



HOUSE OF COMMONS
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OFFICIAL REPORT
(HANSARD)

Thursday, November 22, 2012

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, November 22, 2012

The House met at 10 a.m.

(Division No. 504)

Prayers

ROUTINE PROCEEDINGS

• (1005)

[English]

ORDER IN COUNCIL APPOINTMENT

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 110(1), I have the honour to table the appointment of Kevin S. MacLeod, CVO, to the position of special adviser to the Prime Minister, to be known as the Canadian Secretary to the Queen.

Mr. Speaker, while I am on my feet, I move:

That this House proceed to orders of the day.

The Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And five or more members having risen:

The Speaker: Call in the members.

• (1040)

(The House divided on the motion which was agreed to on the following division:)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Aspin	Baird
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Gallant	Gill
Goguen	Goodyear
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarmicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leaf	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Fundy Royal)
Nicholson	Norlock
O'Connor	O'Neill Gordon
Opitz	Paradis
Payne	Penashue
Poilievre	Preston
Raitt	Rathgeber
Reid	Rempel
Richards	Rickford
Saxton	Schellenberger
Seeback	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson

Government Orders

Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer — 148

NAYS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Borg
Boulerice	Boutin-Sweet
Brahmi	Brisson
Caron	Casey
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Cleary	Coderre
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dusseauit
Easter	Eyking
Foote	Fortin
Freeman	Garrison
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Groghé	Harris (Scarborough Southwest)
Hassainia	Hsu
Hyer	Jacob
Kellway	Lamoureux
Lapointe	Larose
Latendresse	Laverdière
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Liu	MacAulay
Martin	Mathysen
May	McCallum
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mulcair
Murray	Nantel
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclet
Perreault	Pilon
Quach	Rae
Rafferty	Ravignat
Raynault	Regan
Rousseau	Sandhu
Scarpaleggia	Scott
Sgro	Sitsabaiesan
St-Denis	Stewart
Stoffer	Sullivan
Thibeault	Toone
Tremblay	Turmel
Valeriotte — 115	

PAIRED

Nil

The Speaker: I declare the motion carried.

GOVERNMENT ORDERS

[Translation]

FIRST NATIONS FINANCIAL TRANSPARENCY ACT

BILL C-27—NOTICE OF TIME ALLOCATION MOTION

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC) moved:

That, in relation to Bill C-27, An Act to enhance the financial accountability and transparency of First Nations, not more than one further sitting day shall be allotted to the consideration at report stage of the bill and one sitting day shall be allotted to the consideration at third reading stage of the said bill; and

That, 15 minutes before the expiry of the time provided for government orders on the day allotted to the consideration at report stage and on the day allotted to the consideration at third reading stage of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of this order, and in turn every question necessary for the disposal of the stage of the bill then under consideration shall be put forthwith and successively without further debate or amendment.

● (1045)

[English]

The Speaker: There will now be a 30-minute question period pursuant to Standing Order 67.1. We will try to keep questions and comments to about a minute and responses to a similar length to accommodate as many members as possible.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is somewhat ironic that the 29th closure motion introduced by the government since the last Parliament, breaking the record set by any government in Canadian history for its pace of shutting down debate, is now happening on a bill that is meant to enforce accountability with Canada's first nations.

The government is invoking closure and walking away from accountability while telling first nation governments around the country that they should do something that the Conservative government is not willing to do, which is to be accountable to the Canadian people.

Time and again, the government has reverted to this tactic. We have had one day of debate at this stage of the bill. Why does the government so often find it necessary, 29 times since the last election, to shut down the work of members of Parliament, to shut down basic accountability and democratic values and rights in this country? Why does it so often resort to this measure?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, I am happy to respond to that question. We have a very important piece of legislation here. We are going to the very heart of what elected officials and government should do, which is to be transparent and accountable with their financials and with disclosing salaries, honorariums, per diems and expenses.

We have been talking about this for the last three years in various formats, and we also have some real deadlines from the standpoint that we have now had committees look at this. We had quite a number of witnesses, about 21 witnesses from 13 different organizations. If we do not have this legislation in place before the next fiscal year, we are going to go another year without this kind of reporting for which first nation members are calling.

Government Orders

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, we need to recognize that the government House leader is collecting an additional salary, and yet he is not doing his job as the House leader. The primary responsibility for a House leader is to work with opposition parties and work through a legislative agenda that allows for the timely passage of legislation. Some legislation is much more complicated than others and therefore will require more time. Some pieces of legislation are a little bit easier and could pass through. If we had a government House leader who had the ability to negotiate, we would have a much more productive House of Commons.

My question is for the government House leader, and I would appreciate it if the government House leader would stand and answer the question. Why does the government House leader not negotiate in good faith with opposition parties so there would be more timely proceedings—

• (1050)

The Acting Speaker (Mr. Bruce Stanton): The hon. Minister of Aboriginal Affairs.

Hon. John Duncan: Mr. Speaker, the views and concerns regarding the bill have had ample time to be debated and discussed. The bill was introduced on November 23, 2011. Second reading debate occurred on June 20, with the vote occurring June 21, and it featured almost six hours of debate in this chamber before being referred to committee. The standing committee met seven times between October 15 and November 5 to study and discuss Bill C-27. We also heard from 21 witnesses from 13 organizations.

During the report stage debate yesterday, the House spent over six hours of debate on the bill. The NDP had no less than 20 speakers. We heard no new opposition issues in all this time. On two occasions the Speaker had to intervene to ask members to keep their comments focused on the subject under debate. All this was for a relatively simple bill with only 13 clauses.

Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I appreciate the minister's leadership on this issue. Two days ago, the narrative across the floor finally came to a point where we all agree about something, for once. If my memory serves me correctly, the member for Laval said there ought to be one rule for everyone. I would like the minister to comment on the issue of fairness, that sense of one rule for everyone and what the bill does to take us there. It did not come from this side. It came from that side. I thank the member for saying that.

Hon. John Duncan: Mr. Speaker, federal, provincial and municipal governments have obligations and responsibilities to report to their constituencies. We believe that those same obligations and responsibilities should apply to the other governments in Canada, the first nation governments. We also believe that elected officials have an obligation and a legal responsibility in most cases to disclose their salaries, honorariums, per diems and expenses.

This legislation accomplishes those objectives for the first nation governments across the country that are operating under the Indian Act. We think that is appropriate in all circumstances.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I certainly have some questions for the minister. It is interesting to hear both the parliamentary secretary and the minister talk about financial accountability when we have a situation in the House right now where we cannot get information from the government.

My question to the minister is straightforward. Why is he imposing a double standard?

On the one hand, the Parliamentary Budget Officer has to go to the courts, and on the other hand, the government continually says it wants to be transparent and accountable and yet does not provide documents with respect to staffing cuts, comparability around education, legal costs. This department spends millions of dollars on legal costs.

My question to the minister is this. Why does he think a double standard is acceptable in this country and this day and age?

Hon. John Duncan: Mr. Speaker, I responded to this question yesterday during the press conference. We have responded to the questions from the Parliamentary Budget Officer. We think we have fully responded to his questions.

I am puzzled by the question from the opposition.

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, could the minister detail for us exactly what consultations were undertaken with first nations and first nations groups before bringing this legislation?

We have to make the connection. First nations feel as if this legislation has actually not come forward with their support. There is a reason for that. It ties into general problems of democracy in this Parliament.

I would like to know if the minister feels that adequate consultation did occur with first nations and first nations groups and, if so, if he could outline what that consultation was.

• (1055)

Hon. John Duncan: Mr. Speaker, as members know, we had quite a lot of public dialogue on the issue of salaries and financial disclosure. We had a resolution from the Assembly of First Nations that basically endorsed the fact that first nation communities should be practising accountability and transparency. We have had the same kind of resolution passed at the United Nations in respect to aboriginal governments.

We do not think that democracy, accountability and transparency are negotiable items in a country such as ours. That is why we are moving forward with this legislation. We have had multiple requests annually, virtually every day of the week, from band members and first nations communities wanting this measure to be put in place.

[Translation]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, this has become so routine for the government that the Leader of the Government in the House of Commons will no longer even answer questions about government bills.

Government Orders

The minister is trying to justify invoking closure—for about the 30th time since the beginning of this Parliament—by telling us that 20 or so witnesses were heard from, that witnesses were called 13 times, and that he is not happy with the opposition's speeches on this bill in the House. Quite frankly, the fact that the minister is not happy with the opposition's speeches and that he thinks testimony from 20 or so witnesses is enough simply does not constitute justification.

Like my colleagues, I would like to ask the minister the following question: why is the situation so urgent, when no meaningful consultation took place?

As for the 20 or so witnesses, they testified during three committee meetings that were dedicated primarily to trivial, mundane motions. The debate on this issue is far from over. First nations deserve more respect than what this government is giving them.

[*English*]

Hon. John Duncan: Mr. Speaker, we have had considerable debate on this 13-clause bill. It is simple and straightforward. We believe there has been more than adequate consideration. We want to proceed, and the justifications are all there.

The Acting Speaker (Mr. Bruce Stanton): I have just a reminder to hon. members that typically in this 30-minute question period most of the question time is given to opposition members.

The hon. member for Northumberland—Quinte West.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, one of the previous questions the minister answered was about transparency, and it has to do with the very nature of the bill. The bill is about the transparency of the wages and benefits that councillors receive on first nations territories. Would the minister agree with me that in every other level of government—for example, members of Parliament in the House and members of the Senate—our wages and our benefits are all publicly known? We must submit these every year. Our expenses and our office budgets are there for everyone to see where every dollar and penny went. The same is true with provincial and municipal levels of government.

Why should this other level of first nations government not operate under the same accountability regime?

Hon. John Duncan: Mr. Speaker, that is increasingly the question that was asked by many first nations members. That is the question that was asked by the public at large. It is the question that all of us are asking. We are now in the 21st century, and we need to make some long-overdue changes. We want to take the department out of being the only one that receives the financial information. It is instructive to know that the self-governing first nations, of which there are about 20 across the country, are already disclosing financials and they are happy to do so.

• (1100)

[*Translation*]

Mr. Raymond Côté (Beauport—Limoulu, NDP): Mr. Speaker, this is not just about transparency, but also about governance. From that point of view, I find it hard to believe that another level of government, here in Canada, would agree to such extensive disclosure of its activities.

I would like the minister to explain the justification for imposing this type of constraint on first nations when, insofar as the government is concerned, the door has not really been opened, not even to shine a ray of light on certain practices.

Within his own department, certain recurring problems are not being resolved. The government is asking the first nations to do much more than what his department is doing.

[*English*]

Hon. John Duncan: Mr. Speaker, the question is illustrative of the problem, and that is that we would be removing a straitjacket and we would be reducing the role of the department. I think the member would agree with us on both of those objectives. The passage of the bill would encourage good governance. The passage of the bill would mean the watchdog is actually the membership and the public, not the department. That is most appropriate, and that is the way it should operate.

I will point out that municipalities are creatures of the provinces, and they have a not dissimilar relationship to that between the department and first nations.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I find this move for closure very rich coming on the heels of the decision by the government to refuse recommendations to ensure the estimates and spending process of the House, which we are constitutionally obligated to deliver, and throw that report back to the committee. The Conservative government is the very government that is also forcing its own appointed Parliamentary Budget Officer to go to court to find clarification of his mandate, so that he can deliver on his job to review spending and estimates, so that he can assist MPs to deliver on their function. That is incredibly rich.

There is an incredible level of discrimination here. The same kind of imposition on first nations is an insult to what is actually an order of government. I would like to know if the minister believes that, to be consistent, the government will start imposing exactly the same disclosure rules on the provinces to which it transfers dollars?

Hon. John Duncan: Mr. Speaker, it is illustrative. We have an estimates process at the standing committee level. I have never failed to respond to appear before the committee for the estimates. The opposition and government members have a full opportunity to explore the estimates, and I think that is most appropriate.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, I just listened to the NDP member for Edmonton—Strathcona. This is not about discrimination. I am first nations. I expect a level of transparency and accountability to my band membership from my first nations leaders. Hearing the member across the floor say this insults me as a first nations. I am a Canadian. I want to hear what is being spent, as do my first nations band members.

Government Orders

I have an example here of trying to assist other band members from across Canada. In one place in northern Ontario, an ATIP request was made to the department asking for financial accountability from the leaders. Year after year, these audited reports express serious concerns about the reporting practices of this band. How long does a band have? The auditors state that there are serious deficiencies in the accounting records with respect to expenses, or that the consolidated financial statements do not present fairly the financial position of this band.

Could the minister tell us why it is important for the bill to be time allocated?

• (1105)

Hon. John Duncan: Mr. Speaker, as I said earlier, as the fiscal year comes to an end at the end of March, we need legislation in place before then in order to have these rules apply to the subsequent fiscal year. We need some notification period for first nations to comply with the new legislation.

Compliance with this legislation is minimal from the standpoint that the disclosures are already disclosed to the department. Therefore, it is just a matter of making it public. There was some discussion that maybe there would be an extra cost attached to a website but we are quite prepared to utilize our website for that activity.

That is the reason we need to get this legislation to move forward.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am not surprised that the minister would invoke closure because, under his watch, he has been a complete failure in being able to respond to the most basic requests of accountability. For example, his department was given an *F* for access to information. That is not just that it has been ongoing. That was under his watch because Chuck Strahl, the man who told children in Attawapiskat that they did not deserve a school, had a *C* when he ran the department. Under the present minister's watch, basic accountability has fallen right through the floor.

I am hearing from the Conservatives that it is about transparency and that all salaries should be open. I agree. Will the minister table in the House the salaries of the political operatives in his office? We believe that we should know how he is spending that money. Will he do that or will he continue to run his secretive regime of incompetence?

Hon. John Duncan: Mr. Speaker, I have come to expect that from the member.

There is no requirement under Bill C-27 for anyone beyond elected officials to disclose salaries, per diems and honorariums. That is what we do federally, provincially and municipally. There is the odd jurisdiction that goes beyond that. We do not want to put this whole area into the realm of political partisanship, which is what the member is trying to do.

Mr. Ray Boughen (Palliser, CPC): Mr. Speaker, two years ago, the member for Saskatoon—Rosetown—Biggar introduced her private member's bill, Bill C-575, to increase financial transparency and accountability for first nations across Canada.

This legislation is long overdue and I am pleased that the government is now taking the appropriate action by moving time

allocation on the bill to ensure that first nations have access to the basic financial information of their elected officials.

The opposition has been trying to argue that there has been no consultation on the bill. As stated earlier, it is exactly because of the complaints of first nations members that this legislation has been introduced.

