized of this when we began work on the original Bill C-25, which was not the bill that presented whistleblowing in the last House but the Bill C-25 that was the Public Service Modernization Act, which came before the committee more than a year ago.

At that time, when we were first looking at how we restructure the way in which services are provided to public servants and the way in which we manage our public service, there were concerns raised about the adequacy of whistleblowing, the identification of wrongdoing within the public service.

While looking at it, the committee noted the fact that the Public Service Commission was undergoing a change, that it had been around for a very long time as that entity which stood to ensure high quality, meritorious appointments into the public service of Canada, but there was a feeling that through the modernization we wanted to delegate more of that responsibility to line ministries to facilitate a better process, better accountability and faster accessing of new employees, et cetera, and that the Public Service Commission should evolve into more of an audit function, that it would become the auditor of the human resource function as opposed to the manager of the human resource function.

This was a fairly substantial change. As we approached that debate in the bill, there was a lot of discussion about what that meant for public servants and for departments. It was decided, really, on a motion from the member for Etobicoke North. The committee agreed to modify the appointment process for the president of the Public Service Commission and took the appointment process from the parliamentary officers, the privacy commissioner and the access to information commissioner. That is what was used and that is what is embedded in the legislation now for the Public Service Commission.

When the work came about to hire a new president for the Public Service Commission, that person was, as is contained for the other parliamentary officers, presented to the House, presented to committee and approved by motions in both Houses. This was done to ensure greater independence for that organization as it begins its journey to this new role.

That is important, I think, because when we moved into the work on whistleblowing, the committee had had an experience with the then privacy commissioner's office and encountered some of the difficulties that are inherent in the way our system was structured. In particular, there was a problem that a lot of public servants were experiencing at that time in that it was unclear to them, or certainly their confidence in the current system for bringing forward concerns about wrongdoing was not strong enough to allow them to overcome their fear of what it would mean to their careers.

The committee, having had that experience, then undertook a piece of work that was co-chaired by the member for Winnipeg Centre and the member for Laval—Les Îles. They took a look at the experiences we had had with dealing with whistleblowers and they took into consideration some studies that had been done and some examination of what the workers were saying and came forward with a series of recommendations.

One of them was that it was not sufficient to have a policy base for this, that we had to have a legislative base for it. The second was that it should be embedded in an organization that was by definition independent so the organization would be independent of the management infrastructure of government, and that it should have a framework both for assessing the validity of the concern and, having ascertained that there was a legitimate concern, for it to have powers to protect a person so that there would be no impact on his or her career in the future.

I am pleased to say that the Prime Minister, upon coming to office, supported the development of a bill with these provisions. That bill was presented to the previous Parliament by the member for Bourassa.

The committee had a period of time to look at it. I believe it heard 14 witnesses who came forward with testimony from some of the associations and unions that represent workers, as well as others. The committee was properly and heavily engaged in that work when the election was called.

● (1010)

I had the opportunity, having been given the responsibility for the bill, to review all the work that had been done and, with the support of the Prime Minister, restructured the bill to address some of the concerns that had been raised. Rather than go through all of the bill, I think it is important today to simply frame those areas where the bill has been modified, and modified in direct response to concerns raised by people before the committee and by members of the previous committee.

Before I get into the three areas where there were specific concerns, there are a couple of things that I think are also important additions. The preamble of the bill recognizes the importance of the federal public service as a "national institution" and commits the government to establishing "a Charter of Values of Public Service to guide public servants in their work and professional conduct".

The definition clause of the bill sets out, among other items, the range of public sector employees the proposed legislation covers. It will apply to employees in all sectors of the public service, including crown corporations and executives.

However, there is one area where there have been concerns raised which the bill does not address directly. It does not encompass them in this legislation. This includes members of the security establishment, CSIS, the uniformed members of the Royal Canadian Mounted Police and the uniformed members of the Canadian Forces. It is important to make that distinction. The bill does cover civilian members of the armed forces defence department and civilian members of the RCMP, but in the case of the uniformed forces, they are required under this legislation to establish comparable codes themselves within those unique areas. They will be subject to that legislation or will be able to account to the codes they establish, but they are not encompassed directly in the civilian procedures.

The bill requires the Treasury Board to establish a code of conduct for the entire federal public service. Chief executives, that is, deputy heads of departments and chief executive officers of crown corporations, may also establish codes of conduct for their own

### *Government Orders*

organizations. If so, their codes must be consistent with the one established by the Treasury Board.

A new feature of the bill also commits the government to consult bargaining agents on the development of a code of conduct.

The next section of the bill defines wrongdoing, which has not changed from the previous bill. The proposed legislation then sets out the procedure for the disclosure of wrongdoing. Each chief executive must establish an internal disclosure mechanism, including the appointment of a senior officer to take disclosures and act on them. A public servant who believes that he or she is being asked to commit a wrongdoing or who believes that a wrongdoing has been committed may report it to his or her supervisor or to the designated senior officer.

However, the public servant may also report wrongdoing directly to the president of the Public Service Commission if he or she feels it would be inappropriate to disclose it to the supervisor or senior officer, or if he or she has disclosed it to one or the other of these people and believes the matter has not been addressed.

I would like to emphasize this. A public servant has the choice of using his or her organization's internal disclosure process or going directly to the proposed neutral third party for disclosures, the president of the Public Service Commission. This choice was also part of the previous bill, but in response to confusion among stakeholders we have made the language clearer. I think there was a lack of clarity as to whether or not the individual had to go first to the internal mechanisms. It was felt that in serious cases people should have the right to go directly to the independent party.

Now that I have made mention of the president of the public service, I want to skip ahead in the bill to talk about the responsibilities of the president of the Public Service Commission.

Some hon. members will remember that the previous bill proposed the creation of a public sector integrity commissioner as the neutral third party. As I said earlier, there was concern about the power and independence of the proposed commissioner. That is why this new bill assigns the role to the president of the Public Service Commission.

The PSC has a long history, almost a century, of playing an independent role in government. It is proud of its long tradition of protecting the merit principle in federal staffing. The president of the Public Service Commission would have the same reporting relationship to Parliament for disclosure of wrongdoing as he or she, in this case she, has for staffing. For example, the president of the Public Service Commission would be required to make annual reports of disclosures to Parliament.

● (1015)

It is true, as many hon. members know, that the president submits these annual reports to Parliament via a minister. However, in addition, the bill authorizes the president to make special reports directly to Parliament at any time and on any matter within the scope of her powers under this proposed act.

This new role of the president of the Public Service Commission is backstopped by new investigative powers for disclosure.

*Government Orders*

The bill would give the president powers under part II of the Inquiries Act. This would include the power to subpoena and the authority to access premises in the course of an investigation. The president would also be able to set deadlines for chief executives to respond to her recommendations.

Assigning the neutral third party role to the president of the Public Service Commission is a strong, effective, practical and reasonable option. I must admit that it was not, by the way, an idea that the government came up with alone. It was an option put forward by the previous all party government operations and estimates committee in its 2003 report on the issue. I would recommend that piece of work to members of the House. It was co-chaired by the member for Winnipeg South and the member for Laval—Les Îles. The former member for Châteauguay and the member for New Westminster—Coquitlam were also heavily involved in the development of that report.

My time has run out so I will leave it to the debate. I have already met with the critics and I would be prepared to meet with any of the critics for further discussion and briefing should they require it.

• (1020)

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Madam Speaker, I wish I could say it is an honour to speak today to Bill C-11, the government's latest attempt to contain disclosures of wrongdoing in the public sector, but the bill tabled by the government is really a disappointment.

We are only in the second week of Parliament and already it is obvious how the government intends to operate. Last week I listened to the same throne speech for at least the third or fourth time. It has hardly changed since the Liberals took office more than a decade ago. They pull it out, dust it off and make Canadians listen to it all over again. I guess they have to keep using it because it is so hard to think of new ways to say absolutely nothing for 45 minutes.

Then I took part in an emergency debate on BSE. Why are we still talking about this issue a year and a half after the U.S. border has been closed to Canadian beef? How many emergency debates has Parliament heard on this issue? How many more will we have to hear before we correct the problem?

Bill C-11 is yet another case of déjà vu. It has all the major deficiencies we saw in the government's last phony attempt to legislate in this area.

The government has been touting Bill C-11 as a major revision of Bill C-25 but in reality only the window dressing has changed. The last bill would have created a toothless commissioner who would hear a disclosure of wrongdoing and then feed it right back into the system that was responsible for the wrongdoing in the first place. Of course everyone with any interest in the bill said that it was a farce. Now the government says that Bill C-11 addresses everyone's concern. That could not be further from the truth.

[*Translation*]

Instead of setting up a distinct office, the bill authorizes the president of the Public Service Commission to receive disclosures of wrongdoings from public servants and to investigate them.

Under the bill, the president of the Public Service Commission will report to a minister and not directly to Parliament.

[*English*]

This is exactly the same reporting system that the last bill had, and the exact reporting system that caused the Public Service Alliance of Canada, the Professional Institute of the Public Service of Canada, the public service ethics officer, every opposition party and the media to condemn the last government bill. I do not know why the government thinks it will get an easy ride on this bill.

The reporting process proposed in Bill C-11 creates opportunities for the same kind of interference that apparently took place with respect to an audit report on the sponsorship program that was prepared for Public Works and Government Services. Somewhere between the draft and the final report it was mysteriously watered down so it did not raise any of the alarms it should have raised.

One cannot make someone responsible for rooting out and correcting wrongdoing in government and then have that person report to someone in government. One cannot tell someone "We cabinet ministers are going to give you a well paying job, decide how much power you have, how much you will get paid, how high your operating budget is and how long you stay in office. Now sit down with me and tell me what is wrong with government". It just does not work.

[*Translation*]

Anyway, the president of the Public Service Commission needs to receive disclosures of wrongdoings in order to prepare a report. Here again, the Liberals have seen to it that the bill is worded in such a way as to deter disclosures of wrongdoings instead of supporting them.

• (1025)

[*English*]

The Public Service Commission works hand in hand with cabinet, Treasury Board and deputy heads of government departments to address all kinds of issues concerning terms and conditions of public service employment. Public servants regard the Public Service Commission as part of senior management structure. They will not be inclined to disclose wrongdoings in their departments to anyone so closely tied to their departmental and political bosses.

I was a member of the public service for 22 years. I served as a union president of an association in Sudbury, Ontario and later in management in Sudbury, Ottawa and Cornwall.

[*Translation*]

You can believe me when I say that most public servants will think twice before disclosing any wrongdoing by their bosses to the president of the Public Service Commission. This government institution is just not the right one to listen to and protect whistleblowers.

*Government Orders*

[English]

What is needed for this job is a truly and completely independent body, its resources, operations and chain of accountability must be completely separate from the government of the day and from the public service.

The bill would require public servants to report wrongdoings of their masters to their masters. In fact, it expressly states that public servants cannot even go to the president of the Public Service Commission unless they have already disclosed the matter to their direct supervisor or they have what the bill calls reasonable grounds for not reporting to a direct supervisor. If a public servant discloses wrongdoing through any channel not sanctioned by the bill, then the public servant will not be protected from reprisals. If a public servant reveals government wrongdoing to the public, then the public servant will not be protected from reprisals under this act.

That is totally unbelievable. The government is basically saying that it is all right to punish public servants who dare to tell taxpayers when their money is being wasted. It is all right to discipline public servants if they tell Canadians about abuse of power and corruption. It is all right to do that.

That is simply indefensible. When a public servant takes the initiative to draw attention to wrongdoing involving public money or the public trust, that public servant should not only be protected but he or she should be applauded. Telling Canadians when bad things are happening to their tax dollars is a public service. It is incredible that the government cannot understand this.

[Translation]

This bill tells federal public servants that the only authority to whom they can disclose wrongdoings within their departments without fear of reprisal is someone who reports to the government in office.

[English]

Even when someone reports wrongdoing through the prescribed channels, if the boss fires that person to get even, the person has no recourse except what is available right now.

Bill C-11 sets up no new mechanism to receive reports of reprisals against whistleblowers. Those who are punished for coming forward in good faith to make disclosures of wrongdoing have to bring their plight to the attention of the applicable labour boards. They could have done that without the bill. It gets worse.

If someone makes a disclosure through the prescribed channels and his or her boss takes reprisals against the person for it, what happens? The individual complains to the applicable labour board and has to suffer while the case makes the long difficult journey through the labour board process where finally it is found that the individual was unfairly punished for doing the right thing, but nothing happens. The person who took reprisals against that individual is not even punished. The individual making the disclosure receives no reward or retribution for his or her suffering. The person gets back only what the ordeal cost him or her in terms of money and job status. Nothing else happens.

On one hand the bill says that public servants deserve to be punished for making disclosures of wrongdoing to the public, but on

the other hand it says that supervisors in the public service do not deserve to be punished for taking reprisals against those who disclose wrongdoing, even through the proper channels.

The bill is clearly intended to contain disclosures of wrongdoing and not to facilitate such disclosures or to protect those who make them.

The Conservative Party would support an act that created a truly independent body to receive and investigate all disclosures of wrongdoing by all public servants and to protect those public servants from reprisals. Bill C-11 would not do that.

All 308 members of the House would say, without exception, that the employees of our public service are one of our country's finest resources. Today every member of Parliament has a chance to show their respect for public servants by providing them with legislation that reflects our respect and commitment to them.

I urge every member in the House to seriously consider the bill and to support the changes that need to be made in order to ensure that public servants realize how much the House values them.

• (1030)

[Translation]

**Mr. Benoît Sauvageau (Repentigny, BQ):** Madam Speaker, I am pleased to speak this morning on Bill C-11.

Before I do, I would like to do what needs to be done during a person's first speech after the opening of a new Parliament: thank those who sent me here. I thank the people of the riding of Repentigny, the many campaign workers and the people who have supported me since my first election in 1993 and continue to do so. I would also like to welcome some new municipalities to my riding, namely the two L'Épiphanies, L'Assomption, Le Gardeur and Saint-Sulpice.

It is important, and appropriate as well, to provide a little background, a brief review of how and why we find ourselves today with Bill C-11 before us, one of the first bills to be introduced in this 38th Parliament.

As the President of the Treasury Board has said, this bill originated with the member for Bourassa, among others, as Bill C-25. Amendments have been made, and a degree of open-mindedness on the part of the Liberals may be seen. Improvements are still needed, however.

As we are all aware, the roots of Bill C-25 lie in the sponsorship scandal. During the hearings of the Standing Committee on Public Accounts we, unfortunately, heard public servants testify that they did not make public what was going on in front of them, for fear of reprisals.

Perhaps in a few months, or a few years, we will find out that other public servants were hesitant to speak out about the firearms scandal. That program was slated to cost \$2 million or \$3 million, and now is up to \$2 billion. This is even more scandalous than the sponsorships. Perhaps this bill will make it possible for public servants to tell us what really went on.

*Government Orders*

I believe there are good intentions behind Bill C-11. Its purpose is to enable public servants to disclose wrongdoings when they become aware of them in the performance of their duties.

When the bill goes to committee, however, it will be very important to examine whether it will really meet its intended goal: to make it possible for public servants to disclose acts and omissions within their position or work unit.

It is important to know how Bill C-11 will differ from the Policy on the Internal Disclosure of Information Concerning Wrongdoing in the Workplace—a policy that already exists. Too often the Liberal government tries to reinvent the wheel. When something does not work, the government sets out to reinvent something new.

What does Bill C-11 add to the Treasury Board Policy on the Internal Disclosure of Information Concerning Wrongdoing in the Workplace? In committee, we will have to come up with a meaningful answer to this question to avoid simply creating something new again that falls short of the expectations for this bill.

My colleague from the Conservative Party of Canada was quite passionate in expressing our disagreement with certain aspects of this bill. He disagrees with it and so do we. However, we will give this minority government the benefit of the doubt and see whether the Liberals will listen to us at committee and be open to making a few amendments, as far as the legislative process allows.

We also have a serious problem with the fact that the third party—in this case the person ultimately responsible for receiving complaints and disclosures—is the President of the Public Service Commission.

I would point out that two complaints from the Treasury Board and National Defence were deemed admissible in connection with a serious breach in the application of the Official Languages Act within the public service and National Defence.

•(1035)

At that time, the Public Service Commission did have a president. We have seen how, even though there was someone responsible, the Canadian government, the public service, could ignore the rules and administrative procedures and contravene certain acts and regulations.

As my Conservative colleague was saying and as we have been saying concerning Bill C-25—this is not a new position for the Bloc Québécois—we think it is very important for the designated third party to be independent; it cannot be the president of the public service, or like Howard Wilson, a phony ethics counsellor who has coffee with the Prime Minister to tell him whether he agrees and what it is he agrees with.

We want the person in such a position to be truly independent. Look at the credibility Sheila Fraser has when she presents her reports and the credibility she enjoyed when her report of February 10 came out on the sponsorship scandal. She is an independent officer of the House.

Look at the credibility of Dyane Adam, when she presents her reports once a year—now three times a year, if I am not mistaken—because she is an independent officer of the House.

If the Liberals really want to make this a credible position; if they really want to honour part of the promise in their 1993 red book to restore confidence in the public service, elected officials and the government; then they must establish an independent position of commissioner with this bill. We said this about Bill C-25 and we say it again, and so do the Conservatives.

If they do not want to do this, they must give us rational arguments and explanations. If they refuse, they will be sending the following message, as my Conservative colleague said, to the people: we want to look as if we are solving the problem to get it out of the way, and people will forget about it when something new comes along.

We feel there must be an officer of the House, someone appointed by and responsible and accountable to Parliament, like the Auditor General or the Commissioner of Official Languages.

I wonder about certain aspects of the bill. Take clause 8. I see the President of the Treasury Board is listening attentively. So, we might even be able to get some answers for the beginning of the committee's work: subclauses 8 (c), (d) and (e) read as follows:

This Act applies in respect of the following wrongdoings:

- (c) a gross mismanagement in the public sector;
- (d) an act or omission that creates a substantial and specific danger to the life [...];
- (e) a serious breach of a code of conduct [...];

Why were the terms “gross”, “substantial” and “serious” used in each case? If I am a public servant, is the fact, for example, that Jean Carle buys for \$165,000 worth of golf balls with Jean Chrétien's initials on them serious or not?

For a public servant, is the fact that we buy all our sweaters from Jean Lafleur of Communications Lafleur serious or not? What is serious in a wrongdoing that should be disclosed to a supervisor?

The President of the Treasury Board will have to tell us, at least in committee, what is deemed to be serious. All wrongdoings that can be disclosed by a public servant under clause 8 will have to be serious. What is serious? It will probably be up to the line supervisor, who will unfortunately be the culprit, to decide whether the wrongdoing is serious or not.

I saw some pretty serious stuff in the sponsorship scandal and I hope that everyone would have agreed that these were serious wrongdoings.

We also feel that, in its present form, a second aspect of the bill is flawed. I am referring to the requirement to exhaust other procedures.

Bill C-11 provides, and I quote:

24.(1) The President of the Public Service Commission may refuse to deal with a disclosure if he or she is of the opinion that:

- (a) the public servant has failed to exhaust other procedures otherwise reasonably available;



*Government Orders*

This means that a public servant who is not an expert in parliamentary procedures—in the case of Bill C-11, for example—who contacts the President of the Public Service Commission—if he is the one in charge, although we do not want this to be the case—will be told to go back to square one. It is already difficult enough to disclose a wrongdoing, so if this is the route disclosure will take, we will insist on getting some clarification on clause 24(1).

• (1040)

I will conclude by asking this question: What about the public servant who files a complaint under this procedure? Do we let that person continue to work with his colleagues? Perhaps there should be some transition measures. Will the union be able to continue to support the public servant who made the disclosures? The bill is silent on this issue.

The government will have to explain in committee why the armed forces and the RCMP are excluded from the application of this bill. We think they should be included.

In conclusion, we support the principle of referring the bill to a committee. We hope that the Liberals will act in good faith and with an open mind. We want to amend this legislation which, in its present form, is unacceptable to the Bloc Québécois.

[*English*]

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, as this is my first opportunity to rise to speak in this 38th Parliament, I would like to take a moment to recognize and pay tribute to the good people of Winnipeg Center who saw fit to send me back to this honourable place. Every day that I take my seat in the House of Commons, I am reminded of what an honour it is to be here and what an honour it is to serve the good people of my riding.

It is also the first speech that I have the honour to make with you in the Chair, Madam Speaker, looking over this House with your wisdom. Let me add my voice to the unanimous chorus of members of Parliament who are very pleased to see you there in that very fitting place. I can only say that I hope your eyesight is as good as your judgment so that you will continue to recognize those of us who are banished to the far reaches of the House of Commons, although I am one who believes there is no such thing as a bad seat in the House of Commons. It does not matter where we are sitting.

I come from a trade union background, and as a union leader of a carpenters' union I have some personal knowledge of the importance of employees to feel comfortable when bringing forward information and being led to believe that they can do the honourable thing safely. It has always been my view, and it is still my view, that good managers welcome whistleblowing.

Good managers want to know of any wrongdoing or maladministration or any efficiencies they may gain in the enterprise they have control over by this information. It is only managers who have something to hide who are reluctant to put in place a truly free and open whistleblowing regime.

The NDP is committed to good whistleblowing legislation. We are committed to working with this bill to make it that piece of legislation. We do not want to jeopardize this bill going down without some measure of success and without improving the status

quo. I want to introduce my comments by making that statement because I do have some serious criticisms of the bill.

I was a member of the government operations committee, as was the current President of the Treasury Board as chair of that committee, when we heard the Radwanski affair. There has never been a more graphic illustration to demonstrate the need for whistleblowing legislation than what we went through in that committee. We would never have learned about the Radwanski scandal were it not for courageous public servants willing to come forward to tell us what they knew.

The sad thing about it, and the reason I raise it, is that those very public servants felt it was necessary to bring their own legal counsel with them in order to come before a House of Commons standing committee made up of members of Parliament, made up of their own representatives in Parliament. They could not be assured that they could speak freely without bringing their own legal counsel. That rang the alarm bell for me that something was tragically wrong with the current status quo. Obviously, public servants in this country did not believe that they could speak freely even when it was the right thing to do.

As a result the government operations committee did undertake a great deal of work leading to whistleblowing legislation. First of all there was a subcommittee struck, which I had the honour to co-chair along with my colleague from Laval—Les Îles. We co-chaired a small working group that came back with recommendations to the larger committee as to what this whistleblowing legislation might look like.

What was presented to the committee, however, in the form of Bill C-25, did not resemble the recommendations of that subcommittee working group. In fact, every leading authority on whistleblowing in the country condemned Bill C-25 which came before our committee, and said that it did not meet any of the tests of a quality piece of whistleblowing legislation. Members can excuse us if we are frustrated on this subject because everyone knew what needed to be done, everyone was clear.

The Bloc Québécois had a wonderful private member's bill in 1996 that achieved second reading. It articulated a good, clear regime which would provide that assurance to public servants. In that articulation the Auditor General would have been the office to whom complaints were made.

• (1045)

We heard from 14 witnesses at the committee, as the President of the Treasury Board pointed out. They all condemned Bill C-25. They said Bill C-25 was an act to protect ministers from whistleblowers, not an act to protect whistleblowers.

*Government Orders*

We need to emphasize clearly to public servants that we will protect them, that we appreciate them and that we will reward them. I am not talking about a monetary reward, but there should be some sense of reward for doing the honourable thing in coming forward with information. However, I point out that in some jurisdictions in the United States, there are cash rewards for whistleblowers. They get 10% of the money saved by the bringing forward of any wrongdoing. I am not recommending that, but I want to emphasize that if we are to create some confidence in the public service, we have to make it abundantly clear that we welcome and value the information of public servants, that we are on their side in this and that we will protect them. The legislation is about protecting public servants, not just putting in place a mechanism through which the information can be filtered.

We are critical of a couple of things in the bill, which we will have the opportunity to amend at committee stage. I compliment the President of the Treasury Board for forwarding the bill to committee prior to second reading and getting the tacit approval in principle from the House. I am optimistic that it will be easier to effect some of these changes if it hits the committee sooner rather than later.

One of the fears we have is that we are not convinced the Public Service Commissioner will be viewed as a neutral third party to whom information can be brought. I may become convinced. I know there is a possibility we can, as a consequential amendment, modify the act that created the Public Service Commission to ensure that it is more arm's length than what the public perception currently may be. We are looking into that idea.

One thing that has to be clarified, if we are to give confidence to public servants, is that currently in the act there is swift punishment contemplated for anybody who makes a frivolous or vexatious complaint or a complaint in bad faith. People can be disciplined severely, as they should be, if they do that. There is also serious discipline contemplated for any manager who is caught in wrongdoing by virtue of a complaint. However, there is no immediate satisfaction for whistleblowers who may feel they are being disciplined for having brought information forward.

Their avenue of recourse, as was pointed out by my colleague from the Conservative Party, is to file a complaint with the Canada Industrial Relations Board or the Public Service Staff Relations Board. As an old union representative, I can tell the House that this can be an 18 month agonizing journey, the result of which is frankly like rolling the dice at the other end because of the arbitrator at the Canadian Industrial Relations Board. Like any court case, we may be perfectly innocent and found guilty or we may be guilty and found innocent. We really do not know, so this is no real satisfaction. How many public servants will risk their jobs, and by virtue of losing their jobs, they lose their homes, their family stability, et cetera, if they are not absolutely guaranteed 100% that if they get persecuted as a result of coming forward with information, the government will back them up. They would not have to roll the dice at the Canada Industrial Relations Board or appear with their legal counsel to argue the case. There would be real protection for whistleblowers. Without that, I would have to advise the public servants whom I know to zip their lips.

The legislation comes on the heels of the firing of the three most prominent whistleblowers in the country. What a glaring contra-

dition. The government just got rid of three nuisance doctors, whom I call heroes. They should be nominated for the Order of Canada. These people protected Canadians by keeping the bovine growth hormone off the market because they believed it was hazardous. If we cannot protect the three most prominent whistleblowers in the country, what kind of message does that send to the rest of the public service? We have a lot of work to do to build confidence that they will be safe if they come forward.

Imagine the gains, the waste eliminated, the corruption we could reveal and eliminate if whistleblowers felt free to come forward. However, we are not convinced they will as a result of the bill.

● (1050)

**Hon. Diane Marleau (Parliamentary Secretary to the President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Madam Speaker, let me start by congratulating you on your new position. I am sure you will do very well. It is nice that I have the opportunity to stand and speak before you this first time in this session.

I must take this opportunity as well to thank the people of my riding of Sudbury for sending me to Ottawa for a fifth consecutive term. I hope they keep sending me many more times.

I am also very pleased to speak on this legislation. It is such an important part of what we can do to ensure that there is a process and that public servants are protected when they blow the whistle on any form of wrongdoing.

As the House knows, the bill was introduced last Friday by the President of the Treasury Board. I believe the bill will build an environment that encourages public servants to report cases of wrongdoing in the workplace. It does so by setting out an objective and complete process to govern the disclosure of wrongdoing in the federal public sector.

[*Translation*]

With this bill, public servants who disclose wrongdoings will be protected from retaliation or threats of retaliation. In addition, both those who make the disclosure and those about whom it is made can rest assured that investigations will be conducted in a fair and objective manner and that their privacy will be protected.

As most members know, the predecessor of this public servants disclosure protection bill was introduced in March. Consideration of this bill by Parliament was interrupted last spring when an election was called. The bill was debated in the House and reviewed by the Standing Committee on Government Operations and Estimates. It was even referred to this committee before second reading to give members an opportunity to make a significant contribution early on, which they did.

*Government Orders*

[English]

I am pleased to say that Bill C-11 benefited from discussions on the earlier bill. One key area where the proposed legislation has been strengthened is around the nature, independence, powers and accessibility of the neutral third party.

The neutral third party is the person to whom public servants can report wrongdoing directly. While each department must set up an internal disclosure mechanism, if a public servant feels uncomfortable using that internal system, and this is very important, he or she can go directly to the neutral third party. The neutral third party would also investigate allegations of wrongdoing and make recommendations on his or her findings.

The previous bill proposed a public sector integrity commissioner to act as a neutral third party. Some stakeholders worried that the commissioner would not have enough independence or power to be an effective recipient or investigator of reports of alleged misconduct. This is why the new bill assigns the role of neutral third party to the president of the Public Service Commission.

The Public Service Commission is the organization responsible for protecting the integrity of the federal staffing process. Its overarching goal is to provide Canadians with a highly competent, non-partisan and representative public service, one in which appointments are based on merit.

● (1055)

[Translation]

Bill C-11 confers upon the President of the Public Service Commission the tools and powers required to fulfil this new responsibility. The bill confers powers on her under part II of the Inquiries Act, in particular the power to summon persons to appear, and to have access to offices as part of an investigation. The President of the Public Service Commission may also set the deadline within which chief executives must act on her recommendations.

Some hon. members might question the connection between staffing matters and wrongdoing. I would point out that other governments that have adopted similar legislative measures have found that most disclosures of wrongdoing have been personnel-related human resource management matters.

In fact, the integrity officer referred to a similar phenomenon in his first annual report. It makes sense, therefore, to assign responsibility for disclosure of wrongdoing to an organization with a mandate to oversee federal staffing.

This role suits the Public Service Commission for another reason as well: next year the commission will be assuming more responsibility for audit and evaluation when the new Public Service Employment Act comes into effect.

The President of the Public Service Commission made reference to this in her statement in response to the introduction of this bill, saying that the proposed responsibilities fit well with the direction set for the Public Service Commission by the new Public Service Employment Act.

[English]

I know that some hon. members continue to be concerned that the president of the Public Service Commission is not neutral enough, not independent enough, not powerful enough to take on these additional responsibilities.

The commission has a long history, almost a century of playing an independent role in government. It is justifiably proud of its established tradition of protecting the merit principle in federal staffing. The Public Service Commission has a reputation for both service and independence in performing very similar functions around staffing, as are proposed in the bill for disclosure.

Some might argue that the Public Service Commission is not independent because its annual reports to Parliament are submitted through a minister. I would like to point out that Bill C-11 clearly and explicitly authorizes the president to make special reports directly to Parliament at any time and on any matter within the scope of her powers under this proposed act.

This is not a timid organization that hesitates to demonstrate its independence, an organization that is unwilling to use its power. Let me read a portion of the Public Service Commission's most recent annual report, tabled in Parliament last October. It says:

Under the Public Service Employment Act, the Commission has the authority to revoke an appointment and impose corrective action if an inquiry determines that a fraudulent practice or breach of the Regulations during a selection process has occurred. During the past year, the PSC revoked 20 appointments.

As a result of investigations, the Commission also removed from eligibility lists the names of 13 candidates to prevent their appointment. The Commission ordered other corrective actions in 120 competitive processes that had resulted in appeals that were upheld. These actions included orders to conduct new assessment processes, consider additional candidates, or cancel selection processes. No departments/agencies had their delegation authorities revoked; however, a number of actions were taken to help departments manage their delegated authorities better.

These are not the words of a shrinking violet organization. These are the words of an organization clear and comfortable in its powers, authority and oversight role.

Assigning the neutral third party role to the president of the Public Service Commission is a strong, effective, practical and reasonable option. The government believes that the president has the independence and legal powers required to effectively receive reports of alleged wrongdoing, carry out the investigation and make recommendations on corrective action. I would like to point out that it is not only the government that is of this view. Assigning this role to the president of the Public Service Commission was an option put forward by the previous all party government operations and estimates committee in its 2003 report on the issue.

● (1100)

[Translation]

I am convinced that this energetic and effective bill will create an environment in which public servants will feel confident in reporting wrongdoing. I encourage hon. members to support its progress through Parliament.

*Government Orders*

[English]

**Mr. Gurmant Grewal (Newton—North Delta, CPC):** Madam Speaker, I am pleased to rise on behalf of the constituents of Newton—North Delta to participate in the debate on Bill C-11, an act to establish a procedure for the disclosure of wrongdoing in the public sector, including the protection of persons who disclose the wrongdoing.

It has taken more than a decade for the government to accept the need for whistleblower legislation. It took a lobby by the whistleblower community, public outcry, official opposition pressure, highlights by the media, my Bill C-205, and a series of scandals including the George Radwanski affair, the gun registry cost overruns, the HRDC scandal, the scathing report by the current public service integrity officer, and the sponsorship scandal, for the Liberals to finally make good on their 1993 red book promise. Even now it is obvious that their hearts and souls are not in this legislation.

Up to now it seems that the Liberal government's policy has been to control occupational free speech rather than permitting it. They have bullied whistleblowers, intimidated and harassed them, fired them from their jobs, and have ruined their professional and personal lives rather than rewarding them as is done in the United States and other countries.

The Liberals have always believed in secrecy, confidentiality and cover-ups rather than transparency, accountability and corrective action.

Bill C-11 fails to respond to the cynicism of public servants and lack of confidence. It fails to provide adequate protection. It does not promote a climate in the federal public service that encourages bureaucrats to expose wrongdoing and corruption in government.

The biggest problem with the bill is that it authorizes the president of the Public Service Commission to report through a minister rather than directly to Parliament. The minister will then have 15 days, five more than in the previous bill, to table that report in Parliament, more than enough time to plan his counterspin.

For over a decade the PSC has been the third party. It had a mandate to deal with harassment complaints, but was given no authority or mandate to provide any restitution for damages. The public interest is served when employees are free to expose mismanagement, waste, corruption, abuse or cover-ups within the public service without fear of retaliation and discrimination.

Under Bill C-11 only those who make disclosures through the prescribed channels and whose disclosures meet specific criteria are protected. That is not good enough. If whistleblowers want to safely make a disclosure under this legislation, they must report to a supervisor first or ensure they have reasonable grounds for going directly to the president of the PSC. This disclosure must not be deemed unimportant, frivolous or vexatious, and the person must not go public. That is shameful. These provisions describe a process for containing disclosures, not encouraging them.

The scope of Bill C-11 has been somewhat improved from the previous bill when it was first introduced. Some crown corporations have been included. However, the legislation still excludes the RCMP, military personnel, CSIS, CSE and others. This means that a whistleblower, like RCMP Corporal Robert Reid, who had to go

public when the authorities covered up his investigation of visa selling in the Hong Kong immigration office, would have no protection under this proposed legislation. What good is a whistleblower protection bill when it cannot provide protection to whistleblowers?

Aside from these important exclusions, the bill includes several other government agencies listed in the schedule to the act; however, cabinet may amend the schedule at any time even after the act is passed in Parliament. That gives blanket power to cabinet. As a result the government could create roadblocks anytime as it deems itself embarrassed and federal government employees may find themselves without whistleblower protection.

•(1105)

Bill C-11 prescribes no punishment, fines or sanctions for those who make reprisals against a whistleblower. Reprisals must be reported within 60 days of the time the whistleblower knew or ought to have known a reprisal was taking place. Although this is twice as long as the time allowed in Bill C-25, the timeline is still far too restrictive.

As I mentioned earlier, three years ago, in the face of government opposition, I introduced legislation to protect whistleblowers. That was a time when many members and many people did not know what whistleblower protection was all about. Last year the Liberals refused to support my bill. They simply lacked the political will to provide protection to whistleblowers. When I blew the whistle on whistleblowing, the Liberals had their ears plugged. They did not even want to go there.

Next week I will be introducing that legislation again because the present legislation is not capable of providing legitimate protection to whistleblowers.

My bill is unique and comprehensive. It is unique because whistleblowers like Brian McAdam; Joanna Gualtieri, founder of FAIR, Federal Accountability, Integrity and Resolution; and Louis Clark, executive director and founder of GAP, Government Accountability Project in the U.S. were consulted to take advantage of their experiences. I thank them for their input and help in drafting my bill.

Let us compare my bill and the government's bill. My bill would permit public servants to disclose alleged wrongdoing to public bodies, including the media, whereas Bill C-11 attempts to keep allegations within the department and restricts the person's right to go to the public.

In my bill an employee who has alleged wrongdoing and suffers from retaliatory action as a consequence would have the right to bring civil action before a court, whereas with Bill C-11 employees must take their claims of reprisals to an applicable labour board whose deliberations could be a very long and tedious process.

*Government Orders*

In my bill every employee would have a duty to disclose wrongdoing, whereas Bill C-11 warns that disclosure must not be unimportant, frivolous, or vexatious.