Could the Minister of Aboriginal Affairs and Northern Development comment further on why this legislation is so important to first nations?

Hon. John Duncan: Mr. Speaker, talking about the fact that this concept had some roots in a private initiative in this House by the hon. member for Saskatoon—Rosetown—Biggar is instructive of something else, which is a major imperative for first nations to want to do this. Many first nations are now doing it voluntarily because they are interested in economic development and they know that private businesses want to know their financials. They want to know that those financials are sound, that they are acceptable and that they are getting into partnership with somebody who is practising prudent financial management.

That is certainly something that was testified to at committee and something I am well aware of from my visits across the country. There are some very good examples of first nations that are doing exactly all of this.

• (1110)

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, today we are discussing the 29th time allocation motion, more commonly known as a guillotine. That simply means that once again the House is being muzzled and, with this bill, the first nations are also being muzzled.

Given that this bill is asking first nations to take responsibility and be more transparent, I would like to know why the government itself does not start taking its responsibilities seriously and being much more transparent.

[*English*]

Hon. John Duncan: Mr. Speaker, we have done exactly that. Our Federal Accountability Act, which was passed in this place in 2006, is the root of this kind of legislation. That is what created accountability and transparency and allowed the public to know our spending as members of Parliament, what our offices spend and so on.

We also opened up the access to information provisions quite widely as government.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, the other day I had the opportunity to ask the minister about expropriating territory on first nations reserves to put pipelines through. The minister's response should have been, "No, we will never do that", but he did not give a proper answer.

I wonder if he would now give a more complete answer than he gave the other day.

Government Orders

Mr. Greg Rickford: Mr. Speaker, I rise on a point of order. I understand the latitude that is afforded to all members in their questioning, but we started out this debate on three specific motions from the critic for aboriginal affairs and the bill itself. We have seen best efforts here to attach things like accountability back to the bill and I have remained seated, but this question actually has nothing to do with what we are currently debating, not in any way, shape or form.

I would turn our minds to Standing Order 11(2) where the Speaker in this case, having called the attention of the House to the conduct of a member who persists in irrelevance or repetition, and, in this case, the point of order is on irrelevance. It has nothing to do with Bill C-27 in its substance.

That question was—

The Acting Speaker (Mr. Bruce Stanton): I appreciate the intervention by the Parliamentary Secretary to the Minister of Aboriginal Affairs. The question before the House pertains to the time allocation question regarding Bill C-27. The member has posed a question. We will leave it to the minister if he wishes to answer the question and we will proceed at that point. I thank the hon. member.

Hon. John Duncan: Mr. Speaker, the question that the member posed does not have anything to do with Bill C-27, quite obviously. Once again, we are seeing some politics at work here. I know that the whole pipeline—

Mr. Nathan Cullen: Mr. Speaker, I did not rise on a point of order assuming that we would have a ruling from you. In fact, as the minister raised earlier in his testimony here, he talked about outside business interests and the relationship with first nation councils. Therefore, my friend's comment and question were both relevant and important.

If the minister wants to get into that area of discussion, then, obviously, we are able to pose questions on that same area. My friend did not ask any irrelevant questions when the minister got into outside business interests. The actual question is of substance and important to accountability and transparency both from first nations and, more important, from the Conservative government. If the minister wishes to be accountable to this, then it is his right and, in fact, an obligation as a minister of the crown.

•(1115)

The Acting Speaker (Mr. Bruce Stanton): I appreciate the opposition House leader's intervention. I would remind hon. members that we have a tight 30-minute debate on this particular question that is before the House. It does not leave ample room for these kinds of questions and points of order, although members have the prerogative to raise those points.

I have heard nothing, in my opinion, that is not pertinent to the question that is before the House. As members have said, there is a wide berth for members to raise these points and questions to the minister and he is, of course, equally able to address those in the course of his responses.

The hon. minister.

Hon. John Duncan: Mr. Speaker, quite crisply, the bill would not change the equation in any way, shape or form in terms of expropriation of anything for any purpose. What it would do is

increase the opportunities and the incentive for business and economic development on reserve. That is good and I am happy that it is the way it has been received by many, if not most, first nations.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, with respect to my friend's last point about encouraging and allowing for business opportunities because of the bill, as the government claims, I wonder if he could make a specific comment.

Would the bill enable a similar agreement to what the Gitksan treaty negotiator established with the Enbridge northern gateway pipeline? Would the bill curtail such agreements being done without the knowledge and commitment of the first nations people represented by that leadership, which was the case in the Gitksan situation? Would the bill correct that situation which, as he would know, caused an enormous amount of strife within the Gitksan Nation and the people of the northwest?

Hon. John Duncan: Mr. Speaker, this legislation would have no impact either way. What happened with the Gitksan was a very complex situation deriving from a complex governance issue. As I see it, this legislation would have no impact on that kind of circumstance.

The Acting Speaker (Mr. Bruce Stanton): It is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House.

[*Translation*]

The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bruce Stanton): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Bruce Stanton): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bruce Stanton): In my opinion the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Bruce Stanton): Call in the members.

•(1200)

[*English*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 505*)

YEAS

Members

Ablonczy
Adler
Albas

Adams
Aglukkaq
Albrecht

Government Orders

Alexander	Allen (Tobique—Mactaquac)	Blanchette-Lamothe	Boivin
Allison	Ambler	Borg	Boulerice
Ambrose	Anders	Boutin-Sweet	Brahmi
Anderson	Armstrong	Brisson	Caron
Aspin	Baird	Casey	Cash
Bateman	Benoit	Charlton	Chicoine
Bergen	Bernier	Chisholm	Choquette
Bezan	Blaney	Chow	Christopherson
Block	Boughen	Cleary	Coderre
Braid	Breitkreuz	Côté	Cotler
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)	Crowder	Cullen
Butt	Calandra	Cuzner	Davies (Vancouver Kingsway)
Calkins	Cannan	Davies (Vancouver East)	Day
Carmichael	Carrie	Dewar	Dion
Chisu	Chong	Dionne Labelle	Donnelly
Clarke	Clement	Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Daniel	Davidson	Dusseauit	Easter
Dechert	Del Mastro	Eyking	Foote
Devolin	Dreeshen	Fortin	Freeman
Duncan (Vancouver Island North)	Dykstra	Garrison	Genest
Fantino	Findlay (Delta—Richmond East)	Glover	Giguère
Finley (Haldimand—Norfolk)	Fletcher	Godin	Goodale
Galipeau	Gallant	Gravelle	Grogouh�
Gill	Gloves	Harris (Scarborough Southwest)	Harris (St. John's East)
Goguen	Goodyear	Hassainia	Hsu
Gourde	Grewal	Hughes	Hyer
Harper	Harris (Cariboo—Prince George)	Jacob	Julian
Hawn	Hayes	Kellway	Lamoureux
Hiebert	Hillyer	Lapointe	Larose
Hoback	Holder	Latendresse	Laverdi�re
James	Jean	LeBlanc (Beaus�jour)	LeBlanc (LaSalle—�mard)
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)	Liu	MacAulay
Kenney (Calgary Southeast)	Kent	Mai	Marston
Kerr	Komarnicki	Martin	Mathysen
Kramp (Prince Edward—Hastings)	Lake	May	McCallum
Lauzon	Lebel	Michaud	Moore (Abitibi—T�miscamingue)
Leef	Leitch	Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Gr�ce—Lachine)
Lemieux	Leung	Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Lizon	Lobb	Mulcair	Murray
Lukiwski	Lunney	Nantel	Nash
MacKay (Central Nova)	MacKenzie	Nicholls	Nunez-Melo
Mayes	McColeman	Pacetti	Papillon
McLeod	Menegakis	Patry	P�clet
Menzies	Merrifield	Perreault	Pilon
Miller	Moore (Fundy Royal)	Quach	Rae
Nicholson	Norlock	Rafferty	Ravnignat
O'Connor	O'Neill Gordon	Raynault	Regan
Opitz	Paradis	Rousseau	Sandhu
Payne	Penashue	Scarpaleggia	Scott
Poillievre	Preston	Sellah	Sgro
Raitt	Rathgeber	Simms (Bonavista—Gander—Grand Falls—Windsor)	
Reid	Rempel	Sims (Newton—North Delta)	
Richards	Rickford	Sitsabaiesan	St-Denis
Saxton	Schellenberger	Stewart	Sullivan
Seeback	Shea	Thibeault	Toone
Shipley	Shory	Tremblay	Turmel
Smith	Sopuck	Valeriot� — 123	
Sorenson	Stanton		
Storseth	Strahl		
Sweet	Tilson		
Toet	Toews		
Trost	Trottier		
Truppe	Tweed		
Uppal	Valcourt		
Van Kesteren	Van Loan		
Vellacott	Wallace		
Warawa	Warkentin		
Watson	Weston (West Vancouver—Sunshine Coast—Sea to		
Sky Country)			
Weston (Saint John)	Williamson		
Wong	Woodworth		
Yelich	Young (Oakville)		
Young (Vancouver South)	Zimmer — 150		

PAIRED

Nil

The Speaker: I declare the motion carried.

* * *

SAFE DRINKING WATER FOR FIRST NATIONS ACT

The House resumed from November 1 consideration of the motion that Bill S-8, An Act respecting the safety of drinking water on First Nation lands, be read the second time and referred to a committee.

NAYS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
B�langer	Bellavance
Bennett	Benskin
Bevington	Blanchette

Government Orders

Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I am proud to stand in support of Bill S-8, the safe drinking water for first nations act. The proposed legislation is an essential part of a larger collaborative strategy that would ensure that residents of first nations communities have reliable access to clean, safe drinking water, like all Canadians.

At a recent Crown-first nations gathering, first nations and the government committed to working together to support strong, healthy first nation communities. The safe drinking water for first nations act is a key milestone in making this a reality and a vital step toward ensuring that first nations have the same health and safety protections for drinking water in their communities as other Canadians.

While provinces and territories have their own legally binding safe drinking water standards, there are currently no legal enforceable protections for first nations governing drinking water and waste water on first nations lands. Following passage of Bill S-8, the Government of Canada would work in close partnership with first nations and other stakeholders to develop federal regulations for access to safe drinking water and to ensure the effective treatment of waste water and the protection of sources of drinking water on first nations' lands.

The proposed legislation would provide incentives to maintain the infrastructure involved, as well as clarify the roles and responsibilities of those involved in the operation and maintenance of water and wastewater treatment facilities on first nations' lands. First and foremost, however, and as our top priority, it would help protect the health and safety of first nations.

With that said, I move:

That the question be now put.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I note with interest that the parliamentary secretary is not engaging in debate with members of this chamber who, in some cases, have taken time to raise concerns and ask questions of he and his colleagues as to why the Conservatives are moving in this direction. Why do they expect this level of accountability on this one group of citizens, on the first nations people, in complete contravention of the spirit of the meetings that have been held over the past year? We have not received sufficient answers.

Why does the parliamentary secretary feel the answers to those questions is to shut down debate?

• (1205)

Mr. Greg Rickford: Mr. Speaker, over the course of my entire professional life, invested in living and working in first nations communities, I cannot recall a time when any government, provincial or federal, has engaged in such an extensive exercise of consultation. This government in 2006, in lockstep with the Assembly of First Nations, did a coast to coast to coast consultation to set the table for the kinds of principles that we are moving forward with respect to Bill S-8.

As somebody who worked with first nations communities on the input for this extensive consultation, I am pleased to report for the minister that we are moving forward on this legislation because it and two other essential components, namely capacity and infrastructure, are what first nations communities, their leadership, the AFN and technical experts have decided and have said that this is the way to move forward.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it was only a matter of minutes ago that we had time allocation put on Bill C-27. That, in essence, said that the members of the House would have limits on our abilities to contribute to the debate on a very important issue with regard to our first nations.

Now we are talking about the importance of water on our reserves and other areas and we have a government member moving a motion that would again prevent debate on a critically important issue. The Conservatives will not allow members, whether it is members of the Liberal Party, the New Democratic Party or even the Green Party, the opportunity to address important issues.

When the member talks about consultation, why will he not be very specific and tell us what first nations leaders the Conservatives consulted prior to the drafting of either Bill S-8 or Bill C-27?

Mr. Greg Rickford: I swear to God, Mr. Speaker, these questions just get easier and easier.

What was not allowed under the previous Liberal government up until 2006 was for communities to proceed with a legitimate strategy to address what at the time was an absolutely deplorable state of water and waste water treatment plants in first nations communities across the country. I happened to live in a couple of those regions at the time during the nineties, so I can speak to it.

This legislation is derived from one of the most extensive consultative exercises any government in my memory has every undertaken with respect to legislation that would apply with, to and for first nations communities. It deals with capacity, the ability to report, monitor and maintain facilities that have been rehabilitated or have been replaced and that are state of the art. It deals with infrastructure, objectivising the process, not in the discretionary, arbitrary way of governments past, and focuses on priorities. It deals with substantive issues like why one community would be at high risk in one province and not in another.

The legislation would deal with that legal vacuum. It would provide standards for both the government and the first nation to adhere to and it would facilitate the important role that provinces could play in establishing standards to which those parties could adhere.

Government Orders

•(1210)

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I have listened to the debate quite closely. I do not have the length of experience that the parliamentary secretary has on first nations, but I have in my previous career worked in several first nations territories in a different capacity. I know this government is anxious to get the job done. We have to address this problem because it is urgent.

The hon. parliamentary secretary talked somewhat about the capacity and the ability of the infrastructure to do the things we want it to do. Could the parliamentary secretary expand on the capacity?

Mr. Greg Rickford: Mr. Speaker, I appreciate the opportunity to expound more on one of the three pillars of the strategy moving forward.

Capacity has three essential components: reporting, monitoring and maintenance. Some chiefs have said that they cannot move ahead with this project because they do not have the certified operators to work the water treatment plant or the waste water treatment plant. That is why if the member comes to my great Kenora riding or Thunder Bay, he will see an emphasis on resources to good colleges like Confederation College and Northern Waterworks now on a downtown street in Kenora, up in Red Lake and out in Dryden. They have recognized and understand that if we are to move forward with legislation or infrastructure, we have to have the capacity to operate these state-of-the-art facilities. Chiefs and councils came to us with that during our consultations from coast to coast. We are moving forward on that.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, chiefs and councils went before the Senate over and over again because the Conservative government chose to table that bill not before the elected representatives in the House but in the Senate. After many years of dragging out this process under this so-called urgency to finally provide first nations with the same level of services the rest of us have the privilege of appreciating, the government now wants to cut us off, the elected representatives, from honouring the input that first nations peoples have asked for both before the Senate and the House.