In my bill a supervisor, manager or other person of authority who harasses a whistleblower would be subject to criminal prosecution and face a fine of up to \$5,000. As well, they would be subject to personal liability for any resulting damages that may be awarded to the employee pursuant to any civil or administrative proceedings. Bill C-11 prescribes no punishment for those who make reprisals against whistleblowers. Where is the protection?

In my bill, an employee who successfully blows the whistle would be recognized with an *ex gratia* award, whereas Bill C-11 makes no reference to these rewards, even though the current public service integrity officer states that rewards are essential. The government forgot about that.

In my bill, written allegations would be investigated and reported upon within 30 days of receipt, whereas in Bill C-11, no deadlines are set. That means it is open ended, maybe there would be an investigation or maybe not. It only says that investigations are to be conducted as informally and expeditiously as possible.

When I drafted my bill, public service whistleblowers were consulted extensively, whereas the Liberals bullied the whistleblowers and they have not even talked to the whistleblower community.

Whistleblowers should be praised, not punished. They should not pay for their public service by putting their jobs on the line. In fact, I would allow the government to steal from my whistleblower bill and put it into its bill. I am a small / liberal as far as my bill is concerned.

• (1110)

I will ensure that the government definitely looks at my bill in committee. I will allow it to liberally steal from my bill as much as it has been stealing part and parcel from the platform of the Conservative Party.

I believe the bill will be amended in committee, otherwise I would be forced to vote against the bill and force the Liberals, as well as all members in the House, to pass my bill and not the government's bill.

[*Translation*]

**Ms. Raymonde Folco (Laval—Les Îles, Lib.):** Madam Speaker, I am pleased to rise in the House today to speak to the Public Servants Disclosure Protection Act. Bill C-11 was introduced on Friday by my hon. colleague the President of the Treasury Board of Canada.

Bill C-11 establishes a procedure for the disclosure of wrongdoings in the public sector. However, this bill is not just about a procedure for disclosing and investigating wrongdoings. This bill goes beyond that.

[*English*]

Bill C-11 would create an environment that would encourage public servants to report misconduct in the workplace, an environment in which public servants who report wrongdoing would feel safe from reprisals or even the threat of reprisals. It would create an environment in which both those who make disclosures

and those accused of misconduct could rest assured that the case would be investigated fairly, objectively and in confidence.

[*Translation*]

I was a member of the Standing Committee on Government Operations and Estimates and Chair of the Subcommittee on Whistleblowing. It was the work of this committee, in part, that encouraged us to conduct an investigation first and then table a bill.

[*English*]

Some hon. members may recall a disclosure bill introduced by the government last spring. Because of the subsequent election call, that bill did not progress through Parliament. After the election the Prime Minister made a public commitment to early reintroduction of the disclosure protection bill. The proposed legislation is one element of the government's work to ensure transparency, accountability, financial responsibility and ethical conduct in the public sector.

[*Translation*]

Bill C-11 is not what it was before; it is not just the number of the bill that has changed. Bill C-11 is different from its previous version and surpasses it on many levels.

The previous version of the bill received a lot of attention in this House, in committees, in the public service and in the media. The government welcomed the attention and interest it received. In fact, as some hon. members of the House may recall, the government referred the bill to committee for consideration before second reading, in order to give members the opportunity to make a significant contribution to its content. The committee sat for several days and heard representations from more than a dozen organizations.

The government heard their views and took them into account in the follow-up measures. The current bill provides whistleblowers with a very different form of protection than did the bill presented in March.

What were the opinions that we heard? The most common and most important concern had to do with the fact that the proposed impartial third party did not have the independence or authority necessary to effectively receive disclosures of wrongdoing, conduct investigations on them and report the findings.

We took note of that concern and have enhanced the independence of the third party. We have also appointed the president of the Public Service Commission, the PSC, as the impartial third party. Not only will the president of the PSC receive disclosures of possible wrongdoings, but she will investigate them and make appropriate recommendations based on the investigation results.

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●(1115)

*[English]*

The PSC is an organization with almost a century of experience playing an independent role in government. It is the oversight agency for federal staffing, working in a neutral fashion to protect the integrity of the appointments process and ensuring that it is based on merit.

Bill C-11 would boost the legal authority of the president of the PSC to investigate disclosures under part II of the Inquiries Act. This would include the power to subpoena and the authority to enter offices in the course of an investigation. The bill would also authorize the president to make special reports directly to Parliament.

*[Translation]*

The current government listened to what it was told. We have strengthened the independence of the third party and increased his or her powers. We have also made it very clear in the bill that public servants will have the right to disclose wrongdoings directly to an impartial third party if they do not feel comfortable using the internal process set up in their department.

The confidentiality provisions also had some stakeholders worried. They feared that under some legislation, like the Access to Information Act, the government might have to identify parties to a disclosure case, which could prevent some public servants from speaking out.

*[English]*

Once again, the government has listened. Bill C-11 proposes amendments to the Access to Information Act, the Personal Information Protection and Electronics Documents Act and the Privacy Act to strengthen the ability of chief executives to protect the identity of parties to a disclosure case.

*[Translation]*

A third concern was that the previous bill did not adequately protect whistleblowers from reprisal. Again, the government took that concern into consideration.

*[English]*

The new bill would strengthen reprisal protection. It doubles the time period during which a public servant can make a reprisal complaint and makes it clear that the clock starts ticking on the day the public servant becomes aware of the alleged reprisal, not the date that it occurred. It would also ensure reprisal protection for authorized public disclosures.

As requested, Bill C-11 would also provide retroactive protection to February 10, 2004, for disclosures made in the course of a parliamentary proceeding or official inquiry.

We listened and we responded, and we are prepared to listen again to the informed views of our colleagues in the House, the proof of which is our intention to have the bill proceed to committee after first reading.

●(1120)

*[Translation]*

To conclude, I would say that Bill C-11 reflects the spirit and intent of the recommendations that were made about the previous whistleblowing bill. I look forward to hearing the positive comments hon. members will be making in committee and at subsequent stages of the legislative process.

*[English]*

**The Acting Speaker (Ms. Jean Augustine):** The bill is going to committee before second reading and therefore, by the rules, there are no questions and comments.

Continuing debate, the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

*[Translation]*

**Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ):** Madam Speaker, I am very pleased to speak to this bill today. The Bloc's critic, the hon. member for Repentigny, has covered our party's position very well. Still, there are some additional elements that can be added for information purposes.

Perhaps we should look at the debate on this issue, the protection of whistleblowers in the public service, in the context of the sponsorship scandal we are now experiencing, for which a commission of inquiry has been established. The debate should be viewed in this context because public servants who might have wanted to denounce the situation could not do so. We saw this again in the testimony yesterday afternoon. Some people, who took their orders from former minister Gagliano and other ministers of the Liberal government that had organized this system, were very uncomfortable about blowing the whistle.

That such a bill, a second version of a previous bill, is now being considered is because there is a need to ensure that the government can no longer use its authority to blackmail public servants who want to do their work in good faith, and who want to report excesses like those we have seen in the sponsorship scandal.

The Bloc Québécois thus agrees in principle with this bill as such, which gives the president of the Public Service Commission a third-party role, which applies protection against reprisals retroactively to February 10, 2004, and which prolongs the time limit for presenting complaints relating to reprisals. Certain improvements to the original bill had already been made several months ago, before the election.

Nevertheless, when the Bloc Québécois analyzes this bill, it sees there are still major improvements to be made. Such improvements must be considered before we decide if we will vote for or against this bill when it comes back from the committee.

Fortunately, committees now have a majority of opposition members, because the principle of minority government—our current situation—has been applied. Therefore, opposition MPs will be in the majority. That will be a concrete example of each member having more influence. Since the minority government is a result of the sponsorship scandal, that is a concrete example of the action that should be taken. Let us hope that an acceptable bill will emerge from the committee.

The first recommendation for change that the Bloc Québécois will put forward is to replace the president of the Public Service Commission by a third party acting as an officer of Parliament. In other words, we do not want the president of the Public Service Commission to be both judge and jury, receiving complaints while at the same time being the head of the public service as a whole. Should that be the case, we would find ourselves in the same situation we were in for years with the ethics counsellor, who reported to the Prime Minister and who would bend with the wind depending on what the Prime Minister said. The Prime Minister would start by making a decision, and then the PM-appointed ethics counsellor would come and say that the Prime Minister was right or that the Minister of Finance who became the Prime Minister was right.

It later turned out that several of these decisions were indefensible, that they were defended only because, essentially, the decisions were made for the man hired to make them by the one paying him to do so. We would not want this kind of situation to happen again under this legislation because, when a public servant decides to make a disclosure, this is not easy or gratuitous; this is an action that has public ramifications. We must make sure that public servants can trust the person to whom they make their complaints, so that we do not end up with no one making complaints because the person receiving them is both judge and jury. We have seen this before in other situations, and we want it to be corrected.

In addition, with respect to the need to exhaust other procedures, the Bloc Québécois is very concerned about certain consequences. Bill C-11 says, and I quote:

24. (1) The President of the Public Service Commission may refuse to deal with a disclosure if he or she is of the opinion that

(a) the public servant has failed to exhaust other procedures otherwise reasonably available;

This means that when someone makes a disclosure in good faith, it becomes public knowledge and the person is then told, “You may have a good case, but you should have gone through this or that process before doing this”, namely the disclosure. There is a danger that this clause might be interpreted as meaning that a whistleblower must have exhausted all procedures before the courts in order to be protected under the Public Servants Disclosure Protection Act. This would negate the positive effects of this legislation.

• (1125)

It is as if the government had put the principle forward but set up all kinds of obstacles and roadblocks to prevent public servants from fulfilling their role regarding disclosures.

If the President of the Public Service Commission is acting as judge and jury, and if public servants must first exhaust all procedures other than those provided in this bill, this legislation will

### *Government Orders*

not have any effect. Even if we pass this bill, it will not achieve the results that the legislator had hoped for.

The Bloc Québécois also wants another amendment. We wonder about the lack of transition measures that would allow a whistleblower to ask, for example, for a transfer or a paid leave. In the sponsorship scandal, if the public servants involved had made a disclosure without the existence of transition measures, the situation would soon have become unbearable for them.

When he testified before a public committee, former minister Gagliano said he had nothing to do with the whole thing, when, in fact, he was up to his neck in the transactions. In addition, the current Prime Minister claimed that he did not know about this scandal, when in fact his office intervened to obtain a \$250,000 grant.

Certainly a public servant who had disclosed a situation like that ought to be allowed to change work locations to avoid any unpleasantness. This is another factor that can discourage disclosure, because people know that they will not have an easy time of things afterward.

We would also like to see a right to grievance adjudication to give unionized public servants recourse to it. Thus, it would be possible to restrict the number of procedures a public servant must undertake when faced with a disciplinary measure relating to a disclosure. This would eliminate cases of multiple proceedings, and was one of the recommendations in the Professional Institute of the Public Service's report of May 6, 2004.

These are amendments we feel are important. As far as the union role is concerned, I would add that we would like to see the legislation modified to specify that public sector employees have the right to be represented by their bargaining agent at all stages of the disclosure process.

We have already seen cases of employees coming before a government representative with insufficient knowledge of the procedures. We need only look at how disadvantaged people are when it comes to the Employment Insurance Act. The burden of proof lies with them, while on the other side there are investigators and other people paid to do this sort of thing. The pressure on the individual can be pretty heavy.

When a disclosure comes from union members, it would be important for them to be able to call upon a union representative to accompany them if they felt it appropriate and provide a helping hand with the process.

We would also like to see the legislation apply to the armed forces and the RCMP. There is no need to say much on this, since we have a very special situation in Canada with the sponsorship scandal. Investigations have been called for. The RCMP itself is involved in them, but we also know that the RCMP profited from this scandal through transfers of money. Funds were also transferred to ad agencies. As a result, the RCMP was both judge and accused. These agencies ought not, therefore, to be exempted from application of this legislation.

*Government Orders*

I think the sector they work in is very sensitive. There have been wrongdoings committed in the past by members of the administration and senior management, which should be disclosed. The same is true of the Canadian Forces.

Look at the saga of the submarines, which, unfortunately, ended in the death of an officer. Maybe if we had had proper legislation, we might have had disclosure, which would have stopped the problem before it began. The submarines could have been confined to port three or four years ago rather than after the accident and their seaworthiness checked before they set sail.

So, there is no reason for the RCMP or the Canadian Forces to be excluded from the application of this bill. The Bloc Québécois hopes these amendments will be heard.

In the past when amendments were moved, it was hoped they would be passed. We debated the amendments in committee. As I was saying earlier, now, with this minority government, opposition members will make up the majority on each committee. Each member will have a greater role. These amendments will have a chance to be passed. I hope so.

I hope when this bill returns from committee that it will be changed significantly in keeping with the Bloc Québécois position so that we can finally have a proper and effective Public Servants Disclosure Protection Act.

• (1130)

In the future, situations like the sponsorship scandal need to be eliminated at the source. We have to be able to nip the problem in the bud rather than go through something like what we are going through now. The integrity of the entire government and elected officials is compromised. Let us hope that bill will be amended along the lines of what the Bloc Québécois proposes.

[English]

**Mr. John Williams (Edmonton—St. Albert, CPC):** Madam Speaker, I am pleased to speak to Bill C-11, the whistleblower protection act, which like every other act tabled by this government has its failures and omissions. We will try and fix that. Unfortunately, we only have three hours of debate before it is hived off to committee.

As will be recalled, only a few minutes ago I rose on a point of order to see if I could ask a question of the Liberal member who spoke immediately before me. It seemed to me that she was reading a speech prepared by the Treasury Board, rather than giving the House her own observations on the bill.

We have had far too many speeches in this House prepared by the government bureaucrats behind the scenes. The government members come in here and present them as if it were their own ideas, which they are not.

I have not had the time that the bureaucrats at the Treasury Board have had to look at the legislation. I have had a quick look at it and I already see some problems with it. The Liberal member made some reference to the retroactivity in the bill, which goes back to February 10 or 11. That of course was the day the sponsorship scandal broke upon the land. It says that there will be no recourse or recriminations

against anyone who discloses anything to a parliamentary committee on or after February 10 .

Members may recall that we had Mr. Cutler before the committee. His career had been sidelined and basically terminated, although he was still maintained in the public service. However, his capacity for promotions and advancement within the public service were completely stopped because he blew the whistle back in 1996 on the sponsorship program. Of course that had an audit. We know from the Gomery inquiry that the external independent auditors agreed with their employer, the Government of Canada, to water down the contents of their external independent audit so it would not look quite so bad as what they found it to be.

In addition, they were precluded from going to other sources to look at documents. If they had, they would have perhaps uncovered this whole rats nest of problems of the sponsorship scandal back in 1996. Because the government constrained them and then leaned on them to water down their report, we ended up with something that they subsequently claimed did not blow the whistle. However, Mr. Cutler's career was sidelined.

The public accounts committee in its second report this past spring said:

That a mediation process involving the Public Service Commission and the Public Service Integrity Officer be established to resolve matters relating to federal employees past or present who have allegedly suffered monetary loss or career damage as a consequence of having reported instances of wrongdoing with regard to the Sponsorship Program; and that the instances that have been judged to have merit be reported to the House.

As far as I am aware, the President of the Treasury Board is still obviously cogitating on this complex matter. I am not aware that he has reported to the House on the issue of Mr. Cutler who would not be covered by this legislation, although the government takes all kinds of credit for saying that it has backdated it, that all is well and that nobody needs to worry. However, Mr. Cutler's career has come to a crashing end and he has not been dealt with at this point in time. That issue needs to be resolved if the government is to have any integrity on this matter.

I said I have taken a quick look at the bill and I see some problems with it right off the bat. I have looked at clause 5 which says that the Treasury Board will establish a code of conduct for the government. Then it goes on to say that each deputy minister can have his or her own code of conduct. If a person is transferred from department A to department B, all of a sudden that person is working under a different code of conduct. We would have thought that it would not have been a big thing for the Government of Canada to say that integrity is integrity in this department and that department and indeed every department.

• (1135)

Why does every department have its own code of conduct? It is the same way perhaps that the government thinks there should be a code of conduct for MPs and a different one, with perhaps even lower standards, for cabinet ministers. These convoluted problems build complexity into the issue rather than make it simple, clean and obvious so that it will work.



*Government Orders*

I also have looked at clause 10, which says that each deputy minister and chief executive officer must establish internal procedures to deal with disclosure. In the next paragraph it says that if the department is big enough, the person can designate it to someone else. Then when we get down to subclause (4), we find out it negates paragraphs 1 and 2 by saying they do not apply if the chief executive or the deputy minister declares that it is not practical to do so. Complexity in these issues allows the government to wriggle around and say that it is complying with the legislation, when perhaps it is not complying with the legislation at all.

Again, on the sponsorship scandal, as we know the deputy minister, Mr. Ran Quail, said that he was kept out of the loop. He did not know what a middle manager in the far end of his department was doing. We never did get the answer at the public accounts committee as to why the organizational chart of his department showed at the far side the sponsorship program under the leadership of Chuck Guité. He was completely and absolutely independent from everybody else in the department.

We have this concept of checks and balances. If someone wants to get an invoice out of the Government of Canada, that person sends a request to somebody else who checks to see that the goods are received, which is confirmed by somebody else, and so on. Then when it seems to all work together, someone sends out the money. Mr. Guité was able to do that completely.

When Joy MacPhail, the deputy minister at Public Works, the successor to Ran Quail, was asked why the organizational chart was that way, she said that she did not have a clue, and she was the deputy minister. Mr. Quail did not have a clue what was going on either. We have a serious problem with deputy ministers coming to committees saying they do not know the answers when they are supposed to have them.

Then it turns out that the minister, Mr. Gagliano, was dealing with Mr. Guité, a middle manager, bypassing the deputy minister. All was well because these guys were getting along famously, as far as we can understand. Now we are finding out at the Gomery commission that a few other people around the department were not happy with what was going on. We were aware of this in the public accounts committee.

The issue is that these people were being intimidated. They were being told they could not blow the whistle. The political staff in the minister's office were all in cahoots, by the sounds of it, to engineer this \$100 million disappearance of funds from the Government of Canada.

That brings me to clause 23. It says that the president of the Public Service Commission, who will be the person doing the investigations, cannot do an investigation if anybody else in government is doing one. Superficially, one may say that is okay. However, everyone may recall the sponsorship program, which actually broke two years earlier, where \$600,000 each was paid for three contracts and only one was received. The second one was just the same report with a new cover, and there was no third report.

The government referred that to the Auditor General. She reported that the situation was so bad. She was incensed and alarmed, and she said that she would do a full audit. Because the Auditor General is

involved, the public service commissioner is denied the right to be involved. It does not sound right to me.

This bill is full of holes. Now that the government does not have a majority in the House, I hope we will fix the problems with the legislation at committee.

• (1140)

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Madam Speaker, this is the first time you have been in the chair when I have been up on my feet. Let me congratulate you on your appointment. It is good to see you there. We hope we can provide you with the cooperation you deserve, and which the Speaker generally deserves, from this end of the House. We wish you well in your endeavours in trying to provide us with some guidance in the coming months.

I am taking this opportunity to speak to the bill because Canadians have to appreciate the significance of this type of legislation to the public service in Canada. It is not for no reason that the bill has been brought forward.

In the last Parliament we had a litany of incidents where, had the public service felt comfortable in coming forward, a great deal of the scandal and abuse that went on in a number of areas would have been dealt with at a much earlier stage. Perhaps we have the right to believe, if not hope, that those incidents would never have taken place had we had a regime where the public service felt comfortable in coming forward. People thought they could get away with the type of conduct we saw in the Radwanski affair and the sponsorship scandal. That type of conduct, if considered, would have stopped before it ever got off the ground. If the culprits knew in advance that they would be exposed, they would not have felt comfortable conducting themselves in that way.

We also have to appreciate the fear that is within the public service. Look what has happened to staff within the public service, the Department of Health and more recently in the Department of Agriculture, who have dismissed out of hand. They did what Canadian citizens would expect them to do, and that is protect us from an abusive process. The last three employees in particular, the professional staff in the Department of Agriculture, were dismissed. How that could happen in light of what we have experienced in the last three of four years is impossible to imagine. The senior level of government felt they had the ability to get away with dismissing those people for the exposure they made about GMOs. There is no explanation for why that can happen. It should not have happened. What will we now be faced with, lawsuits? None of that needed to happen. We badly need this type of legislation, but not this one.

I want to speak for a moment about the reality of how the legislation got to the stage it has, which is not far enough in our minds. We would not even see the amendments in the legislation from its last incarnation in the last Parliament if it were not for the fact that there is a minority government. It is quite clear the minister and the government were quite prepared to work the legislation, which was of no use whatsoever in protecting the public servants if they felt compelled to come forward with abuses.

*Government Orders*

When that bill was put forward in the last Parliament, somebody conducted a survey of the public service in Ottawa. Over 75% of the people in the public service said that they were less likely to go public with their complaints or raise concerns around abuses than they were under the old system. That new legislation would have inhibited further public servants coming forward.

• (1145)

Admittedly in this bill we have seen some improvement. I do not want to deny that, but it does not go far enough. It is quite clear again, I believe, that if we took that survey of the public service we would still see a majority of them saying, "I am not comfortable. I do not feel protected by this legislation". They say to us, "I know there is abuse going on but I am not comfortable in coming forward because I will not be protected. That is my belief". Those are the kinds of statements we get from public servants when we talk to them now. In light of this current bill, those are the discussions we have had in the last few days with them.

Clearly, the NDP as a party is going to be looking for substantial improvement in the bill. We are signalling quite clearly that we are not satisfied it goes far enough. My colleague from Winnipeg, who will be responsible for this bill, made that very clear in his opening address earlier today. That is a clear message from the party. It is interesting to hear the same thing from the other opposition parties.

I hope and expect that at the end of the day we are going to see improvements so that when we next speak to the public service in this country, we will hear them say, "Yes, we are satisfied that the bill now protects us. We are satisfied that we can speak out without fear of repercussions to our career and to our well-being as public servants in this country".

I want to echo some of the comments we heard from the last member who spoke for the Conservatives. I as well sat in and listened to Mr. Cutler when he testified. I could not help but think that in this new millennium in a democracy like Canada's this person should not have suffered the consequences he did. We should be well beyond that in terms of protecting the people who work for the citizens of this country. We had a man whose career was severely curtailed and we were not there. By "we", I mean this House and the government. We did not have a system in place to protect him. He suffered the consequences. That should not happen.

If nothing else, we as a party are going to do whatever we can to see that when the bill gets to its final stages a man like Mr. Cutler will in fact be protected, will feel safe in coming forward and will feel safe that he will be protected by the system.

• (1150)

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Madam Speaker, I count it a privilege to rise in the House and speak to the matter of the bill we are debating today. Certainly Bill C-11 is a significant and important bill and we have to give due diligence to it. I appreciate that many of the comments that have been made are valid ones.

Let us look at the purpose of the bill. It is "to establish a procedure" for the reporting or disclosure of wrongdoing and to protect those who so report, and to set a code of conduct. The bill states that the code of conduct would be set by Treasury Board and a

minister must consult with the employee organizations' certified bargaining agents. That is well and fine. The bill goes on to state, "Every chief executive may establish a code of conduct applicable" to their particular department. The bill does not give any guidelines as to what that code of conduct ought to be or should be. I find that there is a bit of a looseness there in terms of the definition and who may be involved in that process. I would like to see something that would define what the general guiding principles of the code should be in order that the parties may work toward that end.

When I look at the process, which is one of three important things, I find a fundamental flaw in the process, that is, it happens internally. Subclause 10(1), dealing with the disclosure of wrongdoing, states that "Each chief executive must establish internal procedures to manage disclosures of wrongdoings made by public servants...". Either the process should be set out in legislation or it should happen altogether independently and outside of the employee-employer relationship. If the employer sets out the process, as we will see in the subclauses following subclause 10(1), it becomes an internal matter and probably will be the reason why many wrongdoings will not get reported. They will not be reported because of this internal process.

Subclause 10(2) states that each chief executive "must designate a senior officer to be responsible for receiving and dealing with" those disclosures. This is again an internal process, and in regard to a lower level officer, this is actually not defined. The definition of senior officer in the definition section of the bill simply states "a senior officer designated under subsection 10(2)". Clause 10(2) does not define who that is. It simply states that it must be someone appointed by the chief executive officer. We do not even know who that would be. To continue, clause 12 indicates that a public servant may disclose a wrongdoing to a supervisor within the system.

So what do we have in the bill? We have a supervisor, we have a senior officer and we have a chief executive officer. If we look at that process, we will see that it is totally internal, totally within the structure, and it will be the primary reason why public servants may find it difficult to report a wrongdoing, particularly if it relates to that person's department or those levels of employees. It is my view that the bill should provide for an independent, external reporting mechanism and an external person who could receive the disclosures so that they could be dealt with without any fear of reprisal or without any intimidation.

In fairness to the minister, clause 13 indicates that there may be a disclosure of wrongdoing to the president of the Public Service Commission but it preconditions that disclosure and that is where the problem lies. It states, "if...the public servant believes on reasonable grounds that it would not be appropriate to disclose the matter to his or her supervisor...".

Why should the public servant be placed in the position of a judge or the judiciary to decide if there are reasonable grounds or not? If there were an independent, external person or agency that determination would not have to be made. The very simple question would be, "Is there a wrongdoing?" If it looks bad enough, the public servant could report it to someone and let them decide whether there is a prima facie case to proceed. The onus should not be put on the employee, the public servant.

*Government Orders*

•(1155)

Clause 13 goes on to state that a public servant may disclose a wrongdoing to the president if there are “reasonable grounds” or where “by reason of the subject-matter or the person alleged to have committed” the wrongdoing, it would be inappropriate to report to that person.

Again, who decides the issue of the subject matter of the wrongdoing and whether the person would justify the reasonable grounds to report to the president? That is far too great an onus to place on an employee or a public servant. All the employee should be required to do is report the matter to an independent person or body which would make the decision on whether the process needs to proceed. That would provide the comfort level people would need in this particular issue.

I realize that there must be balance in this process. I notice that clause 40 of the bill deals with the other side of the coin by saying, “No person shall, in a disclosure of a wrongdoing...knowingly make a false or misleading statement, either orally or in writing”.

I think that is the other part of the balance that we need to be careful of. We need to ensure that those types of things do not happen. In order to ensure that, there must be a consequence for those who knowingly make a false or misleading statement. In the previous Bill C-25, there was a provision as to what would happen to those who would be in that category, and there would be some disciplinary action. This bill does not deal with that in clause 9 and I would suggest that it should.

Finally, as I look at clause 24 of the bill, I see that it states:

The President of the Public Service Commission may refuse to deal with the disclosure if he or she is of the opinion that

(a) the public servant has failed to exhaust other procedures otherwise reasonably available;

It does not say what those procedures are. It does not say that it refers to applying through the supervisor or through the senior officer or executive officer. It just does not say so and it leaves that discretion solely in the hands of the president of the public service. I do not think that is right.

If we were to have a independent body dealing with the matter, a body separate and apart from the employee-employer relationship, we would see that discretion being exercised. The clause goes on to state that the president may refuse to deal with the disclosure if “the subject-matter of the disclosure is not sufficiently important...frivolous or vexatious or made in bad faith” or if “there is a valid reason for not dealing with the disclosure”.

What is that? What would that be? And do we want to leave it in the hands of someone who is tied to the employer?

Also, if a decision is made not to hear that process, there is no provision for appeal. There ought to be provision for an appeal. It seems to me that when employees or public servants are required to either go through the internal process or leave it in the hands of the president without having recourse to disagree with that opinion, there needs to be some objective person or body to deal with that.

I feel that when we deal with legislation such as this, when it is far-ranging, when it deals with wrongdoing of various kinds, we

must ensure that for those who are legitimate, those who are not acting in bad faith, those who want to bring to the attention of the House the fact that there is something wrong within a department, there must be an easy process. That process must be separate from the internal workings, which have their own machinations of power. If people can have that assurance, the process will flow smoothly. It will be someone making decisions that will be based on an objective basis and not on bias, not on feelings and not on relationships. I think that is very important.

•(1200)

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I am pleased to speak to Bill C-11 with regard to its referral to committee after first reading.

I was the chairman of the government operations and estimates committee in the last Parliament which dealt with the previous bill on whistleblowers. As such, I am acutely aware of the sensitivities that the public service raised with the committee as well as interested parties. Members will know that the issue of independence within the process was extremely important and was expressed by many interveners. As well, the issue of whether or not crown corporations were under the umbrella of this legislation became an important consideration.

I am sure these will continue to be principal elements of discussion at committee. It is one of the reasons that it is probably advisable that the bill go to committee after first reading, so that the committee has the opportunity to examine the fundamentals of the bill to make sure we get it right. That is in the best interests of all and certainly of our public service.

The bill encourages public service members to report wrongdoing in the workplace and protects those who make such disclosures. There is ample evidence why this protection is absolutely necessary.

We went through the process with the former privacy commissioner, Mr. George Radwanski, who ultimately was found in contempt of Parliament. We found ample evidence of rewarding those who played ball and other negative consequences to those who were concerned about what was going on within that department.

I think a consensus point for all hon. members will be that we need to protect the public servants if, as and when they bring to the attention of parliamentarians allegations of misappropriations or other wrongdoing, et cetera.

As a chartered accountant, I am subject to the rules of professional conduct of the Canadian Institute of Chartered Accountants. Those rules obligate me to report to an independent person within the Canadian institute any suspected allegation of wrongdoing of another chartered accountant in the conduct of his or her business. I do not have an option. In fact, if it is subsequently determined that I knew but did not report, under the terms of that code of conduct, I would be equally culpable as the person who did the wrongdoing.

*Government Orders*

That is the kind of principle that should be part of the normal culture within the public service. I believe the public service wants to have that openness to be able to bring to the attention of someone suspicions. I think suspicions are a starting point, not full knowledge. Indeed it is not really up to the public servant to make the full case. It is important that that case be brought to the attention of independent persons outside their own department so that the details can be established. In the event that the concern is not properly founded, that can properly be discussed with the public servant raising the issue. There are some fundamental principles that could be built into the bill.

It is important for members to familiarize themselves with the bill. In our new committee of government operations and estimates there is a feeling of camaraderie and goodwill. We want to do good work on behalf of Canadians and we all respect the good work that is done by our excellent public service.

I would like to spend a few moments on the preamble. The preamble is very important. We often forget about reading the preamble in bills. It is an important statement not only to our public servants, but to Canadians. It sets the context for right doing and it recognizes the Public Service of Canada as an important national institution, part of the essential framework of our parliamentary democracy.

The preamble also acknowledges the public interest in maintaining and enhancing the confidence of Canadians and the integrity of our public servants, who it recognizes may sometimes be torn between democratic values and loyal service to the government of the day and their right to freedom of expression. This is a very important aspect to be reflected within our legislation. The bill is structured to give them a clear and safe avenue to raise the concerns and the confidence that they will be addressed.

• (1205)

The bill also provides that employee concerns be addressed at a source where they can be resolved the fastest. It also provides for critical safety valves for the protection of a person. Anonymity is a very fundamental part of that protection.

There are three parts of Bill C-11 that deal with the promotion of right doing. More specifically, the bill requires the Treasury Board of Canada to establish a code of conduct for the public sector. The importance of the code is such that Treasury Board must consult with the bargaining agents in its development and must table it in Parliament.

Bill C-11 also allows chief executives, being the deputy heads of departments and chief executive officers of crown corporations, to establish codes of conduct in their own organizations. These codes must be consistent with the code established by Treasury Board.

I point out that the federal public service and many public sector organizations already have good, strong codes for employees but the bill goes further in supporting employees to live up to those codes. The proposed legislation gives those codes the teeth they need to be effective, that is to say that serious breeches of these codes are also one of the definitions of wrongdoing within Bill C-11.

Any public servant who is asked to act contrary to the code of conduct would now have under the proposed law a safe avenue for refusal.

The proposed legislation also requires the minister responsible for the Public Service Human Resources Management Agency of Canada to promote ethical practices in the public sector. This would allow the important work on values and ethics that has been ongoing in the public service for almost a decade to expand and improve support to managers and public servants.

I must admit that there are some areas of the bill on which there will not be total consensus among the various stakeholders. Certainly the crown corporations issue is going to be raised again. I think the committee will have an opportunity to assess the best interests not only of our public servants but also of Canadians at large.

With regard to the protection and values, I know that the committee is very anxious to ensure that all our public servants feel that this bill provides them with the necessary protections so that there would not be negative consequences to their raising allegations of any wrongdoing. That is good parliamentary practice. It is certainly good business practice.

I am sure that the committee looks forward to hearing witnesses on the bill to ensure that we do get it right the first time.

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, I appreciate the opportunity to speak to Bill C-11, which is going to committee before second reading.

I have listened very carefully to the government's defence of this whistleblower legislation. Except for the last member, I have been very disappointed with the Liberals' defence of this legislation which will really do nothing to improve the culture of corruption that we have been facing for years. The last member has given me hope that the Liberals are going to hear some of the suggestions that we are putting forward. He talked about an independent commissioner. That is what we need. That is one of the serious flaws in this legislation.

Let me talk about why it is needed. The phrase "culture of corruption" is often used. This is a plague on taxpayers. It is a plague on Canada. It is a plague on democracy. We need something to address this. That is why this bill could become a very important piece of legislation if it is amended to ensure that it truly becomes whistleblower legislation and protects those people in the public service, in crown corporations, in the RCMP who may see or suspect that there are problems and something that has been going on behind the scenes that should be corrected.

The words I have just used may seem a bit harsh, but I want to talk about my experience here in Parliament over the last 11 years. It will make it abundantly clear why we need something like this.

I was first elected to the House of Commons in 1993. I thought when I came here we would get the information that we need to do our job. I have become disillusioned. I was wrong. The government has done its best, or in this case its worst, to keep me and every member of this opposition Conservative Party in the dark.

*Government Orders*

Here is a fact. In the past 11 years, I have filed 496 access to information requests, nearly 500 access to information requests. If I randomly selected one of those, for example the one that I just received last week, and I showed it to the House, but I am not allowed to do that because we cannot use props, members would be shocked to see how much of it was whited out. In this last case it has been blacked out. There are huge black sections where information has been hidden from me and by extension all Canadians because the government is covering up some of the serious problems that exist behind the scenes.

In my experience we need more openness and transparency in government. We need to have bureaucrats who are working behind the scenes able to come forward and disclose things. Why do I get these access to information requests that are blacked out? That is the case with many of my replies; they come back and there are more blanks than there is information.

I believe it is because public servants are afraid to give me the documents I am requesting. They are afraid they might be fired, demoted, red circled, or punished in some other way if they release documents that are an embarrassment to their minister. That is not right.

We need to do the opposite. We need to encourage public servants to share the truth with members of Parliament. A good bill to protect whistleblowers would go a long way in alleviating the fears of public servants.

Let me also answer another question. Why should Canadians care about whether we have effective whistleblower protection? It is obvious from my introductory remarks that it is a key element in making democracy work. Let me explain.

Democracy cannot function effectively if there is not a free flow of information. We need to know what is happening behind the scenes in government. That is very important in our system of government here, that there be transparency, that government be open and accountable and that we know what is happening in all of the different divisions of government.

How, by extension, can Canadians make an intelligent and informed decision at election time if they do not have information? I submit that this information has been hidden from Canadians because we have not had effective whistleblower legislation and because access to information and all of the other mechanisms that should provide information to us are not working.

● (1210)

For democracy to work, we must have that free flow of information so that when Canadians go to the polls, talk to their members of Parliament or observe what is happening here, they will know actually what is happening.

Whistleblowing legislation can be an important part of a free flow of information. I would even go so far as to say that it should be the duty of public servants to disclose things that are not honourable or not honest going on behind the scenes. I think we should go way beyond this legislation and provide an incentive, a reward for those who are honest and honourable and want to do the right thing.

We as Conservatives have been pushing for this for a long time. In speeches that I made back in 1994 I was already saying that we needed effective whistleblowing legislation. My colleague from Newton—North Delta has been submitting legislation for years but the government has completely ignored it. Through private members' business he has tried to get whistleblowing legislation debated and passed in the House. The government has finally brought something forward. I just wish it would be more effective.

One of the problems that whistleblowers could address, which is one with which I am very familiar, is the gun registry. I have tracked this issue for a long time. The government hides information about what is going on behind the scenes. Problems are not reported.