What I find extraordinary is the actual purpose and intent of the bill. The bill is only an umbrella enabling bill. It would provide absolutely no guarantee of safe drinking water to a single first nation in Canada. It requires decades of work, drafting regulations, training people. The bill would essentially in one fell blow transfer liability for providing safe drinking water from the federal government to first nations. First nations have all 100% said that the government might have fixed the bill up a bit but have asked where the money is. They have said that they do not want the legislation. The Auditor General said not to pass the law until the money was committed.

Mr. Greg Rickford: Mr. Speaker, I appreciate the member's input, particularly with respect to some of the writing she has done on this subject matter. It is rather unfortunate that she does not understand the trajectory on which the legislation takes us.

Nobody disputes the fact that this will be a work in progress. She herself has written on the regulatory issues that have to deal with this. We want to move forward with standards for first nations

communities that the governments can adhere to and embrace, just as much as the first nations communities.

However, we all agree that the capacity to do the reporting, monitoring and maintenance of these facilities and a commitment to the infrastructure on these communities, which has already been going on, I might add, these two critical components, this legislation completes that and we feel confident we will move forward, lockstep with first nations leadership and communities across the country, toward a meaningful standard that puts a priority on the safety of water and waste water treatment in first nations communities.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very proud to rise in the House to speak to the bill. I want to give my hon. colleagues the actual history of what went down around safe drinking water and why we are here today.

The bill before us is supposed to reflect the consultation that happened as a result of the horrific E. coli contamination in Kashechewan in 2005. I was in Kashechewan in 2004 and 2005 when we were trying to deal with the federal Liberal government at the time and warn it about the water crisis and the fact that there were no water standards on reserve. However, the fact that there were no water standards on reserve was a perfect get-out-of-jail card for the then Liberal government.

With my dear friend, Jack Layton, who was leader of the party at the time, we visited the Kashechewan water treatment plant because the community was concerned. There was no real training in any of those communities for the maintenance of water safety and the equipment was completely breaking down. Jack and I saw pumps that were being held together with duct tape and they were using boards to hold up supports.

Of course, when E. coli broke out in November 2005, the then Department of Indian Affairs completely ignored the situation because it did not want to spend the money. Within the capital budgets of the Department of Indian Affairs, then and now, money is used to put out fires here, there and everywhere, but the department ignores actual health and safety issues.

The other department that had a key role to play was Health Canada, which has, over the years, continually left people at risk if it means spending any money. Therefore, when E. coli was found in the water system in Kashechewan, Health Canada's response was the rubber stamp that it responds with every single time first nations are put at risk: "boil your water".

We have had communities that have had a boil water advisory for five, six, seven or ten years running. In the case of Kashechewan, Health Canada actually had the nerve to tell people that the solution for E. coli was to just boil the water. It was like telling the families to bathe their children in the toilet. That would be the same thing.

Government Orders

To put this in context, it happened in Ontario, which was ground zero of the biggest E. coli scandal in Canadian history and basically a direct result of the front line of the current Conservative government bench, who were then under the Harris Conservatives in the “common sense revolution”. The Walkerton E. coli scandal shocked people and changed water standards in every community in Ontario, except on reserve. For the people on reserve, they were left completely on their own.

We were in Ontario with a major E. coli outbreak and the federal and provincial governments fought back and forth for about two to three weeks about what they were going to do. As unfortunately happens, whenever we have a crisis in one of our communities, they just hope that people stop complaining and it will go away. Well, it did not. The James Bay medical authority came up and, under Dr. Murray Trusler, took pictures of children. It was the pictures of children in Kashechewan in 2005 that shocked not just this nation but others around the world. We were faced with a forced full evacuation of the community of Kashechewan because the entire infrastructure had collapsed.

At the time, I was working with the then opposition critic, Jim Prentice. I have always had a great deal of respect for Jim Prentice, not just because he is from Timmins and comes from the famous Prentice brothers hockey family, but because Jim was deeply concerned. When the present Conservative government came in we had an Indian affairs minister who took his file seriously and had a level of competence. One could disagree with him and still know that he was a man who took it seriously. Jim Prentice had said that he needed to deal with the water situation on reserves because it was appalling. Jim knew that one of the problems was that there were absolutely no standards. Without any standards, anything could happen.

As the Conservatives are claiming now, there was a consultation process that was put in place. However, fast forward to today, the bill that was brought through the unelected, unaccountable Senate is not the result of the consultations that took place with first nation communities across Canada. The bill is something completely different. It really speaks to how far down the Conservative government has gone in terms of its willingness to be accountable to Canada's most vulnerable population, which is within our first nation communities.

● (1215)

The bill has a lot of window dressing on language about water quality, but is about the transferring of liability to communities that do not have the resources to maintain adequate water safety standards. There is always this underlying dog whistle to the Conservative base that says the government has to bring in these standards to make people actually bother to look after their own communities, as if the communities have not been calling out for years for what they need, which are the dollars and the infrastructure to maintain proper water treatment plants. I do not know of a single community in my riding or any community in this country where safe water drinking standards can be maintained if there are no adequate systems.

According to the April 2011 release of the National Assessment of First Nation Water and Wastewater Systems, we have a situation

under the current government, despite all the consultations, where 39% of the first nation communities in Canada are high risk, which means that people can die. Of those communities, 34% are at medium risk. We are looking at a bill that is going to transfer liability to the Bantustans and shanty shack towns of the far north and tell them to fix it without doing anything to ensure that those Canadian citizens have the resources that any other Canadian would take for granted. That is what the bill is about.

Think about the kind of money the government was going to blow on the F-35 in 2011. Yet it told 39% of first nation communities that they could remain at high risk, and if they did not have the training or the money to fix it, the government would go after them. That is the systemic negligence that has gone on and continues to go on in this country. Whether we are talking about health services, policing or education, it is a system of apartheid that has been set up and maintained. There are two levels of people in this country. When 39% of first nation communities are at high risk because their water is dirty and the government tells them that it is their responsibility, that is absolutely intolerable.

The government's sleight of hand is to set the standards but to not put the money in place. What has been identified to deal with the shortfall right now is \$146 million. That is what is needed. Dollars and cents are needed to get these water treatment centres up to standard. It is going to cost \$4.7 billion over the next 10 years to maintain them, with an annual maintenance cost of \$419 million. That is what the government needs to do. There needs to be a throne speech from the Government of Canada saying that the days of maintaining the fourth world communities in northern Canada are going to end and that it is going to put the funding and training in place. I have been in communities where people said they wanted the training.

Let us look at Bill S-8 in terms of a practical example. The Marten Falls First Nation is right beside the Ring of Fire. The federal and provincial governments are licking their chops to get their hands on the Ring of Fire. They are saying the Ring of Fire is going to be the greatest thing. Dalton McGuinty thinks it is going to restart his economic credibility once he gets his hands on it. The federal government is saying the Ring of Fire is going to be the oil sands of Ontario. Marten Falls is a little community that is right beside the Ring of Fire. It has been on a boil water advisory since 2005, for seven years. It is considered normal that the community has to boil its water year after year.

Health Canada has decided it spent a little too much looking after Marten Falls, so it is suspending the bottled water that has been going to the community. It has decided not to do it any more. This little community sits beside what will probably be one of the richest mineral developments in this coming century and its bottled water is being cut off.

Government Orders

●(1220)

How does that relate to Bill S-8? It actually relates in a very clear way, which I can explain to people back home. The community has been concerned. I remember people in the community were asking for help when the sewage lift was hit by lightning. They told Indian Affairs that they did not have, within their little community, the resources to fix it. They asked Indian Affairs to come in to work with them to fix it. However, Indian Affairs did not want to spend the money, so the sewage overflowed and the water system was contaminated. Now the government is saying it is tired of the situation in Marten Falls and that it will just put in a reverse osmosis water system and walk away.

At the same time, the government has commissioned a study to find out how to fix the problem in Marten Falls, how to fix the sewage and the water, but the department does not want to wait for the study. The band wants clean drinking water for its community. The band wants to work with the department, but it asks whether it would not be prudent to actually get the report, find out what works and then put the money in to ensure that it works in the long term. In first nation communities, again and again, the federal government always does what is cheapest and quickest. It puts whatever Band-Aid it can on the septic wound and walks away. When the Band-Aid fails, the federal government blames the community.

The community has raised legitimate, serious questions about whether a reverse osmosis system would work in their community. Because of the heavy level of turbidity in the water, the amount of bacteria that sits in the tank, it is not a system that would work. People in the community are asking the department to work with them. It does not necessarily have to be adversarial. However, the department has decided, thanks to some *fonctionnaire* at some level, that this is how it will go and the community can take it or leave it. Bill S-8 will then allow the government to hold the community accountable if something goes wrong, because it would be the community's responsibility, even though the community was not able to participate in the decision making.

I think I have had probably 12 or 13 states of emergency in four communities that I represent since 2005. A state of emergency is not something easy to declare. It just does not happen. A state of emergency happens when an entire community is put at risk.

The response in Ontario is interesting. If a municipality declares a state of emergency, Emergency Management Ontario is sent in at the provincial level and it will do an assessment immediately. Once that is done, plans are set up. What happens in first nation communities when a state of emergency is declared? People in the community call Indian Affairs, and Indian Affairs says, "Hell, no, we're not paying", and the province will say that it is sorry but that the community is on its own. That has happened again and again.

I will give a few examples. We had two evacuations in one year in Kashechewan in 2008. The entire sewage system in Fort Albany collapsed and thousands of gallons of raw sewage, actual human waste, was piling up in people's basements. The department's response was to tell the people to stay there. People were actually staying in homes where the methane gas was coming up to such a toxic level that people were lighting candles in their basements to try to put the methane gas down.

The Indian affairs minister knew this. The department knew this. They had footage of it. They knew those houses were in danger of blowing up from methane gas. Families had little babies in those houses. The department thought that was okay because it did not want to spend the money. It did one Band-Aid solution after another because it did not want to do it right. A private company ended up flying in bottled water. A private company flew in pumps. The deadbeat government did not want to pay any bills. At the same time we had the ongoing rebuilding in Kashechewan from the floods there.

In 2009, we had a state of emergency declared in Attawapiskat from the sewage lift collapsing there. Once again, think of the communities on a stretch from Windsor to London and imagine three or four communities where the entire sewage system, in community after community, just collapses to the point that thousands of gallons of human waste is pumped into people's basements. That was happening on the James Bay coast between 2008 and 2011, and the government's response was to blame the community.

The Prime Minister got up and did his famous, "We gave those Indians \$50,000 each, every man, woman and child. What did they do with our money?" That was the Prime Minister's response on the day when the International Red Cross came in to help people in Attawapiskat.

●(1225)

Of course, the Prime Minister did not bother to say that the price on the head of every first nation child and parent in Attawapiskat was based on overall spending over a six-, seven- and eight-year period. The Conservatives never put that number on non-native people, but thought it was perfectly okay in Attawapiskat because they were trying to divert attention from the fact that they had allowed not one, two, three nor four states of emergency in Attawapiskat to create a situation that we saw this past year in which the entire community was put at risk.

Let us talk about the Attawapiskat state of emergency in 2009 when the sewage systems failed and we had numerous homes damaged to the point where people were getting sick and needing to be medevaced. The Department of Indian Affairs and Health Canada said to keep the families in the houses with the raw sewage. Former minister Chuck Strahl was a great guy for never knowing there was a problem. He would just cover his ears and say he was just going to ignore these people until they shut up. That was the attitude, for a community that was calling for help.

Our new minister over there was shocked. He did not know there was a problem in Attawapiskat. Nobody told him. They had been told since 2009 that people were living in tents. Why were they living in tents? They were living in tents because their homes had been destroyed because the sewage had backed up.

Government Orders

The Nishnawbe Aski Nation is opposing Bill S-8 because it expected the government would work with the communities to put in the necessary resources so that when we have water standards on reserves, we would actually have the resources to ensure the communities can have standards. We have been pushing from the beginning to establish the same standards at the provincial and federal levels, so if they have water standards in a municipality in Ontario, first nations should have the same standards at the federal level.

We have been asking that for fire protection, and that does not happen. In 2007, Ricardo Wesley and Jamie Goodwin burned to death in a fire in a makeshift cell in Kashechewan. The federal and provincial governments fund the Nishnawbe-Aski Police Service. They knew that those police officers were working in a situation where there were no fire sprinklers. They could not put in fire sprinklers because it was a shack. No police officer would be expected to work under those conditions in a provincial jurisdiction, but it was okay to do it at the federal level because it did not cost as much, so two young men burned to death. The 80-some recommendations from the jury, which came out of that horrific Kashechewan fire inquest, said that if there had been a basic sprinkler system those young men might not have died and the police officers who were seriously injured trying to save them would not have been put at risk.

It is about this system we have now, where there is one set of standards for all the municipalities and the provinces and all the non-native people across Canada. They live at one level, and then the first nations communities are left down at another level. The only time they changed that standard was on the so-called “session of accountability”, where we would hold those communities to account and blame those communities.

My good friend from Fort McMurray asked me about the chiefs who are taking the money down and spending it on gambling. I was scratching my head and wondering. Was he talking about Fort Chip or about Fort McKay, or about the communities that are living downstream from the oil sands investments, communities that are trying to get by? Are we to believe that they are taking their money and gambling in casinos? However, this is the kind of talk the current government members use. They are going to put a level of accountability on these impoverished first nations communities, without the money.

Are my hon. colleagues on the other side serious about following through on what Jim Prentice started? He was working with us at that time because Jim Prentice was a collaborative kind of guy. Where is the money? Where is the money to ensure we have these standards, because until we see the money, this is just another Conservative bill that would punish communities and leave them on their own.

• (1230)

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, I have great respect for my colleague, but I do not necessarily have respect for some of the rhetoric he brings to the House. In fact, he missed an entire time in history, the last six or seven years, when the government has consistently, budget after budget, put billions of dollars into first nations infrastructure and water systems throughout the country. We recognized, having taken office from the previous

government, that there was a need to build up infrastructure. In every single budget since, there has been money budgeted toward this type of infrastructure.

In the case of my own community, we have seen world-class water treatment plants being built. They are very expensive; they cost hundreds of millions of dollars, in some cases, in some communities.

I recognize that the member does not acknowledge the money that has been spent. He voted against every dollar that has been invested in those communities. However, now that the money has been spent and since first nations now have been consulted with regard to the legislation and are supportive of the legislation, will he now not let the legislation be put into place to ensure that, with the investments that have been made, those water treatment facilities are serviced and that there are precautions to ensure first nations people are protected?

• (1235)

Mr. Charlie Angus: Mr. Speaker, I hope my hon. colleague was here for my whole speech because we would have talked about what happened in 2005-06 and how I worked with Jim Prentice. He recognized this. Unfortunately, the standard that was set for the department of Indian affairs under Jim Prentice has dropped drastically, I am sorry to say.