I feel that one of the key problems with the legislation is that the reporting that the whistleblower does goes first of all to the people above him or her and to the minister. It does not encourage disclosure to some independent commissioner. That has to be foundational in any legislation for it to work.

The way the bill is set up now it would have the exact opposite effect. It would allow the minister or senior bureaucrats to put the thumbs on these people and deal with them in a way behind the scenes that we will not even know about. In fact, I believe this would have the opposite effect, which I will explain more in a minute.

We have been offering ideas to the government for years on effective legislation but it did not even consult us when it came to drafting the proposed legislation. I thought in a minority Parliament this would happen but it has not happened yet. My hope is that it will.

I believe that the proposed legislation is the government playing politics, at least what I see so far. By that I mean that the government is creating an impression that it is doing something effective just to get votes. It is actually pulling the wool over the eyes of the public by giving the bill a name, such as whistleblower legislation or public servants disclosure protection act.

I think we have to go beyond that. We have to find a mechanism for potential whistleblowers that would reward them rather than punish them. I think it will have the opposite effect.

In the bill's present form it should not be called the public servants disclosure protection act. It should be the public servants disclosure prosecution act. The way it is structured it would allow the people in positions of authority to actually put down potential people who would like to come forward.

I have a news release by the public servants that was put out on March 22 of this year which actually supports what I have just said. Because the integrity commissioner reports to the minister and not to Parliament and because whistleblowers must go to supervisors first instead of the commissioner, this cannot work. They would be punished rather than rewarded for doing something honourable.

In conclusion, I would like to say that the bill should include all public servants. The government should not be able to cherry-pick who it applies to. It should include the RCMP and crown corporations.

*Government Orders*

The key thing that has to happen, which the Conservatives have supported, is that we must create a truly independent body to receive and investigate the disclosures of wrongdoing by all public servants, either publicly or through formal channels. The bill falls short of that and we need to fix it so it will be effective. It is a good idea but, in its present form, unacceptable.

•(1215)

[*Translation*]

**Mr. Odina Desrochers (Lotbinière—Chutes-de-la-Chaudière, BQ):** Mr. Speaker, as I begin I would like to offer my congratulations on the important position you now occupy and I shall also take a few seconds to thank the people of Lotbinière—Chutes-de-la-Chaudière, a riding that has undergone profound changes. Some 65% of my constituents are new and they have placed their confidence in me. I am very happy to represent them. Today, I am very proud to speak about Bill C-11, which revives the former Bill C-25.

During my second term of office, and particularly between February and the election call, I spent hundreds of hours on the sponsorship scandal. The report of the Auditor General came out as our committee was beginning its work. The President of the Treasury Board was eager to tell us about legislation, measures, provisions that would protect public servants who might have been involved or who could have given us clarifications with regard to the work we were doing. And then we never saw him again. He disappeared. He became complicit in all we later heard about the Department of Public Works, that is, a good obedient Liberal who was trying all the time to hide the truth.

Here again, the President of the Treasury Board, reintroducing Bill C-25 as new Bill C-11, is offering the House just half a solution. Once again he is showing this House his lack of transparency. A step has been taken, but just one small step. There is still one giant step to take so that these things do not happen again. In this bill, we do not find the provisions that the Bloc Québécois was hoping for, such as what exactly disclosure is. Could disclosure not be a form of political pressure?

I sat on the public accounts committee. I sat on that committee in camera and I saw dozens of public servants tell us with embarrassment that they had been forced by the Gagliano gang to do things that led to the sponsorship scandal. In Bill C-11 there is nothing to define exactly what a disclosure is.

The bill uses the word serious. I would say that the situation is very serious. In fact, this government must understand that it is now in a minority and that its trademark arrogance will not work any more, because now, the opposition has the majority. This Liberal government must demonstrate that it is taking steps to ensure that public servants are protected for some of the actions they had to take during the Jean Chrétien administration, during the Alfonso Gagliano administration.

I do hope that this bill introduced by the President of the Treasury Board will protect people from political pressure. We all remember the Liberal big wigs who appeared before the Standing Committee on Public Accounts. One after the other, Alfonso Gagliano, Canada Post president André Ouellet, Via Rail CEO Jean Pelletier, Marc Lefrançois and many others lied to the committee, and the

Liberals tried to put the blame on civil servants. This is shameful! It does not reflect what really happened.

Bill C-11 does not do enough to protect civil servants, who are often under political pressure. They often have to answer to a small time manager appointed by the big Liberal machine. They are afraid to act, to tell the truth. Bill C-11 should do something about that.

Let us not forget about labour relations mechanisms. Civil servants are represented by unions. Whatever measures are stipulated in Bill C-11 must be taken in cooperation with the unions.

•(1220)

The civil servants who have the fortitude to disclose partisan decisions and cover-ups will need the support of their unions. That has not been provided for in Bill C-11.

Yes, we in the Bloc Québécois support Bill C-11 in principle, but we also happen to believe that major changes need to be made to this piece of legislation.

I would like to ask a question of the President of the Treasury Board. We do have something called the Policy on the Internal Disclosure of Information Concerning Wrongdoing in the Workplace. We rarely hear about it, but it does exist. What does Bill C-11 introduced by the President of the Treasury Board add to this famous internal policy concerning wrongdoing in the workplace?

The Liberal government must realize that, with this scandal, which made the headlines not only at home but also abroad, Canada has been discredited. The image of our parliamentarians—not Bloc members but those of the ruling party—has been discredited throughout Canada. During the election campaign, people were asking me what would happen after the work of the Standing Committee on Public Accounts and the Gomery commission was completed, whether any actions would be taken against those found guilty, at fault or otherwise involved in the sponsorship scandal. The first action taken by the Liberal government is once again only half a solution. The efforts made by parliamentarians, witnesses, the Gomery commission and the Standing Committee on Public Accounts must not be wasted. With no follow-up, the Parliament of Canada will lose its credibility, and our image as parliamentarians will again be tarnished because of the Liberals' past.

The meaning of disclosure needs to be clarified. The people across the way also need to get through their heads what the word “transparent” means. The proposed process is not a transparent one. Once again, the plan is to appoint someone who will be both judge and jury. The president of the Public Service Commission runs the whole public service. Is this the right person to be the judge, receive disclosures, perhaps have to criticize his right-hand, or left-hand man? The most credible person right now is the Auditor General. Through her work, she revealed the sponsorship scandal. If this shortcoming of the bill is to be remedied, the person would have to be independent and accountable to Parliament.

*Government Orders*

It is time for an end to cover-up and secrecy among the friends of the government. It is absolutely essential that this minority Liberal government understand that things must change, as they said in the 1960s. And it has to show that there is a change. We in the Bloc Québécois pledge to work hard on the committee to bring about changes that will meet the public's expectations.

• (1225)

[English]

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, I am pleased to speak to this bill, although I am somewhat concerned that I have spoken on it in the past all too many times. We have had similar legislation brought before the House on a number of occasions and it has never been passed by the House in spite of there being quite a bit of support from the government side as well as the opposition side.

I will talk a bit about how that has changed now. I do have some hope that this time we can bring about meaningful and effective whistleblower legislation. This is to be seen. We are working in a new territory with the type of minority government that we have.

I would like to start off talking about why our party will support this legislation if certain key changes are made. I think we are supported in these changes by certainly most of the opposition members and some government members, as we have heard in the debate that has taken place so far. That does lead to some hope, but there are some serious problems with this legislation as it stands right now.

The first, and it has been talked about before, is the need for an independent commissioner. The way the proposal is laid out in Bill C-11 the public service commissioner would handle complaints, but only after they have gone through a proper process. We are concerned about the process, but we are also concerned that the public service commissioner is not the right person to be reporting to.

I want to make it clear that I think the current president of the Public Service Commission is a very capable and competent person. Maria Barrados has proven that she is very capable and willing to do her job, and do it well, but that is not the issue. The issue is that the trust of the members of the public service simply is not there for the Public Service Commission.

I was a member of the government operations committee in the last Parliament when we dealt with this legislation. The point was made again and again that the public servants simply do not have the trust of the public service commissioner that is needed to make this legislation work effectively. We are calling for an independent commissioner to be put in place to handle these complaints, and to have an independent office similar to that of the Auditor General for handling these complaints.

There has been concern raised, and I share that concern to some extent myself as do other members, that we do not want to be establishing too many of these independent offices. They have been effective. The Auditor General has been extremely effective. We all know that. Having a similar office for this purpose is needed, but we do have to proceed with caution.

If we were to establish too many of these independent bodies, a couple of things could happen. First of all, the government could be handcuffed so that it simply could not do the job effectively. I do not see that as a concern in this particular case though.

The second thing that could happen is that we will get so many of these independent offices set up that pretty soon none of them will really be effective. The public will see so many of them and will be talking about what is happening before these independent bodies so often that pretty soon the effectiveness will wear off.

We do have to proceed with caution. However, I do believe in the importance of having a whistleblower process that works, the importance of protecting our public servants when they wish to report wrongdoing, and the importance of saving the money that has been lost through wrongdoing.

We all know about what is going on with ad scam, the sponsorship scandal, and that is just one example; \$100 million wasted that could have been caught had a whistleblower been allowed, through a proper process, to report this wrongdoing. We all understand the importance of having this process work. Having an independent commissioner is a critical part of changing the process so it works well.

My party and I have concerns that under this legislation the cabinet would be allowed at any time to make changes to the legislation to exempt agencies, departments or crown corporations.

• (1230)

We should think about that a little bit. If a scandal is boiling, cabinet may say we have to put a lid on it because it does not want whistleblowers to report what is going on. If I sound a little cynical, forgive me, but we have seen so many cases of that happening over the past 10 years that we must head that off.

Now, under this legislation, all the cabinet would have to do is say that this agency, department or crown corporation is exempt from whistleblower protection and the scandal has a lid put on it. Clearly, that has to be changed. I believe that it will be before it comes back to the House.

The third thing is that the disclosure process that is in place now is more geared to control or to contain disclosures than to accommodate them and that must be changed.

Rather than talk about the content of the legislation I would like to talk about the fact that there is hope in this Parliament to actually make these changes that are necessary. Why? Because we have a minority government, 135 government MPs out of 308 members. That offers hope.

On the government operations and estimates committee, which is the committee that will be receiving the legislation very soon, we have a majority of committee members from the opposition side. We had a meeting about an hour ago where I, an opposition member, was elected chair of that committee. I have further hope because the government vice-chair, the member for Mississauga South, has just given a presentation in the House recognizing the need for that independent commissioner.

*Government Orders*

I know that many other members of the committee support the changes that we in the Conservative Party have been proposing here today. Because we have the majority, because we have the opposition chair in the committee, I think we really are into a new time in parliamentary history. I believe that we have an opportunity like we have probably never had before to make some real changes to the legislation before it comes back to the House.

I cannot prejudge what the committee will do, but knowing the members of the committee, knowing the fact that the committee has operated very well over the two years of its existence, and adding the effectiveness of having a majority from the opposite side so that government cannot block the way without some support from opposition, it really does lend a lot of hope for changing the legislation and bringing it back to the House in a format that can be supported by all members of the House.

It will be so fascinating over the next couple of months to see whether that happens and how it happens. One thing could happen that could prevent this process from leading to an effective bill. After the committee examines the bill, and I am confident the committee will make changes which will make it a good piece of legislation, the government could prevent the bill from coming back to the House for third and final reading. It can do that.

Unfortunately, that possibility is still left in the hands of government. I am hoping that will not happen because of support from government members, because of the nature of the House, and because of the cooperation that will be required to make the House operate well in the years to come. It will go through committee, come back to the House, and we will have a piece of whistleblower legislation that will protect the members of our public service. It will also protect taxpayers' dollars by having whistleblowers point out wrongdoing that currently costs millions and millions of dollars every year.

I am looking forward to working with all member to make the legislation work.

•(1235)

**Mr. Deepak Ohrai (Calgary East, CPC):** Mr. Speaker, it is a pleasure to rise in the House in the 38th Parliament. I would like to take this opportunity to thank the good folks of Calgary East who put their confidence in me in sending me back to represent them in this great House. I am very happy to note that their vote of confidence amounted to almost 62% of the total votes cast.

Bill C-11, the whistleblower bill, has been an issue that has been simmering out there for a long time. The bill talks about protecting public civil servants when they come forward to say that there has been some wrongdoing in the operation of the bureaucracy of the Government of Canada.

Let us look at a bigger and different context. Our bureaucracy in Canada, the Public Service Commission, is a big institution that works for the benefit of the people. In our democracy we have a Parliament that passes laws; however, what we then have is an independent public service to implement the law. This independence gives it a tremendous amount of power in ensuring that what Parliament has passed or what the intent of Parliament was be implemented for the benefit of Canadians.

It then gives a tremendous amount of power to the management of this independent Public Service Commission. We need to have some kind of accountability there as well. Time after time Canadians look at the Parliament of Canada as being an institution that can oversee and become the impartial area where accountability is done to the Public Service Commission. That is the most important aspect to ensure that democracy works.

Unfortunately, in Canada, that has not happened. There is no protection for someone who wants to say that there has been an abuse. One does not say that the public service in Canada is rife with abuses, corruption and so on, but time after time things do happen when people overstep their bounds, as we have seen with the sponsorship scandal that began in 1996.

That is a prime example and the Auditor General pointed out that an independent bureaucracy overstepped its bounds. That is why we have this commission going on. Why do we need a commission? What would have happened? As we can see from this commission, the first time the flags were raised it was covered up by the upper management. If, at that time, there had been whistleblower legislation, Canadians would have saved millions and millions of dollars in the sponsorship scandal because it would have come to this Chamber and we would have put a stop to it.

A recent article in the *Toronto Star* said:

Why does Canada not provide protection for professionals who perform their moral duty?

That is a simple question. In recognition of this deficit, parliamentarians recognized there was a serious problem and public servants needed this protection. I have been here since 1997 and since 1999, 13 attempts have been made in Parliament to bring in whistleblower legislation because parliamentarians recognized that there was a deficit, that we needed this protection so that people would have accountability in the public service bureaucracy.

•(1240)

Then of course there is the political issue. When it became politically hot for the governing party after the sponsorship scandal it suddenly woke up to the fact that there was a demand for the legislation and it tried to bring in some kind of legislation. It attempted to do that in the last Parliament and now it is bringing the same to this Parliament, which, for all practical purposes, as my colleague pointed out, is a band-aid solution.

Let me give an example. We heard in the House about public servants who were penalized when they spoke about being pressured. We all remember the case of the three scientists from the health department, Dr. Shiv Chopra, Margaret Haydon and Gérard Lambert, who lost their jobs because they said that they were pressured by the department to do something they thought was not in the public interest.

The case is still before the courts of Canada and all the courts are saying that the three individuals were not fairly treated despite the fact that a senior official of the health department said that it had nothing to do with those individuals going public. However everyone knows why they were penalized.



*Government Orders*

Cases, such as the one I just mentioned, identify why there is such a serious need for the whistleblower legislation. We have incidences that have taken place in the country that say that this is something that the Parliament of Canada should look at.

The legislation is back and my colleagues have highlighted why we are opposing it.

Let me say this so that people understand. The Conservative Party of Canada is very much in favour of whistleblowing legislation. My colleagues in the House and in the Senate have been attempting since 1999 to bring in legislation but we are opposing this bill, as my other colleague said, because there are some serious flaws in it that will not give protection. The intent is not there. It is a band-aid solution. Employees will not feel comfortable reporting abuses for fear of losing their jobs.

Let us look at some things. I do not need to go deeply into it because my other colleagues, especially our critic, have very elaborately stated what is wrong with the bill. The bill would not allow a person receiving disclosure to report directly to Parliament. The report would go to the Public Service Commission which, in our point of view, is not an independent body.

That is a little hurdle for a person who would make a report and he or she is not going to feel comfortable about doing it.

The bill would allow cabinet to add any agency, crown corporation or department to the list of public sectors that are excluded from the act. I would remind members that certain departments are excluded from the act, such as the RCMP and CSIS, but this leaves cabinet with the ability to add or take people out. Where is the independence? It is again controlled by the cabinet.

We can see that the legislation would be under the control of government and senior bureaucrats. This would not give public servants confidence to come forward and fulfil their moral obligation to protect the tax dollars by reporting any abuse going on. Who should they report to?

• (1245)

The most important thing is that there would be no punishment for anyone should the individual be penalized. I have explained the example of the three doctors from the Department of Health.

The Conservative Party is hoping that the whistleblower legislation, which will eventually come back to the House, will address all of our concerns.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I am very proud to speak to Bill C-11, the first bill to which I have spoken in the House. I would like to take the opportunity to thank my constituents from Burnaby and New Westminster for having elected me to this august body on June 28, 2004.

I would like to take the opportunity to stress, as my colleague from Winnipeg Centre has, the importance of the legislation for good governance. This is legislation that has been repeatedly promised by successive Liberal governments, first in the red book of 1993, which, as we know, promised the protection of civil servants as a result of the scandals that plagued the Mulroney government.

It was again promised with Bill C-25, which was introduced in the spring of 2002, 11 years later, which was in fact a bill that, to quote my colleague from Winnipeg Centre who has done a tremendous amount of work on this issue, was more aimed at protecting ministers from whistleblowers than whistleblowers from ministers. One can understand the rationale, given that the current scandals that affect the Liberal government are handsomely competing with those of the Conservative government that preceded it.

Bill C-25 had major flaws. All critics agreed that it failed miserably in creating a sense of security to whistleblowers. It failed to cover political staff, the RCMP and national security bureaucrats. It discouraged civil servants from coming out to expose corruption. In fact, when the bill was reintroduced in 2004, some of my colleagues from the 37th Parliament received anonymous calls from public servants who wanted to come out with more information on corruption but who were discouraged by the bill.

Bill C-25 died a good death on the order paper with the 2004 federal election and, of course, whistleblowing legislation was promised again in the Liberal platform. Now we have another reincarnation with Bill C-11.

This new version is indeed improved but I have concerns. There are structural deficiencies which would prevent the desired effect of such a bill, which is to clean up the corruption in government while protecting civil servants. As long as civil servants believe that their organizational culture does not protect them from reprisals or may in fact support reprisal, they will be deterred from coming forward to report misconduct.

I do believe, along with my colleague from Winnipeg Centre, that major work needs to be done at committee stage. I compliment the government for referring this bill immediately to committee without having it go through second reading. That would have made major changes impossible since those changes would have gone against the principle of the bill.

The two most important concerns are the following: Bill C-11 replaces the toothless commissioner in Bill C-25 with a complex reporting mechanism involving the Public Service Commission of Canada and a whole array of codes of conduct which, as we now know, are last in, first out, in the case of conflict and deterrence.

The President of the Treasury Board said that the Public Service Commission of Canada was moving away from a managerial role to an auditor role. Why would the Public Service Commission want to get involved in auditing, in issuing subpoenas or setting deadlines for CEOs to respond to recommendations?

• (1250)

[*Translation*]

As we know, the Public Service Commission has other fish to fry.

*Government Orders*

[English]

When it comes to government and good governance, auditing means the Auditor General. We have seen the good work of this body in which we have full confidence. We absolutely need an independent review mechanism. The Auditor General or another independent officer of Parliament, call it the public sector integrity commissioner or whatever, would be able to do the job and do it efficiently and, most important, report to Parliament.

Bill C-11 has a broader range of coverage and includes employees of crown corporations and the executive, with the exception of CSIS, the uniform members of the RCMP and Canadian Forces. Again, I believe that unless there is an independent review outside the sphere of government, the legislation will not produce the intended effect. We must separate the oversight of the government of the day from the public service.

[Translation]

We need an independent commissioner. The government seems to be in a hurry to set up agencies that can be used as an extension of its policies and where it can hide money for programs beyond the scrutiny of the Auditor General. It is out of the question to give powers to an independent commissioner who would be nothing more than an officer of the House.

Again, why not use the Auditor General? Why not have someone reporting directly to Parliament?

In committee, we need to consider other issues that have something to do with the old saying "The devil is in the details". Some of these issues have already been raised by the hon. member for Repentigny and my hon. colleague from Winnipeg Centre.

Let me mention, for instance, the threat of harsh disciplinary action against public servants making unfounded allegations.

[English]

In that case, whistleblowers should file a complaint with other bodies, such as the Industrial Relations Board, which could take up to 18 months. The reverse onus is on the victims to prove their innocence, and that is not real protection against undue risk.

What would the legislation do to protect the rights of those who have already paid the price of the government's inertia? My thoughts are with those three doctors who were fired for denouncing the health hazard of the use of BGH, bovine growth hormone. They should have been nominated for the Order of Canada. I am speaking of Shiv Chopra, Margaret Haydon and Gérard Lambert. We must look at introducing some retroactivity to protect those individuals.

In conclusion I would like to read an excerpt from an article that was written in the *Ottawa Citizen* about the victims of our lack of legislation. It reads:

Despite the absence of legislation, employees of conscience have spoken out. At Health Canada, Dr. Michele Brill-Edwards sounded the alarm about the arbitrary drug approval process, including a rush to market of inadequately tested products. Likewise, Health Canada veterinarians Shiv Chopra, Margaret Haydon and Gerard Lambert spoke out and testified at Senate hearings about the risks associated with bovine growth hormone.

Diplomat Brian McAdam and, subsequently, veteran RCMP officer Robert Read revealed corruption in Canada's consulate-general in Hong Kong and risks to our national security through fraudulent visa schemes and penetration of our immigration

computer system by organized crime. And Col. Michel Drapeau denounced corruption among senior military brass and was an outspoken critic during the arbitrarily truncated Somalia inquiry.

As one of the most profiled whistleblowers in Canada, Dr. Nancy Olivieri sparked an international debate on the erosion of the sacred principle of university independence from corporate influence. Threatened when she sought to disclose adverse drug trial results to her entrusted patients, she remains, 10 years later, embroiled in costly and draining litigation.

All were fired except McAdam, whose destroyed health forced retirement, and Brill-Edwards, who conscientiously resigned. For Brill-Edwards, employment came at the price of a weekly train commute from Ottawa to Toronto.

These victims of the absence of legislation underscore the importance of the legislation. We have fought hard to bring the legislation forward. We will be fighting equally hard in committee and in Parliament to make the legislation better so that it truly protects whistleblowers in Canada.

• (1255)

**Mrs. Lynne Yelich (Blackstrap, CPC):** Mr. Speaker, I am very pleased to contribute to the bill on the public servants disclosure protection act. It is ironic that I rise today to speak to the bill. I just happened to pick up an article that was faxed to me from my riding in Saskatchewan, an article from the *Saskatchewan News Network* by reporter, Barb Pacholik, who reports on how Saskatchewan's whistleblower law is about to be tested, as it is headed to the Supreme Court of Canada.

Linda Merk was a manager/bookkeeper for the Ironworkers Union, Local 771 in Regina. In November 2001 she was fired after raising concerns about salary and expense payments by two union officials. Linda Merk took the employer to court under the province's labour standards act. In a split decision last year the provincial appeals court reversed what had been the first successful conviction in Canada under a whistleblower law. It is the first time the Supreme Court has been asked to interpret a whistleblowing law.

We also have an environment that seems to punish people who speak out, and its not exclusive just to the federal level. In Saskatoon a hospital the head of emergency medicine was removed from his position after he wrote a letter to the province stating patient care was compromised because of lack of resources.

I am here today because I have met someone who has been a victim of whistleblowing, Joanne Gualtieri. She promotes the free expression rights for employees, including the right to reveal misconduct, corruption and unethical behaviour. She says that these laws are scattered in the whistleblowing laws across Canada in environmental labour legislation and believes Ottawa needs to set the standard. She notes that the new Criminal Code law enacted earlier this month imposes penalties on those who punish or retaliate against whistleblowing employees, but does little to help the whistleblower who may have lost a job, a reputation, or paid a huge emotional and financial toll and has to foot the bill yet for their case. These cases are the reason why I am interested in this legislation.

*Government Orders*

Ms. Gualtieri came to committee and talked about what legislation meant to her and some of the meaningful legislation that she felt had to come forward. She feels there has to be a whistleblowers human rights act and a whistleblower bill of rights. She has a 23-point checklist outlining the essential components of effective whistleblower protection.

Reprisals and retaliation against whistleblowers are well documented, including: marginalization, demotions, blacklisting, threats, humiliation, specious prosecutions, firings and the withdrawal of meaningful work. Statistics in the United States report that 85% of the whistleblowers experience some form of retaliation. The consequences can have a prolonged, in fact lifelong impact on whistleblower with tragic implications for the people of Canada.

Consider the lives that would have been saved and painful suffering avoided if someone had blown the whistle on Canada's tainted blood. Innocent deaths would have been spared in Walkerton. If public servants had been able to engage in free speech, the fiscally ballooning gun registry would have been exposed, as well as the sponsorship spending. Money saved would have been available for health care, child care, aboriginal communities and homes for the homeless. Valuable time politicians and parliamentary resources now spent on a torturous ex post facto inquiry would be available for engagement on important public matters. However, for many Canadians, the final insult was the image of Canada's former privacy commissioner, ever belligerent and bullying toward any of his staff who questioned his expenditures.

There is just a sampling of troubling betrayals of public trust in the absence of legitimate whistleblower protection. It is hard to know the true extent of both political and bureaucratic wrongdoing and ineptitude.

● (1300)

When Ms. Gualtieri came to the committee, she had real concerns. She had emphasized the lack of independence and the prevailing requirement to disclose to one's bosses. She talked about full free speech rights. She wanted all disclosure of illegality and misconduct to be permitted. She felt that the bill did not include the definition of wrongdoing and the violation of Treasury Board policies, rules and guidelines, even though it is a vast compendium of the Treasury Board manuals that govern the day to day operations of government agencies and departments.

She spoke about having realistic burdens of proof. It is most difficult at times and almost impossible for a whistleblower to prove that a government department has retaliated. Bosses do not generally confess to retaliation. To counterbalance this evidentiary problem, the law must provide for a reverse onus burden of proof.

She talked about taking corrective action. Studies have shown that employees remain silent for two key reasons: one, they have no faith that anything will change following their disclosure; and, two, there is the fear of reprisals. Clearly the public interest requires that corrective action be taken and legislation therefore requires the establishment of a strong, independent agency with full investigative powers and the authority to order a minister to take corrective actions.

To be effective, a minister would be held liable for statutory breach if he or she failed to take this corrective action ordered. Furthermore, whistleblowers must have a say during their process and not be disenfranchised.

I realize my time is up and I would like to extend my thanks for allowing me to speak this afternoon. I look forward to speaking to the bill again when it comes back from committee.

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, I rise today for the first time in the House to speak to Bill C-11. First, I would like to take this opportunity to thank the great people of Elgin—Middlesex—London for electing me to the House. I will endeavour to provide the service that I know they deserve.

Let me now speak to the bill at hand. Bill C-11 is called whistleblower legislation. In an ideal world, we would not need protection for our workers because the workplace would be free of wrongdoing. Sadly, this is not the case today. With workplace wrongdoing, a more and more common occurrence, we must have in place a solid plan to ensure that workers who come forward to report wrongdoing are protected.

I will speak to the reprisal piece. We can reasonably expect that men and women of goodwill and conscience will take effort to stop wrongdoing as they see it happen, but only as long as the workplace climate is such that the person attempting to stop the wrongdoing is not endangering his or her employment comfort either now or in the future. It is not easy to report wrongdoing. Recent background shows examples of public servants, like Mr. Cutler, being subjected to a reign of terror.

The Liberal government came to power in 1993 promising whistleblower legislation. It then ignored that promise. Since 1999, many attempts have been made to correct that.

Confronted with the sponsorship scandal, the government introduced Bill C-25 in March. Bill C-25 was widely criticized as an ineffective legislation that would actually discourage whistleblowing. Bill C-25 is the basis for this legislation. Let us see what is in Bill C-11.

In reality, this bill contains all the same problems as the last version. Bill C-11 was to be a major revision of Bill C-25, which was universally panned in the last Parliament.

Public servants will not be encouraged to disclose wrongdoing to the president of the Public Service Commission as they see that position as part of senior management. This bill does not allow the person receiving disclosures to report directly to Parliament. The president of the Public Service Commission would report to a minister, who would then table the report within 15 days. This process creates the same kind of interference that has apparently taken place in the past.

*Government Orders*

This bill also allows cabinet to add any agency or crown corporation or department to a list that is excluded from this act. This allows government to exclude public servants from protection of retribution when they disclose wrongdoing.

Like Bill C-25, Bill C-11 sets no punishment for those who make reprisals against whistleblowers. Also as with Bill C-25, in Bill C-11 only those who make disclosures through the prescribed channels and whose disclosures meet specific criteria are protected. This sounds like controlling disclosures, not facilitating them.

In conclusion, I could support an act that creates a truly independent body to receive and investigate disclosures made by the public servants. This is an act that falls short and it must be fixed.

● (1305)

**The Deputy Speaker:** It is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Deputy Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Deputy Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Deputy Speaker:** In my opinion the nays have it.

*And more than five members having risen:*

**The Deputy Speaker:** Pursuant to order made on Tuesday, October 5, the division stands deferred until Monday, October 18 at 3 p.m.

\* \* \*

**CANADA EDUCATION SAVINGS ACT**

**Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.)** moved that Bill C-5, an act to provide financial assistance for post-secondary education savings, be read the second time and referred to a committee.

He said: Mr. Speaker, I am delighted to be on the agenda as the first speaker to this bill. I want to begin by giving due credit and thanks to my parliamentary secretary, the member for Peterborough, as well as the Minister of State for Human Resources and Skills Development, the member for Moncton—Riverview—Dieppe, for their assistance the preparation of this proposed legislation.

In addition to being a legislator and a representative of the general public, I too am a parent, like most people in this chamber. Like all parents, I want the very best for my children. In fact some of the have already gone through school, so I am speaking more from a historical perspective than I am from an active perspective, although my children have graced my wife with grand kids. Therefore, I want to provide for them in the same way that I took the disposition for my own children.

I would like to instill in them, as I am sure every single member in the House would like to do, a confidence to tackle life's challenges and to ensure that they have every opportunity to experience the satisfaction that comes with success.

Like everyone here, I want for my grandchildren and for everyone else's children to have them live a life that is healthy, productive, prosperous and satisfying leading up to adulthood. I obviously want that for their adult life as well. Perhaps this is idealistic but I hope everyone shares in this idealism. I would like to offer my children and their own children all the advantages that living in this great country of ours has to offer. This is true of all parents whether we are rich or poor, no matter where we live and whatever our backgrounds.

[*Translation*]

Canadian families from coast to coast are doing everything they can to ensure that their children can fulfill their Canadian dream, a dream which, increasingly, cannot be fulfilled if our children do not have access to post-secondary education.

Three out of every four new jobs require post-secondary education, whether it is trade training, a college diploma or a university degree. By comparison, people who have not completed their secondary education now have access to less than 6% of all new jobs.

● (1310)

[*English*]

To give members a sense of just how great this imbalance is, consider that between 1990 and 2003 some 1.4 million jobs were created for university graduates, while 1.2 million jobs were lost for those who had barely completed high school. Consider too that over their lifetime, university students on average earn \$1 million more than those without a degree. The advantages can be seen almost immediately.

There is another imbalance that should concern all of us as parliamentarians in the House as it also has serious consequences for our country. Statistics Canada recently reported that 93% of Canadian parents hope that their children will go on to post-secondary education, yet only one-half are currently saving for their education. The majority of that one-half come from the most affluent of Canadian families.

Research indicates that 68% of parents with an income greater than \$85,000 are putting money aside for their children's post-secondary education, whereas just 26% of parents with an income of under \$25,000 are doing the same thing. Of course for lower income parents, we should not be surprised to find that only 8% are taking advantage of a registered education savings plan which tax shelters the compound interest on their investments. The poorest people in this country who do save are struggling to do so on their own, largely without the benefit of the Canada education savings grant.

This is an imbalance that we ought to rectify. I am pleased that the Speech from the Throne has underlined, underscored and emphasized our commitment to increase access to post-secondary education through Bill C-5, the Canada education savings act.

*Government Orders*

The bill introduces an innovative new initiative and improvements to existing programs to ensure that each and every youngster with the ability and the desire to pursue post-secondary education studies has the chance to do so, no matter what his or her family's financial circumstances are.

• (1315)

[Translation]

The innovative new initiative to which I am referring is the Canada learning bond, which will help underprivileged Canadian children by allowing them to set up an education savings plan.

[English]

The Canada learning bond begins with a one time payment of \$500 for children born into families receiving the national child benefit supplement. Families with a net income of \$35,000 or less qualify. The bond is available to all eligible babies born since January 1 of this year. The initial payment will be followed by successive instalments of \$100 per year up to and including the year in which the child turns 15, provided the family remains entitled to the national child benefit supplement.

By the time such children turn 18, their Canada learning bond, combined with the interest earned on the bond, could be worth up to \$3,000 not considering any additional supplements or savings that the family might have contributed. To receive these funds, parents need to open an RESP. If necessary we will provide an additional \$25 to help cover the cost of the administration and setting up of such a fund.

The big advantage, as colleagues will soon recognize, of an RESP is that the Government of Canada also tops up the parents' contribution through the Canada education savings grant program. That is another innovation, by the way, that we introduced just a few short years ago to help families increase their savings for their children's post-secondary education.

The Canada education savings grant provides a 20% grant on parents' contributions to a current maximum of \$400 per year. We want to go even further. With this legislation we propose to dramatically improve the odds for low and middle income children by giving them an even larger savings grant.

Once the bill is adopted, as I am sure colleagues on both sides of the House will be eager to do, the current Canada education savings grant rate of 20% will double to 40% on the first \$500 of savings made by families earning up to \$35,000. Let me give an idea of just what kind of difference that can make. If a low income family contributes just \$10 per month to a child's RESP from birth, there would be some \$7,000 available by the time the child is ready to go to university.

We also want to make sure that children in families with modest incomes have a greater chance to take advantage of a post-secondary education. The Canada education savings grant contribution for them will increase to 30% on the first \$500 of savings set aside by families earning a qualifying net income greater than \$35,000 but not exceeding \$70,000.

These higher rates will affect the contributions made by all eligible families as of January 1, 2005. According to our projections,

the Canada learning bond could benefit some 120,000 newborns and the enhanced Canada education savings grant could benefit up to 4.5 million children from low and middle income families each year.

[Translation]

For thousands of young Canadians, these figures mean increased opportunities for learning, improving and developing their potential. Over time, these investments will generate huge dividends for our economy and our society as a whole, when these young people become workers, taxpayers, parents and leaders in their communities and in our country.

Such initiatives have never been as critical as they are now, at a time when the whole world is giving priority to learning and to knowledge. An educated population is a cornerstone of Canada's competitiveness internationally, and it is also critical to maintaining our high standard of living.

• (1320)

[English]

I have presented many facts and figures thus far, but as impressive as colleagues will find them, we need to look beyond the numbers. Aside from the tremendous monetary value of these investments, there are other equally important benefits. Studies demonstrate that children with savings for post-secondary education have a more positive attitude toward their schooling. They have better marks and they go further in school. It seems that if the expectation is there that they will go on to college or university, it becomes a self-fulfilling prophecy.

Other research has shown that youth with savings are 50% more likely to go on to study at a post-secondary level than youth who do not. The flip side of that story is that not having money set aside for post-secondary studies presents both a practical and a psychological barrier to many. That is an assumption on the part of some that a person who is poor today will inevitably be poor tomorrow. Their assumption does not recognize that learning is the key to rising above poverty.

In our society education is the great equalizer. Knowledge is blind to race, gender, disability and income status. It creates a level playing field for all who are able to take advantage of learning opportunities.

I might say with some humility that I know this first-hand. I have worked in classrooms, in corridors in Canada's schools. I am not only a politician and a parent, but I am a former educator and I do not want to cast aspersions on members of that profession by trying to tie myself to them.

I have seen first-hand what financially disadvantaged kids can accomplish when given the chance. I have witnessed their successes time and time again. When they get that extra bit of encouragement and support, they succeed like no other. I can say that what might sound like pocket change to some can mean a world of difference to families and children doing without.

*Government Orders*

[Translation]

By supporting this legislation, the House of Commons will give a vote of confidence to Canadian children. We are sending them a very clear message. We have confidence in them and they believe that they can fulfill all of their dreams. We are doing our share to help them achieve that goal.

These initiatives are just the latest expression of that commitment. My colleagues are well aware of that. The Government of Canada provides a wide range of financial incentives and support measures to ensure that Canadian children get a good start in life, and to make post-secondary education accessible for all Canadians.