We are in a situation now where, under the first nations water systems assessment, done in April 2011, 39% of communities are at high risk and 34% at medium risk. When a community is said to be at high risk, that means life and death. That means threats from E. coli, sickness and people going to the hospital.

The issue before us here is, if we are going to talk about bringing these communities up to a standard, we have to ask where the money is. Where is the long-term commitment? We know that Minister Prentice, at the time, made water a priority issue in 2006, in the first Conservative budget, and started a process of consultation. However, we talk to the chiefs across the country who were part of that process—for example, the Nishnawbe Aski Nation, for which I have such great respect. It said that what is coming out of Bill S-8 is not part of the consultation process.

We have a long way to go, and we need to keep that front and centre on this issue.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, everyone in the House recognizes that this is indeed a very serious issue. Clean, running water is one of those things we look at as an essential necessity of life here in Canada, and a vast majority just take it for granted.

Back in November, the leader of the Liberal Party introduced a motion, which ultimately received all-party support from the House. It was great to see the support that seems to be here to try to address the issue.

The member made reference to the importance of resources. We can talk a lot inside the Chamber, but at the end of the day, if we are not prepared to pony up some resources, it would be very challenging for us to ever be able to achieve clean, running water. Would the member not agree?

Government Orders

Mr. Charlie Angus: Mr. Speaker, the House indeed did vote on this. The House also voted on the Shannen's Dream motion, to close the funding gap on education. We have to follow through on those commitments, because water and education have been determined by the United Nations as universal human rights. Those are rights that are routinely denied first nations communities through the systemic negligence that happens. We will set a standard in the House and then not put the resources aside. The communities suffer and the people are at risk.

The Conservatives talk about my rhetoric. I have met the families of the children who are sick. I have met the kids in Attawapiskat who are dying from bone cancers, liver cancers, kidney failures and skin cancers. I know those children. I know where they have been educated, on top of a toxic brownfield with benzene contamination. If we look up in a medical textbook the effects of benzene, we would see that those children have all the markings of it. I have seen it in the water. They cannot drink the water in Attawapiskat. I have seen it when I have walked through the streets and smelled diesel contamination.

The Conservatives should not ever talk to us about rhetoric in the House when children, under their government's watch, are being put at risk time and time again. We have already wasted the lives of thousands of young people in first nations communities who were taken off to residential schools. It is being done again, under their watch. They have to start being serious and putting some money into this.

• (1240)

[*Translation*]

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, I congratulate the member on his speech. It was not a speech so much as it was his sharing stories of events that have taken place. He meets these people and knows them by name.

He also spoke about our commitment to the United Nations and about what we are putting in jeopardy. Does the member not think that our international reputation with the UN is in jeopardy because of our incompetence?

[*English*]

Mr. Charlie Angus: Mr. Speaker, I do not remember a time when Canada has been under so much scrutiny for failing to meet basic human rights requirements as it has been during the last four years. This is something that the media in Germany and England and all over the world is now watching.

I say to my honourable colleagues on the other side that our primary relationship in this country is our relationship with our first nations people. That relationship will continue. I always hear the Conservative types asking when this obligation will end—as though it is an obligation—and why we do not just cut it off and ignore the treaties. Our obligation does not end. It is a relationship and it has been one heck of a dysfunctional and abusive relationship for the last 300 years, but that relationship will continue. It will either continue in a positive manner or under the Conservative government in a negative manner. It is a relationship that defines our country and it is a relationship that defines us internationally.

The UN has in the past year denounced the Conservative government for its treatment of the people in Attawapiskat, for its failure to have a plan for food in the far north and for its abuse of children in its bogus educational system. Three times in the last year, the United Nations has challenged the Conservative government and said it has to start meeting basic human rights standards.

[*Translation*]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I thank the member for Timmins—James Bay for his speech, which gave me goosebumps several times.

From what I know of aboriginal issues, I do not think there has been much progress since the 19th century. Unfortunately, I would say that there has probably been a regression.

Obviously, the fact that legislation is proposed but the means do not follow is a very troubling aspect of the government's stubbornness in wanting to speed up the process and circumvent a thorough examination of Bill S-8, without taking into account the effects this could have.

I get the impression that the government wants to put a lid on this affair, that it wants to shut this whole thing down and abandon the first nations. What does the member for Timmins—James Bay think about that?

[*English*]

Mr. Charlie Angus: Mr. Speaker, the member asked an excellent question. The issue in terms of addressing this problem is not about shifting blame; it is about taking responsibility. That has not been happening under the government's watch. The government seems to be playing a game of bringing in a bill and blaming the bad chiefs and holding them to account.

The issue that has been identified in terms of safe drinking water is the lack of proper resources. How could one region on the James Bay coast have a complete sewage infrastructure collapse in three communities in a four-year period? That is staggering. That is something we might expect in Haiti, but we should not expect it in James Bay, especially when one of the richest diamond mines in the world is nearby. We are moving into the Ring of Fire, which will affect the people along the Attawapiskat River. There is enormous potential in these communities, but we see the desire is to take the resources out and not build the infrastructure. If we are building the infrastructure to get these mines off the ground, then we can build the infrastructure to ensure sustainable communities.

What the government is giving up is the greatest resource we have in this country, which is the young people on those first nations communities who have so much potential. So rather than treating them as a burden, we need to see their potential, get the job training, get the resource development happening in conjunction with the communities, as the infrastructure is being built.

This could be a positive story. Unfortunately we just see bills. We do not see any forward thinking in terms of fixing this relationship with our communities.

Government Orders

•(1245)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is a pleasure to stand today to speak to this bill. I will be splitting my time with the member for Bonavista—Gander—Grand Falls—Windsor.

Clean running water is an important issue, which I posed in a question a few minutes ago to my colleague from the New Democratic Party. It is something for which I believe a vast majority of Canadians take for granted. After all, most Canadians live in metropolitan centres, such as Montreal, Toronto, Vancouver, Winnipeg, Edmonton, Calgary, Halifax and St. John's, from coast to coast. We assume that the water we drink is healthy and that all Canadians have access to clean running water sources. We need to recognize that there are deficiencies all over Canada with regard to clean drinking water or clean water for bathing.

At the end of the day, I believe all political parties will recognize the importance of having clean running water. In fact, the leader of the Liberal Party introduced a motion in November of last year calling upon the House to address the urgent need of first nations communities whose members have no clean running water in their homes. There was great support for that motion. We were quite proud of the fact that we were able to provide that debate in the House last November. At the end of the debate, the consensus was that we should pass the motion. The Liberal Party was quite happy with the unanimous support from all political parties.

We expected some action would be taken. That happened about a year ago in the House. We now have before us Bill S-8, which has a huge gap, the gap being that there are no real financial resources being tied to it. If we are not prepared to recognize the importance of capital infrastructure in order to provide clean running water, we can talk all we want but it will not change the fact. The fact is that there are far too many first nations people living on reserves who do not have access to clean running water. That is something the government needs to be more sensitive to. It is great that it says that it will support the Liberal Party motion that recognizes the importance of the issue and then introduced Bill S-8, but at the end of the day the area of greatest concern must be the financial resources.

I went on the Internet to see just how serious a problem it is. Every year we hear about boil water advisories. Manitoba has thousands of freshwater lakes, rivers, just name it, with high-quality water. In fact, many talk about how we will be able to export water into the future. It is a wonderful natural resource that Manitoba is blessed to have. How that water is managed is being watched very closely.

•(1250)

If we compare Manitoba to many countries in the world, it is amazing the degree to which we have so much good quality water.

I will talk about the list of boil water advisories in Manitoba. These lists are on the Internet and can be accessed by everyone. It is amazing the type of information people can find on the Internet. I think the list of communities would surprise a lot of people. The list includes Alexander, Anola, Balmoral, Birch River, Blue Lakes Resort, Brandon, Carey, Cartwright, the Churchill River Lodge, Duck Bay, East Selkirk, Elma, Fairford, the Garrison, Gem Lake, Glenboro Health Centre, Grand Marais, Granville Lake, Great Falls,

Haywood, Île-des-Chênes, Inwood, Lac du Bonnet, Lee River, Lynn Lake, New Bothwell, and the list goes on. The list even includes Pelican Lake, a beautiful area in which we have our cottage. These are all communities where there has been a great deal of concern, and I did not even list half of them in Manitoba. On this particular list it shows 110 where they have boil water advisories or other concerns regarding blooms, but 95% of those are just boil water advisories.

People may ask themselves what it means when they see a boil water advisory. In many of these communities, much like on our reserves, people are astounded to hear that they need to boil their water in order to drink it. Quite often, that is what they need to do. Putting it into perspective, that is nothing new for many people on reserves or in first nations communities. They deal with this year in and year out, which is why we in the Liberal Party tried to raise the profile of the issue. We do not get very many opposition days. It would be nice if the government would allow us to have a few more. However, even with the few that we do have, we listed this issue as an opposition day motion because we felt it was something the House needed to address.

What do we mean when we say “boil water”? The Manitoba government has been somewhat weak in many areas but in certain areas it has made some progress. If we go to its website, we get all sorts of information in regard to what is meant by “boil water”. The Manitoba government website states:

Water Advisories are issued for a drinking water system or a drinking water source by a Medical Officer of Health (Manitoba Health) due to a confirmed or suspected water quality problem. Affected residents and businesses are notified in the event an advisory is issued and provided with instructions on precautionary measures.

There is so much there. At this point, I move:

That the debate be now adjourned.

•(1255)

The Acting Speaker (Mr. Barry Devolin): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Barry Devolin): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Barry Devolin): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion the nays have it.

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Call in the members.

•(1335)

(The House divided on the motion, which was negated on the following division:)

(Division No. 506)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Bélangier
Bellavance	Bennett
Benskin	Bevington
Blanchette	Boivin
Borg	Boulerice
Brahmi	Brison
Caron	Casey
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseauil	Easter
Eyking	Foote
Fortin	Freeman
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogulé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Lapointe
Latendresse	Laverdière
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Liu	MacAulay
Mai	Marston
Martin	Mathysen
May	McCallum
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Mulcair
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Pécllet	Perreault
Pilon	Quach
Rae	Rafferty
Ravignat	Raynault
Regan	Rousseau
Sandhu	Scarpaleggia
Scott	Sellah
Sgro	Simms (Bonavista—Gander—Grand Falls—Windsor)
Sims (Newton—North Delta)	Sitsabaiesan
St-Denis	Stewart
Sullivan	Thibeault
Toone	Tremblay
Tumel	Valeriote — 116

NAYS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Aspin	Baird
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Butt

Government Orders

Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fantino
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Fletcher	Gallant
Gill	Glover
Goguen	Goodyear
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Laizon	Lebel
Leaf	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Fundy Royal)
Norlock	O'Connor
O'Neill Gordon	Opitz
Paradis	Payne
Penashue	Poilievre
Preston	Raïtt
Rajotte	Rathgeber
Reid	Rempel
Richards	Rickford
Saxton	Schellenberger
Seeback	Shea
Shiple	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer — 148

PAIRED

Nil

The Speaker: I declare the motion defeated.

There are five minutes left for the hon. member for Winnipeg—North. Are there any questions or comments?

Resuming debate, the hon. member for Edmonton—Strathcona.

Mr. Kevin Lamoureux: Mr. Speaker, my apologies.

When the vote finished and you asked for questions and comments, I looked up and my colleague did have a question for me. I would like the opportunity to be able to answer the question. If not, I know my colleague, who I agreed at the beginning to share my time with—

Government Orders

The Speaker: So there are questions and comments for the hon. member for Winnipeg North.

Questions and comments, the hon. member for St. Paul's.

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, does my colleague believe that in preparing its legislation the government took seriously the letter I sent the minister a year ago explaining that we would not be able to support any bill unless the resources were there to fix the water and wastewater treatments in all communities in Canada? Will 100% of first nation families in 100% of first nation communities have access to safe drinking water and wastewater management?

Does my colleague also believe that the government honoured the commitment in the UN Declaration on the Rights of Indigenous Peoples to free, prior and informed consent on any legislation dealing with first nations in this country?

Mr. Kevin Lamoureux: Mr. Speaker, my colleague raised a critically important issue for all of us to recognize, the issue of financial resources. To deal with the issue of clean running water, we are not talking about tens of millions of dollars but literally hundreds of millions of dollars. Bill S-8 does not allow for any sort of government commitment.

Last year the leader of the Liberal Party introduced a motion in the House that all members voted in favour of, a motion aimed at ensuring that the government of the day recognized the urgency of dealing with the issue of clean running water. We were happy that the Conservatives voted in favour of the motion, recognizing how important an issue it was. However, we are disappointed they did not follow through by providing the necessary financial resources to deal with this critically important issue. Unfortunately, until the government recognizes the importance of financial resources, first nations will not be able to have the clean running water they are demanding today. We appeal to the government to look at the resource issue so that we can deal with the issue at hand.

• (1340)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, Bill S-8 would basically transfer responsibility, that is, it would transfer liability, to communities that have been calling out for years for resources to ensure that they will have safe and adequate drinking water. To New Democrats this bill seems to be aimed at cutting off a whole segment of Canadian society, a segment of Canadian society that is being denied basic water rights and safety in their communities. First nations will now be told that they are responsible for anything that goes wrong, but will not have the resources to address that.

We see from the 2011 release of the national assessment of first nation water systems that over 39% of first nation communities in Canada are at high risk, meaning there is a threat to human health, and 34% are at medium risk. The shortfall is going to be \$4.7 billion over the next 10 years.

Why does my colleague think the government did not bring this forward in a throne speech where it would have set out a clear commitment to clean drinking water and resources, and why is it proposing to basically leave—

The Acting Speaker (Mr. Barry Devolin): The hon. member for Winnipeg North, a short answer please.

Mr. Kevin Lamoureux: Mr. Speaker, the short answer is that this report was brought forward before the last federal election. It is interesting that it was only after the election that we were able to see the report.

I would emphasize that the vast majority of Canadians expect to have clean running water, and in most parts of the country that is the case, but not necessarily in many of our first nation communities. This is most unfortunate. More importantly, we need to get the government of the day to not just talk about and support the Liberal motion, but also to put forward the financial resources necessary to making a real difference.

The Acting Speaker (Mr. Barry Devolin): Resuming debate, the hon. member for Edmonton—Strathcona.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker—

The Acting Speaker (Mr. Barry Devolin): On a point of order, the hon. member for Winnipeg North.

Mr. Kevin Lamoureux: Mr. Speaker, at the beginning of my speech, I indicated I was sharing my time with my colleague from Bonavista—Gander—Grand Falls—Windsor. I believe it is his turn.

The Acting Speaker (Mr. Barry Devolin): When the hon. member for Winnipeg North was speaking, he moved a motion to adjourn the debate. At that point, it terminated the entire 20-minute time slot that had been allocated to the Liberal caucus. As such, we will be resuming debate with the hon. member for Edmonton—Strathcona.

Ms. Linda Duncan: Mr. Speaker, the members should calm down. They are cutting into my time. I know all the members, especially those on the other side, and especially the Minister of Foreign Affairs, are waiting with bated breath for my comments.

I thank my colleague from Timmins—James Bay for his heartfelt grounded intervention on behalf of his first nations constituents.

There are a number of members in the House who have first nations communities in their ridings. I know they stand with me, no matter what party they are in, in that it is time for us as a nation to stand up and look after their interests so they can be treated equally as all other Canadians. The member for Timmins—James Bay has been an incredible advocate for those constituents.

Bill S-8, the safe drinking water for first nations act, has been a long time in coming. Regrettably, it continues to be the policy of the government not to bring important legislation, in a timely manner, before the elected House. Instead, for the second time in a row, it tabled the bill first in the Senate.

Now the Conservatives are trying to object to the fact that we might actually want to propose changes to the bill, changes that have come to our attention by the first nations themselves. It is absolutely reprehensible. It shows a great disdain for Canadians who have chosen to elect us and send us to this place.

Government Orders

First, it is important to consider that the provision of safe drinking water for first nations is a federal responsibility. This is not a responsibility that the federal government can slough off to the provincial and territorial governments.

Second, no federal laws exist to regulate safe drinking water or waste water in first nations communities, so we have a complete vacuum. This is unlike the provinces and territories, where they have seen cause to step up to the plate and put in place regimes to protect those for whom they are responsible so they can live in the modern world.

Another appropriate starting point is to clarify the state of drinking water in first nations communities. The current update posted on the Health Canada website reports that as of October 31, 122 first nations communities across the country remain under a drinking water advisory. That means 122 first nations communities cannot go to the tap for a glass of water. It is absolutely reprehensible in the 21st century. That is 122 communities and countless numbers of aboriginal children, elders, people who risk illness from contaminated drinking water in 2012. It is simply unforgiveable.

It is not just me or my colleagues on this side of the House who say it is unforgiveable. In her final audit report in 2011, former Auditor General Sheila Fraser called for even deeper reforms to ensure that first nations on reserve were accorded the services comparable to other Canadians, including access to safe drinking water.

Mrs. Fraser identified that structural impediments to improve access to these basic services, which most other Canadians take for granted, must be resolved if we were to see real results. These include not only a legislative base or program, which is what the government has presumably put forward, but also clarified service levels, commensurate statutory funding, an end to the reliance on policy or contribution agreements and support to organizations that support service delivery to first nations.

For example, the Alberta Technical Services Advisory Group has for many years supported the first nations in addressing problems with their drinking water systems. I might point out that those are the very kinds of organizations the government has chosen to cut back in the budget.

It is very important what Sheila Fraser had pointed out. To this point in time, in this day and age in the 21st century, first nations communities have to wait, with open hand, for the government to decide from year to year whether they will have sufficient funds to provide a glass of safe drinking water for their children. She said that it was beyond high time that this obligation to transfer the necessary money be imposed by statute and be obligatory. We do not find that in Bill S-8.

• (1345)

The government made a previous half-hearted effort at proposing legislation and then let it die on the order paper.

Bill S-11, also tabled in the Senate in 2010, was roundly criticized by first nations and legal experts. Bill S-8 was also first tabled in the Senate and now finally brought before the House.

Regrettably, there has been little parallel action on the other measures needed to address the critical need for safe drinking water supply in first nation communities.

It should be pointed out that the government is well aware of the core barriers experienced by the majority of first nations in providing safe drinking water supplies to their communities, including: the equipment, construction and maintenance facilities, especially in remote areas, is costly; much of the necessary infrastructure is either lacking, obsolete or of poor quality; there is a limited local capacity or limited ability to retain qualified operators and even when they are trained, they then move on to other communities where they can be paid better; and, limited resources to properly fund water system operation and maintenance.

The current federal budgeted amount of \$330 million over two years offers only a small percentage of the \$4.7 billion capital costs and estimated \$419 million per year to upgrade and run drinking water systems in compliance with the intended law.

If this intended law is passed, there will almost immediately be an obligation by all the first nations to deliver safe drinking water. I say almost because the government fails to mention that the law absolutely has no substance, so it will take five to ten years to actually develop these regulations. Once that is in place, then we will have close to a \$5 billion deficit, with no undertaking that it will provide that.

No new moneys have been committed for the promised direct negotiations with the first nations on the strategy to implement the proposed law or for the promised negotiation process on the myriad of complex and technical regulations necessary to give any real substance to Bill S-8. There is no indication that the government has begun to move away from the one-off contribution agreements to long-term financial commitments to finance drinking water systems, as recommended by the former auditor general.

Far from delivering the support for organizations that can support first nations in developing and managing effective drinking water, in this budget the government has cut back support to these entities, including treaty organizations that provide support on technical and policy matters to first nations, which brings us to the matter of consultation on the bill.

The duty to directly consult first nations on legislative or policy matters that affect them is not a mere nicety. Aboriginal Canadians are not mere stakeholders in this legislative process. The duty to consult and accommodate is a constitutional duty established in legal precedent echoed in the UN Declaration on the Rights of Indigenous Peoples, which Canada finally endorsed.

At the January Crown-First Nations Gathering, the government publicly committed to support first nations self-government to strengthen and reset the government-to-government relationship and to move away from the unilateral imposition of laws and policies.

Government Orders

Self-government was endorsed under the UNDRIP. However, at the last minute, we saw some move, despite calls by first nations over decades, of the minister to met with at least one treaty group in Alberta.

I will quote a comment made at the Crown-First Nations Gathering on the consultation process, which states:

At the recent Crown-First Nations Gathering, First Nations and our Government committed to working together to support strong, healthy First Nation communities...[The bill] is a key milestone in making this a reality...

That statement was made by the Minister of Aboriginal Affairs and Northern Development, who said that the process for the consultation on Bill S-8 was a milestone in making the government-to-government relationship a reality. Yet we have a statement from the Assembly of First Nations stating that the government has continued a pattern of unilaterally imposing legislation that does not meet the standards of joint development and a clear recognition of first nations jurisdiction.

This so-called exceptional process of sitting down and reviewing proposed legislation was in fact the common practice of most past governments. In many instances, white papers or even draft formats of bills were circulated and consulted to ensure that the interests of all 600 first nations, not just one first nation, were considered and accommodated. This made for sound, supported, workable legislation. Again, in the case of the first nations, this consultation is an obligation, not just an option.

• (1350)

Even when late in the day some discussions did occur with first nations, they expressed concerns that their issues had not been fully addressed. They were also clear that the process did not constitute "consultation". This is made evident in testimony before the Senate on the bill.

By way of example, Treaty 6, 7 and 8 testified that while a limited number of their representatives had a chance to review the bill, incidentally, less than a week before it was tabled in the Senate, a number of significant outstanding concerns were yet to be addressed. I reference these three groups as they were among the few that the minister finally relented to discuss in more detail their concerns with the proposed law before it was tabled.

In his testimony, Charles Weaselhead, Grand Chief of the Treaty 8 First Nations Chiefs Association, echoed the views of many when he said that "support of the Alberta Chiefs is not unconditional" and that first an agreement must be reached "on an adequately funded joint process for the development of the regulations".

We have members of the one group, which the minister actually took the time to hear what their issues, saying that it is not enough. What they need at the same time is the commitment of the money.

Further, Grand Chief Weaselhead said:

Second, the national engineering assessment identified that only three First Nation systems in Alberta are operating safely with certainty....About a dozen systems in Alberta pose significant risks to human health.

He advised that about \$160 million was needed to update facilities just for Alberta.

He testified that while they were willing to be patient, their patience was not limitless. He said, "the Government of Canada must also make a firm commitment toward infrastructure, monitoring and capacity".

They have yet to obtain any binding commitment to a regulatory development process that is well-funded and approved by the chiefs and no commitment of the \$140 million funding gap identified by the National Engineering Assessment for just Alberta.

I now wish to share a number of the serious deficiencies identified in the bill itself as a safe drinking water regulatory framework.

Frankly, I am stunned that the government has stated at this stage that it will not allow amendments. This kind of questions the value of even having a committee and bringing in these first nation and legal experts again.

However, these are some of the issues that were raised before the non-elected house. Many of the issues were raised by expert panels and legal experts testifying in the Senate and in previous government reviews, treaty organizations and individual first nations.

The main purpose the bill appears to have is transferring liability from the federal government to first nations for delivery of the drinking water regime. Of equal concern is the fact that the full long-term costs and liability have yet to be calculated. The transfer of liability would be made with no binding commitment that the federal government would provide the necessary funds for technical training or equipment. However, Bill S-8 carefully imposes limits on the liability of federal ministers and officials.

Bill S-8 is essentially lacking in substance. It would merely be an enabling law. It would allow for, but does not require, any federal action to promulgate the myriad regulations necessary to establish drinking water standards, public hearings, appeal procedures, standards for training and certification of water systems and operators, waste water disposal, emergency response and so forth.

The law would impose no obligation on the federal government to deliver these rules in a timely manner. It would impose no obligation on the federal government to finance development or implementation of the first nations drinking water regime. Despite the non-derogation clause, Bill S-8 may have as its key purpose to transfer away treaty and constitutional obligations in this regard.

Incredibly, the law would impose no requirement for consultation with the first nations in the promulgation of these rules, regardless of the overriding constitutional duty to consult and despite the fact that most laws enacted these days, especially for environmental matters, specify that the government must in advance consult.

Finally, the bill ignores the advice of the very expert panel appointed by the federal government, which recommended the establishment of two independent entities to provide direction and oversight on the water regime.

A first nation water commission was recommended. It was to be mandated to oversee the licensing and operation of water facilities and to advise the ministers and first nations. The second entity recommended was a first nation water tribunal mandated to hear appeals on water approvals and investigate complaints. It was suggested that entity could provide one of the bridges to self-governance over water, which has been promised.

• (1355)

As pointed out by the Assembly of First Nations in their brief to the Senate, despite appreciation expressed that the government provided a slightly stronger non-derogation clause it appears to include a broad loophole in the words “except to the extent necessary to ensure the safety of drinking water on first nation lands”.

The obvious question arising is: Who decides that? Consistent with the remainder of the bill, it appears it would be the minister.

Another issue is that, astoundingly, the bill imposes no obligations on the federal government to consult first nations in the promulgation of any of the implementing regulations. This not only runs contrary to most environmental laws, as I said, but to their constitutional obligation.

Concerns have been raised with the option of incorporation by reference of provincial regulations. This has not been a common practice and serious concerns have been raised by a number of legal experts.

It is incumbent on the government today to admit that the law is not enough. It must, today, commit that it will not enact this law until it has provided the resources necessary to genuinely implement the long overdue protections for first nation water.

The Acting Speaker (Mr. Barry Devolin): The hon. member for Edmonton—Strathcona will have four minutes remaining when this matter returns before the House.

ROYAL ASSENT

[Translation]

The Acting Speaker (Mr. Barry Devolin): Order, please. I have the honour to inform the House that a communication has been received as follows:

Rideau Hall
Ottawa

November 22, 2012

Mr. Speaker,

Statements by Members

I have the honour to inform you that the Right Honourable David Johnston, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 22nd day of November, 2012, at 11:01 a.m.

Yours sincerely,

Stephen Wallace

Secretary to the Governor General and Herald Chancellor

The schedule indicates that the bills assented to were Bill S-201, An Act respecting a National Philanthropy Day, Chapter 23; and Bill S-11, An Act respecting food commodities, including their inspection, their safety, their labelling and advertising, their import, export and interprovincial trade, the establishment of standards for them, the registration or licensing of persons who perform certain activities related to them, the establishment of standards governing establishments where those activities are performed and the registration of establishments where those activities are performed, Chapter 24.

STATEMENTS BY MEMBERS

• (1400)

[English]

INTERNATIONAL STUDENTS

Mrs. Tilly O'Neill Gordon (Miramichi, CPC): Mr. Speaker, I rise in the House today to welcome the nine international students who will study at the New Brunswick Community College campus in Miramichi, New Brunswick, this academic year.

Last week, I had the pleasure of hosting a luncheon for them, while delivering greetings and welcoming these bright young people on behalf of the Minister of Citizenship, Immigration and Multiculturalism.

With a group of students from Jamaica, Mexico, Brazil, Sri Lanka, Spain and Vietnam, it was very appropriate that we met during International Education Week. We are lucky to have the privilege to have these students among us so we can all learn about their unique cultures and experiences. Academic exchanges are vital to the development of our friendship with foreign neighbours and we in the Miramichi are proud to be part of this excellent program.

On behalf of Miramichiers, I welcome these students and I wish them all the best. At the same time, I congratulate the professors and staff at the college for ensuring that these students enjoy our hospitality and all that Canada has to offer.

* * *

WOMEN IN HOUSE

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, I am so glad to rise to welcome to the Hill students participating in McGill's Women in House program.

Women In House has the noble mandate of fostering the interest of political involvement in young women, with the goal of improving female representation in government.

Statements by Members

Today, female MPs and senators are mentoring the young women of the program who will hear first-hand from female politicians, making the daily realities of politics accessible and profoundly inspiring its participants.

As a student, I was a participant and a coordinator of Women in House and it motivated me to push the boundaries of what it means to be a politician. Still today, women are underrepresented in this House and we need to work together toward inclusive policies so we can truly achieve equality in this country.

I hope McGill's Women In House participants take away from the experience the desire to get involved and break down the barriers for women in politics.

* * *

●(1405)

DOUG ROLLINS

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Mr. Speaker, I am sad today to report that this past Monday the residents of the Quinte area lost one of the most dedicated community champions with the passing of the former Progressive Conservative member of the provincial parliament, Doug Rollins.

Doug's forthright passion for making his community become a better place to live is unparalleled. He not only worked tirelessly in his capacity as a member of the provincial parliament, but never stopped working for causes close to his heart and would stand up bravely in the face of any challenge or obstacle to achieve those things that would benefit the residents of his area.

He was a good, kind man of integrity and fairness who was a friend and a mentor to many. A Hebrew proverb says, "Say not in grief 'he is no more' but live in thankfulness that he was".