Since the first budget, in 1997-98, about one quarter of all new federal spending has been on education and innovation. This means more than \$36 billion.

[English]

The Canada learning bond and enhanced Canada education savings grant programs contained in the Canada education savings act are critically important steps in this continuum of progress. These strategically targeted initiatives will help increase access to post-secondary education for children of every culture who might not otherwise have that opportunity. They will help to make sure that children currently living in disadvantaged situations have a reason to hope for a better future.

More to the point, they will help to ensure that they have a better future. Post-secondary education will get Canadian children on the right track, but we know it is a long term investment, so let us turn for a moment to the present. What is the Government of Canada doing today to help adult Canadians such as these children's parents in their own efforts to attain the Canadian dream? The answer is, "Many things".

Complementing our investments in the Canada learning bond and the enhanced Canada education savings grant is a continuum of programs and services to help all Canadians acquire the skills to find meaningful and productive work: literacy and essential skills programs, a national apprenticeship strategy, and speedy and effective recognition of professional credentials earned in other countries. These are the essential contributions we need to make to support a labour market in which Canadians can find and keep meaningful jobs.

I will speak to these priorities in greater detail in the very near future. Suffice it to say that making post-secondary education more accessible and more affordable is just one element of the workplace skills strategy that will enable Canadians to seize more opportunities to obtain and keep meaningful work.

The 21st century will belong to the best and the brightest and to those countries that take early action to respond to this new reality. Just as parents want to do the right thing for their children, so must we as legislators do the right thing for our country. I urge all members in the House to adopt this very necessary and very worthy legislation so that we can make an important down payment on our collective future.

● (1325)

**Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC):** Mr. Speaker, at the end of the minister's speech he did mention something that is of great concern to me, to my constituents, and to the province of British Columbia, where the Speaker is from.

British Columbia for a long time has been incredibly dependent upon new immigrants coming to British Columbia, bringing capital, labour and expertise. Perhaps above all other provinces in Canada, British Columbia is a province that is heavily dependent upon new immigrants and what they bring to Canada, to our economy and to our communities.

For over a decade this government has been in power, and for over a decade, in throne speech after throne speech, the government has been talking about recognizing the credentials of landed immigrants so that they can be integrated into our economy and fully achieve everything that they came to Canada hoping to achieve. Yet year after year, in throne speech after throne speech, this government has failed, has absolutely failed, to help new immigrants integrate into our economy and into our society in a way that is in their best interests and in all of Canada's best interests.

The minister mentioned again at the end of his speech that he hopes this is something the government is going to look into in the next little while. We have heard that promise before.

On behalf of new immigrants, on behalf of a large number of my constituents who are credentialed in other jurisdictions but cannot perform their practices, or engineers who cannot perform in their fields of expertise because this government has failed to do anything at all for new immigrants, here is what I want to know from the minister. Why is this government considering talking about doing something in the next little while and why has it so absolutely failed new immigrants in this country over the last 10 years?

**Hon. Joseph Volpe:** Mr. Speaker, I would have preferred to receive a disposition that was a little more favourable, but I will take the compliment whichever way it comes. I am glad the hon. member recognizes the importance of the immigrant contribution to his province and to Canada as a whole. He will also recognize that part of the wealth creation he is witnessing in his home province is generated by those people whom he has identified as serving in or realizing work below their level.

I want to highlight for members in the House the difficulties that all jurisdictions have in terms of engaging many of these people whose talents we have invited to this country. We have certificate granting organizations. We have professional associations. The member referred to the associations of professional engineers. We have provincial jurisdictions. We have, not least of all, employee and employers' associations, all of which bear some of the responsibility.

I issue a challenge to them today. They have this responsibility to ensure that they take the talent resident in their communities and bring it to the fore so that it can be productive in the way it was intended to be, the way we wanted it to be when we collectively made a decision to bring them to this country.

*Government Orders*

Are we doing considerations? Of course we are always doing considerations. We are always considering a better way to do something. It would be imprudent for us to do anything else. However, and this is where the member is absolutely wrong, we have already put aside \$40 million, topped up by an additional \$12 million in the last budget, to coordinate, under my department's guidance, five other departments together with the provincial governments who are willing to be a part of this. They appear to be wholeheartedly in favour. We are to coordinate with the professional organizations, employers' groups, provinces, universities, and in fact even our newer Canadian citizens who have found themselves in this situation. We will implement a series of projects specifically in the health services provision area and, as the member suggests, in the engineering field.

I think he will look forward to announcements of active measures in the course of these next few weeks.

• (1330)

[*Translation*]

**Mr. Gérard Asselin (Manicouagan, BQ):** Mr. Speaker, first, the bill introduced in the House of Commons today by the minister deals with education savings and post-secondary education.

I would like to bring him back to reality, regional reality. Regions like the North Shore, and the riding of Manicouagan, are hard hit by the exodus of young people. They are leaving the regions to pursue a post-secondary education and do not necessarily come back, because there is no work for them. There is no work because, in many cases, their jobs are often seasonal jobs.

This is the same minister who told us today that the federal government, the Liberal Party, just came up with a bill to promote post-secondary education.

First, to contribute to an education savings plan, parents must have money to invest their share. Then, the federal government might put some money in. A seasonal worker who gets two or three months of work per year in a region, often at minimum wage—I am thinking of single parent families in particular—cannot afford to contribute to an education savings plan. They make barely enough to pay rent and put bread on the table every day.

This minister who just made this announcement is the same one who slashed access to EI for seasonal workers by tightening up the eligibility rules, cutting back the number of weeks of insurable employment and widening the black hole for individuals who are very often forced onto welfare.

How can we reconcile the minister's bill today, which is all about post-secondary education and tomorrow's youth who will be taking over, with the fact that parents are getting poorer and poorer because this government has created poverty, particularly in the regions?

**Hon. Joseph Volpe:** Mr. Speaker, the Bloc members have a talent, of course, for managing to find the one black cloud in an otherwise sunny sky.

We were discussing education and the possibility of a totally new system in which the community, parents and children will look to the future and further their education and acquire new expertise and experience so that they can bring about a change in their living

conditions. By giving them hope for the future, we will give them the hope of being able to contribute in a far more effective way to keeping their communities alive.

If there is poverty today, it is not this government that is responsible.

**Mr. Yvon Godin:** Then who is? The government is completely responsible; it cut employment insurance.

**Hon. Joseph Volpe:** The fact the bill includes the conditions I have just listed is an indication that we are trying to help precisely those families experiencing the problems the hon. member has referred to. If there are problems, then obviously this bill is intended to find solutions for the children.

Perhaps the member over the way does not believe in the value of education. Perhaps he does not accept the fact that all adults in this day and age feel that the way to stem the exodus of young people from our small villages and communities is precisely to give their young people the possibility of further learning and to invest in society itself.

I know this is all about politics here, but it is important to recognize that the purpose of this bill is precisely to help out the very families the hon. member claims to be concerned about.

• (1335)

[*English*]

**Ms. Alexa McDonough (Halifax, NDP):** I am still from Halifax, Mr. Speaker, and very proud to be so.

I want to take the minister at his word when he says that the objective of the bill is to help the very families that are most disadvantaged. I also want to take him at his word when he says that the real measure of success is whether it levels the playing field for all young people in this country who need and want to access post-secondary education opportunities.

However, I have to say that the way the debate is going already is very discouraging, because there are legitimate problems with the legislation that has been presented. It would take nothing short of a flight of fantasy to believe that the stated objectives could actually be achieved with the paltry, pathetic measures that are contained here in this bill.

I want to ask the minister a question in a very direct way. I hope he will not accuse me of playing politics, as he has the other two members who have raised legitimate concerns. If the objective is to level the playing field for every young person in this country wanting to access post-secondary education, would he not agree that there are discriminatory measures built into the legislation? For example, there is the requirement that unless a child is a resident of Canada throughout the whole 18 years that these provisions would kick in, then they are not eligible for the kind of finances that will—

**The Deputy Speaker:** The hon. Minister of Human Resources with a short answer, please.

**Hon. Joseph Volpe:** Mr. Speaker, I do not know if I can give a short answer to such a lengthy preamble, but the legislation really does aim to help everybody.

*Government Orders*

Does the member know what people need in order to access this learning bond? They need a birth certificate; they need an identifier that says who they are here. They need to be able to go to a bank or a lending institution in order to open up an account. That is all they need.

If they do that and if they fit under that \$35,000 income level, they qualify. It is as simple as that. There is no other qualification.

**Mr. Peter Van Loan (York—Simcoe, CPC):** Mr. Speaker, I am pleased to have this opportunity to deliver my first address in this chamber. I am particularly fortunate to be able to do so on the subject of post-secondary education and the establishment of the Canada learning bond through Bill C-5.

*[Translation]*

I am pleased that this bill has the support of the Progressive Conservative Party. We feel that further education is a priority if we are to have a prosperous future for each and every Canadian, and for our society.

*[English]*

That is why the Conservative Party supports Bill C-5.

The Canada learning bond is an initiative that I expect will be welcomed by the residents of my constituency of York—Simcoe. I want to take this opportunity to thank them for the confidence they have expressed in me by sending me to represent them in this great chamber.

York—Simcoe was the place my grandfather chose to make his home after a remarkable life journey, one that figures greatly in my reasons for getting involved in public life.

My grandparents lived in a small country, Estonia, which asserted its nationhood and became a free and independent country for the first time out of the chaos of World War I. In that new freedom people prospered.

My grandparents prospered too and enjoyed the opportunities that came with higher education. My grandfather worked his way from a farm boy to the respected position of county agronomist. My grandmother became a lawyer, a career that few women had the courage to choose in that time, the 1920s. They made a better life and gave back to their community.

However, with World War II came successive waves of Soviet and Nazi occupation and the ultimate annexation of Estonia into the U.S.S.R. My mother and grandparents had little choice but to flee. Paradoxically the education that they possessed made them a threat to the occupying Soviets and they faced an otherwise certain fate at their hands if they did not leave. In fact many family members did face that fate in Soviet Siberian camps or otherwise at the hands of the Red Army.

My family as refugees in search of freedom ultimately chose Canada. The agronomist went to work in a paper factory in Riverdale and the lawyer went to work on the order desk at Sears. They found what they were looking for: freedom, hope and opportunity.

One of the things that often comes with a higher education is a recognition of the possibilities that exist to improve one's life and

that of one's family and to build a better community, regardless of the barriers that may be faced, the hurdles that may be encountered and the setbacks that come along the way in life.

The importance of education was impressed upon my mother, who would do her undergraduate and graduate degrees at the University of Toronto, and upon her children, who both followed their grandmother's footsteps into the career of law.

My grandfather thought that an important part of education was to see what real life was and in his opinion that happened on a farm. So, after I was born, he marshalled his resources and bought the farm in Georgina which anchors me today.

Freedom, hope and opportunity are to me what my contribution in public life should be about, what all our contributions should be about. In Canada we are often complacent about the freedom that we enjoy and the opportunities which present themselves, but among many new Canadians these things are immediate and important. Education plays a crucial factor in all three.

It is not a coincidence that new authoritarian governments and occupying forces target the educated in society, for with that education often comes the ability to organize and to fight for freedom. Education is a companion of liberty. Higher education also gives us hope to understand our world better and to improve health, security and the quality of life that we enjoy.

As the economists and educators continually remind us, education brings with it opportunity for personal growth, career advancement and economic prosperity. When the citizens prosper, all the country prospers.

For the people of York—Simcoe the opportunity for all, not just those who have the resources and the means, but the opportunity for all to send their children to post-secondary education is an important objective. For too many it is a challenge that creates anxiety, that is daunting, that is a big mountain to climb.

The typical family profile in York—Simcoe is a young couple, both working hard, trying to pay their mortgage, get ahead and make a brighter future for their children. It is not easy for them. They are good citizens with solid Canadian values that we believe in as Canadians, values that we believe in as Conservatives.

Like those families, we believe that hard work should be rewarded. We believe in self-discipline and responsibility for individual actions and for our families. We believe in honesty, that a promise made should be a promise kept. We believe in property rights and the rule of law. We believe in compassion and support for those who are genuinely in need in society.

•(1340)

They are time tested values that have built civil society. They are the values that have underpinned the advance of humanity. They are values that are all too often ignored by this government through its policies. In that way, the government does not reflect the interests of my constituents in York—Simcoe.



*Government Orders*

For the people of York—Simcoe the opportunity for them is a frustration. It is something they are grasping at. At every turn those hardworking families are met with heavy taxes and a government that does more to intrude into their lives than to help. They do not understand a federal government that tells them they are not good Canadians if they do not want to pay higher taxes. They would dearly love to save for a child's post-secondary education, but how?

For them they face real choices. Will they give up sending the children to play hockey this year, or will they tell them they cannot have a new bike in the spring? Those are the kinds of choices and sacrifices some of them have to make in order to save for a post-secondary education.

The government could help them most by letting them keep more of their own money. That would give them greater freedom, more hope and genuine opportunity. I hope ultimately the government will do that.

We also believe that Bill C-5, by giving modest income families the means to establish registered education savings plans with an initial \$500 contribution, not from the government, but from the taxpayers of Canada, we will help more Canadians achieve their dreams of a higher education. The increased matching grants from the taxpayers of Canada for contributions that those families themselves make to RESPs will also build for that brighter future.

The riding of York—Simcoe can become an even better place if more young people succeed in school and achieve post-secondary education. An educated workforce means more jobs and more prosperity.

An educated population in York—Simcoe can use those skills and ability to improve the quality of our treasured environment. We have a beautiful landscape and environment in York—Simcoe, especially Lake Simcoe. It is our playground. Many take their drinking water from that lake, but it is a lake whose health remains dangerously precarious.

An educated community will mean a richer cultural experience in a community that is already proud of its theatres, its art galleries, its historical sites ranging from the famous Red Barn Theatre to Sharon Temple, a national historic site.

A more educated York—Simcoe will be a better place to live, to work and to raise a family.

Just as York—Simcoe can benefit from encouraging families to save for post-secondary educations for their sons and daughters, so too will all of Canada. Canadians want change and the Canada learning bond represents a change for the better.

In this minority Parliament I am pleased to have been able to stand in a spirit of cooperation to welcome the government's finally taking this initiative. Our party made the Canada learning bond part of our platform in the last election. We are pleased that the government in this case is following our advice and moving forward. Let us hope that that constructive spirit can be an example of how we can work together. If we focus on areas of common ground, we can really see true and genuine benefits for all Canadians.

• (1345)

**Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, in that same spirit of cooperation, let me acknowledge that in his first intervention in the House, the hon. member opposite did himself quite proud.

I was pleased to see the conciliatory approach that he took and his attempt to look for those elements in the legislation which he and his party could support. I compliment him on that.

Obviously there are going to be some differences of opinion. He expressed some. I disagree with him wholeheartedly on the perception of our party and our government. However, because he has taken great pains to indicate that education is important, notwithstanding the area of the country from which he comes, I want to highlight for him that this government has taken that kind of address, that kind of concern much to heart.

Since we started the Canada education savings grant and the RESP program in 1997-98, it has gone from a point where the Government of Canada was contributing some \$2 billion a year to one now where there is a \$13 billion uptake. The member is right. The Canadian public sees the value of education. Whether it is in a post-secondary environment that includes community college, university, labour sponsored training programs or apprenticeship skills programs, these are all ways in which we move forward, we become more productive and in fact, we become much more competitive.

I do not have a question. I just wanted to compliment the member on his first recognition of the realities of the House and his willingness to see that there are positive elements even here.

**Mr. Peter Van Loan:** Mr. Speaker, I thank the minister very much for that tribute. I know that the legislation is not perfect. There are things that could be improved. There is no doubt that the amounts we are talking about are quite modest but we also have to be fiscally responsible. The one aspect of it that I find most heartening is it creates an opportunity for people who have never saved before to take that first step. When we create aspirations, we create hope.

I remember when I was about four years old and my family walked me through the campus of the University of Toronto and told me that one day I would go there. That registered with me. I remembered that. There is someone who has worked with me loyally for years who is the first person in her family ever to go on to post-secondary education, first to community college and then to university. To see that growth and fulfilment in a personal way is a great thing.

Whether people come from backgrounds like mine, where it has gone back generations, or whether they are the first generation, seeing people improve their lives is one of the positive things that we can all rally around.

*Government Orders*

•(1350)

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, I listened carefully to the comments by the member for York—Simcoe. I congratulate him on his first debate in the House. He certainly has recognized the importance of post-secondary education, but I found the comments distressing from two points of view.

First, there was very little acknowledgement of the depth and severity of the tuition crisis and debt load crisis suffered by today's students. Second, once again he seemed to propose that tax cuts are always the solution to every problem. The comment was made that the amounts are modest but after all, we have to be concerned about whether we can afford it. I would ask the member to respond to two things in that connection.

First, we have just received confirmation that the government's surplus this year is not the \$1.9 billion previously predicted but rather it is \$9.1 billion. That is quite a big mistake. Is there not a significant sum of money there that could be available to deal with today's student debt crisis and the very severe barriers?

Second, I want to ask the member to respond to the research finding that the tax cuts to the top 10% of Canadians brought in by the government over the last decade would actually have been sufficient to pay for 25 years of tuition free post-secondary education in Canada.

Could I have the member's comments on those two factual pieces of information?

**Mr. Peter Van Loan:** Mr. Speaker, I am loath to get into a discussion on tax cuts at this time, but the member has invited me to do so.

I can certainly say that for the people in the constituency of York—Simcoe, and I think for all Canadians, the best way the government can help them is by letting them keep their money to pay for things like post-secondary education rather than collecting it, skimming off a whole bunch to process it along the way and then giving them back a small fraction of it to pay for post-secondary education. Philosophically that is ideal. Philosophically we think self-reliance is ideal. I believe most individuals think that is good. However, we recognize that there are those who are genuinely in need. As a compassionate society we need to help those people.

What is wonderful about the proposal before us is that it combines the best of those values, the value of self-reliance and the value of lending a hand to those who are genuinely in need. Those tax cuts and the tax cuts that have been undertaken by Conservative governments across the country had a lot to do with the economic prosperity that has been generating those record revenues for the government.

The fact is when people have more money in their pockets, there is more money to spend, which creates jobs and all around there is more revenue for government. The facts are indisputable. When the NDP was in government in Ontario, it increased taxes repeatedly and every time, the revenues to the government went down. When the Conservatives were in government, they decreased taxes and the government revenues went up massively.

The result was huge investment in post-secondary education in Ontario in terms of the accommodation of the double cohort and in terms of the construction of new buildings on university campuses all across Ontario. That was all the fruits of the policy of giving people more money. All of society became wealthier, including the government as a result.

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Mr. Speaker, before my election to the chamber I spent four years as a sales manager for one of the largest players in the RESP industry. Canadians have invested nearly \$13 billion into registered savings plans to help finance the cost of post-secondary education for their children. From speaking with people interested in RESPs, I know what fuels this investment. It is driven by the skyrocketing price for post-secondary education.

Universities in British Columbia have posted the biggest tuition fee hikes in the country in each of the last three years, including a 15.6% increase this fall. High tuition fees can be traced straight back to the government which cut \$25 billion in social transfers to the provinces, money that should have gone into health care and education.

The private sector has stepped in to fill the void for the visionless government. That has not only reduced the money available for education, but has also failed to standardize education in Canada and recognize foreign academic credentials. This is shameful and the public knows where the blame lies: with the Liberal government.

I would like to ask the hon. member why the government slashed funding to post-secondary education.

•(1355)

**Mr. Peter Van Loan:** Mr. Speaker, certainly the crisis was provoked by the Prime Minister himself when he was finance minister. With the efforts of balancing the budget back in 1995, it was done largely on the backs of the provinces. It is quite clear that was the case and that crisis continues today.

In fact, we had the vision last month of the Prime Minister claiming to be a hero for finally reversing some of the damage that was done. While it was only some of the damage, as the hon. member has pointed out, it continues to be the case that provinces are working to recover from that.

Certainly there will be upcoming discussions that hopefully will give the government an opportunity to advance that exercise. That crisis is an example of how the government has continually operated. It creates the crisis, causes the problem and then comes up with legislation, such as the bill before us, Bill C-5, which would never have been necessary if provinces were not faced with those cuts to post-secondary education.

The problem is being addressed now and I think that is a positive thing for Canadians.

## STATEMENTS BY MEMBERS

[English]

### WOOD TREE CO-OPERATIVE

**Mr. Mario Silva (Davenport, Lib.):** Mr. Speaker, today I ask the House to join with me in congratulating the Wood Tree Co-operative in my riding of Davenport.

Wood Tree Co-operative is a non-profit acquisition rehab co-op whose members have worked for the past 30 years to provide housing for low to moderate income persons.

The co-op is comprised of a variety of homes ranging from semi-detached houses to five-plexes. The Wood Tree Co-operative recently celebrated the opening of its latest project at 39 Norman Avenue in my riding of Davenport.

It replaced an existing building with a five-plex facility in which private contractors were hired to do the wiring, plumbing and heating. The Wood Tree staff then completed the interior themselves. The co-operative received \$94,000 in funding from the Government of Canada supporting communities and partnership initiative, which is administered by the City of Toronto.

This once again demonstrates the government's commitment to low and moderate income persons in need of affordable housing as well as the government's commitment to working in cooperation with cities and local governments.

I want to congratulate the Wood Tree Co-operative and send many thanks to the staff.

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### COUNTY OF WELLINGTON

**Mr. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Speaker, this year marks the 150th anniversary of the County of Wellington. I am proud to say that I live in and was raised in Wellington county.

The County of Wellington predates Confederation and includes great communities steeped in history and tradition, communities like Fergus and Elora, Erin and Hillsburgh, Rockwood and Morrison, Arthur and Mount Forest, Alma and Belwood, Drayton and Palmerston, and communities like Harriston and Clifford.

I want to congratulate warden Lynda White, chief administrative officer Scott Wilson, clerk Donna Waugh, and all the staff of the county for the very successful 150th anniversary celebrations that were held at the Wellington County Museum and Archives, a national historic site.

As we embark on this the 38th Parliament since Confederation, I hope all members will join me in congratulating the county of Wellington on 150 years of tradition and community.

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### UNITED NATIONS RELIEF AND WORKS AGENCY

**Mrs. Susan Kadis (Thornhill, Lib.):** Mr. Speaker, I want to thank my constituents for the privilege of representing them in Ottawa.

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Now I turn the attention of the House to the recent issues surrounding the United Nations Relief and Works Agency responsible for Palestinian refugee camps.

In the midst of controversy last week, UNRWA's head, Peter Hansen, told CBC television:

Oh, I am sure that there are Hamas members on the UNRWA payroll and I don't see that as a crime.

Canada is a significant donor to UNRWA, however we have also banned Hamas' terrorist entity.

I am happy to see that government is concerned about the implications of these statements. I hope we use this week's UNRWA donor conference to call for an independent observer to continually investigate longstanding allegations about the use of UNRWA camps by terrorists.

As Mr. Hansen's comments illustrate, internal monitoring by UNRWA is insufficient to assure Canadians that their dollars are not being indirectly spent to support a terrorist group.

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● (1400)

[Translation]

### SOCIAL AND COMMUNITY ORGANIZATIONS IN BEAUPORT

**Mr. Christian Simard (Beaufort—Limoilou, BQ):** Mr. Speaker, allow me first to thank the people of Beaufort—Limoilou who showed their trust in me on June 28.

Today in this House I want to draw attention to the fact that on Saturday, October 16, the Regroupement des organismes socio-communautaires de Beaufort will mark its 15th anniversary. This umbrella group comprises 76 agencies that contribute to community life in Beaufort. They are all volunteer organizations that work in culture, spiritual life, housing and assistance for the less fortunate, young people and families.

This group's unique feature is that it financially supports its members with funding from the proceeds of bingo nights at the Centre communautaires des chutes, for example. Since its founding, the group has paid out more than \$500,000 to its members.

Congratulations to the members and volunteers of the Regroupement des organismes sociocommunautaires de Beaufort. Happy 15th anniversary and may there be many more.

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[English]

### PRINCE EDWARD ISLAND MARATHON

**Hon. Shawn Murphy (Charlottetown, Lib.):** Mr. Speaker, it is my pleasure to rise in the House today to share news of the BMO Nesbitt Burns Prince Edward Island marathon which will be taking place this weekend on Prince Edward Island.

With a whole host of events planned around the full marathon, including the half-marathon, a kids' run, and my personal favourite, the kilted run, the festivities will promote the importance of physical activity and healthy living.

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With over 650 runners from all across Canada and the United States expected at this weekend's event, the Prince Edward Island marathon promises to be a resounding success. It will once again showcase our beautiful province as an ideal location for conferences and events from all over the world.

I ask all members to join me in offering my congratulations to the organizers of the Prince Edward Island marathon and in wishing good luck to the runners this weekend.

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**FISHERIES**

**Mr. John Cummins (Delta—Richmond East, CPC):** Mr. Speaker, this summer two million sockeye disappeared from the Fraser River between Mission and the spawning grounds. This year's escapement is the lowest on record, lower even than the escapement after the infamous rock slide at Hell's Gate blocked the Fraser Canyon in 1914.

This is the third such disaster in the last 12 years. In both 1992 and 1994 the government blamed warm water temperatures and technical difficulties for the failure. Independent inquiries rejected the government's excuses and pointed their finger directly at policy failures, inept management and lax or non-existent enforcement. They laid the blame directly on DFO and its failure to protect fish from large scale poaching.

Without the ability to subpoena witnesses and take testimony under oath, investigators were unable to identify the bureaucrats responsible. A judicial inquiry into this disaster is essential to the survival of B.C. salmon.

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**HURRICANE HAZEL**

**Mr. Alan Tonks (York South—Weston, Lib.):** Mr. Speaker, I rise today to commemorate an important event in the history of Toronto.

From 7 a.m. on October 14 to midnight on October 15, 1954, Canada's most devastating hurricane struck southern Ontario. Hurricane Hazel swept through Toronto at 110 kilometres per hour with 200 millimetres of rain in a 24 hour period. Bridges and streets were washed out and thousands were left homeless, with trailers and houses washing into Lake Ontario.

In total, 81 people were killed, 32 in the riding I represent.

On October 16, 2004, York South—Weston will be commemorating the event with a memorial following a walk organized by the Weston Historical Society. Attending will be political officials, firefighters, police, EMS and residents who survived the hurricane.

I invite the House to join me in honouring those emergency workers and ordinary citizens who served their communities so courageously during that deadly storm and remember those who lost their lives.

[*Translation*]**150TH ANNIVERSARY OF L'ÉPIPHANIE**

**Mr. Benoît Sauvageau (Repentigny, BQ):** Mr. Speaker, on Saturday, October 9, I had the great pleasure of attending a period fancy dress ball to mark the 150th anniversary of the towns and parishes of L'Épiphanie. Some 200 people, dressed in their finest attire, made a room already magnificently decorated all the more stunning. This wonderful evening was the result of the hard work and creative imagination of an extraordinary team of volunteers under the direction of Donald Bricault.

This period ball ended an exceptional year of extremely successful events. We have to applaud the remarkable effort of the 150th anniversary committee and especially thank its president, Daniel Archambault.

On behalf of the community, I would like to thank all the volunteers for their involvement and dedication. You met the challenge; congratulations.

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● (1405)

**HMCS CHICOUTIMI**

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, the tragedy that struck the crew of HMCS *Chicoutimi* and the family and friends of Lieutenant Chris Saunders in particular, has touched everyone in this country.

As chair of the Standing Committee on Foreign Affairs and International Trade, I wish to salute the courage and devotion of the crew members of HMCS *Chicoutimi* and assure them of my complete support and my profound gratitude for their exemplary services on behalf of all Canadians.

They are an inspiration to all of us to give the best we have in the service of our country. This House echoes all the expressions of appreciation and sympathy that have already been heard across Canada.

I also want to thank the crew members from the British Royal Navy and the United States navy who took part in the rescue and towing of HMCS *Chicoutimi*, and everyone at the Sligo hospital in Ireland. Their solidarity undoubtedly was of comfort to our submariners and their families. Their actions are a true sign of friendship.

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[*English*]**AGRICULTURE**

**Mr. Myron Thompson (Wild Rose, CPC):** Mr. Speaker, it is with great pride that I would like to pay tribute to two gentlemen from my riding, Alex Baum and Dan Kroffat of Cochrane. These gentlemen presented a petition to me this morning containing over 115,000 signatures calling for the reopening of the U.S. border to live Canadian cattle.

The open border petition began on August 11 when Alex and Dan decided to challenge the government to make the border closure top priority.

The response to the petition was overwhelming, with 10% of the signatures coming from Quebec and 15% from Ontario. The petition also received signatures from hundreds of grassroots American farmers and ranchers. They wanted to show their solidarity with their Canadian counterparts who are suffering greatly.

These two businessmen deserve all the credit, not only for taking on the petition but taking the time to fly to Ottawa to urge politicians from all parties to work hard to get the border open.

Their dedication to this cause should inspire all of us to rally behind our farmers and keep the pressure on the American government until the issue is resolved.

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### HOUSING

**Hon. Gurbax Malhi (Bramalea—Gore—Malton, Lib.):** Mr. Speaker, helping families out of poverty is difficult. Parents are better prepared to provide for their children if they are able to find a safe and affordable place to live.

In most communities, full time, year-round minimum wage workers cannot afford to pay fair market rent or even find a place that they can afford. Several cities in Canada, including my riding of Bramalea—Gore—Malton, are experiencing a major shortage of affordable housing.

To meet the demand for affordable housing, I invite all my colleagues to join me in supporting innovative solutions that would help the elderly, the disabled and low income working families find affordable housing.

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### NATURAL RESOURCES

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, negotiations between the Great Lakes states, Ontario and Quebec have resulted in the release of the Great Lakes water diversion annex.

The ultimate effect of the annex will be to allow U.S. states to unilaterally divert water from the Great Lakes without a veto by the provinces. The annex has been met with a great deal of concern and opposition by municipalities, Canadian sovereignists, environmentalists and first nations people.

The International Joint Commission has warned against any further water diversion from our Great Lakes. If this annex is ratified, the impact on the Great Lakes basin and the St. Lawrence River will be enormous, especially in light of global warming.

In spite of these concerns and outright opposition we have not heard from the federal government at all on this important issue of national sovereignty. We call upon it today to stand up for Canadians and say no more water diversions from the Great Lakes.

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### TRADE

**Ms. Belinda Stronach (Newmarket—Aurora, CPC):** Mr. Speaker, while the Minister of International Trade was in Vancouver yesterday admitting that “Canadians are missing out on opportunities” in emerging foreign markets, a global competitiveness report

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released by the World Economic Forum showed that Canada dropped from 12th to 15th place in its annual ranking of global business performance.

This continues the downward spiral which began after 1998 when Canada placed sixth. Under the Liberals' watch, Canadian exports are down, border problems continue to drive up costs, and drive away investment in Canada.

Just last week the Conference Board of Canada classified our productivity performance among the entire OECD as mediocre. It is the role of government to provide the right economic environment for our tax structures by supporting education, and research and development, so that Canadian businesses and entrepreneurs can compete in this fierce global marketplace.

The Liberals need to understand that trade is not about abstract numbers but rather about quality of life. Trade is our lifeblood. The issue of competitiveness will determine the future prosperity of Canada.

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• (1410)

[*Translation*]

### CHILDREN OF BESLAN

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, today in Saint-Jean-sur-Richelieu, thousands of children from the Hautes-Rivières school board, along with their parents and teachers, marched in memory of the children of Beslan, Russia.

The Russian Vice-Consul, Mr. Valery Erofeev, and the head of Russian Humanitarian House, Ms. Lidia Porotnikova, spoke during the event. The massive turnout sent a clear message that such a drama should never have happened in our world.

By taking a stand and turning out in such large numbers today, our children give us hope that there will be a better, more egalitarian world, a world where human values triumph over barbaric acts, a world where disputes and quarrels are settled by mediation, conciliation and diplomacy, and not by bombs and weapons.

The children of Beslan must not have died in vain. We must expend all our energy to make sure such a tragedy never happens again. We send our love to the children of Beslan and their sorrowing parents.

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[*English*]

### EUGENE HARASYMIW

**Mr. Peter Goldring (Edmonton East, CPC):** Mr. Speaker, Eugene Harasymiw, husband to Natalie and father of sons Adrian and Andriy, passed away on October 2 in Edmonton at the age of 63. He was a devoted family man and a steadfast proponent of civil rights and liberties.

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Eugene championed the politically challenged, such as Wasył Odynsky, in a struggle for the rights of all Canadians to a fair trial in Canada and to counter a Liberal government which, behind closed cabinet doors, would strip a person of Canadian citizenship without due process.

Eugene was one of the principals responsible for a monument of great significance at Edmonton's Ukrainian Cultural Village, a monument that serves as witness and testament for the injustice of the internment of Ukrainians in Canada during World War I.

Eugene was past president of the Ukrainian Canadian Civil Liberties Association. He was a man who truly fulfilled life's duties to his family and to his country.

*Vechnaya pamyat* Eugene, eternal memory.

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**FILM INDUSTRY**

**Ms. Anita Neville (Winnipeg South Centre, Lib.):** Mr. Speaker, Winnipeg is home to many talented young filmmakers, musicians and artists who have chosen to remain in Winnipeg and pursue their crafts. One such Winnipeg based filmmaker is Noam Gonick, and I stand today to recognize the many achievements of this innovative and creative filmmaker.

Mr. Gonick's work in film, publishing and broadcasting has challenged conventional boundaries. His first feature, *Hey, Happy!*, premiered at the 2001 Sundance film festival and was a critical success when released worldwide.

I particularly wish to congratulate Noam on his most recent film, *Stryker*, about young people in gangs in Winnipeg. This past September, *Stryker* premiered at the prestigious Venice international film festival, one of the two Canadian feature films selected to screen and the only Canadian drama.

Young, creative filmmakers are the future of Canadian film. On behalf of all Canadians, I congratulate Noam Gonick on his successes.

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[*Translation*]

**CHRYSOTILE ASBESTOS**

**Mr. Marc Boulianne (Mégantic—L'Érable, BQ):** Mr. Speaker, first, I would like to thank the people of Mégantic—L'Érable for their confidence in me.

Since September, chrysotile asbestos has regained its reputation at the international level. By refusing to put chrysotile on the list of dangerous goods drafted by the parties to the Rotterdam convention, Canada has, at last, acted on the request of the Bloc Québécois. It officially recognized the safe and increased use of chrysotile fibre, as did the Quebec national government in 2002, and also the International Labour Organization.

This is a victory for Quebec's pro-chrysotile movement and for our regional economy. The communities of Thetford Mines and Asbestos are elated to see that their efforts have paid off.

Canada must now develop a true policy on the use of chrysotile, one that will be consistent with its position in Geneva, on September 18, 2004.

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[*English*]

**GOVERNMENT SURPLUS**

**Mrs. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, the finance minister is bragging about a surplus gained from the hardship and struggle of Canadians. He brags about being out \$7 billion on the government's budget. Now he is to pay down more of the debt at the expense of ordinary Canadians.

What about the government's other debts? What about the promised compensation to residential school and hepatitis C victims? It is time the government paid those debts before it is too late.

There was \$1.7 billion allocated to residential school claimants. Of some 200 victims going before the adjudicator, only three have been given a hearing, this after filling out a 37 page application.

The health minister announced that a select group of hepatitis C victims might be getting compensation previously withheld from them. This compensation is not new money, just unspent, because once again the Liberals' scam compensation package was both out of reach and did not apply to many claimants.

The Liberal government continues to spend more and more money paying lawyers to prevent victims from gaining restitution. This is reprehensible. The government should follow through on its promised compensation before there are no claimants left, unless of course that was its plan after all.

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● (1415)

**RODENT IMPORTATION**

**Mrs. Carolyn Parrish (Mississauga—Erindale, Lib.):** Mr. Speaker, I rise to protest the incredible waste of taxpayers' dollars and the harassment of a law abiding constituent.

In a nutshell, Steve Patterson, a naturalist, a teacher, and an honest man, diligently did his research and legally imported six week old Sabrina, the American flying squirrel.

Since June our government bureaucrats have harassed him, have taken him to court, and have practically bankrupted him. Steve and Sabrina won their day in Federal Court. The judge, soundly condemning the Canada Food Inspection Agency, ruled it was doubtful the government had ever shown that a serious issue existed.