There are many in Prince Edward—Hastings, including my family and me, who are thankful that we have been blessed by knowing Doug. We sent our prayers and thoughts to his wife Cheryl and family.

Godspeed, my friend.

* * *

NICK DISCEPOLA

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, Canada has lost a friend and dedicated public servant, a man who fought cancer with dignity, tenacity and courage, a long-serving municipal and federal representative with a deep love of community and country.

Nick Discepola served in this House from 1993 to 2004 as the member for Vaudreuil-Soulanges, occupying roles from parliamentary secretary, committee chair and task force leader to chair of the Quebec Liberal caucus.

Nick brought a methodical yet visionary perspective to public life. An MBA from McGill and successful businessman, he knew the importance of economic issues, both as mayor of the city of Kirkland and later as a stalwart member of the House of Commons finance committee.

However, Nick also recognized our need for community. The groups he founded or encouraged, such as the West Island Italian Association, continue to this day to bring people together in friendship and celebration.

On behalf of all members, I extend to Nick's wife, Mary Alice, and his children, Lisa, Laura, Michele and Marco, our deepest condolences. May God be with him.

* * *

HOLODOMOR

Mr. Rick Dykstra (St. Catharines, CPC): Mr. Speaker, this Sunday afternoon, at the Ukrainian Black Sea Hall on Welland Avenue, I will be joining local members of the Ukrainian Canadian Congress at a memorial service for the Holodomor.

As members of this House are aware, in 1932 and 1933 the Communist regime of Joseph Stalin manufactured a famine that caused the deaths of millions of Ukrainians through forced starvation. Holodomor is one of the saddest stories in history but one that must be remembered, not only to guard against future atrocities but because the Union of Soviet Socialist Republics tried long and hard to hide the Holodomor from the world and from history.

However, these tragic events happened and I am honoured to accept the invitation of local Ukrainian Canadians in St. Catharines to honour the memory of the victims of Holodomor.

Vichnaya Pamyat, in everlasting remembrance.

* * *

HOLODOMOR

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, this week, we remember Ukrainians who died tragically in the Holodomor famine genocide of 1932 to 1933. In Ukrainian, the term Holodomor means death by starvation. This deadly famine genocide was engineered and organized on a vast scale by Stalin and the Soviet authorities, causing the deaths of millions due to imposed starvation.

I was deeply moved on one of my recent trips to Ukraine to visit the Holodomor memorial in Kiev to pay my respects.

Commemoration of the Holodomor is particularly important given that this terrible crime against Ukrainian people was denied and unspoken for so many decades. However, no more. Every fourth Saturday in November, the Ukrainian community and all Canadians commemorate the victims of the Holodomor.

This Saturday, I will stand with the Ukrainian Canadian community at the Holodomor memorial in Edmonton, the first public monument in the world to commemorate the victims of the famine genocide in Ukraine.

I encourage all Canadians to learn more about the Holodomor and to take a moment this week to reflect upon this tragedy and its impact on its victims and all Ukrainians.

*Statements by Members***GREY CUP**

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, it is a great honour to rise in this place today to give my full and wholehearted support to the Calgary Stampeders, as they will play for the Grey Cup this weekend on this 100th anniversary.

My son and I will be cheering on the Stamps at the game. I am looking forward to seeing the Stampeders bring the cup back to southern Alberta. I, along with my son and grandson, Connor, are the team's greatest fans and we are looking forward to cheering them on.

As the third oldest active franchise in the Canadian Football League, they have managed to win the Grey Cup six times, most recently in 2008. One thing that is certain is that all Canadians and all southern Albertans will be watching closely as they compete for the cup this weekend. We will gallop off with the cup even if Toronto will not allow our Stampeders' horse to make a touchdown run.

Go Stamps go.

* * *

● (1410)

GREY CUP

Mr. Parm Gill (Brampton—Springdale, CPC): Mr. Speaker, this Sunday marks the 100th Grey Cup. No institution is as uniquely Canadian as the CFL and no annual Canadian event is as unifying as the Grey Cup.

Bolstered by the committed ownership of Senator David Braley and inspired by the positive and optimistic leadership of Scott Milanovitch, the Toronto Argonauts continue in a proud winning tradition. We anticipate the exciting on-field exploits of star quarterback, Ricky Ray; explosive receiver, Andre Durie; and CFL record holder, Chad Owens.

Football is ultimately a team sport. The Toronto Argonauts embody the Canadian values of hard work, commitment and sportsmanship, values that will surely contribute to on-field success.

On behalf of all Argo fans around the world, I congratulate everyone in the Argonauts organization on a very successful season. This Sunday, as always, I will be cheering for the blue team, the Argos.

* * *

THE ENVIRONMENT

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, Bear Creek, in my community of Surrey, is a prime example of critical salmon habitat that is under threat because of the government. The Conservatives have used their monster budgets to systematically undermine and dismantle environmental protections for our rivers, lakes and streams right across the country.

Urban waterways, like Bear Creek, are under pressure from development and related pollution, and legislation that traditionally helped to protect these sensitive areas is being gutted by the Conservatives.

Local governments are struggling to fill the gaps but they cannot do it alone. Last week, I met with officials from the City of Surrey

and they said very clearly that they rely on strong legislation and enforcement from the federal government to do their jobs.

It is time for the government to stop making policy at the whims of their oil industry friends and start standing up for the needs of our communities.

* * *

LIBERAL PARTY OF CANADA

Hon. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, our government continues to stand up for the interests of Albertans and all Canadians. Unfortunately, the Liberals do not.

My constituents were shocked to hear a top Liberal spokesman for natural resources tell us to go back to Alberta if we wanted to defend the interests of Albertans or the energy interests. The comments were so arrogant and unacceptable that the member had to step down from his role as critic.

However, it does not change the fact that the anti-Alberta attitude remains ingrained in the Liberal Party. In fact, in the last 24 hours it has been revealed that the anti-Alberta attitude within the Liberal Party is alive more now than ever before.

I need not remind my constituents of Trudeau's failed national energy program that devastated the economy and cost Albertans billions of dollars.

Our government is proud to defend Alberta's interests, especially against disastrous Liberal policies that have hurt Alberta in the past and would do the same in the future. God forbid that the Liberals ever get that chance.

* * *

[Translation]

HENRI AUDET

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, today, I am proud to recognize the unique contribution of an individual from my riding who passed away on November 3.

There is no question that Henri Audet was a great ambassador for our city and the entire country. This man cleverly and courageously built a small Trois-Rivières television station into a prominent, multinational communications company that provides services in Canada and in Portugal. That company is Cogeco. Our country owes a debt of gratitude to this pioneer of French-language television for his contribution to our cultural heritage, a contribution that earned him the Order of Canada in 1994.

This tireless worker certainly lived a very full life. Yet, a man's greatness is not determined only by his professional achievements, for while Mr. Audet had a very successful career, his greatest treasure was his family.

I extend my heartfelt condolences to his wife and children. On behalf of the people of Trois-Rivières, I thank Mr. Audet for his remarkable contribution to our city's history and development. May his spirit continue to inspire people in Trois-Rivières and across Canada.

Statements by Members

●(1415)

*[English]***LIBERAL PARTY OF CANADA**

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, yesterday was a bad day for the Liberal Party of Canada. First it lost its top spokesperson for natural resources because he revealed the divisive anti-Alberta position of the Liberal Party. Then former Liberal member of Parliament, Joe Fontana, was charged by the RCMP for betraying the trust of Canadians.

What is most unfortunate is that none of these events are surprising. The Liberals have a record of anti-Albertan policies, such as Trudeau's national energy program that devastated the economy and cost Albertans billions. This also would not be the first time that the Liberals betrayed Canadians. Remember the sponsorship scandal.

The only thing I have to ask the Liberals is: What shameful act will we hear about next?

* * *

PNEUMONIA

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, World Pneumonia Day was November 12. Every 20 seconds a child dies from pneumonia, a largely preventable and treatable disease. Pneumonia is the world's leading killer of children under the age of five, causing nearly 1.3 million child deaths each year. Developing countries and the poorest children within them are the hardest hit, accounting for 99% of childhood deaths from pneumonia.

I witnessed first-hand the devastating impact pneumonia can have on children and their families when I travelled with Results Canada to Tanzania this past February. There I met Daniel, a very young Masai child, hospitalized in a health care centre because of pneumonia, but Daniel was one of the lucky ones. He was being treated and on the road to recovery. The emotional burden and financial strain of having to hospitalize a child need not be a reality for families in Tanzania. With the introduction of the pneumococcal vaccine, children like Daniel and thousands of others can be spared from this deadly disease.

I ask the government to continue to invest in the scale-up of the pneumococcal vaccine through effective global mechanisms such as the GAVI Alliance. The world's children depend on it.

* * *

MEMBER FOR OTTAWA SOUTH

Mr. Rob Anders (Calgary West, CPC): Mr. Speaker, the comments made on Tuesday by the Liberals' former spokesman for natural resources show that in over 30 years they have not learned a thing. The Liberal spokesman said that Alberta MPs should go back to Alberta if they wanted to represent Albertans and the energy industry. Clearly, the Liberals did not learn that their anti-Alberta attitude is bad for the country. Everyone remembers the devastating Trudeau national energy program and no one wants to see that again. His comments were arrogant, but the member himself has not apologized. His anti-Alberta attitude is clearer now more than ever.

As an Albertan, I am proud to stand up and defend the interests of my constituents and all Albertans. Alberta deserves an apology from the former Liberal natural resources spokesman.

* * *

BULLYING

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, yesterday Conservatives turned their backs on Canadian youth and refused to act on the serious issue of bullying. By refusing to put their narrow partisanship aside and voting against the national bullying prevention strategy, Conservatives missed an opportunity for members of the House to work together for the well-being of Canada's children and youth.

One in three youth admit to having been victims of bullying, an experience being witnessed in school yards across Canada with victims such as Amanda Todd or Jamie Hubley. Sadly, when Conservative members were called on to help stem this problem, they sat down. Despite their indifference, this problem will not go away.

The NDP will continue to stand up against bullying in our playgrounds, schools, online and, yes, even here on the floor of the House of Commons. We must put an end to bullying and that is why the NDP called on all parties to support the development of a national strategy. By voting against the national bullying prevention strategy, the Conservatives refused to put partisanship aside and work together. The Conservative vision, which favours criminalization rather than prevention, condemns our youth to continued suffering from bullying for years to come.

* * *

LIBERAL PARTY OF CANADA

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, the member for Ottawa South is a key senior member of the Liberal Party. His own brother, Premier McGuinty, has led the Liberal Party in Ontario for years. When this member of Parliament speaks, he is not some outsider in the Liberal Party, he is showing the arrogance that is ingrained within the Liberal Party.

This is the same arrogance that led to Pierre Trudeau's national energy program, which killed jobs in Alberta. It is the same Liberal arrogance that targeted law-abiding farmers and hunters with a wasteful and ineffective billion dollar gun registry. It is the same Liberal arrogance that denied prairie farmers the right to sell their own wheat. It is the same Liberal arrogance that told parents that they could not be trusted to raise their children because they blow all their money on popcorn and beer, and it is the same Liberal arrogance that led Pierre Trudeau to give the finger to all Canadians who call western Canada home.

Albertans know that this anti-Alberta sentiment runs strong in the Liberal Party and that is why election after election Albertans—

●(1420)

The Speaker: Oral questions, the hon. Leader of the Opposition.

ORAL QUESTIONS

[English]

INTERGOVERNMENTAL AFFAIRS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, leaders from across Canada are gathering in Halifax to discuss the serious threats facing our economy.

Last week when the Minister of Finance delivered his economic update, he tried to reassure Canadians. He claimed that Conservatives have “contingency plans” in the event that Canada falls back into recession.

If Conservatives do indeed have a plan to deal with the threat of another recession, why are they not sharing it with Canadian premiers? If the Prime Minister takes the threat of another recession seriously, why will he not work with the premiers in Halifax to tackle that threat head on?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, unlike the leader of the NDP, I meet with the premiers very regularly. In fact, I had over 50 such meetings in the past year alone. Obviously this government is focused on the economy. We are not focused on a recession. We are focused on making sure the Canadian economy continues to grow.

As we know, despite the global uncertainty, the Canadian economy has relatively good performance among the major developed economies, creating over 800,000 net new jobs since the end of the recession. We are certainly working hard to make sure that growth continues.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, a few five-minute consultations per month on the phone is not consulting with the premiers.

[Translation]

Leaders from across the country are meeting in Halifax today to work together to come up with solutions to Canada's economic problems—all but one, the Prime Minister of Canada. He still has time to change his mind, show some leadership and prove to Canadians that he is capable of working with his colleagues, the provincial premiers.

If the Prime Minister can fly his limousines to India, surely he can catch a plane to Halifax.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I meet with Canada's premiers regularly. We are doing our job when it comes to the Canadian economy.

Our initiatives have helped Canada outperform other major developed nations. We plan to continue doing just that. We have created over 800,000 net new jobs since the end of the recession. It is crucial that we continue on that path.

* * *

[English]

GOVERNMENT ACCOUNTABILITY

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, there are 350,000 more people unemployed today than when the recession hit in 2008, and we are running a \$50 billion a

Oral Questions

year economic deficit in our trade. Forget about the boasts on those ones.

[Translation]

His attitude should come as no surprise. Working with others is a foreign concept to him. He even refuses to work with the Parliamentary Budget Officer, Kevin Page, whom he himself appointed. Mr. Page is being forced to drag him to court to get the financial information that he is entitled to.

Will the Prime Minister change his mind on this? Will he put an end to the legal proceedings by giving the Parliamentary Budget Officer the budget information he needs?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, I must set the record straight regarding the government's performance.

[English]

The leader of the NDP mentioned things that are simply not the case. Here is the record: 820,000 net new jobs created since July 2009; Canada ranked the most tax-competitive economy among mature markets; Canada's debt to GDP ratio the lowest in the G7; the World Economic Forum rating our banking system the best in the world; all the major rating agencies maintaining Canada's AAA credit rating; the OECD predicting we will lead the G7 in economic growth over the next half-century. That is the record of Canada—

The Speaker: The hon. member for Vancouver East.

* * *

POVERTY

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, 800,000 children are living in poverty on that record. When we say it is okay for children to live in poverty, we are putting them on the road to lifelong health problems. We are stifling the growth of our children and their ability to live healthy lives and reach their full potential. Today, as I said, 800,000 Canadian children live in poverty. This is a national shame.

When will the government finally take action to help our children grow up into healthy adults?

• (1425)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, in fact, the child poverty rate in Canada is less than half what it was under the Liberal government. We are very proud of that. It is thanks to many of the things we have done. The economic action plan has resulted in over 820,000 net new jobs. That helps parents take care of families. The Canada child tax benefit and the universal child care benefit alone have helped 3.5 million families find their way out of poverty, not to mention the benefits of the working income tax benefit.

Oral Questions

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, no economic plan can ever be successful when so many kids are left behind.

According to Campaign 2000's latest report, one in seven children is living in poverty. This is completely unacceptable, and it is a preventable tragedy.

We all know what needs to be done, but the Conservatives lack the will to even try. When will the government finally adopt a national strategy to reduce poverty and allow children and their families to live with dignity?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, that is exactly what our goal has been and continues to be. In fact, we have taken action toward it, not just talked about it.

We have taken concrete action. We have introduced the universal child care benefit that helps a million and a half families. We introduced the child tax benefit, the child tax credit, the working income tax benefit. All of these have helped lift people out of poverty.

There are 225,000 fewer children living in poverty in this country than in the last year under the Liberals, but sadly, all these things that have helped young people in Canada were voted against by the NDP.

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INTERGOVERNMENTAL AFFAIRS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, whether it is child poverty or whether it is skills training, whether it is a national energy and resource strategy for the country, whether it is the critical question of tax policy, whatever the economic issue may be, these are shared jurisdictions between the provinces and the federal government.

I wonder if the Prime Minister could explain what objection he has to having a regular meeting with the premiers to discuss questions of economic management in the future of Canada.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I meet extremely regularly with the premiers, not just with the premiers but with business leaders, representatives of civil society and others to make sure that we are moving forward on precisely those fronts.

That is why the Canadian economy, on so many of those things, has a superior record and, in particular, Canada has a much better fiscal position than virtually all of the western developed economies.

There are 800,000 net new jobs. More Canadians are working today than before the recession. We are one of the very few developed countries that have achieved that.

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the Prime Minister's reply to the question about unemployment before and after the recession is not quite correct.

In any event, governments do not operate in silos. Provincial and federal governments share jurisdiction over resources or professional

training in the economy. In every other federation around the world, first ministers hold conferences. Why not do the same in Canada?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I regularly meet with the provincial premiers, and I also meet with other representatives of Canadian society. That is important.

Our philosophy on this side of the House is different. We respect the distribution of powers in Canada's Constitution, we respect the areas under provincial jurisdiction and we act within the limits of our responsibilities. That is one of the reasons for Canada's superior performance.

[*English*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, there is trouble with the philosophical approach, which the Prime Minister has just explained to the House. As knowledgeable as we now see that the Prime Minister is with respect to issues of philosophy, perhaps I can just bring him down to earth.

When it comes to unemployment and jobs, when it comes to taxes, when it comes to health, when it comes to poverty, when it comes to the reality of Canadian life, people do not care whether it is a federal jurisdiction or a provincial jurisdiction. They want their first ministers to be working in co-operation together.

Why will the Prime Minister not do that, like all of the first ministers around the world?

• (1430)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, precisely what Canadians want from their leaders is not more meetings. They want action, and that is what they will get from this particular government.

That is why we have better growth than most of the developed world, why we have a lower debt, why we have more job creation, why we have a stronger energy sector, why we have poverty coming down, why we have all of the benefits that attract people from around the world to this country.

We have a country to be proud of, a system to be proud of, and as the federal and national government of this country, we take our responsibility seriously.

* * *

NATIONAL DEFENCE

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, the F-35 report released yesterday by the Conservatives on the public accounts committee is a total whitewash. It does not reflect the evidence that was heard and ignores the problems identified by the Auditor General in his report. The Conservative report does not identify why these failures happened and it does not even place blame. So let us give them another chance.

Will the government finally admit that the process for buying the F-35s was flawed and mismanaged from the time the government signed on in 2006 until today?

Oral Questions

Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification, CPC): Mr. Speaker, the report reflects the testimony that was heard in committee. That testimony was given in an open and public forum.

We accept the Auditor General's recommendation. We have implemented a seven-point plan to deal with his recommendation. No replacement aircraft will be purchased until the work is done.

[*Translation*]

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, the Parliamentary Budget Officer and the Auditor General have shown that, several weeks before the last election, the Conservative cabinet knew that its F-35 estimates were wrong. It concealed \$10 billion in costs. However, at the Standing Committee on Public Accounts, the Conservatives tried to pretend that none of that was true.

Instead of trying to rewrite the Auditor General's report, and history, why do the Conservatives not start by being transparent and honest about the F-35s?

[*English*]

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, the amount of oversight and due diligence that is being applied to this file is unprecedented. Since the Auditor General's report came out, this government has established a secretariat made up of senior members, including also independent members, one of whom is a very well respected former auditor general of Canada, Denis Desautels, to oversee this process.

The funding has been frozen for the acquisition to replace the CF-18s, and we are looking at all options on the table at this point. We will not purchase any new aircraft until this due diligence is completed.

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, the F-35 secretariat's seven-point plan is useless unless the air force's statement of operational requirements is not amended.

The statement of requirements was written for Lockheed Martin, with its F-35, the only company that qualifies for the contract. Therefore, it is important to know if the Conservatives and the National Fighter Procurement Secretariat will be working with the same requirements.

If that is the case, will these requirements be revised to allow for an objective assessment and the consideration of other aircraft?

[*English*]

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, as I said, the level of oversight and transparency on this acquisition is unprecedented. We are not going to purchase any replacements for the CF-18 until all of this due diligence is completed. I have told the member previously of a full options analysis, which is a full evaluation of all choices, not simply a refresh. When it comes to the statement of requirements, the review of options will not be constrained by the previous statement of requirements.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, the only thing less convincing than that worn-out response is the silence of the Minister of National Defence on this question. It is, after all, his department that is conducting this so-called options analysis.

The minister will know that the Conservative whitewash of a report did not even deal with the Auditor General's finding that the statement of requirements had been wired to select the F-35. He will know, as we all do, that this options analysis cannot be real unless those requirements have been amended.

Could the minister assure us that the requirements to replace the CF-18 have been changed?

• (1435)

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, as I said previously, the options analysis is a full evaluation of choices, not simply a refresh of the work that was done before. That review of options will not be constrained by the previous statement of requirements.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, we are getting no real answers from the Minister of Public Works and have no taking of responsibility by the Minister of National Defence for the mess that he has caused with the F-35 fiasco.

Meanwhile, reservists are being turned away from military clinics and still discriminated against in benefit entitlements for lost limbs four years after the ombudsman recommended changes.

We have a failure to implement, or only partly implement, eight of twelve recommendations the minister said he agreed to four years ago. Will the minister take responsibility for that?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I am glad the member has finally read the report. I have had the report. What he would know is that, in fact, 10 of the 12 recommendations have been actioned. With respect to the remaining recommendations, there is certainly need for further action. It is unacceptable that there would be inequity with respect to ill and injured soldiers. We will be moving forward on these recommendations as soon as possible.

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[*Translation*]

41ST GENERAL ELECTION

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, the Conservatives' incompetence in the case of the F-35s is unprecedented.

The Conservatives are still taking Canadians for fools. They think that they can keep telling us stories and that Canadians will simply forget the 2011 election fraud. But they are wrong. People know that fraudulent calls were made, they know that these calls were made using the Conservative Party database, and they know that they were made all over the country.

Now, the Conservatives have a choice to make: either they strengthen the Elections Act or they condone election fraud.

Oral Questions

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, we are choosing to follow the rules, just as we led an ethical and clean campaign during the last election.

Let us talk about fraudulent calls. How many of the calls made by the NDP during the last election were financed with the \$300,000 of illegal union money they received?

[English]

While I am on my feet, I have a second question for the hon. member. Of course he is known for giving 29 donations to the separatists. Is he now a federalist?

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, the difference between us and the Conservatives is that we received a letter of congratulations from Elections Canada, while they got a visit from the RCMP.

The Conservatives did not even bother to appear angry about the election fraud. On the contrary, they have sided with the fraudsters and are trying to protect them. The in and out scandal exposed the Conservatives' illegal election spending techniques. And the Conservatives have a very strange way of rewarding the masterminds of this scheme: they appoint them to the Senate.

Will we have to wait for the next round of Senate appointments to find out who Pierre Poutine is?

[English]

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, that was not a congratulations letter from Elections Canada; it was a please pay back the money letter they got from Elections Canada. He is confusing it with the congratulations letter he got from the separatist Québec solidaire for being the most generous donor in his constituency.

He asks who is the famous Pierre Poutine. I understand from media reports he lives on Separatist Street. Perhaps the member could visit him when he drops off his next donation.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, let us talk about fiction. Let us talk about how the Parliamentary Secretary to the Minister of Finance tried to divert attention from Elections Canada investigations into what was happening in her campaign by pretending to be a victim, but that tactic was a flop.

Here is what we do know. When Elections Canada called her campaign, her team said the fraudulent calls were coming from Conservative Party headquarters. Here is a chance to be clean and ethical. Do not be part of the cover-up but tell us: Who was it that was coordinating the calls into her riding?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the only betrayal that occurred here is that the member told his constituents again and again that he would stand behind rural people, honest, law-abiding duck hunters and farmers,

and vote to eliminate the wasteful billion dollar long gun registry. But when he had the chance, he decided to betray his word and vote to keep the Liberal long gun registry in place.

While I am at it, I am curious about what he said to his constituents about his leader's comments, calling big mining industries that create jobs in his communities "a disease".

• (1440)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I actually feel for the member for Saint Boniface who is leaving her political reputation in the hands of a spinmeister. Who else is hiding over there? Oh yes, there is the member for Ajax—Pickering, another red-flag campaign constituency. Now, on the day before the election, Elections Canada wrote to the Conservatives, "the frequency of calls seem to be increasing". So rather than hide behind the duck hunter in the weeds, will the hon. member do the honourable thing and tell us who at Conservative Party headquarters coordinated the dirty tricks in his riding so that he could get here?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the reason that member raises in the House things that have nothing to do with government business is that he wants to use the umbrella, the comfortable blanket of parliamentary immunity to protect himself against making those false allegations outside of the House of Commons, where, like every other Canadian, he would be accountable to defend them.

One day, he will have to be accountable for the false words he used with his own constituents when he promised that he would eliminate the long gun registry and went back on his word.

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FISHERIES AND OCEANS

Hon. Lawrence MacAulay (Cardigan, Lib.): Mr. Speaker, the Minister of National Revenue and acting fisheries minister is fully aware that there are 1,400 former fishers from the Atlantic groundfish licence retirement program who deserve to be treated fairly by the government and paid the millions of dollars they are owed.

After fighting with the fishermen in court for over six years and losing, will the minister finally commit to doing the right thing and ensure that every single former fisher in this program is treated equally and fairly and paid the millions of dollars owed to them?

Hon. Gail Shea (Minister of National Revenue, CPC): Mr. Speaker, I can assure the hon. member and the House that these fishers will be treated fairly and that we will clean up the mess created by the Liberal Party.

*Oral Questions***CANADA REVENUE AGENCY**

Hon. Wayne Easter (Malpeque, Lib.): Clearly, Mr. Speaker, cutting services to Canadians is becoming the operating policy of the government. However, the consequences for Canadians do not end with service cuts and job losses. In Borden-Carleton, P.E.I. and across Canada, the minister is moving rapidly to privatize the records management division of the CRA, risking the protection and security of documents.

Why is the minister putting at risk sensitive financial and medical records and turning record storage over to minimum-wage employees?

Hon. Gail Shea (Minister of National Revenue, CPC): Mr. Speaker, we do not keep medical records. We are the department of national revenue. I want to make sure that is clear.

Our top priority, of course, is the economy, which includes making sure that Canadian tax dollars are spent wisely. This change will ensure the privacy and security of taxpayers' records and will do so at a lower cost. We must ensure that taxpayers' money is spent where it will do the most good. In any event, more and more Canadians are moving to electronic services.

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TAXATION

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, Conservative import tariffs are forcing Canadian hockey families to pay \$200 more to suit up their kids in hockey gear than American families pay. Tomorrow, on Black Friday, thousands of Canadian families will head south of the border to buy hockey gear to avoid this Conservative hockey tax. That creates American jobs in American cities.

Why will the finance minister not give Canadian families a break this Christmas, help Canadian retailers and get rid of this job-killing hockey tax?

• (1445)

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, I thank my hon. friend for his insightful question. I thought we were in football season, but I guess we are moving toward hockey.

Our government has reduced tariffs and taxes on Canadians. That brings the cost of everything down. We also put in place a fitness tax credit for parents who want to enrol their children in sports. However, if I recall, I think everyone on that side of the House voted against that as well.

* * *

INTERNATIONAL TRADE

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, government ministers are in Brussels for closed door trade talks with the EU, where Conservatives are actually pushing for provisions that would allow foreign corporations to sue Canadian governments. Today, Mobil Oil won a challenge that strikes down Newfoundland and Labrador's efforts to encourage investments in R and D. We have just seen lawsuits filed against Quebec's fracking laws and Ontario's wind energy legislation, and the Conservative FIPA with China allows foreign investors to sue Canadian taxpayers as well.

Will the Conservatives put a stop to these undemocratic measures and protect Canadian taxpayers?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, I would like to welcome the NDP back to the trade file. The NDP members have been ignoring this file for a long period of time.

To follow up on the member's comments, the minister is indeed in Brussels, doing the job that he is supposed to be doing, putting the finishing touches on a comprehensive economic and trade agreement with the European Union. That is important work.

As far as the FIPA with China goes, that is important because it will allow us to have rules-based trading with them, something that even the NDP should support.

[*Translation*]

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Mr. Speaker, the Conservatives' double-talk on supply management is rather worrisome.

On one hand, the minister tells poultry and egg producers and dairy and cheese producers that they have nothing to worry about. On the other hand, as soon as the minister is behind closed doors, he trades away the supply management system. The government must not change the rules on access and the tariffs that protect our supply management system, period.

Will the minister defend this principle in Europe today?

[*English*]

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): I am waiting for the light to go on. Okay, we have the light.

Mr. Speaker, the opposition—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. parliamentary secretary has the floor.

Mr. Gerald Keddy: Mr. Speaker, that is pretty important, as even the NDP saw the light that time.

However, on supply management, the NDP does not have to ask the government side but should ask the supply managed sector. It should ask the sector in Quebec. It should ask the sector anywhere in Canada. They will tell the NDP that our government stands up for supply management, and we continue to do that.

Oral Questions

[Translation]

FOREIGN INVESTMENT

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, in the past, the Conservatives refused to stand up and defend our jobs. Just look at Electrolux, Caterpillar, Xstrata, Falconbridge or U.S. Steel Canada. If the past is any indication, then there is cause for concern over the sale of Nexen to the Communist Chinese government.