That should have been the end, but it is not. The government is appealing, using unlimited resources in fear of a floodgate of 90 gram squirrels. The cost? Up to \$200,000 for my constituent. The solution? Drop the case, save us money, and allow Sabrina to get her Canadian citizenship.

Flying squirrels enter Canada over the border and through treetops every night. This is one little squirrel that escaped the bush, and which we can afford to keep.

*Oral Questions***ORAL QUESTION PERIOD***[English]***NATIONAL DEFENCE**

**Mr. Peter MacKay (Central Nova, CPC):** Mr. Speaker, a 1991 British defence report stressed that it was important that the Upholder class submarines be well maintained, since there were only four boats built and parts would be expensive and difficult to obtain. We know the *Chicoutimi* was scavenged for parts for the other three submarines.

Did the government make provisions in its submarine budget for these expensive, difficult to obtain spare parts?

**Hon. Bill Graham (Minister of National Defence, Lib.):** Mr. Speaker, the government certainly did and the navy certainly did. The navy knew very well that it was sailing in these submarines and wanted them to be absolutely safe.

That is why the captain of the *Chicoutimi* testified the other day that the ship was ready to sail and seaworthy when it put out to sea. The navy does not risk the lives of its own men.

**Mr. Peter MacKay (Central Nova, CPC):** Mr. Speaker, the minister's former colleague referred to them as duds. A Canadian defence report says that concern was expressed early on regarding the budget constraints facing the submarine acquisition project.

The Prime Minister slashed \$54 million from the submarine budget and will force the navy to borrow another \$85 million from another budget.

Similar to the Liberal practice of budget surpluses, did the government deliberately lowball the cost of the submarine project and again shortchange our navy?

**Hon. Bill Graham (Minister of National Defence, Lib.):** Absolutely not, Mr. Speaker. The premise in the question is right there. We put in an extra \$85 million to ensure that they were right for the navy. That is exactly what we did.

When we have to invest, we invest. That is exactly what we are doing. I think the hon. member's question absolutely proves the point.

**Mr. Peter MacKay (Central Nova, CPC):** Mr. Speaker, there has been a lot of questionable investment over there.

The DND report also stated that there was not sufficient money in the submarine budget for these spare parts, contradicting the minister's comment today. Again, the navy had to buy parts using funds from other budgets.

As we have seen repeatedly from the government when it comes to our military spending, doing things on the cheap has its costs.

Will the government now ensure that the navy has sufficient funds to purchase spare parts for these subs and ensure their future operational safety?

**Hon. Bill Graham (Minister of National Defence, Lib.):** Mr. Speaker, the chief of the maritime staff and many of the submariners I had the opportunity to meet with yesterday are convinced of the quality of these submarines. They want to maintain them and be able to use them in the defence of our country.

I can assure all members of the House that the government will back the navy. We support the navy. We support its efforts to make these subs safe and we will always give it the resources necessary to make them safe.

**Mr. Dave MacKenzie (Oxford, CPC):** Mr. Speaker, the Prime Minister cut \$54 million from the submarine retrofit budget. Yesterday we heard that an urgent safety report to move ammunition used in an oxygen generator was ignored.

How many other safety concerns had to be overlooked due to budget cuts by the Prime Minister?

• (1420)

**Hon. Bill Graham (Minister of National Defence, Lib.):** Mr. Speaker, yesterday we also heard in the House from that party about a fire that never occurred on the *Corner Brook*.

That party is busy inventing all sorts of problems with the submarines, and playing political football instead of working with us to make the navy safe and protect our coast, which the government and the navy will do.

**Mr. Dave MacKenzie (Oxford, CPC):** Mr. Speaker, the British were talking in 1991 about overheating, electrical problems, leaks, rust and batteries overheating, bad ventilation systems and bad cooling systems. Our current Prime Minister ignored the British government's concerns and instead cut \$54 million from the submarine budget.

Has the Prime Minister now decided to cover up the mistakes of the past and use caution in the future by dry docking the British built submarines?

**Hon. Bill Graham (Minister of National Defence, Lib.):** Mr. Speaker, these submarines have not been dry docked. The navy is concerned, first and foremost, with the safety of the personnel serving on all of our ships.

Based on what the inquiry has heard, the chief of the maritime staff has taken a very early precautionary move to ensure that the submarines are in perfect condition to sail.

I support that. I hope that all members of the House will support it. I also hope that they will not draw unwarranted and unreasonable political solutions or questions from those answers.

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*[Translation]*

**TAXATION**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Prime Minister said that, under the existing legislation and accounting rules, his government had no choice but to apply the whole \$9.1 billion surplus to the debt. That is not true.

Indeed, the Auditor General has said there is no law or accounting rule that says we must apply the whole surplus to the debt.

*Oral Questions*

Instead of continuing to mislead the public, will the Minister of Finance admit that the government had other options in terms of the use that it could make of the surpluses, but preferred to put all the money on the debt? I defy the minister to say otherwise.

[English]

**Hon. Ralph Goodale (Minister of Finance, Lib.):** Mr. Speaker, I would invite the hon. gentleman to check the Financial Administration Act. It clearly indicates that if an expenditure is made and attributed to a certain fiscal year, it indeed has to be done in that fiscal year. One cannot use money from a previous fiscal year after that fiscal year has closed.

[Translation]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, this is not what we are saying and it is not what the Auditor General is saying. We are simply saying that, once the government knew how large the surpluses would be, based on its own forecast, it would have been possible, through an act, to use these surpluses for something other than the debt and not wait until after the end of the fiscal year.

The government had that option and it still does. Based on its forecasts, and the government should review them, because we all know how it plays with numbers, the government could, until March 31, 2005, decide to use some of the surplus for other purposes, to help Quebec and the provinces. They can do that; the minister cannot deny it.

[English]

**Hon. Ralph Goodale (Minister of Finance, Lib.):** Mr. Speaker, the answer to the hon. gentleman's question is buried in the question itself, and that is that one has to know the surplus exists, which we did not.

[Translation]

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, if we in the Bloc are capable of making forecasts with our little calculator, they should be able to do the same with their hordes of public servants.

The federal government surplus for 2003-04 is \$9.1 billion. Predictably, the finance minister will be up to his usual tricks, concealing the true reality of the surplus for the current year as well.

Will the Minister of Finance be presenting a bill aimed at using a goodly portion of future surpluses, both predicted and unpredicted by the government, to benefit Quebec, the provinces and their citizens? The Auditor General has said that this can be done. Will he do it?

[English]

**Hon. Ralph Goodale (Minister of Finance, Lib.):** Mr. Speaker, we are participating with the provinces in a whole variety of ways. We participate with them in health care. We have just added \$41 billion. We participate with them through equalization. We have added \$33 billion. We participate in immigration, infrastructure, housing and post-secondary education. In all those ways we participate with the provinces.

It is interesting to know that every provincial government that has to date in this year filed its own annual financial report shows exactly the same phenomenon as we reported yesterday.

• (1425)

[Translation]

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, the minister, like the government, seems to again be totally closed to any solution involving efficient use of the predicted and unpredicted surpluses of the government for the benefit of its citizens, officially at least. Their minds are equally closed to the concept of solving the problem of fiscal imbalance.

Can the minister tell us whether he has a solution somewhere or whether he just plans to continue to let the surplus grow by leaps and bounds while the people's needs are not met?

[English]

**Hon. Ralph Goodale (Minister of Finance, Lib.):** Mr. Speaker, all the money that was reported yesterday has gone to the benefit of Canadians.

The hon. gentleman seems to deny the fact that debt paydown has any benefit. So far that pattern over the last seven years has saved the Government of Canada \$3 billion per year in money that is now available every year going forward for health, education, social programs and so forth.

Also, I hope the hon. gentleman is not suggesting that we should leave that horrendous mortgage on the future of our children and grandchildren.

**Mr. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, when it comes to the debt, the Prime Minister has established artificial targets. It is interesting to consider this business of targets. Why are there no targets for the environment? The national debt targets, which are artificial, are always met. Environmental targets are never met. The national debt is going down, but student debt is going up. Twenty-five million dollars a day is now going against the debt. The debts of municipalities are going up by \$11 million a day according to the FCM.

Will the minister and the government finally determine that they will put something against clean water, and set some targets for clean water, not just the debt?

**Hon. Ralph Goodale (Minister of Finance, Lib.):** Mr. Speaker, there are a variety of very strong objectives that this government has already articulated.

In respect of clean air and climate change, for example, over the last number of budgets we have set aside \$2.7 billion to address those issues. With respect to the proceeds from Petro-Canada, for example, I have already indicated that a significant portion of those proceeds will go toward environmental sustainability.

I accept the hon. gentleman's point about the importance of these things. I can assure him they are indeed on the government's agenda with—

**The Speaker:** The hon. member for Toronto—Danforth.



*Oral Questions*

**Mr. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, there is absolutely no target anywhere for the reduction of homelessness. There is absolutely no target anywhere for the reduction of boiled water orders. There are absolutely no targets anywhere for the reduction of smog. The fact is that we set targets for debt reduction and we meet them, but we do not meet any other targets that are important to Canadians.

After having put \$61 billion toward debt reduction, is the minister prepared to look a homeless person in the eye and say that absolutely every cent of that was worth it?

**Hon. Ralph Goodale (Minister of Finance, Lib.):** Mr. Speaker, I am certainly determined to address all Canadians and to say to them that we have a strong, balanced approach that is working for Canada.

Yes, we have applied some money on the debt, \$9 billion last year. We are also applying \$41 billion to health care and \$33 billion to equalization. We will deliver on child care. We will deliver on communities and municipalities in which I know the hon. gentleman is very interested. We have a broad, balanced objective to serve this entire country.

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**SPONSORSHIP PROGRAM**

**Mr. John Williams (Edmonton—St. Albert, CPC):** Mr. Speaker, when the sponsorship scandal first burst on the scene last February the Prime Minister said that no stone would be left unturned, to let every fact be known, to let the public accounts committee do its job and get to the bottom of the scandal before the election. As the committee was getting to the witnesses who could really shed light on the scandal, the Prime Minister called the election, shut down the committee and Parliament's ability to investigate the scandal came to a crashing halt.

Why did the Prime Minister mislead Parliament by saying there would be no election before all the facts were known, then changing his mind?

**Hon. Scott Brison (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the Prime Minister made a significant step forward by asking Judge Gomery to do his work and by providing Judge Gomery with the resources needed to complete that work.

We are not prejudging his work on this side of the House. We are allowing Justice Gomery to proceed to get to the truth, and that is what all Canadians are demanding from this government. I would ask that the hon. member respect that.

• (1430)

**Mr. John Williams (Edmonton—St. Albert, CPC):** Mr. Speaker, they pump up the Gomery commission, but they shut down the public accounts committee.

My question is for the Minister of Public Works. Can the public accounts committee expect the same treatment afforded to the Gomery commission? Will the government provide the 10 million pages of documents to Parliament that it gave to the Gomery commission so we can truly get to the bottom of the sponsorship scandal?

**Hon. Scott Brison (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the answer is absolutely yes to the hon. member's question.

The government has made a tremendous amount of information available to both the public accounts committee and to the Gomery commission. Millions of pages of documents have been provided based on the questions asked by both public accounts and the Gomery commission.

Beyond that, we have made cabinet documents available back to 1994, which is a remarkable statement of transparency and openness. We are committed to getting to the truth on this side of the House, and I hope the hon. member is as well.

**Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC):** Mr. Speaker, today we read reports that Serge Savard hosted a cocktail party that raised a million dollars for the current Prime Minister's leadership campaign. This happened just after the Prime Minister's staffers contacted the sponsorship program to get \$600,000 for Serge Savard's organization.

Why will the Liberals not just admit that the reason they called an early election was to hide the fact that the sponsorship scandal documents were leading right to the Prime Minister's door?

**Hon. Scott Brison (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the hon. member should recognize that the fact that he can stand in this House and ask a question on testimony before the Gomery commission exists only because it was the Prime Minister who called the Gomery commission to get to the bottom of this.

We are not afraid of getting to the bottom of this issue. The Prime Minister has demonstrated tremendous openness, accountability and honesty in dealing with this.

I do not know why the hon. member would not allow Justice Gomery to continue doing his work without prejudice on a day to day basis.

**Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC):** Mr. Speaker, if the minister wants to get to the bottom of this issue, perhaps he could start by maybe answering just one question in the House. That would be helpful.

[*Translation*]

We know that the Prime Minister withheld documents from the Standing Committee on Public Accounts and was in support of funding for his friends. The Prime Minister promised to shed full light on this situation before the election call.

Will the Prime Minister at last admit that he called an early election as a diversionary tactic?

[*English*]

**Hon. Scott Brison (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, members of other parties in the House called for a judicial inquiry. The government has actually moved on this initiative and the Prime Minister has demonstrated the courage to do that.

*Oral Questions*

Therefore, I would urge the hon. members opposite to support the Prime Minister and the government in getting to the bottom of this issue and not prejudice the work of Justice Gomery, a noted legalist who is doing a good job. We cannot provide commentary on a day to day, play by play basis of the testimony before the inquiry and expect to get any semblance of the truth.

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[Translation]

**NATIONAL DEFENCE**

**Ms. Francine Lalonde (La Pointe-de-l'Île, BQ):** Mr. Speaker, 25 scientists, political observers, and defence experts, including the former Liberal minister, Lloyd Axworthy, are urging the Canadian government to refuse to take part in the U.S. missile defence system. These experts say that the cost, objectives and effectiveness of the system are unknown and that it will start another arms race and thus reduce global security.

The government has already gone too far. How can it continue in this direction today, when these experts are adding their voices to the strong protest movement, as in Quebec for example?

**Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.):** Mr. Speaker, the missile defence shield is an extremely important issue for all Canadians, and certainly for Quebecers as well. We are in North America, and obviously the security, future and defence of our continent concern us.

Our government has been in discussions with the United States as to whether this defence shield is the solution of the future. We have always discussed the security of our continent in NORAD with the United States.

Changes are happening in the United States. They want to move in a certain direction. We are sitting down with the Americans. We have established very specific criteria for Canada's participation. The government will make its decision in due time.

• (1435)

**Ms. Francine Lalonde (La Pointe-de-l'Île, BQ):** Mr. Speaker, there are differences of opinion, including among government members.

Does the government not agree then, before any decision is made, that there should be not only a debate in Parliament—a real debate—but also a vote on this important issue?

**Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.):** Mr. Speaker, the leaders are talking about that as we speak. An amendment was moved by the Conservative Party on this. We will look at the results of the leaders' discussions. We are certainly going to see where their discussions will take us by October 18.

\* \* \*

**EMPLOYMENT INSURANCE**

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, during the first leaders debate, the Prime Minister announced that he intended to eliminate the discriminatory provision that applies to young people making their first EI claim.

When the leader of the Bloc Québécois asked him, "Are you going to change that, the 910 hours?" the Prime Minister replied, "The answer is yes, and I have said so publicly".

In view of the Prime Minister's firm commitment, can the minister tell us when he will be tabling an amendment to the act?

**Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, we will be proposing an amendment once we have received a report that will not only give us an indication as to how to do this, but will also examine the consequences.

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, is the minister aware that this is a delaying tactic and that he is preventing the immediate implementation of a firm promise by the Prime Minister?

Are we to understand that the Liberal Party is once again breaking its promises?

**Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, the proof that the government keeps its promises lies in the fact that only three days ago we brought 11 bills before the House.

We are beginning with these bills and there may be a few more. Still, we are beginning with these 11 bills that are now before us, and soon we will get to the others.

\* \* \*

[English]

**CANADIAN HERITAGE**

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Mr. Speaker, my question is for the heritage minister. During the last election campaign, the minister's special assistant took four trips into her riding, costing taxpayers over \$3,800.

Could the minister please guarantee that this individual did not take part in any election or campaign related activities while on these trips?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, the expenses are on the website, so everything is very transparent. I do assume that if those trips were done, they were done within the job.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Mr. Speaker, let us focus on the last trip this individual took. He went to the minister's riding for the election day. He returned to Ottawa the day after the election, again at taxpayers' expense.

Could the minister please explain what ministerial duties this individual performed on election day other than attending an election night party?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Again, Mr. Speaker, if the hon. opponent knows about the trips, it is because that is posted on the website. If it is posted on the website, it is transparent. If it is transparent, everything is okay and he did it within his job.

*Oral Questions***GOVERNMENT APPOINTMENTS**

**Ms. Bev Oda (Durham, CPC):** Mr. Speaker, the government promised taxpayers transparency and the end of patronage appointments. During the election, the Prime Minister promised parliamentary review of government appointments.

There are three CRTC commissioners whose terms expire shortly, two of them within 17 days. Could the heritage minister commit to fulfilling the Prime Minister's promise and ensure that appointments to the CRTC will be first presented to this House for review?

• (1440)

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, as I said to my distinguished opponent, all the nominations will be made in a transparent process. But all the nominations will be made and we will assure ourselves that we will have the best people there to accomplish their jobs at the CRTC, at the broadcasting company and everywhere. We promise.

\* \* \*

[Translation]

**CHOI-FM RADIO STATION**

**Mr. Colin Carrie (Oshawa, CPC):** Mr. Speaker, the CHOI-FM radio station in Quebec City could become the first station in Canada's history to be denied the right to survive.

Did the former or the current minister attempt to influence in that direction any of the members of the CRTC, either before or after the election, yes or no?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, the answer is no.

\* \* \*

[English]

**CANADA-U.S. RELATIONS**

**Mr. John Maloney (Welland, Lib.):** Mr. Speaker, constituents and industries in my riding of Welland in the Niagara region know how critical it is that our border with the U.S. remains open to the efficient flow of goods and commerce. That is why I rise today to ask the Parliamentary Secretary to the Deputy Prime Minister about today's visit by U.S. Secretary of Homeland Security Tom Ridge.

Could the Parliamentary Secretary to the Deputy Prime Minister update the House on what the government is doing to ensure access across the Canada-U.S. border?

**Hon. Roy Cullen (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, I want to thank the member for Welland for his tenacious work in the area of borders with all levels of government on this issue.

I am pleased to report that the Deputy Prime Minister and Secretary Tom Ridge announced today a variety of initiatives to help make border crossing secure and efficient through new fast lanes, integrated border enforcement and, at the Fort Erie border crossing, the examination of options around pre-screening and pre-clearance. We are making great progress in addressing this critical priority.

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, we are all aware that Secretary Tom Ridge was in town today and we would also like to note that Canadians are taking notice of the fact that his Patriot Act is jeopardizing Canadian privacy by allowing public and private information to be accessible to the CIA, the FBI and other unknown government agencies.

Among the security breaches is one related to our financial industry. I would like to ask the finance minister to tell us if he raised this issue during the visit. Does the government support foreign nations having control of our private information? Why has he done nothing to protect our banking industry from rogue privacy invasion?

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, the government is currently reviewing the Patriot Act and looking at our own privacy legislation. As the member knows, we have quite a complete legislative regime to protect the privacy of Canadians. I will be meeting with the Privacy Commissioner shortly to determine the impact of the Patriot Act on Canadian information and we will take action following that.

\* \* \*

**NORANDA INC.**

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, thousands of jobs are dependent upon the mines and smelters of Noranda and Falconbridge, yet the minister refuses to have this takeover examined by the industry committee.

Vague promises are not good enough for the people of northern Canada. I ask the hon. minister to tell us what concrete steps will be taken to review the sale of Canadian copper and nickel resources to the government of China.

**Hon. David Emerson (Minister of Industry, Lib.):** Mr. Speaker, we do not at this time have an application to review under the Investment Canada Act. When we do, we will review whether that acquisition of a Canadian company is in the interests of Canadians, whether it generates net benefits to Canadians and whether it is consistent with the industrial and economic policies of Canada.

\* \* \*

**CANADIAN HERITAGE**

**Mr. Lee Richardson (Calgary Centre, CPC):** Mr. Speaker, last week again, the heritage minister, no doubt in the interests of transparency, told us that her predecessor had to take a \$55,000 government jet to Banff to give a campaign speech because "she flew in and out".

New information has revealed that the minister misled the House. It turns out that Hélène Scherrer filed an accommodation expense to stay overnight in Banff. It seems she was not in such a big hurry after all.

*Oral Questions*

Why did the minister mislead the House about the infamous Challenger flight and why did her predecessor not save taxpayers \$50,000 by flying commercial to give her campaign speech?

• (1445)

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, talking about misleading the House, yesterday opponents were saying that the minister never talked about policies but only made a partisan speech.

The minister said, talking about the CRTC, “They have also developed policies to ensure that we have a strong and vibrant broadcasting system that is competitive with any system in the world. The government and the CRTC have developed policies like Bill C-56 and simultaneous substitutions” and “have greatly benefited our industry”. That was what the speech was all about: defending our culture, the CRTC and broadcasting.

**Mr. Lee Richardson (Calgary Centre, CPC):** Mr. Speaker, I thank the minister for quoting from the speech. I also could quote from the speech, but why do I not quote from *Variety* magazine of that day, which suggested that “Minister of Canadian Heritage H  lene Scherrer took up the invitation at the last minute to use Banff to trumpet her party...” and make a “nakedly political speech”.

I ask again, why did the minister have to take a flight at the last minute? Did she mislead the House as to when the invitation was accepted?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Again, Mr. Speaker, that is an editorial comment.

I will continue. She said, “Opening skies to American satellites would essentially destroy the system we have worked so hard to build. We would not only—

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

**The Speaker:** Order, please. The minister has been asked a question. She has to be given an opportunity to answer. Whether hon. members like the answer is another matter. The question was asked. The minister has her opportunity to reply. We are going to have to grin and bear it inside us.

**Hon. Liza Frulla:** I have a question for my distinguished opponents, Mr. Speaker. Do they agree with this? “Opening skies to American satellites would essentially destroy the system that we have worked so hard to build. We would not only lose our private broadcasting companies and all the people they employ, but producers, writers, directors, artists and technicians would all face significant job losses as fewer and fewer Canadian programs are being made”.

Do they agree with that, yes or no?

\* \* \*

**BROADCASTING INDUSTRY**

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, during the last election, Liberal MPs promised that RAI International, an Italian television station, would be made available in Canada. In fact, the Minister of Foreign Affairs stated at a rally in Montreal that the Prime Minister himself would approve speedy access to RAI.

It is yet another broken promise. Why is the government refusing to allow consumer choice and allow RAI and others to operate in Canada?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, we acted within a legal way of acting. We had one report done by Mr. Lincoln, contributed to the discussion at the CRTC, but as members know, the CRTC is making its decision. It is an independent tribunal. We will have the decision before Christmas, would you believe?

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, that is nonsense. During the election, one of the Liberal members said, “If it is no for RAI, we will take care of it. We will make it happen”. Now they have put it off to a committee, a typical Liberal action.

The fact is, the Liberals tried to shut down CHOI-FM, they are considering throwing Spike TV out of Canada and they have imposed severe restrictions on Al Jazeera. They are not allowing RAI International. The real issue is that the Liberals do not want Canadians to have a choice when it comes to what they listen to on the radio or what they watch on TV.

Why are the Liberals not allowing Canadians the choice of what they can see on TV or listen to on the radio?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, I am a little surprised that my distinguished critic is up and applauding. As she knows, the CRTC is an independent tribunal and an arm's length body. Of course we cannot have any political use of that body, as everyone knows, unless the opposition wants to abolish the CRTC and would like to take on the issues by itself.

\* \* \*

[*Translation*]

**SOFTWOOD LUMBER**

**Mr. Paul Cr  te (Montmagny—L'Islet—Kamouraska—Rivi  re-du-Loup, BQ):** Mr. Speaker, we have learned today that the Americans are going to appeal the August 31 NAFTA ruling in favour of Canada on softwood lumber.

Does the Minister of Industry realize that this new appeal means that the softwood lumber crisis will drag out even longer and that, if the industry is to survive this new assault, it is in greater need of assistance than ever?

• (1450)

**Hon. Jim Peterson (Minister of International Trade, Lib.):** Mr. Speaker, I thank the hon. member for his question, because softwood lumber is of vital importance to all Canadians.

As the hon. member has said, the Americans have indicated their intention to appeal the decision. We are already familiar with their stalling tactics, and we will continue to stand up to them.

*Oral Questions*

**Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ):** Mr. Speaker, does the minister realize that any delay in implementing an aid package for the softwood lumber industry just keeps this industry, so vital to the regions of Quebec, in a precarious position? Does he realize that his inaction does nothing but reassure the U.S. authorities who are using this tactic to bring the softwood lumber industry to its knees, particularly in B.C. and Quebec?

**Hon. Jim Peterson (Minister of International Trade, Lib.):** Mr. Speaker, true, but the hon. member must acknowledge that we have already put \$356 million into helping settle the softwood lumber crisis.

\* \* \*

[English]

**CANADIAN HERITAGE**

**Ms. Rona Ambrose (Edmonton—Spruce Grove, CPC):** Mr. Speaker, the government appears to be confused. Last month the Minister of Canadian Heritage stated that when she is at international meetings her Quebec better half can speak for her on Canadian cultural policy. She said, "Line can speak for both of us very well". The heritage minister described this relationship as "a perfect marriage, if not a bit of incest".

I ask the Minister of Canadian Heritage, can Quebec speak for Canada at international cultural forums?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, if the opposition would get interested in cultural diversity, it would know that we want the province's voice to concur with our voice and to give it strength on the international level.

[Translation]

On the subject of cultural diversity, we know that Quebec is our partner. We are also trying to work out a partnership with the other provinces. The fact is that Quebec and Canada are in perfect agreement on what position to take: sign a convention on cultural diversity by 2005, as per the time schedule established by—

**The Speaker:** The hon. member for Edmonton—Spruce Grove.

[English]

**Ms. Rona Ambrose (Edmonton—Spruce Grove, CPC):** Mr. Speaker, the minister is obviously still confused. The Minister of Canadian Heritage is on record as saying that Quebec can speak for Canada on Canadian cultural policy, but her colleagues, the Minister of Transport and the Minister of Intergovernmental Affairs, have clearly contradicted her. They have said that Canada speaks as one voice.

I again ask the heritage minister, which is it? Can provinces speak for Canada at international cultural meetings? I want to know what the Minister of Canadian Heritage calls this policy. Is it asymmetrical federalism or asymmetrical Liberalism?

**Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.):** Mr. Speaker, speaking on behalf of Canada and speaking on behalf of all Canadians clearly is this government's responsibility. Canada will continue to speak with one voice internationally. We have the

responsibility to make sure that that voice is enriched by all Canadians and by all jurisdictions.

Canada is stronger and better and makes the best contribution when it speaks with one voice, after of course making sure that it is enriched by all of our jurisdictions.

\* \* \*

**FISHERIES**

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, public consultations are currently underway on the possible addition of Newfoundland and Labrador Atlantic cod and the Laurentian North Atlantic cod to the list of species at risk. This could have undoubtedly an enormous impact on all Newfoundlanders and Labradorians.

Public consultations are currently only scheduled to take place during the day. This could be problematic for people at work who just cannot attend.

Could the Minister of Fisheries and Oceans please inform the House if there will be any changes for the people affected?

• (1455)

**Hon. Geoff Regan (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, in response to my hon. colleague's first question, this issue has been raised with me by a number of colleagues from Newfoundland and Labrador, including the member for Humber—St. Barbe—Baie Verte.

I share their concerns about the impact of a possible listing and I agree that all Newfoundlanders should have a chance to have their say at these meetings. Therefore I have instructed my department to hold some of these meetings during the evening hours and a new schedule will be released shortly.

\* \* \*

**CANADIAN HERITAGE**

**Mr. Jason Kenney (Calgary Southeast, CPC):** Mr. Speaker, in her desperate efforts to cover for her predecessor, the current heritage minister has misled the House at least five times.

She said it was a non-partisan speech. Wrong. Anybody can see that by reading it. She said it is posted on the government website. Wrong. It is on the Liberal website. She said she accepted the invitation in January. *Variety* magazine says it was accepted at the last minute. She said that her predecessor flew in and flew out. Now she knows she stayed overnight in Banff.

Instead of trying to cover for the abuse of tax dollars by her predecessor, why does the minister not stand up and apologize? Why does the Liberal Party not repay the \$55,000 that was taken from the taxpayers?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, the hon. member is in no position to lecture us on travel expenses. According to an article in the *National Post*, the hon. member for Calgary Southeast spent \$121,000 of taxpayers' money on airline trips during the Alliance leadership campaign. Shame, shame. As we recall, he did not give back the money.

*Oral Questions*

**Mr. Jason Kenney (Calgary Southeast, CPC):** Mr. Speaker, I happen to live in western Canada and spent the average of Alberta—

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

**The Speaker:** Order, order. We are wasting time here. The hon. member for Calgary Southeast has the floor to ask his next supplementary question.

**Mr. Jason Kenney:** Mr. Speaker, my parliamentary travel was the same as other western MPs and I have never taken a Challenger jet to give a partisan speech.

Has the government not learned any lessons from the last election which was about Liberal law breaking? In this instance her predecessor, the Prime Minister's principal secretary, broke the law. Why does the Liberal Party, instead of apologizing for law breaking, not make up for it, apologize for it and pay back the taxpayers?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, where is the \$121,000 of taxpayers' money for airline trips that the hon. member took during the Canadian Alliance leadership campaign? Where is it? Did he give it back?

\* \* \*

[*Translation*]

**ROYAL CANADIAN MOUNTED POLICE**

**Mr. Robert Vincent (Shefford, BQ):** Mr. Speaker, the RCMP has made a brutal announcement about the closure of nine regional offices located throughout Quebec.

Will the Minister of Public Safety recognize that she should declare a moratorium on these closures to give the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness a chance to hear witnesses and to make recommendations on the matter?

**Hon. Roy Cullen (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, the RCMP is conducting this kind of review on a regular basis to ensure that it is making the best use possible of its resources. A similar review was conducted in Ontario in 1995, which resulted in a strategic deployment of resources. This has improved the RCMP's operational capability and its capacity to achieve divisional and national priorities.

[*English*]

I would also like to take this opportunity to thank members on this side of the House for taking up this issue and in particular the member for Brome—Missisquoi. This is an operational decision of the RCMP which will improve its effectiveness.

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**AGRICULTURE**

**Mr. Russ Powers (Ancaster—Dundas—Flamborough—Westdale, Lib.):** Mr. Speaker, I respectfully request the opportunity to direct the following question to the Parliamentary Secretary to the Minister of Agriculture and Agri-Food.

Currently the United States government is severely restricting the importation of Canadian grown cut flowers at the Windsor and Niagara, Ontario borders. This measure affects producers in my riding alone to the tune of \$1 million a week.

What action is the government taking to alleviate this serious disruption in trade?

• (1500)

**Hon. Wayne Easter (Parliamentary Secretary to the Minister of Agriculture and Agri-Food (Rural Development), Lib.):** Mr. Speaker, I thank the hon. member for his question and for his interest on behalf of the cut flower producers in Canada.

The fact of the matter is that the United States has slowed down the movement of cut flowers across the border because of its perceived concern over origin, which should not be a concern at all. The CFIA and USDA met on October 7 and they will be meeting this Saturday to try to resolve the issue. We are working on it with the objective of resolving it to the satisfaction of the cut flower producers.

\* \* \*

**REFUGEES**

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, my question is for the Minister of Citizenship and Immigration.

Yesterday the Canadian Council for Refugees stated that Canada's private refugee sponsorship program is in serious trouble. Processing delays mean that many refugees are being put at risk as they wait in situations of extreme insecurity, violence and poverty. Canadian sponsors are frustrated because they are ready and willing to welcome them.

Does the minister find it acceptable that many of these vulnerable refugees wait for 28 to 32 months for their applications to be processed?

**Hon. Judy Sgro (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, may I congratulate the hon. member on his election and his appointment as the critic for immigration.

We need to applaud the many Canadians who are sponsoring refugees from around the world. CIC continues to work with international organizations on uniting people in refugee camps with Canadian families who want to sponsor them.

\* \* \*

[*Translation*]

**LOUISE PARGETER**

**The Speaker:** Order, please. Discussions have taken place between the representatives of all the parties in this House, and there is consent for the hon. members to rise now.

[*English*]

We will observe a minute of silence to commemorate Louise Pargeter, a parole officer with the Correctional Service of Canada in Yellowknife, who died in the line of duty on October 6, 2004.

[*The House stood in silence*]

**PRESENCE IN GALLERY**

**The Speaker:** I wish to draw to the attention of hon. members the presence in the gallery of the Hon. Geoff Plant, Attorney General and Minister Responsible for Treaty Negotiations for British Columbia.

**Some hon. members:** Hear, hear!

\* \* \*

**POINTS OF ORDER**

## ORAL QUESTION PERIOD

**Mr. John Reynolds (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, the Minister of Canadian Heritage, in her answers to colleagues on this side of the House, stated that she was reading, quoting, from a document or a speech. I would ask her to table that document.

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, first of all, it is on the website, so it is public. If the member wants us to give him a copy, we will give him a copy.

● (1505)

**Mr. John Reynolds:** Mr. Speaker, the minister was quoting. She had the document in her hands. I would like it tabled now, not later. I would like what she was quoting from tabled immediately.

**The Speaker:** The minister has indicated she is going to table the document. She will get a full copy and table it in the House, and I think that is a reasonable request.

**Hon. Scott Brison (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the Gomery commission is an independent commission. We have provided them with all the documentation that they have requested. As well, we provided documents to Parliament through the public accounts committee that they requested last spring. I can assure the hon. member that all requests that are made by the public accounts committee in the future will be responded to fully. To conclude, we are being completely open and transparent to Parliament and to the Gomery commission in these proceedings.

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**BUSINESS OF THE HOUSE**

**Mr. John Reynolds (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, before I ask the Thursday question, I would like to be assured by you that the minister, before she leaves the House, will be tabling that document. Those are the rules we live by in the House. I would like to make sure she will do that and I would like an answer before we leave here.

Mr. Speaker, while you are thinking about that, I would like to ask the government House leader if he could advise the House what the business is for the rest of today and tomorrow, whether there are any new bills coming in before next week, and what we will be doing next week in the way of business.

**Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am sure that the minister will table the document at the first available opportunity.

*Points of Order*

With respect to the business going forward, this afternoon, tomorrow and Monday, we will continue with second reading of Bill C-5, which is on learning bonds, followed by second reading of Bill C-6, which is establishing the department of public safety; second reading of Bill C-3 which is the Coast Guard bill; second reading of Bill C-7 respecting national parks; second reading of Bill C-8 creating the public service human resources agency; and second reading of Bill C-4, which is the international air protocol bill.

There will, as the House knows, be divisions at 3 p.m. on Monday.

[*Translation*]

Tuesday and Wednesday will be the last two days of debate on the Address in Reply to the Speech from the Throne, and Thursday will be an allotted day.

\* \* \*

[*English*]

**POINTS OF ORDER**

## ORAL QUESTION PERIOD

**Mr. Gerald Keddy (South Shore—St. Margaret's, CPC):** Mr. Speaker, yesterday during question period there was some discussion between the Minister of Public Works and Government Services and myself about the sponsorship program. During that discussion and in answer to a question, the Minister of Public Works mentioned the member from South Shore. What he actually stated when he was talking about the sponsorship program was:

The fact is all MPs were aware of this program. All MPs across Canada from all political parties received support from that program—

The fact is that the sponsorship program, at its beginning stages, was a for Liberals only program. It may have sent money into opposition-held ridings but those moneys were not accessible to members of the opposition because there was no way we could know about the program. It was a secret program in its beginning years.

Furthermore, sponsorship moneys that did come into the South Shore were not accessed through my office. I was not aware that the sponsorship program had been accessed at all until the access for information that brought the *Bluenose* debacle to light.

For the Minister of Public Works to say that all members of Parliament, including myself, were aware of this program is just patently false and, I feel, misleads Parliament. I am very certain that is not what the Minister responsible for Public Works intended to do.

Again, contrary to what the Minister of Public Works has stated, that “all MPs were aware”, there was no way that I was aware of this program. I would like your intervention, Mr. Speaker, to seek redress on this issue.

The minister was incorrect in his statement in this House and specifically mentioned me. It is only fair and, I believe, in keeping with the parliamentary tradition, that he correct his statement.

*Points of Order*

• (1510)

**Hon. Scott Brison (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, I thank the hon. member for South Shore—St. Margaret's and, in fact, I support the same principle, that when members of Parliament say something in the House that is wrong they should correct it.

However the fact is that I did not say anything that was wrong because yesterday the hon. member raised a point of order saying that I had misled the House. In fact that was not true, and he can check *Hansard* to verify that.

Today he said that he was not aware of the sponsorship program, which I find curious because I have a letter dated October 30, 2003 to the then minister of public works, and the member is writing on behalf of the South Shore exhibition in my constituency, his constituency in fact, concerning its application to the Canada sponsorship program.

I am really curious how the hon. member can say that he was not aware of the sponsorship program, a program of the Government of Canada, that all members of Parliament doing their work ought to have been aware of, when in fact he was writing letters to the minister of public works seeking support for organizations in his riding.

**The Speaker:** I think we have heard enough on this point. It is clear there is a disagreement but the words used by the Minister of Public Works and Government Services were not the ones alleged by the hon. member for South Shore—St. Margaret's when he stood up yesterday. That has been made clear by all parties and that is no longer being insisted upon. I have the *Hansard* here.

The fact is that there appears to be a disagreement over the words the minister used but I do not think there is a case here for a point of order. This is a matter for debate and I know the two hon. members will want to indulge in debate on this subject at length and perhaps they can do so in their speeches on the Speech from the Throne next week when we come back to something that is general or possibly on an opposition day. However I think we will leave it at that point.

## ORAL QUESTION PERIOD

**Mr. Jason Kenney (Calgary Southeast, CPC):** Mr. Speaker, I am simply giving the Chair notice of my intent to bring forward a matter of privilege arising from question period once I have an opportunity to review the blues because there was such a remarkable brouhaha, as you may recall, at one point, I was unable to clearly listen to the hon. Minister of Canadian Heritage. However I believe she clearly misled the House with respect to my annual parliamentary travel report.

I would reserve the right to bring this forward as a matter of privilege at the appropriate moment when I have been able to review the blues.

**The Speaker:** I will treat that as a notice then.

The hon. Minister of Canadian Heritage wishes to raise a point?

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, this comes from a June 16, 2001 article in the same newspaper that they cite all the time, which is the *National Post*. The article reads:

Jason Kenney, a Canadian Alliance MP, spent \$121,000 of taxpayers' money in airline trips over the past year, in part to help Stockwell Day's leadership campaign.

It does not come from us. It is public. It comes from the *National Post*.

**Mr. John Reynolds (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, the minister is answering the point just raised by my colleague from Calgary. The document I want is the one from which she quoted in her answer. I want the complete document, not just one page of it.

By the rules of this House she is to table that full document, complete. It is a speech of the former minister. We would like that tabled.

**Hon. Liza Frulla:** Mr. Speaker, I do not have the complete document. I am getting the complete document and I will give the member the complete document in about 15 minutes.

**Mr. John Reynolds:** Mr. Speaker, I want the document that the minister rose and read in the House tabled, not one that she is going to go back to the office and maybe take something off a page. Those are the rules and—

**The Speaker:** We are getting very inconsistent demands here. First, the House leader wanted the document the minister quoted from and then he stood up and said he wanted the complete speech.

**An hon. member:** No, Mr. Speaker.

**The Speaker:** Yes, he did. He just said that a minute ago. Then she said she did not have the complete speech, so she would get it and bring it in. She said that it was from a piece of paper and that it was not the complete speech.

I am in the hands of the House. In a minute we can have the couple of pages the minister was holding or we can wait for the complete speech.

The hon. House leader just said that he wanted the complete speech. The minister said that she would get it and bring it in. Perhaps the opposition House leader could clarify what it is he is after.

• (1515)

**Mr. John Reynolds:** Mr. Speaker, we would like the document she had in her hand that the minister quoted from. After that if she wants to give us the complete speech we would love to have that also.

**The Speaker:** Does the Minister of Canadian Heritage wish to table the document?

**Hon. Liza Frulla:** Mr. Speaker, if the member wants this copy, all signed up and whatever, I will give him this copy but it is not in two official languages. It is only in English.

**The Speaker:** Normally documents have to be in both official languages to be tabled, as the hon. opposition House leader is aware. Perhaps we can wait until the minister has the document in both languages and she can bring it in and table it. I think that is a reasonable request in the circumstances.

**Hon. Liza Frulla:** I can have this one translated or I can give it to the member right away.



**An hon. member:** There were several pages.

**The Speaker:** Is there consent of the House to table this document in one official language now?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** There is no agreement. We will hear from the minister later when she is in a position to table the document in both official languages.

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## GOVERNMENT ORDERS

[*Translation*]

### CANADA EDUCATION SAVINGS ACT

The House resumed consideration of the motion that Bill C-5, an act to provide financial assistance for post-secondary education savings, be read the second time and referred to a committee.

**Mr. Alain Boire (Beauharnois—Salaberry, BQ):** Mr. Speaker, this is the first time I have spoken in this House. I want to thank the voters in the riding of Beauharnois—Salaberry, and all the election volunteers and workers who gave me their trust during the last election in June.

I would like to say from the start that the Bloc Québécois supports Bill C-5 in principle. However, we want to consider it thoroughly in committee.

This bill raises several questions that require answers. It is intended to encourage and facilitate access to post-secondary education for children of lower-income families. It enhances the Canada education savings grant.

The Bloc Québécois finds it useful to set up an education savings bond program, as this will directly help lower-income families, which the Canada education savings grant currently does not do. This will be a big help to children of lower income families, who have greater difficulty accessing post-secondary education.

The Bloc Québécois agrees that this measure helps families in planning and saving for their children's education. Accessible education and equal opportunity for everyone are two priorities of the Bloc Québécois and Quebecers.

We think this measure is clearly inadequate; correcting the fiscal imbalance and returning to equitable transfers between provinces would obviously permit the Government of Quebec to support Quebec's students appropriately.

The Bloc recognizes that Bill C-5 will definitely encourage education for all families, whatever their income. There are figures showing that only 50% of people between the ages of 18 and 24 are pursuing post-secondary education.

As the critic for youth, I am greatly concerned about this situation. This measure will make it possible to increase attendance at post-secondary institutions, but it must not look like federal interference in the system of loans and bursaries. That is why we need thorough study of the bill in committee.

### *Government Orders*

Moreover, this learning bond program is a non-negotiable means of adding to the savings options for low income families. This learning bond program will help children from low income families get into post-secondary studies, which is a comfort for their parents. The Bloc Québécois is concerned about social justice in this matter. This is clearly a sign of hope that the less well off in our society may have access to higher learning.

Although many questions related to his bill have yet to be answered and will be studied by the committee, I can already point out certain weaknesses in the bill's current wording.

First of all, the learning bonds will not help Quebec provide quality education, because they do not give Quebec the means to do so. They enable students to cover part of the cost of their post-secondary education, but do not improve the quality of services provided by the educational system.

I want to point out that, in its current form, the bill says that the government will take back the money it has invested when the beneficiary of the program reaches the age of 21 years. That seems very bizarre because college education is totally free in Quebec.

In addition, the learning bonds will be automatically taken back when the student reaches the age of 21. Only those who go to university will benefit, and not a great deal more. It will only be for a year or two, to use the money provided by the federal government. The Bloc Québécois therefore proposes that the maximum age be set at 25.

Any money provided by the government that has not been used for post-secondary education will be taken back instead of being reinvested where it belongs, that is, in the education system. The Bloc Québécois reiterates that, if it were not for the fiscal imbalance, this money could be put directly into Quebec's education system, instead of being spread around in federal aid packages. Quebec alone can determine what the province's educational priorities are. It should benefit directly from federal transfers in order to distribute the money where it is needed.

With this bill, the government announced a \$40 million dollar budget for the administration of the program during the first three years. We are used to the federal government underestimating costs. We need only think of the firearms registry. The Bloc Québécois promises that it will keep a very close eye on how such a registry will be administered, to ensure it is managed properly.

● (1520)

I feel that the administration costs are excessive: more than \$13 million annually to distribute some \$80 million. This is a fine example of the priorities pursued by the government with this bill: instead of assisting students fully by financing the education system properly, it would rather take a piecemeal approach.

With this bill, the government is trying to improve an existing program, namely the Canada education savings grant introduced in 1998, which, incidentally, has missed the mark vis-à-vis its initial objectives. This grant program does nothing for the least well off families, because the government only contributes up to the amount invested by the parents. Obviously, families with an income under \$35,000 seldom manage to set money aside for their children's education.

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With this bill, the government is improving the current program by 20%, which contributes up to 20%, to a maximum of \$400 per year. The bill not only establishes the learning bond, but it also increases the amount of the education savings grant, which is an additional contribution made by the federal government for each dollar contributed to a registered education savings plan until the beneficiary under the plan turns 17.

The Canada education savings grant rate will double, from 20% to 40%, on the first \$500 of savings placed in an RESP by families with a net income of up to \$35,000. For families with a net income greater than \$35,000 but not exceeding \$70,000, the Canada education savings grant contribution will increase from its present 20% to 30%. Any subsequent investments by the family or the beneficiary will remain at the current 20% level. The Canada education savings grant cannot, however, exceed \$7,200 for the 16 years during which families and beneficiaries remain eligible.

The Government of Canada announced the creation of a learning bond program for post-secondary education in its March 2004 budget. This takes the form of a bursary of a total value of \$2,000 for each child born after 2003, but this is of course only for children of families entitled to a national child benefit supplement. After the initial \$500 at the time of birth, the child will receive annual Canada learning bond instalments of \$100 a year until the age of 15, provided the family continues to receive the national child benefit supplement.

However, parents must initiate the process by setting up a registered education savings plan. The learning bond is valid until the child reaches the age of 21. Then, the federal government takes back the money that it invested in the registered education savings plan and leaves the family's interest and savings, which become taxable. The purpose of the learning bond is to encourage low and middle income families to save money for their children's post-secondary education.

The Bloc Québécois likes the idea of making higher education more accessible to low income households. Quebec families that qualify for the national child benefit will be eligible for this bond program, without having to contribute to an education savings plan. The Bloc Québécois believes in accessibility to education. Thanks to the improved Canada education savings grant and to the learning bonds, students will be able to pursue a higher education, regardless of their social condition.

However, let us not forget that this program will be very costly to administer and that the federal government could, if the will was there, refrain from needlessly wasting public funds and taxpayers' money by dealing with the fiscal imbalance. The Quebec government would then not be subjected to the current budget cuts and would have the necessary money to invest in education and to improve its loans and scholarships program.

We are very pleased to see that the federal government is concerned about young people and the low enrolment rate in post-secondary institutions. However, we want to mention again the fiscal strangulation of the provinces. Quebec would prefer by far to manage the money to which it is entitled, instead of benefiting from ad hoc and arbitrary donations from Paul Martin.

**Hon. Don Boudria:** Mr. Speaker, I rise on a point of order. What the hon. member just said is out of order.

**Mr. Alain Boire:** Since the early 1990s, federal transfers for post-secondary education have dropped drastically. Even the Canadian Association of University Teachers came to the conclusion that the weakening of the provinces' ability to fund post-secondary education is primarily due to the reduction in federal transfer payments.

● (1525)

When Paul Martin became Minister of Finance, Ottawa was contributing 17¢ for each dollar—

**Hon. Don Boudria:** Mr. Speaker, I recognize that we must show courtesy to the members newly elected to this House, and I respect that. However, a written document is being quoted in which a member of Parliament is referred to by his name, which is clearly out of order. It has happened at least twice in the last three minutes. I just wanted to bring that to your attention.

**The Speaker:** I always appreciate the comments of the hon. member for Glengarry—Prescott—Russell. He is right. It is unparliamentary to refer to a member of Parliament by his given name. Hon. members can only be referred to by the names of their ridings or the positions they hold, like minister, leader of their party, and so forth.

I am sure that the newly elected member for Beauharnois—Salaberry, who has the floor, will find out about our Standing Orders during his time here. One of our rules was just pointed out to him. I am sure he will not be making the same mistake in the rest of his speech.

The hon. member for Beauharnois—Salaberry.

**Mr. Alain Boire:** Mr. Speaker, when the Prime Minister became Minister of Finance, Ottawa paid 17¢ for every dollar of revenue in the transfer for education and social services. When the Prime Minister left his position nine years ago, Ottawa paid no more than 1¢ for every dollar of revenue. This decrease currently represents a 40% drop. The federal contribution to total expenditures in education and social programs is now 12%.

Quebec would rather fund its own education system than be part of such programs.

In conclusion, I would like the government and this House to know that the situation in Quebec is unique, as is often the case. Our education system is different from that of the rest of Canada, particularly with respect to our Cégep system. Since college programs are practically free, Quebec students benefit little from the student aid and loan program.

Quebec students usually start their university studies when they are 20 and the bill, as worded, stipulates that once the student turns 21, the government keeps any unused portion of the financial assistance.

The Bloc is voting in favour of the principle of Bill C-5 on the education savings bond program with the changes I just mentioned.

The Bloc considers the objectives of Bill C-5 commendable. However, the conditions of application need to be clarified, and we will have to see how the Government of Quebec receives it.

## ROUTINE PROCEEDINGS

• (1530)

[Translation]

### COMMITTEES OF THE HOUSE

#### PROCEDURE AND HOUSE AFFAIRS

**Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.):** Mr. Speaker, there have been discussions among representatives of all the parties and I believe you would find unanimous consent for the following motion:

That the third report of the Standing Committee on Procedure and House Affairs be deemed tabled and concurred in.

This involves changes to the members of certain committees, members of the Bloc Québécois.

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

**Some hon. members:** Agreed.

(Motion agreed to)

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## GOVERNMENT ORDERS

[English]

### CANADA EDUCATION SAVINGS ACT

The House resumed consideration of the motion that Bill C-5, an act to provide financial assistance for post-secondary education savings, be read the second time and referred to a committee.

**Hon. Peter Adams (Parliamentary Secretary to the Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, I want to congratulate the member on his speech and on his patience during the point of order.

I was very interested in the suggestion about changing 21 to 25. My colleague is quite correct. The province of Quebec, alone among the provinces, has maintained two years of free post-secondary education through the cégeps. It is something very admirable.

First, he said that typically these students would go to university at the age of 20. I would like to know just how general that is. Second, when we are talking about post-secondary education in the legislation, one must realize we are referring to trades, apprenticeships and to other types of colleges where students can obtain an education. What are his comments on that?

Is cégep the only route? Are there many students who in fact go to university before they are 20 years old? Also, could he explain to me how the cégeps are involved in apprenticeships, for example?

[Translation]

**Mr. Alain Boire:** Mr. Speaker, I thank the hon. member for his question. The reason why students start university at age 20 is very simple: the Cégep system. They finish secondary school at around 17 and Cégep at 19 or 20. The system is organized so that university follows thereafter.

What is more, after secondaire V there are also trade schools. Students there finish also at around 20. They are then qualified. The

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role of the Cégeps is to teach specialized techniques such as informatics, and graduates from these courses move out into the work force.

That is why people have finished trade school or cegep by the age of 20, and have a diploma with which they can enter the work force. Others go on to university, and so the age of starting university is generally around 20.

[English]

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, as I rise to address Bill C-5, the Canadian education savings account, I am mindful of the fact that this is the first time that I have actually stood in the House to participate in a debate since I was elected to serve exclusively as the member of Parliament for Halifax.

I no longer carry the responsibilities of federal leadership and now have the privilege of sitting behind my leader, the member for Toronto—Danforth, who was successful in being elected to represent his constituency in the House.

It is indeed a pleasure to pledge in a very public way my commitment to work as conscientiously and diligently as I possible can to serve in that manner as a full time member of Parliament. It is an added privilege to find myself seatmate to a former leader of the New Democratic Party under whom I first ran for politics in the federal election of 1979, unsuccessfully I might say, never imagining that some day we would in fact be sitting in the House backing a subsequent leader. It is indeed a privilege to take up my new role in this august body.

I am also very pleased that in addition to my new responsibilities assigned to me by my leader as critic for foreign affairs, I now have the added responsibility of being the post-secondary education critic.

I am extremely pleased with that challenge for a couple of reasons. For a number of years before I entered politics, I had the opportunity to be both a professor at Dalhousie University and also for several years I served as a field instructor for graduate students in the school of social work in employment settings with the City of Halifax's social planner and with the Province of Nova Scotia in the social development division. For me, it is something very close to home.

However, perhaps more important than that is the fact that my riding, the constituency of Halifax, is host to more post-secondary education students per capita and more post-secondary education institutions per capita than any other riding in the country. That is perhaps an accident of history.

It is partly a geographic thing, that they happen to be concentrated in the riding of Halifax, but it is also true that for many years it has been said that because of the excellence of post-secondary education students in Nova Scotia, that one of our best contributions to Canada in fact is the educational experiences gained in our province by students from across the country.

Unfortunately, all too often translating into the deportation of those students to other parts of Canada because they do not have the opportunity to remain in their native province. We continue to need to address that very serious problem.

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I am pleased, because of how exceedingly important post-secondary education issues are to my constituents, to have the opportunity to rise in this place as the post-secondary education critic.

Having said that, as I turn my attention to Bill C-5, it is regrettable in the extreme that the bill can probably be described as an attempt by the government to divert attention from the fact that it continues to fail students and their families in regard to the adequate level of post-secondary education funding desperately needed, both at the level of individual student aid and at the level of educational funding for post-secondary education institutions.

Our universities and colleges are forced into the situation of driving tuition fees up even higher than they are now creating an immense access barrier to far too many students in the country today. That is the real crisis that we face in the country. That is the real challenge that the government has sidestepped again and again.

• (1535)

It sidestepped addressing that issue in the spring 2004 budget. It absolutely sidestepped dealing with it in the throne speech. During the election campaign that intervened between the spring 2004 budget and our return to Parliament we saw how little the government had to offer. We heard all kinds of promises from the Prime Minister about finally addressing the crisis of student aid and skyrocketing tuition in this country; however, they were very fleeting commitments.

Nothing in Bill C-5 even begins to make a dent in this serious problem. Bill C-5 is grossly inadequate in our view for a couple of fundamental reasons.

The maximum contributions that will be forthcoming for the Canada education savings grant amount to a paltry \$7,200. That needs to be put into perspective. The government needs to recognize the fact that in some Canadian universities, even at the undergraduate level, tuition is now \$6,000. Tuition is a great deal higher than that in a good many graduate programs and professional schools.

It is not an unduly pessimistic prediction to make that it is possible that the entire contribution from the government toward the education of a student 19 years from now could amount to less than the tuition fee for half a year of post-secondary education, in other words, for one term. The reality is that there is nothing in this legislation that will begin to deal with the really serious crisis that exists.

There is a fundamental flaw in the government's thinking regarding the real problem. I want to acknowledge that the government has accurately identified that for low income families any possibility of gaining access to post-secondary education under the current circumstances is virtually nonexistent. That is an accurate diagnosis, but the remedy provided is both grotesquely inadequate and flawed. It seems to be based on the premise that there is a real problem about the motivation of low income families to save money and invest money in education.

It is not a motivational problem for families living in grinding poverty in Canada not to save dollars. The problem is they do not have the money to do it. It simply does not meet the minister's own

stated objective of levelling the playing field for all students who want to gain access to post-secondary education to say that this program will now make a significant difference. It will do no such thing.

We will have an opportunity in committee to deal with the bill on a clause by clause basis and we will do so. Let me use one or two examples.

First, I do not know how anybody could refuse to acknowledge the fact that families in the lowest income categories, which is what the minister said the objective is, are not going to be able to find money for post-secondary education from their scarce incomes. They do not have sufficient money now to pay for their groceries and keep decent shelter over their head. It defies the reality of the grinding financial poverty in which a great many of those families are living.

• (1540)

Second, when we see what a bureaucratic and administrative nightmare is going to be involved in setting up this program, at least as I interpret it, then one must really wonder about the decision to spend the limited resources the government is prepared to make available to feed a bureaucratic monstrosity.

I want to express appreciation, and I do so genuinely, for a briefing that I obtained earlier today on the legislation. However, as the opportunity to ask some questions was made available and as the discussion unfolded, it seemed to me more evident that for such a very paltry sum of money being made available to low income families, if and only if they could actually access it by finding money out of their scarce incomes to participate in these programs, it is simply unwarranted to set up what is going to be such a bureaucratic nightmare.

It also denies eligibility to a number of categories of young people that surely is unwarranted. For example, if we go to page 7, clause 7, it makes it quite clear that the Canada learning bond may be paid in respect of a beneficiary under a registered education savings plan only if the beneficiary is resident in Canada.

What that means is that the aspiration expressed by the minister, when he spoke to this on first reading, that immigrant families should benefit from the program will not be fulfilled. Immigrant families who might arrive here with children ages 7, 9 and 11 would have failed to qualify year after year for the very small sums that are going to be made available to other families. They are going to be even more disadvantaged.

In such a mobile workforce within a globalized economy with more and more workers being required to go outside of the country by their employers, one must also recognize that they too will presumably not be resident in Canada and not be eligible for the years in which they did not live in Canada. That is just one of the flaws that we are concerned about.

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At the end of the day the real concern is what an enormous shortfall there is in the response of the government to deal with the real crisis that is happening. Perhaps the minister needs to have the kind of reality check that would be available to him by sitting down with leaders of the student governments across the country—I did this in my own province with the leaders from across the province from every post-secondary education institution—and be reminded of what it is that they face today with the crippling debt load.

Nothing in the bill is going to change that situation for students for the next 18 years, let alone do anything for those who are already crippled by debt and are having to drop out of university because the resources simply are not there for them.

It is lamentable that the government has not responded at an appropriate level to deal with the serious access problems. We need a post-secondary education act in the country that sets out certain principles. We need stable, solid, adequate funding that is appropriate and will deliver on what the government says that it wants to see happen, and that is that every young person who is able to avail themselves of a post-secondary education institution has the opportunity to do so.

We absolutely need to recognize that we have to freeze tuition fees and it is going to take some funding to do that. We must improve the student aid programs as well as the student debt relief programs, instead of constricting what is available to students by changing the Bankruptcy and Insolvency Act to put them at an even greater disadvantage when they are in major financial difficulty through no fault of their own.

There are a number of remedies that are desperately needed. It seems to me that in this paltry and narrow response, which will not have any impact for any students for a minimum of 18 or 19 years, the government has simply not responded to this very serious crisis.

• (1545)

We absolutely need to replace the flawed millennium scholarship fund with a needs-based system of grants. It is clear that it is the view of students in the country, as expressed through all their national advocacy organizations. It is clear that it is the position of all the faculty who have stood behind them in this demand. It is clear that it is the view of the university administrators that the number one crisis that has to be addressed is that of crippling student debt and the access problems being created for students who do not have deep pockets or whose families do not have deep pockets. Yet we have absolutely nothing on any of this in the Speech from the Throne, and the legislation does not even begin to address that problem.

During the election I had the opportunity to participate in a student-sponsored debate in my province, and I very much appreciated the opportunity to do it. A student who was involved in the whole discussion made a very telling but simple point that what was a student crisis now has become a family crisis.

As a result of the failure of the government to provide increased funding and as a result of the government's massive cuts to post-secondary education over the last number of years, a lot of young people are being driven out of their communities and provinces because of student debt. It becomes a deportation or out-migration

program for students from northern and rural communities in less prosperous parts of the country. They go where they can get the fattest, fastest salary and income to pay off their crippling debt load. That becomes a crisis in many cases for families who are either left behind or have to relocate.

We have a lot of grandparents who are barely able to make ends meet. They now are having to dig deep into their pockets to help put their grandchildren through university or to help them with their debt load. We have a lot of working families who are sacrificing big time to make it possible for their young people to go to university.

This is what is so sad about the rhetoric around recognizing, and the minister said it, that the Canadian dream cannot be fulfilled in today's world without a post-secondary education. Yet we are not prepared to make it available to young people. What we have is an erosion of the quality of that education. Students have to work at poorly paid jobs simultaneously when they go to school. Universities have to rely more and more heavily on private funds or on corporate sources of funding, which skews curriculum choices. In some cases literally faculty contribution to the educational effort is being measured, not in terms of their excellence in teaching or the quality of the research, but in terms of how many corporate or research dollars they can draw down to help deal with the university's inadequate funding base. These are all distortions that are being created. The minister is quite right that the Canadian dream for future generations cannot be fulfilled without an adequate post-secondary education these days, both because we live in a globalized economy and because it is important in economic competition terms.

This is my final point. Surely the greatest, most compelling and urgent reason for our young people to have the opportunity to get advanced education is the magnitude and complexity of the challenges we face in the world, such as dealing with environmental degradation that could destroy the planet, or with disease and hunger, which is unnecessary in today's world because we cannot find the solution, or with the horror of the possibility that we will destroy this planet with increasing weapons of mass destruction and nuclear threats.

These are the real reasons and the major challenges that our young people face in the future. We are failing them in equipping them with the post-secondary education they need to meet those challenges.

• (1550)

**Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.):** Mr. Speaker, I listened attentively to the member's speech and to another one made by an hon. member earlier. It is interesting to note what we have just heard.

I heard the Bloc member make his first speech, for which I congratulate him. I think he seemed to be somewhat supportive of the bill, but always worried that it would go too far in terms of what he saw as provincial intrusion. I do not think the bill does that at all. Essentially it is the equivalent of a registered retirement savings plan with the purpose of assisting education and establishing a fund to help start that off.

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The hon. member started her comments by telling us that we needed a national bill that would somehow put a cap on the price of university education. That is beyond the other extreme. It goes further than anything imaginable.

I want to comment on something else the member said. I know she said it with well-meaning, but I disagree with her profoundly nonetheless. She said that the minister's bill, and perhaps the minister's remarks too, reflected the fact that the government side of the House thought that somehow there were groups in society that did not put a premium on education. I believe she disagreed with that.

For my part that I disagree with her. There are groups in society, regrettably, who think that is the case. I come from such a family. No one before me ever had a university degree. I did my entire university education after I was elected to the House of Commons. I know that did not exist in my family. To pretend that does not exist elsewhere in society is fundamentally wrong.

To do something that encourages family to focus on something that could be a nest egg so the next generation puts a premium on something they did not have is quite laudable. I want to associate myself with that. I know how it is to have come from the other side of the track and to have crossed it. That is what I want for the next generation. My children are very well educated, much better than I was able to achieve, even after I received my university degree. My hope is that their children will have even better. That is why I particularly cannot agree with any comment like that.

The minister's bill establishes these kinds of encouragements and goals for future generations, even though the government will not provide all the funding. We know it will not, but it is a change of that mindset that I see as being visionary. That is why I hope we all vote for the bill with enthusiasm.

• (1555)

**Ms. Alexa McDonough:** Mr. Speaker, I am a bit disappointed by the member's distortion of what I said or perhaps what he thinks he heard me say.

First, I heard the Bloc member also express concern about the complete inadequacy of dealing with the other aspects of education funding. Yes, if this bill were amended to remove what are genuine barriers to a great many people, in other words, if the allocation were sufficient and were part of a comprehensive approach that dealt with tuition, debt and inadequate levels of funding, one could make a case for how this might fit into the total scheme of things.

I want to go to the second point the member made. I very much applaud and congratulate him for having gone after the post-secondary education that he was denied in his youth. However, for us to pretend that the bill would do what was needed when it depends upon families who simply do not have the money to set aside and if they did so, it would make an adequate dent in the kind of costs that would be faced in the future is just simply perverse.

The member surely knows that the Canadian Federation of Students has provided tremendous leadership around the issue of access. Upon the introduction of the savings program, it immediately pulled together representatives of a whole range of anti-poverty groups, immigrant groups and low income groups to ask them: how

it would work for them; would it work for them and what would be the impact? The Canadian Association of University Teachers participated with those groups in that exercise, led by student leaders. They said unanimously that the bill was flawed, perverse, misguided and that it would not solve the real problems that existed.

• (1600)

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I would like to congratulate the member for Halifax for her speech and on her appointment as critic for post-secondary education for the NDP. I am glad she is doing it because, as she says, she has a lot of post-secondary institutions in her community.

I was the critic for the NDP for seven years. In all those seven years and in 13 successive budgets we have yet to see a significant commitment by the government to alleviate the distress and the plight facing students in Canada.

Today in question period we were questioning the \$9.1 billion surplus that exists and \$60 billion in surpluses that has existed. This is not a question of lack of finances or affordability to help students. It has been a lack of political commitment and will to make it a priority.

This is the only bill that has come forward on post-secondary education since I was the critic. This is what it came to: a tiny bill for a small savings program. As the member pointed out, it is a paltry program. If the government really had a commitment to the students of this country, it could have redressed and addressed these serious problems and shortcomings in the retreat of public funding to post-secondary education.

The member also spoke about the bill from the Canadian Association of University Teachers. Would she comment on the kind of legislation we need to ensure that there is secure public funding and delivery of post-secondary education so students can be secured of their future?

**Ms. Alexa McDonough:** Mr. Speaker, I welcome the opportunity it provides me, and this certainly was not the intent of the member for Vancouver East. I have big shoes to fill in terms of following her period of significant work on post-secondary education issues.

Reference was made to the need for a post-secondary education bill. Again, I welcome the opportunity to speak briefly about this. The member from the government bench who stood up a few moments ago misrepresented, I am sure not intentionally, the position that I had set out. I have not said that the bill should specifically deal with the issue of capping tuitions. I have said that it needs to be a bill that sets out certain fundamental principles and then sets out the governance structure that will ensure that the policies and the resources necessary are forthcoming to fulfill those principles of accessibility and universality. The bill could model the Canada Health Act but improve upon it to ensure that there is some life in it.

It was regrettable that the minister did not address the question I raised with him. When we see the Conservatives rubbing their hands with enthusiasm and praise for the bill, it makes us concerned about what elements of the bill are so acceptable to them and yet falls so short of what is needed.

*Government Orders*

When we hear the advocacy that further tax cuts is the route to go, let us just recall two things. First, the tax cuts to the top 10% of Canadians, which were introduced by this Liberal government during its mandate, the resources involved in that are sufficient to provide 25 years of tuition-free education to a generation of Canadians.

Second, for anyone who asks how we possibly could afford tuition-free education, more than a dozen OECD countries provide tuition-free education. Why? Not because they are wealthier than us but because they place a genuine premium and priority on post-secondary education.

• (1605)

**Hon. Peter Adams (Parliamentary Secretary to the Minister of Human Resources and Skills Development, Lib.):** Mr. Speaker, I greatly appreciate the opportunity to speak to the Canada education savings bill today. The piece of legislation before us follows through on a promise that was made in the Speech from the Throne to increase access to post-secondary education.

This particular bill embodies many principles which are dear to the hearts of Canadians and Canadian families. One of those is that our children deserve every opportunity for higher education, be it in the trades, college or university. It also includes the principle of putting aside a bit of money year after year which will eventually make the opportunity a reality. It also includes the principle that when families need a little help in accumulating those savings, the government is there to help.

Those principles are the foundation of the Canada education savings act. It is a simple and straightforward way for the Government of Canada to express support for families, especially those who need a hand in giving their children a chance for a better life. These new initiatives are aimed primarily at the children of low and middle income Canadians, affording them better access to post-secondary education.

As the Prime Minister has said:

In order to achieve our economic goals, and to ensure that the maximum number of Canadians share in the successes before us, we must commit to investment in human capital—education and training.

By investing in the measures contained in the legislation, I submit that we are enhancing the lives of Canadian families and through them we are strengthening the fabric of Canadian society. As a society we benefit from an educated population. It strengthens our global competitiveness and ensures that we as Canadians can sustain our internationally envied standard of living. Therefore, as a society we have a duty to promote and support higher education, to do what we can to ensure that every young person has the opportunity to participate in learning beyond high school, be that through an apprenticeship, college or university.

The government has accepted its share of that challenge. The Canada student loans program is one of the oldest programs designed to improve access to post-secondary education. Over the years we have added other initiatives, such as the millennium scholarships and the Canada study grants. We are also increasing our emphasis on measures to foster a culture of personal savings for post-secondary education.

Studies show that children who have savings for post-secondary education are actually 50% more likely to continue their studies after high school. Unfortunately, many Canadians feel they cannot afford to set aside enough to send their children to university or college, or to go on to apprenticeship training.

In 1998, to make the registered education savings plan more attractive to Canadians, our government introduced the Canada education savings grant, and I stress grant. For every \$5 that a parent, grandparent or friend invests in a child's RESP, the Government of Canada will add another \$1 in matching grants, up to \$400 a year for deposits of \$2,000. The government's contribution could reach \$7,200 in the lifetime of the student concerned.

This program has proved to be an enormous success. So far, more than \$2 billion in Canadian education savings grants have been invested in RESP accounts for nearly two million children. In a short period of time, education savings have increased fivefold to reach \$13 billion in private savings. That is in five or six years.

Unfortunately, we soon noticed that low income families were not benefiting as much as we had hoped from the advantage afforded by the Canada education savings grant. Therefore, in the budget last March, the Minister of Finance announced some exciting new government initiatives that are specifically intended to support the educational aspirations of low and middle income Canadians. Those initiatives are before us now in the Canada education savings act.

• (1610)

A key proposal would be to enrich the Canada education savings grant by doubling the grant for low income Canadians and by increasing the top-up from 20% to 30% for middle income Canadians. In other words, depending on their income, they would get a larger government grant for every dollar that they put into the current program.

The other idea is the Canada learning bond. This is a grant. The learning bond of \$500 will be available to all children born on or after June 1 of this year in families which are entitled to a national child benefit supplement. These are generally, as has been indicated by the minister, families with incomes under \$35,000.

The \$500 bond will be paid into the RESP that a family establishes for its child's post-secondary education. The government will provide an additional \$25 to help cover the cost of opening the child's RESP account. The child will subsequently receive annual Canada learning bond instalments of \$100 a year until he or she turns 15. That is for every year in which the child's family continues to be a low income family as defined here. This means that by the time the child turns 18, the child's Canada learning bond, the grant, alone could be up to \$3,000 based on reasonable estimates of the rate of return.

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The family would, if it was able to, make a contribution toward that. The family could put its own money into the RESP account. If the family put in \$10 a month, it would receive an additional \$4 in grants for every \$10 put in, and the total would be \$7,000 by the time the child was 15 or so years old.

Together this Canada learning bond, this grant, and the enhanced Canadian education savings grant contributions are another important way the Government of Canada will extend a helping hand to young Canadians who deserve an equitable chance at higher learning.

With regular deposits and tax sheltered growth, the assets contained in an RESP can grow substantially over 18 years.

I am pleased to say that Canadians welcome these initiatives. A recent Ekos survey found there is strong backing for financial assistance from the government for post-secondary education. In particular, respondents say that they favour instruments such as the Canada learning bond and the Canada education savings grant, which build assets and decrease the family's reliance on student loans and other debt to finance education. Other observers have also promoted an asset based approach to education financing.

Peter Nares, the head of Social and Enterprise Development Innovations, a national organization dedicated to helping low income Canadians toward self-sufficiency, has said:

One of the most important goals of any government is to equalize the opportunity of all citizens to obtain as much education/learning as they are willing and able to undertake....Financial assistance for education and learning is critical to equalizing educational opportunities.

Other people have said that this is a great step forward. By the way, I would echo that it is only a step forward. It is not an ultimate solution to the problems that face us in higher education.

I have also had the opportunity to discuss the bill with members on this side of the House and on the other side of the House and with members in the other place. I have to say I have received generally positive comments.

I am persuaded that the approach we propose in the Canada education savings act is the right one. A more generous Canada education savings grant, enriched to promote educational savings among low and middle income Canadian families, is a valuable mechanism to achieve a very worthwhile objective. The Canada learning bond part of the bill, the grant part of the bill, is another. It too is very important and innovative. It is a way for families to start to save early for a child's post-secondary education.

We estimate that up to 120,000 newborns would be eligible for the Canada learning bond, the grant, every year. That is a significant number of kids who will grow up knowing that their family and their country are behind them in their quest for education and learning.

•(1615)

The initiatives proposed in the legislation before us represent a concrete and tangible way to illustrate the partnerships between governments and the people of Canada. This is a partnership dedicated to achieving equitable access to post-secondary learning for each and every member of our society.

I urge colleagues on all sides of the House to support the speedy passage of the Canada education savings bill.

[*Translation*]

**Mr. Alain Boire (Beauharnois—Salaberry, BQ):** Mr. Speaker, my question is, what will the government do to ensure that the administrative costs set out in the bill are adhered to, so that we do not have a repeat of the firearms scandal?

[*English*]

**Hon. Peter Adams:** Mr. Speaker, the administrative costs which have been mentioned are in the order of \$40 million in the first three years.

I have to point out that because the legislation is built on the existing RESP legislation, we work with financial institutions and others which have already generated the \$12 billion or \$13 billion of savings which I have just mentioned. That system is already in place. We are sort of piggy-backing on it.

Because of that, a considerable part of the money which is mentioned as necessary to administer the program in its first few years will go into promotion. We feel it is extremely important. Many of these families do not normally save, as one of my colleagues has said. They may not even have bank accounts. A reasonable amount of the money will go toward reaching those families and explaining to them that in the first instance, at the very basic level of the legislation, if they open an RESP, if they open a bank account, they will get a grant. They need not put any of their own money into it.

I have to say to my colleague, because he used a very particular example, that I was very disturbed about the way one of our programs did cost more than was indicated, even though I supported that program. It is my sincere hope that because we are building on an existing mechanism, there will not be large bureaucratic costs involved with the bill. However, there will be considerable costs at the beginning in reaching the people to whom the bond itself is directed.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, while I applaud the hon. member for his passion and exuberance over the generosity of the government, I have a couple of questions in particular.

One is, what is happening for students now? This is something that will be kicking in for students some time over the next 15 to 20 years. As a relatively recent graduate myself, the debt load which students in this country are carrying right now fills me with concern.

The other part is about the government's supposed generosity on the program. Checking with the current tuition fees and the skyrocketing prices for schooling which my hon. colleague mentioned earlier, how is it that the maximum total of \$7,000 or thereabouts will actually help any low income families in their ambition to achieve the Canadian dream when it only barely covers perhaps a student's first semester of education? This is an important facet to the bill with which we remain unsatisfied. As well, the \$100 a year contribution does not even cover the cost of text books these days.



While the generosity is questionable and the intention might be there, would the government be willing to do anything to address the size of the contribution toward the future of Canadian students?

**Hon. Peter Adams:** Mr. Speaker, as my colleague and every member in the House knows, we are dealing, for better or for worse—and in some ways it is better and some ways it is worse—with a split jurisdiction. Tuition fees are definitely within the area of the provinces. The province of Quebec has the lowest tuition fees and, as the NDP member from Nova Scotia who spoke previously said, that province has the highest in the country.

Dependence on tuition fees varies from province to province. I wrote an article recently expressing concern about the dependence of our institutions on tuition fees. I noted that it had risen to between 20% and 30% from being in the teens only a relatively few years ago. This is a matter of great concern to me. I have a letter from a university in Nova Scotia indicating that it is 43% dependent on tuition.

Let me go back to my colleague's point. I understand the province that he is from. We cannot control the tuition fees. In fact, one of the things we are interested in doing in this legislation is making sure—and we have agreements from some provinces as we do on the RESPs—that the provinces will not in fact in some way claw back or simply increase the tuition when the federal government does something.

Millennium scholarships have been mentioned, in some ways disparagingly, but they do exist. For low income students, the Government of Canada is now implementing a \$3,000 first year grant, which will begin very soon. There is a \$3,000 grant for disabled students for every year of undergraduate, which is starting very soon. There are graduate student grants, which I mentioned in my speech, and those are federal grants. It is our hope that whenever we develop one of these programs the provinces do not draw it back and therefore put the burden back on students and their families.

My colleague's province is one of those that has not yet agreed to not count RESPs as income. I hope he will encourage his province to do so. I am pleased to say that Nova Scotia has already agreed. We are going to try to get agreement with all the provinces so that the moneys accumulated under this program will not in some way be clawed back by each jurisdiction.

• (1620)

[*Translation*]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, I am pleased to have this opportunity to take part in this debate and put a question to the hon. member for Peterborough.

It is not that I am against such a tax measure, but I do have a number of concerns with this kind of measure being applied coast to coast when the education systems in Canada vary a lot. For instance, as my colleague just pointed out, tuition fees vary from province to province. In Quebec, financial assistance to students is quite different. It is based on a series of very specific criteria.

I am not necessarily against this bill, but would it not have been simpler for the manoeuvring room the government wants to provide to students to be transferred to Quebec, so that it could grant assistance according to its own criteria, which are different? The

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Government of Quebec now has to make changes to its financial assistance program by decreasing scholarships and increasing student loans. Just yesterday or the day before, in reaction to this, students walked out on the Forum des générations held by the Quebec government. Would it not have been better to show some respect for the Quebec system, which has unanimous support in Quebec, to ensure a fairer distribution of wealth?

[*English*]

**Hon. Peter Adams:** Mr. Speaker, I think in some ways the member has answered his own question, because I greatly admire the fact that we have these diverse education systems across the country. I think this is one of the strengths.

We tend to think of crises, but of any OECD country we have by far the largest percentage of students who have the experience of higher education. The United States, which is second, is some way behind us. I believe, if my memory serves me correctly, that we have students in post-secondary education across the whole country at about twice the rates of the OECD, on average.

To go back a bit, there is flexibility. I am glad that the province of Quebec, and with the help of the federal government, I like to think, has been able to develop the very distinct education system. The House heard me earlier. I particularly admire the fact that the CEGEPs are free. I think that if we could keep that level as economical as possible, that would encourage people to come in.

For my colleague from the NDP who asked a question about the purpose of the bill, obviously there is the money. There is going to be some money in the hands of an 18 year old or a 21 year old or whatever age it is going to be. That is one thing. The other thing is to get a family, when a child is first born, actually thinking about education for that child's entire career.

For a government like this, which is a fairly blunt instrument, particularly in the area of education where we have the 13 jurisdictions, each of which is different and which responds differently to our various measures, how do we reach out to those families? I would suggest that this is one: that we say to the poorest families in the country, "Here is a grant". That is the first thing we say. We try and we spend some money and get those families to where they know there is this money, and with a minimum of inconvenience they can start accumulating it.

Without any family money, I think having that money is a huge step forward psychologically for the children of that family. The decisions for higher education are not made when the child is thinking about what the tuition is now. That decision is made when the child is in grade 7, 8 or 9. By that time, under this program, a family will have sort of committed itself. We should think about that as well as the actual help which will be available when tuition time comes.

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● (1625)

**The Deputy Speaker:** Is the House ready for the question?

**Some hon. members:** Question.

**The Deputy Speaker:** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

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

**The Deputy Speaker:** Accordingly, the bill stands referred to the Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities.

\* \* \*

[Translation]

**DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY  
PREPAREDNESS ACT**

**Hon. Lucienne Robillard (for the Minister of Public Safety and Emergency Preparedness)** moved that Bill C-6, an act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain acts be read the second time and referred to a committee.

**Hon. Roy Cullen (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, one of the very first measures announced by our government, on December 12, was the creation of a department that could better ensure the safety of Canada and all Canadians, that could protect our solid economic foundations and that would give Canada an important role in the world, of which we could all be proud.

Today I rise in the House to speak to second reading of Bill C-6, an act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain acts.

[English]

With Bill C-6, the Government of Canada is sending a very clear signal that protecting the lives and livelihoods of Canadians is a top priority for our government. The freedom and opportunities we all enjoy depend on the underpinning of a safe and secure society. We recognize that there is no more fundamental role for government than keeping its citizens safe.

We also understand that traditional approaches to safety and security no longer apply in the complex environment in which we now live. In the 21st century, threats come in many forms, whether from natural causes, accidents or malicious acts, and from all corners of the globe.

Canadians want to know that their government has a strategy to deal with the challenges of an ever changing global environment and a team ready and able to do the job. They want assurance that the nation's critical infrastructures—water, cyber, electricity, telecommunications and transportation—are safe, reliable and robust.

Canadians also expect the federal government to exercise leadership in resolving any security gaps along our border with the

United States, closing it to criminals and potential terrorists while ensuring that Canadians continue to enjoy the benefits of an open society. It is the responsibility of the government to protect the longest undefended border in the world while at the same time facilitating the legal movement of people, goods and services essential to the growth of our economy.

At the same time, we must protect the rights and freedoms of our citizens.

Additionally, Canadians expect that the government will respond effectively to crime and to the threat of crime in their communities. They want us to address the root causes of crime, put in place more efficient crime prevention programs and ensure effective corrections and parole policies, all of which contribute to a just, peaceful and safe society.

The Government of Canada has made clear its commitment to ensuring our communities are safe and our country is open to the world. This commitment depends upon enhanced vigilance in identifying and intercepting threats of all kinds as well as strengthened linkages among the many partners with a role to play in protecting Canadians' safety and our national security. Bill C-6 helps to fulfill that promise.

Public Safety and Emergency Preparedness Canada is dedicated to minimizing a continuum of risk to Canadians, from crime to naturally occurring disasters such as floods or forest fires, to threats to national security from terrorist activity. Its mandate is to meet the public safety needs of Canadians and ensure that public safety agencies are equipped to deal with a range of threats to Canadians and our interests abroad.

It does so by integrating the core activities of the previous Department of the Solicitor General, the Office of Critical Infrastructure Protection and Emergency Preparedness and the National Crime Prevention Centre. The resulting new department, Public Safety and Emergency Preparedness Canada, has close to 800 employees with an operating budget of \$414 million.

Integrating these closely related roles and responsibilities maximizes emergency preparedness and responses to natural disaster and security emergencies. It advances crime prevention and it improves connections to provincial and territorial public safety partners. It encourages better leadership, coordination and accountability, which Canadian taxpayers expect and deserve.

Our new department provides policy leadership and broad portfolio coordination, ensuring a more strategic, coherent and robust structure for public safety. It also delivers programs and services in the areas of national security and emergency management, policing, law enforcement and borders, and corrections and crime prevention.

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Allow me now to clarify that this new department is part of a larger public safety and emergency preparedness portfolio that includes the Royal Canadian Mounted Police, the Canadian Security Intelligence Service, the Correctional Service of Canada, the National Parole Board, the Canada Border Services Agency, the Canada Firearms Centre, and three review bodies. While the minister's relationship to these portfolio organizations varies considerably, each of them contributes individually and collectively to public safety, and each is accountable by law to Parliament through the Minister of Public Safety and Emergency Preparedness.

•(1630)

All told, the public safety and emergency preparedness portfolio consists of more than 52,000 employees operating with a combined annual budget of \$4.9 billion. Having these key agencies under one umbrella improves our capacity to identify and close security gaps, communicate with one another, and operate more strategically to protect Canadians. By pooling our respective resources and capabilities, we can be more efficient and effective in securing the safety of Canadians.

It is important to underline as well that our new structure includes key accountability and review mechanisms, including the Office of the Inspector General for CSIS, the Office of the Correctional Investigator and the RCMP External Review Committee. Two independent review bodies also form a critical part of the Canadian public safety community: the Commission for Public Complaints Against the RCMP, which reviews complaints against the RCMP; and the Security Intelligence Review Committee, which reviews the activities of CSIS. This new portfolio structure, which brings together key public safety partners and review mechanisms from across government, recognizes that complex public safety challenges cannot be effectively dealt with in isolation.

Canada's national security policy released on April 27 of this year focuses on three core national security interests: first, protecting Canada and Canadians at home and abroad; second, ensuring Canada is not a base for threats to our allies; and third, contributing to international security.

The policy identifies the current threats facing Canadians and provides a strategic framework for action in six key areas. As well, it provides avenues to better collaborate with key public safety partners, such as the provinces and territories, in promoting the national interest and building consensus for its achievement.

The national security policy recognizes that we not only need to reduce the risks and respond to threats at our borders for the safety of our own citizens, we must also ensure that terrorists or criminals do not use our country as a safe haven or staging area for malicious acts against other countries.

The national security policy acknowledges that the best way to create a safer world is to work in a true partnership. It recognizes that building upon a culture of cooperation and engagement from the level of neighbourhoods up to nations is required to make public safety effective and meaningful.

Bill C-6 is necessary to advance this mandate and meet the expectations of Canadians and our allies. This proposed act provides the legislative foundation required to meet vital emergency

preparedness, promote safe communities and fulfill key national security responsibilities.

This proposed legislation establishes the powers, duties and functions of the Minister of Public Safety and Emergency Preparedness. Its provisions will assist the minister in coordinating the activities of all public safety and security entities for which she is responsible and in establishing strategic priorities relating to public safety and emergency preparedness.

•(1635)

[*Translation*]

In particular, Bill C-6 establishes a leadership role for the Minister of Public Safety and Emergency Preparedness in these two specific fields, while respecting the Prime Minister's prerogatives in questions of national security and, of course, the powers of other ministers as provided in legislation.

For example, if a national health emergency arose, the Minister of Health would be responsible for crisis management. But if the participation of other federal departments were required, the Minister of Public Safety and Emergency Preparedness would be responsible for co-ordinating activities.

This leadership role is of crucial importance in preserving public confidence during crisis situations.

[*English*]

Bill C-6 would allow the minister to coordinate and establish strategic priorities for the portfolio agencies while respecting their distinct lawful mandates. Canadians expect that our public safety and security organizations work in as integrated and strategic manner as possible. As a good example of this, one of our key roles under the national security policy is to establish a new government operations centre to better coordinate emergency response.

The legislation authorizes cooperation with provinces, foreign states, international organizations and others on matters pertaining to public safety and emergency preparedness because the responsibility for tackling these challenges must be shared.

Cooperation and collaboration with other governments are a key part of our safety approach not only here within Canada, but also internationally. Our department works on a daily basis with the provinces and with global partners, particularly the United States, to enhance the safety and security of Canadians and ensure the integrity of our shared border.

The act would facilitate the sharing of information among public safety agencies as is authorized by law. This provision recognizes the need to facilitate the flow of required public safety information among public safety agencies. In short, it would ensure the right information is available to the right people at the right time.

*Government Orders*

I understand the reference to information sharing may raise eyebrows. That is why I want to assure hon. members what this provision does and what it does not do. This provision does not give new information exchange authorities to the minister, the department or the portfolio agencies. This I want to make perfectly clear.

The act would allow for the minister to facilitate information sharing in areas such as choosing compatible technology, and adopting centralized policies and standards governing how information is managed, shared and protected. It also means the minister would ensure public safety officials are adequately trained in operational information sharing and increase system protection so that personal information is not compromised.

I want to make it perfectly clear that under Bill C-6 the laws governing the protection of privacy would apply in exactly the same way as they do now. The act would not mitigate any agency's obligation to adhere to the Privacy Act or the Canadian Charter of Rights and Freedoms.

I also want to clarify that this legislation is a made in Canada response to security challenges we share with our global allies. We are often called upon to work together, but our collaborative efforts must respect the particular interests of different nations and the distinct values of their people.

Canada has already seen great success in working with our most important trading partner and ally, the United States, through such initiatives as the cross border crime forum. The forum is in fact heralded around the world by organizations such as Asia-Pacific Economic Cooperation and the Organization of American States as a model for international collaboration. The smart border accord is another excellent example of how our two nations are working together to address common areas of concern to protect the safety and security of our countries, the economic competitiveness of our businesses, and the health and safety of our people.

The Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness has been working closely with her U.S. counterpart, Homeland Security Secretary Tom Ridge, to ensure our borders are safe and efficient in order to facilitate the \$1.9 billion in daily trade between our two countries. Secretary Ridge and the Deputy Prime Minister recently met to continue our progress in developing the next generation of smart border initiatives.

In short, the legislation integrates federal activities under strong leadership, maximizes the effectiveness of inter-agency cooperation, and increases accountability to all Canadians. It asserts Canada's interests while protecting Canadian values and freedoms.

I am very proud of this proposed legislation to better integrate government efforts to secure the safety of Canadians. I am committed to ensuring that we effectively protect against and respond to national crises, natural disasters and emergencies.

●(1640)

The proposed act would provide the Government of Canada with the necessary tools and machinery to deliver on our national security obligations. It promotes a coordinated approach and sound accountability structure to ensure public safety and security. It would help to advance our national interest and build consensus for its achievement.

Public Safety and Emergency Preparedness Canada has a constructive role to play in fulfilling key commitments outlined in the recent Speech from the Throne.

We will be central to delivering on our government's pledge to nurture a more sophisticated and informed relationship with business and government in the United States. We have a fundamental role to play in fostering safe towns and cities, and protecting the most vulnerable in society. These issues go to the very heart of our portfolio's mandate on safe communities.

[*Translation*]

If this valuable and necessary bill is adopted, Public Safety and Emergency Preparedness Canada will officially become the hub for all federal government measures to enhance security in our communities and improve the socio-economic status of Canadians.

The new department will have the legal status to continue the progress it has made in the past 10 months since our organization was created. The bill will solidify the new structure and provide the legal framework necessary to do the work.

[*English*]

I call on all colleagues in the House to give support to the good work we have already done by endorsing Bill C-6.

**Hon. Marlene Jennings (Parliamentary Secretary to the Prime Minister (Canada—U.S), Lib.):** Mr. Speaker, I appreciate the speech made by my colleague. I come from a province where we had a joint ministry, public security and civil preparedness. In fact, a former minister of that department sits across the way and used to be my boss when I worked for the provincial government.

One of the things that I have come to realize is that a lot of Canadians do not know about the smart borders accord which was signed between Canada and United States, and all of the advances that come under that particular accord.

Could the member provide the House with a little bit more information because I am sure that there are a lot of Canadians who are listening to the debate, since it is important? The interest shown by Canadians in CPAC coverage of the House of Commons has been heightened over the last 10 months for a variety of reasons that I will not go into right now. Would the member provide our colleagues in the House, and to Canadians, more information about the smart borders?

●(1645)

**Hon. Roy Cullen:** Mr. Speaker, as my colleague from Notre-Dame-de-Grâce—Lachine knows, the secretary of homeland security, Tom Ridge, was here today and we had a very historic update of the progress on the action plan.

The smart borders agenda is all about recognizing the changed world in which we live post-September 11. It is also about working together with some common objectives to make sure we not only have secure borders but that we have borders that allow free movement of people and goods.

The United States is an important ally and economic partner with, as I mentioned in my remarks, \$1.8 billion per day. We are striving to ensure we have a transparent and even flow of goods and people across the border that meets our security objectives and the security objectives of the United States, and also meets the economic interests of both our countries.

After three years of discussion, which was very hard slogging because a lot of details had to be worked out, a very momentous and significant announcement was made today by Secretary Ridge and the Deputy Prime Minister stating their commitment to work on pre-clearance and begin the pre-screening at Fort Erie, Buffalo. We are hopeful that the pre-screening will be implemented within a matter of months. We will then have a base to begin more extensive consultations and discussions with respect to pre-clearance.

What does this do for Canada and the United States? Pre-clearance in Canada at our land borders will be similar to the pre-clearance that some of us may have experienced already at the Pearson airport where customs people are on this side of the border and once individuals are cleared they go straight through.

When we are looking at a bridge, such as the bridge at Windsor and Detroit, the optimal world would be to have clearing done on the Canadian side so the trucks could just fly across the bridge and enter into the United States. If we had the infrastructure, which is what we are working on now, most of the work would be done on the Canadian side. Fast lanes could be created and the Nexus opportunities would allow for lower risk traffic to move expeditiously.

What this is all about is managing risks. We want the low risk traffic, be it people or goods, to move with relative ease, which is what Fast, Nexus and other programs do. These kinds of announcements like the one today will facilitate and accelerate that. That is just one part of it. I could go on at length but I realize that I have already taken too much time to respond.

• (1650)

**Mr. Peter MacKay (Central Nova, CPC):** Mr. Speaker, I have a brief question for the parliamentary secretary. I do want to express my appreciation for the briefing provided by himself and his staff from the department on the smart borders program and on the progress that is being made in that area.

I certainly agree with his comments with respect to the need to further coordinate our efforts on the security front and the benefits that will lead to on the economic front. I know he must be very frustrated by some of the anti-American rhetoric that has emanated from his own caucus from time to time, particularly from the member for Mississauga—Erindale. I would invite him to comment on his own frustration that must bring when his department is trying to ameliorate and blunt some of that criticism emanating from his own party.

Will these efforts, which he alluded to in his remarks, and this creation of a new department, allow us, in working toward greater coordination, both internally and with our American counterparts, to move in the direction toward what I would describe as a North American security perimeter using the economic model of the free trade agreement, which was put in place by a Conservative government, of having a coordinated effort around North America

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to secure our ports, borders and all ports of entry in the country? Does he see his government taking steps in this direction?

**Hon. Roy Cullen:** Mr. Speaker, I suspect the member for Central Nova is the critic on this file. I look forward to working with him and his colleagues. I am sure the minister is as well.

The language of perimeter has a certain cachet that needs more debate but certainly what we are trying to do is cooperate and facilitate the movement of people and goods across our border with the United States.

One of the elements I did not mention was the container security announcement we made. We are helping the United States to inspect containers outside of Canada when they are loaded so that if a container arrives in Canada or the United States that contains some volatile weapons or whatever, that they do not even reach our shores. That is the kind of cooperation.

We are also implementing what is called the IBET, integrated border enforcement teams. This is the 20th or so integrated border enforcement team where we work closely with the American police officers and public safety people. We are working on sharing and having interoperability of radio communications so that we can act collectively. With that we have to respect our sovereignty and the U. S. does respect that, but there are so many ways that we can work together and we are working together because we have the same objective. We want safe, secure borders and we want our goods and people to move with relative ease.

Perimeter is another question. I think it raises a host of other issues around totally harmonized policies. Frankly, everyone will have a different view of that. It is something that needs to be debated in the House but my own judgment is that there should be limits to that in the sense that we need to have a sovereign immigration policy. We need a sovereign policy with respect to firearms. We need to have sovereign policies with respect to a number of other issues.

Having said that, we can certainly participate and cooperate with the Americans, which we are, and any anti-American comments are not helpful at all. We have an amazing neighbour with whom we have a great partnership. Last evening at the reception with Secretary Ridge, I was talking to the U.S. ambassador. While the Americans certainly do not like the comments, they discount some of them. Whatever little amount there is of it and whatever the source, I do not think it is helpful at all.

• (1655)

[*Translation*]

**Mr. Peter MacKay (Central Nova, CPC):** Mr. Speaker, it is my pleasure to rise in this House to participate in this debate on Bill C-6.

[*English*]

I want to thank the parliamentary secretary for his remarks and his forthright response to my question.

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The bill, as he has alluded to and outlined in his remarks, is really enabling legislation for the creation of the new Department of Public Safety and Emergency Preparedness. It therefore amends certain acts and brings together certain other elements of departments that were previously in existence.

The House should be aware that this particular move by the government and the creation of this department was first announced when the Prime Minister's cabinet was first announced, which was some 10 months ago. The government is somewhat delayed in bringing about this enabling legislation.

Be that as it may, the bill takes the core responsibilities of the Department of Solicitor General, the Office of Critical Infrastructure and Emergency Preparedness, and the National Crime Prevention Centre, as well as establishing that the Minister of Public Safety and Emergency Preparedness is the person to whom "entities for which the minister is responsible", such as the RCMP, CSIS, Correctional Service Canada, National Parole Board, the Canadian Firearms Centre and the Canada Border Services Agency, report through to Parliament.

Clearly the Conservative Party supports the efforts to coordinate these departments and bring about a greater synergy and cooperation within the ranks. This of course is with one notable exception and that is the continuation and extension of the Canadian Firearms Centre which remains one of the biggest frauds ever perpetrated by a government on an unsuspecting public. We know that the billion dollars that continues to rise has no connection to public safety. It has not been borne at all in any statistical format nor in any way been connected to public safety. That money, from the Conservative Party's perspective, would be better spent by putting it into front line policing, helping with victims' agencies and the creation of a victims' ombudsman office with a budget directly tied to that of the correctional investigator. We would suggest that would be a far cry better in terms of money spent.

The bill, in reference again to the timeliness, could have been introduced last winter. The Prime Minister had an opportunity. While the minister carried on using the title of Minister for Public Safety and Emergency Preparedness, Parliament itself, as we know, was pre-empted by an election call last spring and the legislation was therefore delayed until today.

This problem is not one of style or substance. It is simply a matter I guess of the Prime Minister rushing to shut down the inquiry that was going on into the sponsorship scandal.

The Conservative Party believes that there has to be better coordination in the area of safety, security and intelligence agencies. We have members of the party, including my colleague from Crowfoot and our senator in the other place who participated in an ad hoc committee over the summer to set up a new oversight committee for the security agencies. That has no bearing on this legislation.

To that end, we support the general thrust of the legislation to establish under one department these agencies dealing with national security. This mirrors the direction that was taken, and my friend opposite would agree, by the office of homeland security. It is very encouraging to see Mr. Ridge visiting with our own minister and discussing these important issues of trade and national security.

This better working relationship, as the member opposite agreed, is something that Canadians should take heed. We cannot further exacerbate any tensions that might exist by having this anti-American rhetoric that seems to fall from the lips of some members in the Liberal government.

This is a time in which we have to focus our efforts in this country and around North America. We have seen the terrible results of what happens when there are security breaches, when information is not passed between various agencies, both here and it certainly has been experienced in other countries, including Great Britain.

Just last month the Canadian police chiefs called upon the federal government to convene a summit with the provinces, municipalities and all levels of police to determine a national strategy to improve the country's response to disasters and terrorism.

The signal coming from front line police and those who are empowered to enforce the law is that there is a need to coordinate efforts between all levels of government. That certainly goes right down to the municipal levels where in many cases they are still experiencing the pain of having had their budgets cut.

• (1700)

Chief Edgar MacLeod, president of the Canadian Association of Chiefs of Police, said that the federal government needs to take the lead in defining policing since local police budgets are becoming increasingly stretched to the limit. Chief MacLeod also noted that local police budgets not only deal with community matters but with threats of a global nature, including terrorism and organized crime.

That again leads to a comment with respect to the cuts that we have seen to the RCMP in the province of Quebec. This has serious implications, particularly when it comes to the area of drug enforcement.

[*Translation*]

I was dismayed to see the RCMP move forward with the dismantling of nine detachments across Quebec, when the government publicly stated that fighting organized crime was a priority.

Last April, the minister's national security policy stated that, organized crime is increasingly becoming part of a globalized network and that "a number of terrorist movements have advanced their activities by developing links with organized crime".

One can assume, therefore, that the closure of these detachments by the government will signal to organized crime that it should move to the places the RCMP has left.

[*English*]

It is a bit of a contradiction in terms to see the government touting its approach to public security and tub-thumping about its efforts while at the same time closing nine detachments in the province of Quebec. It sends a very contradictory and poor signal, I would suggest, in the area of public security.

Another area where the Conservative Party has serious reservations and concerns is that of marine security. We believe that the disbanding of the ports police under the Liberal government should never have happened. This has left our ports and coastal communities particularly vulnerable.

And while it is essential that our large ports, particularly Halifax, Montreal and Vancouver, continue to receive adequate security funding—and the parliamentary secretary alluded to efforts made to examine containers—I would suggest that the government has very much neglected smaller ports throughout the country, leaving coastal communities and therefore our very country vulnerable.

In fact, I have heard it stated by some members of the Coast Guard and others who work at ports that if someone wants to bring anything from child pornography to a nuclear bomb into the country, it will happen on the water. That is not to sound alarmist; it is simply to point out the reality that we have a large coastal area in this country that is largely undefended. It is largely undefended in large part because of cuts to the Coast Guard and to our navy. However, I digress. I will not go into that area given the subject matter today.

At present, we know that in the city of Halifax, for example, there was a container stolen from the port. It again signals the seriousness of the problem when an entire container that would fill part of this chamber can go missing.

The Port of Yarmouth manager, Dave Whiting, recently stated that Yarmouth has spent approximately \$80,000 on security systems and equipment. This is the municipality of Yarmouth. It is an international port. It has two ferries that operate to the United States, yet this port is making great efforts on its own to expand its business. Mr. Whiting said that Ottawa does not seem to be concerned where the money will come from when it comes to payment for security.

The Port of Mulgrave, in the Strait of Canso, is another thriving port in the country. It has the largest and deepest ice-free port in North America, yet it does not enjoy the support of the federal government.

In another bill introduced in the House we see that the Coast Guard will be going back to the Transport Canada department from Fisheries and Oceans. This was an ill-conceived idea in the first instance. This will enable the Coast Guard to focus on its operational responsibilities relating to pleasure craft, safety, marine navigation services, pollution prevention and navigable water protection. Again, it is encouraging to see this happening. As a Coast Guard official said to me quite recently, their job is to protect people, not fish.

• (1705)

I do not say that with any degree of sarcasm other than to point out the obvious. The Coast Guard, as we have seen with other departments, has been asked to do more and to patrol larger areas, and yet its budget, when it was transferred to the Department of Fisheries and Oceans, did not follow it. So the one caution I have for the government is that if the Coast Guard is going to be transported back now to its original department, I am hopeful it will receive the adequate funding it deserves. What is not clear, as I said, is whether this budget will follow. Members in the House from previous Parliaments will recall that when the Coast Guard was transferred, the government did it in a very surreptitious way.

We had the Department of Fisheries and Oceans stretched to the limit trying to cover the new responsibilities. I want to reference what a Standing Committee on Fisheries and Oceans said at that time

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in its study of this move to bring the Coast Guard back to the Department of Transport. I quote from the report of last spring:

The merger of the Coast Guard with DFO was difficult and painful. Funding for both departments was significantly reduced in 1994 as a result of Program Review and the integration of two organizations with different structures and corporate cultures added significantly to the challenges faced. In the view of the Committee, the transfer of the Coast Guard to the Department of Fisheries and Oceans has been disastrous for the Coast Guard. The Coast Guard has virtually disappeared within DFO. The combined fleet has been reduced almost to half its pre-merger strength.

There it is. That comes from an all party committee.

Let me be quick to add that the average age of a Coast Guard vessel is over 20 years. Almost half the existing vessels now have less than five years of useful service left.

Again, not to go too far afield, we have seen what happens when equipment is stretched beyond its limit. We have seen it with Sea Kings. We are seeing it presently in the submarine program.

For practical purposes, the government is going to have to do more due diligence when it comes to equipping both our Coast Guard and our military if we are expected to patrol adequately the coastal communities and the waters of this country.

The idea that great cost savings would be realized by merging these two fleets was, in the view of the parliamentary committee, “largely an illusion. Lack of funding has hampered our security forces and our military for years”. That is a sad comment, but consistent with some of the themes and information that we have seen emerging just in the few weeks that we have been in Parliament.

Lack of funding was also a point raised by the Auditor General last spring. She noted that machines were being purchased to take fingerprints and electronically process those digital fingerprints, but no funding had been allocated to the electronic processing of this material. It is a process that is now in place, yet there does not seem to be the adequate follow-through to utilize this type of information.

It is poor planning, clearly, with more emphasis on the publicity for the implementation of this type of process than the practical application of it. Again, this is what the British would call “all swank and no knickers”. This government is very good at promoting itself rather than the practical application and the protection of Canadians through this new technology.

The Auditor General also found that the government lacked the framework to focus and prioritize these important threats. Departments and agencies are still unable to share information and their systems are not able to communicate with each other. Having this sophisticated equipment and yet not having the ability to share this information again defeats the purpose somewhat when one looks at the practicalities.

Most frightening, the Auditor General found that the watch lists used to screen entrants to Canada were not consistently accurate and that the current information about 25,000 Canadian passports lost or stolen is not yet available to front line officers. There are gaps in the system that cause serious concern not only to parliamentarians but to the Auditor General and Canadians generally.

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The Auditor General's report coming this fall is expected to focus on the government's ability to handle civil disasters and threats from terrorists and organized crime. According to a news report, officials in the Office of Critical Infrastructure Protection and Emergency Preparedness say the audit will show that the office is not adequately prepared to deal with a large scale national disaster or terrorist attack.

• (1710)

This should not come as a surprise, sadly. The Senate Standing Committee on National Security and Defence has also released several documents and reports on Canada's ability to defend itself against terrorism. Last spring the committee released a report dealing with Canada's ability to respond in an emergency and these are a few of the findings of the report.

First:

Many municipal representatives did not know of the role of the federal Office of Critical Infrastructure Protection and Emergency Preparedness (OCIEPEP), or felt that the agency was simply not doing its job.

Second:

Health Canada has placed emergency supply caches across the country to be used in crises—but the vast majority of first responders don't know where the caches are located or what they contain. Nor have they been consulted about what they should contain.

It goes on to state that the department:

leaves emergency preparedness up to individual federal departments and agencies. So nobody is in charge of ensuring that whatever disaster occurs, the central government continues to function.

Many in the province of Ontario and my colleagues in the Conservative caucus of course will recall the Prime Minister's Office virtually operating in the dark when the great electrical failure of the summer of 2003 occurred. I remember being with my colleague in his riding of what was then Perth—Middlesex, now Perth—Wellington, when that massive blackout occurred.

States the report at page 26:

Inadequate federal funding is at least partially responsible for shortages of chemical, biological, radiological and nuclear protection equipment.

The report also states at pages 30 to 33:

Canadians have been hit by several national disasters in recent years. Each time lessons are learned about which types of resources work best and what went wrong. Yet there is no centralized system for collecting and sharing "lessons learned."

The report goes on to say:

While the RCMP, which handles police duties in most provinces, can be seconded to help in emergencies, there is no formal arrangement to provide provincial police assistance in Canada's two biggest provinces—Ontario and Quebec.

Many municipal administrators of first response units told us that the federal and provincial governments seem confused about which level of government is responsible for helping authorities prepare for major emergencies. Either that or they are passing the buck to avoid financing improvements.

When major emergencies occur, it is imperative that Canadian broadcasters help spread the word about what is happening and what citizens should do to be protecting themselves. Yet there are no regulations requiring broadcasters to interrupt regular programming to assist during emergencies.

This is fairly damning information when one examines it in a fulsome way, and both the Auditor General and the Senate committee, who are impartial bodies, I would suggest, are commenting on the state of national defence and national security. It was reported quite recently. This information is current.

My colleagues in the Conservative Party do support in principle the enactment of this legislation. The department for all intents and purposes has now been operating for 10 months and is still, I am sure, coordinating some of its own internal efforts, but if this new department will help ensure that the security demands of Canadians are met, one is hopeful that their communication effort is not all that is going on. One is hopeful that these issues raised by the Senate committee will be addressed.

We will not let this new department become the panacea for Canada's terrorist threats and security needs, as alluded to by the security minister. Canada's threats need to be addressed. This department is a step in the right direction, but there remains much to be done.

Chief Julian Fantino of the metropolitan Toronto Police Service has highlighted the need for greater attention to and greater coordination with municipal levels of policing. We certainly embrace that. It is obviously now an issue of going beyond the rhetoric, the press releases and the public announcements and getting on with ensuring that information is shared and action is taken on these important files. We in the Conservative Party will certainly work with the department and the minister and provide our assistance at the committee level and here in the House in any way we can.

\* \* \*

[Translation]

### POINTS OF ORDER

#### ORAL QUESTION PERIOD

**Hon. Liza Frulla (Minister of Canadian Heritage and Minister responsible for Status of Women, Lib.):** Mr. Speaker, I rise on a point of order. Today, during oral question period, I quoted from a document, and the Chair asked me to table the document. As the minister responsible for official languages, I had, of course, to table it in English and in French. Since I now have the translation of it, I would now like to table the original document.

\* \* \*

• (1715)

[English]

### DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS ACT

The House resumed consideration of the motion that Bill C-6, an act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain Acts, be read the second time and referred to a committee.

**Hon. Jim Karygiannis (Parliamentary Secretary to the Minister of Transport, Lib.):** Mr. Speaker, I welcome the opportunity to engage my colleague on this important issue.



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He brought forth some points that we as a government have recognized and are working very fast to ensure that the black holes, the potholes that need to be fixed are fixed. That is why the Prime Minister, in his mandate in the past 10 months, has been working very hard with all parties, with due concern, to ensure we will fulfill the needs of Canadians. However, he touched on a couple of points on the transport issue such as the Coast Guard going back to transport, which is Bill C-3. When we discuss and debate the bill tomorrow, I welcome the opportunity for him to be here to make his comments because he has a lot to add.

However, I want to go back to what he said about us mirroring the homeland security in the United States. Homeland security in the United States has encompassed immigration, or INS. Right now the border security guards, or the old immigration INS, are a part of another department, homeland security. In Canada we have not done that. We have left immigration on its own.

I think my colleague across the way will agree with me that we have taken an important step to ensure that the fabric of Canada, our multicultural diversity or tapestry, is still welcomed and protected and that we are not encouraging people, as it is under the homeland security in the United States, to become a melting pot. Citizenship and immigration should remain where it is.

I remember back in 1993 when the then Conservative Party, under the then prime minister, Kim Campbell, came up with the idea of a national security or homeland security. At that time they put immigration under the RCMP, the Solicitor General and the whole nine yards.

Would my colleague across the way agree with me that we should leave immigration and citizenship where it is, or does he foresee us moving it into homeland security as the Americans have done?

**Mr. Peter MacKay:** Mr. Speaker, my recollection of the creation of a homeland security model similar to what we see, acknowledging the absence of the immigration department, was that the Liberal Party of the day vigorously opposed the creation of a larger, more fulsome and encompassing national security approach at that time. It is good to see the Liberal government reversing itself, as it has done in the past, on ideas that emanated from the Conservative Party.

This is not about creating any kind of a stigma or in any way casting aspersions on new Canadians or immigrants to this country by virtue of inclusion of an immigration department which was envisioned back in 1993. The real issue is to ensure that information flows directly to our security forces when needed, that it shared within the department, within what we have sometimes seen as competing elements within the department, including CSIS and the RCMP, and to ensure that those who come to this country who would do us harm are being tracked. We know that many who have arrived in Canada through various means are now at large. We have no idea where they are. Immigration Canada has lost track of them. They are not currently being located and they may have since left the country.

It is about information sharing. It is about the accuracy of that information. It is about ensuring that this coordinated effort is actually happening, not just appearing in legislation and not just being touted in the media.

**Hon. Roy Cullen (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, I would like to clarify one point and comment on another if I have time. It has to do with the member's reference to the closure of RCMP detachments in Quebec.

This is an operational matter that is within the purview of the RCMP. It is telling the government that this will provide better policing on the basis that we need a certain critical mass of police officers. It is better to have 15 police officers chasing two, three or four main crimes rather than one or two trying to track down 15 different crimes. The RCMP is telling us that this is the critical mass that is needed, especially with the focus on organized crime, and to have a better response to terrorist threats.

The same rationalization took place in Ontario just a few years ago. In fact there was a briefing offered by the RCMP earlier this afternoon. I was in the House but hopefully the officers explained the rationale for the decision, and I am sure they did. We should try to keep politics out of it. It is an operational matter that is in the best interest of the security and safety of our citizens in the province of Quebec.

The member talked about the Canadian Association of Police Chiefs, which I hold in high regard. The association is asking for a conference on terrorism. The same organization has been steadfastly supporting the gun registry. We will get into that debate I know on another day, but there are something like 20,000 hits a week by police officers onto the gun registry. That tells me it is providing a useful tool for police officers. That is what the police officers are telling us as well.

• (1720)

**Mr. Peter MacKay:** Mr. Speaker, respectfully I am afraid I will have to disagree with my colleague opposite.

As we all know, the gun registry was touted by the then minister, Allan Rock, at a cost to Canadians of \$3 million. That is but a wisp compared to what it has ballooned to now. I fundamentally disagree that there is no nexus whatsoever between public safety and this boondoggle related to the gun registry.

With respect to the closure of police detachments in the province of Quebec, my simple answer is hire more police. The police are not to blame for the fact that they have to now consolidate in certain detachments, just as it is not the navy's fault when they are forced to make very difficult decisions operationally because of budget cuts.

If we take money that is being frittered away in the gun registry, if we did away with some of the scandalous programs like the sponsorship scandal, the HRDC boondoggle, the purchase of government jets against the recommendations of the Chief of Defence Staff, if we did away with some of these absolutely heinous wastes of public money and put it into front line policing and national security, the navy and the RCMP would not be forced to make these very difficult decisions which involve downsizing and closing detachments. It shows a distinct lack of respect and commitment to rural Canada. Time and again that is where the hits and the cuts occur.

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**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, I thank my colleague from Central Nova for his thorough analysis of the proposed legislation. There was reference made to the digitizing of fingerprints and that this has not really proceeded in the manner in which it was supposed to due to underfunding.

In the member's opinion, would the elimination of the gun registry free up the necessary funding so this initiative could be put forth that would help the safety and security of the nation?

**Mr. Peter MacKay:** Mr. Speaker, before I go to her question, I am reminded by the member opposite, a Liberal member, that it was in fact \$2 billion. I stand corrected. It was \$2 billion that was flushed away by the useless gun registry.

On that point, I want to just speak to the practicalities of it for a moment. The member is correct. The type of technology that is used for fingerprinting and iris identification can be extremely useful if properly implemented.

The problem with something like a gun registry, as sophisticated as we might try to make it, is criminals do not register their guns. They do not participate in the program. It is a voluntary act to gather the information. The last I checked the Hell's Angels were not lining up at kiosks at the mall to provide that information to the government. Just as we cannot expect them to provide accurate information to Revenue Canada for tax purposes, they are not about to register their guns. We are targeting law-abiding citizens and taxing them for the ownership or possession of a firearm.

To the member's point, yes, that technology is useful if it is properly funded and implemented and actually has a nexus to security. Identification of iris and fingerprints and that type of human data is very useful. Putting a laser sticker on an inanimate object like a rifle is no different from putting it on this glass of water, punching it into a computer then somehow suggesting that it will save lives. It is as practical as that. If the information is accurate, useful and can save lives, I say do it. The gun registry does not do any of that.

● (1725)

[*Translation*]

**Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ):** Mr. Speaker, I want to say from the outset that we support this bill, even though some minor amendments might be in order. I would be ill-advised not to support a bill, which essentially seeks to group within a single department the three responsibilities of police, prisons and disasters. This is how I used to summarize the activities of my department in Quebec, when I was in charge of it. I also believe that these activities complement each other.

The bill is very short. It essentially establishes this new department. However, this is not a completely new department. Rather, it is a department that will consolidate duties that were fulfilled in other areas. It is a useful restructuring and, therefore, we do not object to it.

As regards the department's name, again, I would be ill-advised to criticize it. The term "solicitor general" was definitely no longer appropriate. This was not a very adequate title for someone in charge of prisons. For once, the French approach was used and the department is accurately named. Indeed, it is a department that

groups together activities that ensure public safety and emergency preparedness. There was really no need to add the expression "emergency preparedness" to the department's title, but if this is the minister's or the Prime Minister's wish, so be it.

We are dealing here with areas of shared jurisdiction. I hope that the establishment of this department will not be another opportunity for the federal government to invade jurisdictions that are well exercised by Quebec.

In Quebec, I had the privilege of introducing in the National Assembly and moving through the adoption process a complete overhaul of the emergency preparedness system. We are not starting from scratch when dealing with emergency preparedness at the federal level.

In dealing with emergency preparedness, one thing is obvious: those who are in the best position to respond, at first, are the local authorities. That is true to a certain level of disaster where higher authorities with more resources at their disposal than the local authorities have to be called in.

Indeed, there are extremely expensive things and tools that even provincial authorities do not have. I can think of a number of helicopters or means of transportation, ships, ice-breakers and others that can be put into service. The federal government must not, however, tromp on an organization that is already very functional.

The principle of emergency preparedness organization applies to a rather large community. In Quebec, we decided on the regional county municipalities and urban communities. There are more than 100 RCMs in Quebec, each encompassing several municipalities, and the urban communities encompass several urban municipalities.

At the urban community or RCM level, an emergency preparedness plan is developed. What does developing an emergency preparedness plan involve? It involves taking an inventory of two things: risks and resources.

For the risk inventory, more often than not, the local authorities are the most efficient. For one thing, they have a smaller base of voters. So, they very often go door to door and are familiar with the area. They learn a lot along the way about where their voters live. In fact, they themselves generally live in the area they represent.

● (1730)

For instance, they know if there are potentially dangerous reservoirs on some farms. They know their territory. They know if there is a railway going through it. They have noticed that the railway is used to ship goods, so they are aware that a train derailment could be dangerous. They know about the plants in operation in their area. They know their region very well and are able to identify all these things. And if we get them involved in the development of the emergency preparedness program, they find out that they like it, they feel useful and competent, they are pleased to be of some help and usually do a very good job. By taking stock of the risks, they realize that some can be avoided.

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So, there are already some prevention and emergency preparedness initiatives under way. After examining the risks, they go over the resources. For example, if there is a flood and 300 people have to be evacuated, where could they find shelter? They take an inventory of all available resources. If they have to do without power for some time, is there a plant nearby where they can have access to generators?

They discover their local resources, as well as their needs. They realize that they could buy this piece of equipment or that one or, if it is too expensive, that they can join with the neighbouring RCM to buy what could be useful in case of an emergency.

There has to be preparation, so that when there is a disaster, even unpredictable ones, they are not totally unprepared. They know what to do. Once these two inventories have been taken, intervention plans are prepared and implemented at some point, with exercises and simulations. This way the quality of communications between the various stakeholders is tested, the speed with which people can be reached, brought together, action taken and so on. This uncovers shortcomings in the plans, and as a result, the community is generally far safer.

Then there are specific projects. For example there have always been floods. I learned something odd about Quebec that I may be able to pass on to some others. I had never realized that we never had any flooding problems with the rivers on the north shore of the St. Lawrence, only the south. Why is that? Because, of course, when the spring thaw comes, it starts in the south and proceeds north. So water courses run high in the south and there are ice jams in the north, where the thaw has not yet arrived. This is why there are always more flooding problems with the rivers on the south shore. There are a few exceptions, north shore rivers that are particularly winding in particular. Since the thaw moves from south to north, the ice where the river empties into the St. Lawrence melts before what is upstream of it, and so the flow is generally better.

That said, there has to be provision for flooding. It is predictable. There is a need to know, because Quebec has a history of flooding. But there are also far bigger dangers, such as industrial dangers, dangerous gas emissions for example, major explosions setting off fires and so on.

The most important preparation is still the preparation that has to be done locally. It is a fact. That is why the Emergency Preparedness Organization is very important and, as far as I know, it might be unique to Canada. However, when the government comes barging in with the broad powers it often gives itself in statutes, it has to realize that throughout Quebec and in Canada, there is a place that is well prepared that deserves his respect.

This concerns primarily the public safety aspect. The department is already aware of what we do in Quebec.

• (1735)

I can also say that over time, we have noticed in Quebec it is true that the federal government has equipment that is useful to us, or could be. When I was saying earlier that resources are inventoried, I was talking about resources used for other purposes. It is important to know that these are things we can use in an emergency. For example, in disaster, people are often sheltered in gymnasiums. To

welcome them, someone needs to know where the beds are, if there are beds, and so forth.

There is also some equipment that falls under federal jurisdiction. For example, we work in close cooperation with the Coast Guard. However, I do not see why this body comes under public safety. The Coast Guard has marine equipment that allows us to respond quickly to catastrophes on the St. Lawrence. It is most useful in preventing floods and breaking up ice jams.

For example, the Coast Guard bought hovercrafts, and that is easy to understand, given the difficulty of marking out with beacons the navigation channels on the St. Lawrence River. These crafts run on an air cushion, and they can move very well over water and could do as well on snow. They can also go ashore, provided the incline is not too steep. They are multipurpose vehicles. But experience helped us find out they could have another use they were not designed for originally. When a hovercraft moves over ice, it breaks it. So, a hovercraft being used to set the beacons that mark out the channels on the St. Lawrence River can help prevent flooding by breaking ice jams.

The hovercraft did not sell as well as hoped. There are relatively few of these craft in the world, making them rather expensive. Like all such equipment built some 20 years ago, they have to be taken apart and rebuilt every year. Good relations helped convince those responsible for this maintenance work to do it during the winter so that the craft can be used when ice jams are more likely to occur.

In the field, I know there is a generally good cooperation between the Quebec public security and federal agencies, especially the army. We have also noted that there is generally excellent cooperation between the various federal agencies.

The establishment of this new emergency preparedness department would facilitate this cooperation. Clearly, very useful means to be used in case of natural disasters can be found in many other departments. I hope this new department will allow for better cooperation and communications between the federal agencies that could be useful in emergency preparedness.

• (1740)

It is not obvious from reading this bill, but I think it would be important to include in this legislation some reference to the assistance provinces receive in case of a disaster. When a province suffers a disaster, such an enormous disaster that it causes great damage and endangers the fiscal health of that province, there is legislation to provide financial assistance.

*Government Orders*

This assistance is a function of the province's population, which seems to me to be a good criterion. The province is completely responsible for the first dollar per person. Then the federal government adds 75 cents per capita of the second dollar. Then it is 50%, then 25% and so on, right to the end.

Logically, these provisions that make it possible to provide relief to the victims of natural disasters would, we thought, have been incorporated naturally into the legislation for which the Minister of Public Safety and Emergency Preparedness is responsible. That is one of the things that seems to have been forgotten in this bill, but it would be good legal logic for this legislation to come under the jurisdiction of the Minister of Public Safety and Emergency Preparedness as well.

I take this first opportunity to speak to a bill, as a federal member of Parliament, to remind the legislator that the last section of each piece of legislation is a section that, given the courts' interpretation—at least 25 years ago, I think—allows the government to legislate not by adding to legislation, but by taking away from it.

We are in a Parliament with a minority government. It is possible that, on some occasions, we will introduce amendments to this legislation.

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

**Mr. Serge Ménard:** I see that the Liberals, who are used to having a majority government, think that an opposition party can never make a useful amendment to a bill. This shows that, if they were in the opposition, they might discover some advantages to it.

We will discuss this in committee, but I think it is appropriate to amend the last clause to say that all the provisions of the bill will come into force on a day to be fixed by order of the Governor in Council, so that the government, having reluctantly or willingly agreed to an amendment by the legislator—of which the 308 of us are all a part—removes this amendment from the bill on the day that it comes into force.

This would also be more respectful of the distinctions that must exist, what is left of them, between the legislative and the executive power. If the executive power, which generally controls the House, absolutely believes that there is a part of the bill that cannot be implemented, it would have to come back before Parliament. Parliament will no doubt be able to understand as well as the government and make the amendments that are required.

I intend to propose this personal amendment to this clause and to others that will be similar during my time in Parliament.

• (1745)

**Hon. Roy Cullen (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, I thank the hon. member for Marc-Aurèle-Fortin for his speech and his comments. In light of his experience and his career in the province of Quebec, I am confident that he will make a very significant contribution, in this House and in committee, to the debate on the issue of public safety.

[English]

The hon. member talked about the level of cooperation in emergency response. At the time of the big ice storm in Quebec or

the flooding in the Saguenay, whether or not he was the minister at the time, could he describe what kind of cooperation existed between the Province of Quebec, Hydro Quebec and the federal government. What form did that take? Does he think there are still improvements that can be made in that area?

[Translation]

**Mr. Serge Ménard:** Absolutely, Mr. Speaker. First, I should point out that, at the time, I was not the minister of public security but, rather, the minister of justice.

When such catastrophes occur, there is always a great spirit of cooperation. In fact, it is never difficult to find volunteers. There are many people who want to help. In the face of a catastrophe, the important thing is the relevance of the action taken.

Incidentally, it is following those two disasters that we learned from our weaknesses. It is also following these disasters that we set up two commissions of inquiry, both led by Mr. Nicolet, that we decided to draft a new act on emergency preparedness, and that we developed the emergency preparedness scenario that I mentioned earlier.

Cooperation is excellent. Generally speaking, a natural disaster triggers an emotional climate that leads to extraordinary mutual support. We can also see here some key elements to ensure the effectiveness of the operations. It is important to review the means of communication, for example. This is why these exercises are so important. We could see people walking around with four cell phones around their waist listening to the radio. It is a good thing to have a frequency for these situations. There are technical things that we can plan ahead to be ready to act.

Whenever I talk about the federal government, I feel uneasy because of the attitudes it has demonstrated in the past. Frankly, I do not think that the current minister will make that kind of mistake. Others, maybe. As usual, the federal government will develop the entire system in Ottawa and then try to impose elsewhere. I have no objection to the government imposing it on provinces that have not made all the improvements we have.

We have paid a hefty price for the lessons we have learned from the disasters we are talking about. I think we have a procedure now. It is a source of pride for me, as former public security minister, to see the speed of the response to the natural disasters in Quebec in the past two summers. This is where we have done our homework, established plans and can respond quickly. I am really proud when I see how quickly the compensation for the victims could be announced.

I recall the old method, and I wonder if it is still the one that is used at the federal level. Although this is not important for the federal government, since it intervenes much later. Before, we had to go through government orders in council, which necessarily caused a delay. Now, all compensation is provided for in the civil safety act. We can tell people about it. Victims find a lot of comfort in knowing right away what compensation they are entitled to.

*Government Orders*

I can say that relations have always been good in these situations. If we want to change the Canadian Constitution so that Quebec becomes sovereign, it is not because we think that Canada is mean or that Canadians are bad; it is because we think the institutions are assimilating us over time. People should eventually understand that it is not Canada or Canadians that we hate, but the current Constitution, which did not fulfill its promises and will ensure our assimilation in a few generations from now. However, that is another problem.

It is not because we hate Canadians. It is not because there has not been very good cooperation. This is a sector where we can fully cooperate, and we have proved it.

• (1750)

Concerning public safety, there is also police work. It is in Quebec that the three levels of police cooperated best in the joint regional units that I had the privilege to create and that fought the hardest against the worldwide criminal organization—the Hell's Angels. I hope that we will continue to cooperate, while awaiting more friendly discussions on constitutional changes.

**Hon. Denis Coderre (Bourassa, Lib.):** Mr. Speaker, if there is one issue on which we should obviously not be partisan, it is public safety. We must also recognize our colleague's contribution to public safety in Quebec. The Carcajou squad comes to mind. Obviously we know the hon. member is keenly interested in organized crime. We have seen him riding his motorcycle, too. He is a motorcycle guy. We saw him during the police conferences.

I would just like to ask one question that comes from the Quebec Liberal caucus in this House as well as from the Bloc. It is the issue of RCMP presence in the regions. We know that a reorganization of RCMP detachments is currently going on. We would like to hear about his experience with that.

Does the hon. member think it better to group the forces together as in Drummondville, for example, or is it better, in terms of public safety, to have an effective RCMP presence in more distant corners such as Joliette, Cap-de-la-Madeleine, Saint-Hyacinthe or Granby? Should there be a local presence in these places or is it better and just as effective to centralize?

**Mr. Serge Ménard:** Mr. Speaker, first, let me reassure the hon. member. I have never ridden a motorcycle. I do not believe you have ever seen me riding a motorcycle. The member is mistaken. I did however attend an event where I was surrounded by motorcycles, however reluctantly. I did not think it was the best idea in the world, but that is the way it was. I was a young minister at the time and had accepted an invitation. I ended up with fifty motorcycles around me on the fifth floor of an hotel. It was quite strange, but since police officers had spent a lot of time polishing their bikes, it would have been a pity not to play along, especially since I was at a police convention. So, that explains it.

Moving on to something more serious. Yes, this redeployment is of concern to me from the security point of view. First of all—and this is one of the reasons given for the reorganization in Quebec—a proper fight against organized crime requires more than just intelligence gathering. For a police force to be able to fight organized crime properly, which is the main reason I reorganized the Quebec police, there must be very close connections between the

cop on the beat and the people who carry out the investigations. I find it most strange, for instance, for the police to be moved away from the borders in order to protect them better. I find that quite odd.

The same mistake was made in the ports. In 1997 federal police were pulled from the port of Montreal. True, the reason was to enable them to concentrate on the major gangs. How was this carried out? Through informants and wiretaps, things that can easily be done out of an office some distance away. I understand the RCMP's motive of wanting to concentrate on this, but by so doing it has lost its local ear to the ground.

The same applies to the fight against organized crime. Why were organized groups setting up elsewhere? For Montreal, they were going to Sorel. For Quebec City, they were setting up in Saint-Nicolas. For Sherbrooke, they were going to the suburbs. They knew that police surveillance was not as close there. If they had stayed in Montreal, they would have been monitored more closely.

Why did the RCMP set up outside urban areas? My very clear impression is that organized crime could be very closely monitored in major centres, but because of shortcomings that I think I have corrected to a certain extent, but certainly not fully, organized crime cells ended up in specific regions.

I think that the RCMP—

• (1755)

**The Acting Speaker (Mr. Marcel Proulx):** I am sorry to interrupt. The hon. member for Vancouver East.

[*English*]

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, let me take this opportunity, because I have not spoken in the House when you have been in the Chair, to congratulate you on your appointment to the Chair. I know you will serve the members of the House very well and I am sure you are learning on the job very fast.

I am pleased to have this opportunity to speak to Bill C-6, an act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain acts because it is an important bill. We have obviously looked at the bill and studied it as closely as we can. We know that at this point it is at second reading. We will look at the bill in principle and then it will be referred to the committee where we will go through it very closely.

The Minister for Public Safety and Emergency Preparedness has been in place for about 10 months. It is concerning that the minister and her office has been there for 10 months without the authority of this legislation. That is not a good sign. We would have preferred to have seen the legislation come forward at a much earlier date so that it would be clear what the mandate, role and responsibilities of this department are all about. However, it has taken 10 months to get to this point. I think it does deserve very close scrutiny.

*Government Orders*

Members may feel that at a certain level this is just a routine matter of creating a department and transferring certain responsibilities. As members of the House, and certainly we in the New Democratic Party, we take our responsibility seriously because it is a new department.

It has a significant function. It has broad powers conferred upon the minister. We intend to scrutinize the bill very carefully to ensure that there is adequate oversight for what those responsibilities are and that there is scrutiny through the committee, and possibly amendments will come forward to improve the bill.

The NDP in general supports the creation of this department. It is important to have a clear function and responsibility for public safety and for emergency preparedness in this vast country that we live in where we are subject to all kinds of natural disasters. Certainly, we saw the devastating impact of hurricane Juan in Halifax.

I know that the member from Halifax was very involved in supporting her constituents and the people of that city. One of the issues that came up at that time, as well as other situations that have taken place in Canada, is the need to have a clear federal responsibility and role in coordinating a rapid and responsible response to people when they are in distress and when they need help.

When people are hit, whether it is a hurricane, a flood, the fires in Kelowna or some other kind of emergency, they want to know that all of these vast resources that are available within various government agencies and departments at various levels are there when people need them. We certainly understand the need for this department.

What is important is the need to ensure that there is full coordination, cooperation and resource sharing among the three levels of government. I note that Halifax is the only city where the three levels of government are housed in one building, and maybe it was easier to facilitate that kind of arrangement. That did happen, but that is not the case in other cities. We have seen it play out where, with the best of intentions, different levels of government may have different procedures or operations for how to respond.

We might have one agency doing one thing and another agency doing something else, and one level of government doing one thing and another level of government doing something else. That is something that is very critical in the establishment of this department. We need to assure people on the ground in local communities that when they are hit they know that all levels of government are working with one purpose and one intent, and that is to provide support, relief and resources that are needed.

● (1800)

All of us have seen that our Canadian armed forces are always there in those kinds of situations. The men and women of our forces go to extreme lengths to ensure that they provide the help that is needed in a local emergency. We have seen that across the country.

There are issues of overlap and jurisdiction. From that point of view this new department with a minister in place will be an important thing to have established in order to work out those kinds of procedures.

This is a good development. The bill is generally supportable. We should also recognize that this department and the Deputy Prime Minister and Minister for Public Safety and Emergency Preparedness cover areas that have to do with security.

We have seen post-September 11 an enormous amount of emphasis on legislation, on various procedures and incredibly broad powers conferred on cabinet ministers, on the government itself, and on various agencies like the RCMP and CSIS around security. I would point out that the Royal Canadian Mounted Police, the Canadian Security Intelligence Service, Correctional Service Canada, the National Parole Board, the Canada Firearms Centre, and the Canada Border Services Agency will now be under this new department.

We in the NDP do have concerns about parliamentary oversight and ensuring that this new department, if it is established, as it pertains to security issues, does not take us further down a road where people's civil liberties would be eroded. My community of East Vancouver is a diverse community made up of people from all parts of the world. Many immigrants have settled there as I know is true in most of the ridings that we represent in the House.

I am alarmed at the number of stories and experiences that I have heard about from individual Canadians and families who have been experiencing discrimination based on what I believe is racial profiling. My private member's bill makes it clear that racial profiling would be illegal in Canada. We have seen an increase in the targeting of Canadian citizens and permanent residents based on security concerns.

We have had other legislation and other debates on the lack of accountability and transparency. One only has to think of what happened to Maher Arar and the public inquiry that is now underway. That inquiry is investigating the role of some of those agencies that will now be under this new department. What role did they play in terms of sharing information with other intelligence agencies in the U.S. or possibly elsewhere that led to the imprisonment of Mr. Arar for such an extended period of time?

I raise this because I do think the idea of emergency preparedness and public safety are important public policy considerations. We must pay attention to the broadening net that is taking place in our society. We must respond to the real security concerns of Canadians. Canadians want to see defence and proper security.

More people are expressing their concern about legislation that has already passed and what it will mean now to have a department of public safety and emergency preparedness as it may relate to some of these security concerns. We in the NDP want to express that because it is something that we are monitoring very closely.

● (1805)

Our justice critic, the member for Windsor—Tecumseh, will be examining this bill in committee. I know that he will be examining it very carefully from the point of view of how these agencies operate and how the minister responsible for this department will ensure that things that are done in the name of security and not infringing more and more on the liberties that we enjoy in our democratic society.

*Government Orders*

One of the intents of this bill is to avoid conflict between intelligence agencies. This is something that we have been extremely distressed and concerned about in some of these cases that have happened. In fact, if this bill, by creating this department, helps avoid that kind of conflict between agencies, where they are actually working at cross-purposes or with very little knowledge about what one or the other is doing, then we would certainly encourage and support the idea. We would applaud that development of better cooperation.

Again, I think we have to go through this bill. We have to examine it very carefully ensuring that this kind of department, that can very broad powers even in an emergency, does not infringe on the liberties of people, that there be a balance. I think it is something that members of the House may individually struggle with. What is the correct balance in terms of maintaining the public good and maintaining public safety, and yet ensuring that people are not being unfairly targeted, whether it is at the border, at airports, or through intelligence gathering?

For example, I have heard of cases where Canadian citizens have been denied the right to fly on Air Canada because their name appears on a list. Where does this come from? Why are people being targeted? There is no reason given.

I recently dealt with a situation where a man from Toronto travelled by Jetsgo from Toronto to Victoria. He paid for his ticket. He got to Vancouver and decided that he would continue his journey to Victoria. He paid for an Air Canada ticket and his name appeared on a list. He had ID, the whole thing, but he was suddenly taken off the flight list and no reason was given.

We have heard that the Department of Transport has intentions to bring in a no fly list that would apply to Canadians on domestic flights. This is something that is of huge concern. It brings us into this area of security and public safety. Yet there is a great sense of unease about what is taking place. Our job as parliamentarians and guardians of the democratic principles in our country is to ensure that legislation meets the test of protecting democratic values and principles.

That is why a bill such as this, that on the surface may appear to be fairly innocuous and supportable, actually requires serious examination in the broader context of security changes that have fundamentally changed for many people in this country the way they live and the way they can move freely about the country, and the fact that they may be under some sort of monitoring by security agencies.

We find that incredibly disturbing. We want to ensure that, first, we understand what is taking place and, second, that there is an accountability to legislation, to a parliamentary review, and back to a minister such as the one that would be at the head of this department.

I would say that the NDP at this point is generally in support of the principles of this bill. We understand that there is a need to have a clear federal role and responsibility in emergency preparedness and public safety. It is something that I think needed to happen many months ago when the minister was first appointed. The legislation is now trying to catch up to the reality of having that minister in place.

●(1810)

We will examine the bill very carefully when it gets to committee. It is very possible that our member for Windsor—Tecumseh will have some suggestions for changes in terms of accountability and the oversight that is involved in the six security agencies that are now within this department. We will be doing that when it gets to committee.

**Mr. David Chatters (Battle River, CPC):** Mr. Speaker, I listened carefully to the member's speech and I was quite shocked and surprised at her reaction to our government and other governments creating a list of people that they deem to be a national or international security threat and preventing them from flying. On 9/11 there were four large airplanes full of innocent people who would have been saved if there had been such a security list of people who were a terrorist threat.

Quite frankly, it makes me feel a lot safer flying every week as I do to know that our security organizations are investigating and creating this list of people who pose a public threat and denying them the right to fly on an airplane with me and my family and others. I cannot understand why having that added security would not make the member feel better about flying and safer when she flies.

**Ms. Libby Davies:** Mr. Speaker, I am happy to respond to the member's concern and would ask him a question. On what basis does he know that individuals pose a threat to public security?

It does not make me feel better. It makes me feel a lot worse to know that there are secret processes underway in our country that can put people on a list for what reason it would never be known to them. They would be denied the right to fly or to go across a border or other liberties would be taken away without their ever knowing what it is that they are suspected of.

It is a fundamental law of justice that if someone poses a public risk or a security risk, then bring forward the evidence and engage in a judicial process. We all support the idea of needing security but we have to seriously question and examine how far down the road we have gone with the various pieces of legislation we have, and what I understand to be proposals by Transport Canada to have this no fly list. How far down the road have we gone of actually removing people's basic human rights?

It is one thing to say that someone poses a public threat, but if there is no information or evidence to show that the person does or does not, then I would question what kind of society we are moving toward where we would place someone on the list and remove that person's rights without bringing that evidence forward. Apparently that is where we seem to be headed.

This new department that is being created will have responsibility for some of these agencies. I frankly think that should be of concern to us. We should not be willing to blindly accept on the basis of a secret security process that we know nothing about, that any individual can basically have their rights removed. I am surprised that the member would somehow accept that.

*Government Orders*

●(1815)

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, I for one am very pleased that my colleague from Vancouver East has raised her concerns about what may or may not be a worry with respect to this particular legislation.

It is absolutely incumbent upon every single one of us to heed the warnings about how, in the absence of due process, the absence of transparency and accountability, the suspension of the presumption of innocence, all of these things, we need to be extremely concerned about where we are headed.

I am sure the member from Vancouver East is aware that prophetic words were spoken by an Afro-American congresswoman in the immediate aftermath of 9/11 when she said that in the attempt to defeat terrorism, let us not become the evil we deplore. That is why I think we need to proceed with extreme caution.

One cannot oppose the principle of better cooperation among the agencies, particularly in the instance where public safety is threatened or where public security is at risk. However the issue is what are the checks and balances and what kind of accountability is there.

In the absence of it being clear exactly what some of these processes will be, it is necessary to have more information about what the intent is, and not just the intent. We also need to know how the important due process of law that needs to apply is going to be maintained and in fact strengthened, given the concerns we have about the suspension or the weakening of due process in far too many cases of late. I would ask the member for Vancouver East for her comments.

**Ms. Libby Davies:** Mr. Speaker, the member has expressed a concern that is shared by more and more people about the lack of due process. I can certainly reiterate that in looking at the bill, we have to scrutinize and examine what processes are in place. We have to examine whether or not through the bill there will actually be an improvement in terms of transparency and accountability.

We are talking about agencies that have very broad powers. If through the creation of this new department we end up with a situation where it becomes an enclave of government that becomes mysterious, secretive, with closed doors and it is all shrouded in security and emergency preparedness, we should have a major concern.

The bill presents an opportunity with the creation of the department to actually improve processes to ensure that people's rights are not violated. It provides an opportunity to ensure that there is accountability to the minister within the department but also to the public and ultimately to the Canadian people.

The bill provides a danger to further entrench some of the problems that I outlined in my comments. That is why the NDP looks at the bill with the idea that there are some very good aspects to it, but also with some skepticism. We need to examine it from the point of view of the public interest and the public good in terms of making sure that security does not become a coverall for actually violating people's basic rights.

●(1820)

**Hon. Roy Cullen (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, I was remiss earlier in not congratulating you in your new role.

I understand the member's concern about oversight. I wonder if she is aware of the oversight bodies that are already in existence. Just to remind the House, there is the office of the inspector general for CSIS; the office of the correctional investigator; the RCMP external review committee; the commission for public complaints against the RCMP, which reviews complaints against that organization; and the security intelligence review committee, which reviews the activities of CSIS.

There is a parliamentary committee looking at some other aspects of oversight. I wonder if the member for Vancouver East could acknowledge that these oversight bodies exist and if she thinks they are doing an adequate job.

**Ms. Libby Davies:** Mr. Speaker, I certainly will acknowledge they exist. There are three independent review bodies for those agencies I listed and two statutory review bodies for CSIS. But let me ask why we had to get to the point of a public inquiry with Maher Arar. Those review bodies existed during the time that whole case developed. It took enormous public pressure to finally convince the government to hold a public inquiry.

Yes, those bodies exist. In theory, they have a mandate to provide oversight and review, but one has to wonder how on earth we got to the situation with Maher Arar, because they certainly did not protect his rights and now we have a public inquiry to investigate what the heck went wrong.

**Mr. David Chatters (Battle River, CPC):** Mr. Speaker, since this is my first opportunity to stand in the House in the new 38th Parliament, I would like to take the opportunity, as so many others have, to thank my constituents for sending me back here. As a matter of fact, I would like to thank the constituents in my new riding, now Battle River but soon to be Westlock—St. Paul again, for having confidence in me. Of course I thank the constituents of Athabasca for the many years I represented their riding and for their support for me. It is quite humbling to be shown that kind of confidence and to be sent back for a fourth time.

I am also pleased to be able to join this debate on Bill C-6. I have certainly been listening to the debate on the bill as it has gone on this afternoon. It was interesting to hear the exchange we just heard a few moments ago about the oversight agencies, because that really is one of my greatest concerns about the bill as well.

Certainly my party recognizes the need for this agency and supports the creation of this agency and will support the bill. But that does not really mean that we believe it is the answer to all the problems or, for that matter, that we have any confidence in this Liberal government to implement the bill and act on it.



Considering the amount of time this agency has existed and the fact that the minister has been responsible for it for 10 months, we have seen relatively little action on this file. We had the photo op today with the secretary of homeland security and all of those nice things that the parliamentary secretary talked about, but the fact is that trucks are still sitting for four hours at the border and delays are extraordinary. It has been three years since 9/11 created both this new world we live in and the need for this security agency. I think one would have to be pretty forgiving to think that now the Liberal government is ready to act on these issues, to implement this act and to move forward with some urgency on this issue, because it never has been before.

I recognize that the minister says she has been very busy in the last 10 months consulting, communicating and gathering information and she cannot talk about these things because they are a matter of public security. There is probably some fact to that. But I think that because of that very fact this agency in good measure will operate in secrecy, which I recognize the need for, there needs to be some real oversight of this department and some real evaluation of the effectiveness of this department and how it is working.

Certainly one of the first mandates this department has is to streamline communications between the different security agencies. That is a laudable goal, because if there has been one obvious failure in North American security since 9/11 or leading up to 9/11, it has been identified as the lack of communication between the various security agencies. Had we had that communication and cooperation between those agencies, in fact, we might have avoided 9/11 and some of the other terrorist incidents that have happened. That has been the breakdown.

• (1825)

The parliamentary secretary referred to the number of agencies that would provide oversight to the various security agencies.

### *Government Orders*

Among them, I think he mentioned the RCMP public complaints commission. If the member has ever directed a constituent to the RCMP public complaints commission with an issue, he has to know how ineffective that organization is. It simply turns around and sends the complaint back to the RCMP detachment where it came from for an internal investigation. That hardly gives me confidence that somebody independent is looking at the issue and going to review, evaluate and rule on it. I very much suspect the other oversight agencies are not much stronger than that.

On this particular bill we need a far stronger oversight just in view of the criticisms we have heard, not only from our own Auditor General but from agencies in the United States since 9/11. Canada has had criticisms pointed at it for its apparent willingness to harbour terrorists, for dragging its feet on outlawing terrorist organizations and in dealing with those organizations.

When the current Prime Minister was finance minister he even attended a fundraising dinner for a terrorist organization, and to this day probably still denies that, but I think it is generally accepted that the organization was the Tamil tigers.

**The Acting Speaker (Mr. Marcel Proulx):** I am sorry to interrupt the member for Battle River but I can inform him that he will have 14 minutes remaining in debate the next time the bill is before the House.

• (1830)

[*Translation*]

It being 6:30 p.m., pursuant to the order made Tuesday, October 5, 2004, the House stands adjourned until 10 a.m. tomorrow, pursuant to Standing Order 24(1).

(The House adjourned at 6:30 p.m.)



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