If the government thinks that handing over control of our natural resources to a Chinese state-owned corporation is such a good idea, then why do so behind closed doors?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, the NDP wants to block practically every form of foreign investment, and the Liberals want to rubber-stamp every investment. Fortunately, Canadians can count on a responsible government that acts in their best interests.

Our government has always scrutinized every proposed foreign investment in this country, and it will continue to do so.

[English]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, support among Conservatives is crumbling on Nexen. In today's paper it is said:

[W]e should resist state ownership...of agencies of foreign governments... [The] decision must ultimately be capable of carrying the judgment of a majority of Canadians.... More than 60 per cent of Canadians currently oppose what they know of the deal.

Who was that? It was the Prime Minister's own mentor, former Reform leader Preston Manning. He says that the NDP and Canadians are right on Nexen.

Why are the Conservatives ignoring concerns about this sellout of Alberta's natural resources?

● (1450)

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, when it comes to foreign investment, we know that at the extreme end of the spectrum, the NDP will block everything. The NDP will block every proposed transaction in this country. On the other side, there are the Liberals who rubber-stamp every single form of investment in this country.

Fortunately, Canadians can count on their responsible government, which is always acting in their best interests. That being said, we always scrutinize the transactions closely and will continue to do so.

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ETHICS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, yesterday Londoners and Canadians learned that the RCMP has charged Liberal insider, Joe Fontana with breach of trust by a public officer, fraud and uttering forged documents. He was charged after it was revealed he allegedly stole taxpayers' money from the House to pay for his son's wedding.

For several weeks, government members have called for Liberal members to condemn this theft, but Liberals have refused to do so and continue to protect their friend.

Can the parliamentary secretary update the House on our government's commitment to respect taxpayers' dollars?

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, sadly, this is not the first time that the Liberals have stolen money from Canadian taxpayers. We all remember the tens of millions of dollars they stole through the sponsorship scandal, which helped put their party in the far corner over there.

At his press conference today, Liberal insider Joe Fontana was asked if he had heard from former Liberal Prime Minister Paul Martin. Liberal insider Joe Fontana's response was, "No comment".

Canadians want to know, did Liberal insider and former Prime Minister Paul Martin advise Joe Fontana to stay on as mayor? Do the Liberal members opposite agree with us that it is time for their friends to resign?

* * *

[Translation]

SEARCH AND RESCUE

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, the decision to close the maritime search and rescue centre in Quebec City is illogical and dangerous for pleasure craft operators and commercial navigation.

The Conservatives decided that the language of work of the employees who will be transferred to Halifax will be English only, but that does not work. Francophone employees will have to translate all their communications, which will double their workload. And then, the Conservatives are surprised that they cannot find anyone to fill these positions.

Will the Conservatives review their plan and keep search and rescue services in Quebec City instead of moving them to Halifax and Trenton?

[English]

Hon. Gail Shea (Minister of National Revenue, CPC): Mr. Speaker, we are confident that the changes in Quebec City will have no negative impact on our ability to respond to distress incidents on the water quickly, effectively and in both official languages.

Quebec is served by 19 Coast Guard vessels, including seven search and rescue lifeboats, two hovercraft and six helicopters. We are ensuring that the Coast Guard has the resources to do the job and save lives.

[Translation]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the Conservatives do not understand how big a problem the closure of the Quebec City search and rescue centre will cause.

They are endangering the lives of mariners and pleasure boaters and have no regard for French-language services. The proof is that there will be only one bilingual employee per shift at the centres in Halifax and Trenton. Just one.

What will happen if two francophones on two different boats have a problem at the same time? Will one of them be put on hold?

Will it take a tragedy for the Conservatives to realize that their plan is ridiculous? What are the members from Quebec doing to stand up for francophones and the French language—

The Speaker: Order.

The hon. Minister of National Revenue.

[*English*]

Hon. Gail Shea (Minister of National Revenue, CPC): Mr. Speaker, I can assure the hon. member that we are maintaining our bilingual capacity through the consolidation of the MRSC in Quebec, and we are ensuring that the Coast Guard does have the resources it needs to do the good job that it does every day, which is to save the lives of people.

* * *

HUMAN RESOURCES AND SKILLS DEVELOPMENT

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, two weeks ago in a statement about the 200 B.C. mining jobs that went to temporary foreign workers, the minister said that she was not satisfied with the process. The company said it followed the rules and would now like to know what she meant, and so would Canadians.

Is she saying that the company was dishonest in its application or is she admitting that she did not apply her own rules appropriately?

• (1455)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, our goal is to make sure that Canadians get first crack at every job that is available in this great country. That is why employers who want to bring in temporary foreign workers are required to prove that they have made a legitimate and responsible effort to find qualified Canadians.

We want to make sure that the process in place for employers to follow does exactly that. That is why we are reviewing it, to make sure that the process will protect jobs for Canadians.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, the minister has already admitted that the process is not working. British Columbians were passed over by a process the government implemented, and this from a party that suggested the unemployed should go and work in a mine.

The Conservatives are failing unemployed Canadians. Either the company played by the rules and the process is broken, or the company broke the rules and those are illegitimate visas.

Which is it and why will the minister not suspend those visas?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we do want to make sure that Canadians get first crack at all the jobs that are available in this country. That is why we require employers who want to bring in

foreign workers to prove beyond a doubt that they have conducted a responsible search for qualified Canadians.

We want to make sure that the process is robust enough to support Canadian workers and we are reviewing it to make sure it does just that.

* * *

THE ENVIRONMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, the Minister of the Environment admits that climate change is a danger that needs to be addressed. However, he has manipulated accounting rules, used projected values instead of actual emissions and taken credit for provincial and territorial actions rather than tabling a comprehensive climate change plan.

Will the minister admit that his sector by sector approach is nothing more than a delay tactic and will the government bargain in good faith at next week's UN meeting on climate change?

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, our accounting methods for our sector by sector approach to responsibly regulating Canada's emitting sectors have been recognized and accepted internationally. We are half way toward accomplishing our Copenhagen 2020 reduction targets.

I will go to Doha quite proudly next week to re-engage partners from around the world because climate change is a global problem and requires a global solution. However, I can assure my colleague that Canada is doing its part.

* * *

[*Translation*]

CITIZENSHIP AND IMMIGRATION

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, if only that were true.

My question is for the Minister of Citizenship and Immigration, who did not answer my question yesterday about the sponsorship of spouses in Syria.

According to his department's website, these sponsorships take an average of 20 months in this country in crisis. I have three questions for the minister.

Did the minister send a written administrative directive to his department to make sponsorship files in Syria a priority? If so, when? And since it is not working, what will he do to speed things up?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I answered the question yesterday. I said that we already had. I repeat, we already have. This means that we have fast-tracked processing for sponsorships of spouses in Syria. The vast majority of the cases in the system have already been accepted.

Oral Questions

I will give the member another opportunity to condemn the comments made by his colleague from Ottawa South, who attacked Alberta MPs, chastising them for defending the interests of their constituents and the Canadian economy and telling them that they should go back to Alberta and not represent their constituents here.

* * *

HOUSING

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, today is National Housing Day, but there is nothing to celebrate. One and a half million Canadian households have desperate needs in terms of housing, and 600,000 Canadians are in danger of losing their housing subsidy if the Conservatives do not renew the social housing agreement.

Canada is the only country that does not have a national housing strategy. The Conservatives have a golden opportunity to discuss this with the provinces during the first ministers' meeting in Halifax.

When will they stop ignoring social housing needs?

• (1500)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, unlike the NDP, the Conservatives believe in action and that is exactly what we have done. That is why, under the economic action plan, we spent a lot of money on creating more than 16,000 projects to provide affordable housing to Canadians. We believe that every Canadian must have access to affordable and safe housing.

[English]

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, facts are facts and Canadians are going hungry. This fall, reports showed record food bank use and Campaign 2000 yesterday reported that one in seven children is still living in poverty. Both also point to affordable housing as key to solving the problem. Provincial, territorial and municipal governments are committed to providing affordable housing but the Conservatives are missing in action.

The NDP has the solution. The only question is whether the Conservatives will support our national affordable housing strategy.

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, once again, the NDP talks and we take action. Under the economic action plan, 27,000 new affordable housing units were created. We did that in spite of NDP opposition. We provide funding for over 600,000 affordable units across the country, despite the opposition of the NDP.

We are working to ensure all Canadians have access to secure affordable housing, just as they deserve, in spite of the opposition of the NDP.

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NATIONAL DEFENCE

Mr. Corneliu Chisu (Pickering—Scarborough East, CPC): Mr. Speaker, as an Afghanistan veteran, I know the importance of military health care providers and the valuable work they do daily in Canada and overseas. I understand that Canada's armed forces and civilian medical personnel have recently been recognized for this outstanding work for their achievements in Afghanistan.

Would the Minister of National Defence provide the House with an update on this recognition?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I thank the member for Pickering—Scarborough East for his service as a soldier and a member of this House.

NATO did in fact award Canada the Dominique-Jean Larrey Award, the highest NATO awarded bestowed for medical support. This is in recognition of the excellent work Canadians did at the Role 3 hospital established and run by great Canadians at the Kandahar airfield between 2006 and 2009. It recognizes the exemplary health care provided to the wounded in an extremely difficult security environment in Afghanistan. Casualties treated at Role 3 facility had a 98% survival rate. This is a testament to the extraordinary dedication and professionalism of the Canadian military health care providers. I congratulate them all.

* * *

CITIZENSHIP AND IMMIGRATION

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, a sad refugee case is dominating the Saskatchewan legislature. To be clear, this is not a bogus asylum seeker. No claim has been rejected. This refugee was diagnosed with cancer but the federal government will not cover his chemotherapy and other drugs. The provincial government is now picking up those costs.

Premier Wall says that federal policy on this issue is “unbelievable and inconsistent with Canadian values”.

Will the government fix this outrageous problem for this genuine refugee and for Premier Wall?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, once again the member betrays a misunderstanding of our refugee determination system. A genuine refugee comes to Canada as a permanent resident and, therefore, qualifies for comprehensive provincial health insurance. Rejected asylum claimants and pending asylum claimants are not refugees until they are determined to be so by our fair and generous legal system, during which time they receive comprehensive health insurance but not extended benefits. Those who are rejected and are pending removal are effectively illegal immigrants.

If the member is suggesting that we should create a new federal health insurance program to provide comprehensive and extended benefits to rejected asylum claimants who are pending removal, he ought to propose that.

Oral Questions

[Translation]

SCIENCE AND TECHNOLOGY

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, the National Research Council, or NRC, is closing the only federal research centre based in Quebec. Researchers with the NRC's interactive language technologies group are being forced to move to Ontario. Closing this centre will reduce the amount of scientific research done in French.

Will the minister remind the NRC that its mandate is to promote research across the entire country?

• (1505)

[English]

Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, I am a little disappointed that the opposition puts science at such a high level that it is the very last question in QP.

The member should know, however, that what we are doing is taking advantage of an opportunity for collaboration and synergies between scientists. No researchers are affected here. In fact, this is an opportunity, where one office lease is expiring, to just close that office and move the science to another office that is nearby, with better results for Canadians at less cost and no carbon tax.

* * *

HEALTH

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Mr. Speaker, our government has consistently been there to provide leadership and support to the provinces and territories to help them with their health care priorities. We are providing the provinces and territories record amounts of support by increasing the size of the Canada health transfer by nearly 35% since we formed government. Unfortunately, some members of the NDP have had difficulty understanding what an increase in the amount of money in transfers to the provinces means.

Could the minister please update this House on what our government is doing to help support the Canadian health care system?

Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, my colleague is absolutely right. Our government is playing a leadership role. Unlike the previous government that balanced the books on the backs of the provinces and the territories, we are increasing the health transfers to historic levels of nearly \$40 billion by the end of the decade.

In fact, the Canadian Institute for Health Information found that the provinces were spending less than our 6% annual increases. These numbers show that the federal share of health care spending is increasing. We are also the single largest investor in Canada for health science and research, investing \$1 billion per year in health research and innovation.

[Translation]

CANADIAN HERITAGE

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, the revisionist approach to history taken by the Minister of Canadian Heritage and Official Languages is raising eyebrows across Canada. Most experts agree that the Conservatives' approach is inappropriate and, more importantly, dangerous.

While the advertising budget for the War of 1812 has tripled, more than 80% of Parks Canada's archeologists and conservators have lost their jobs. The very survival of our heritage institutions and historic sites is at stake.

Does the minister realize that, although he is rewriting it, history will be the judge of his bad faith?

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, as I have said several times in the House, our government has made unprecedented investments in the cultural sector, including the War of 1812 exhibit.

[English]

It also includes a new Museum of Canadian History, with a \$25 million investment that the NDP members have already said that they will be voting against. Every time we have made investments in arts and culture, they have voted against it.

Through the leadership of the Minister of Industry and the Minister of Canadian Heritage and Official Languages, we have brought in a new Copyright Act, which is protecting our artists and unleashing the potential of our entertainment software industry. We are proud of our artists and we wish they would start talking—

The Speaker: The hon. member for Thunder Bay—Superior North.

* * *

HEALTH

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, today, grandmother Wendy Hoy arrived at Parliament after walking 800 kilometres from her home. She walked to raise awareness about the risks of unsafe levels of radiation. We are all surrounded today by devices, such as cellphone towers, WiFi and even smart meters. Studies have shown that excessive radiation poses health risks.

When will the government finally take action on the health committee's 2010 recommendations to protect the safety of Canadians?

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, obviously the health and safety of Canadians is a priority of this government. Canadians are well served by a strong independent regulator who is free from political interference and continues to regulate the nuclear industry in this country.

Points of Order

[Translation]

BUSINESS OF THE HOUSE

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I am honoured to rise on behalf of the official opposition to ask the government what it has planned for the House for the remainder of this week and next week.

• (1510)

[English]

The government seems to have lost control of the legislative wheel this week. I will review for Canadians. The Conservatives tried unsuccessfully to ram Bill C-27 through. Thankfully, the official opposition took a principled stand against this and forced them to step back from shutting down the debate. The finance committee has rewritten its own ridiculous rules on how to deal with the Conservatives' monster budget bill, Bill C-45. The committee is now sitting around the clock to deal with this sham of a process, which the Conservative government has set up.

[Translation]

Yesterday, instead of standing up for victims of bullying, most government members shamefully decided to side with the aggressors who bully and torment Canada's most vulnerable young people.

It was a shameful demonstration of the importance the Conservatives attach to their partisan principles, at the expense of common sense.

[English]

I guess the only question I have for the government today is the following: How many more abuses of our democratic processes does the government have planned for this week and the one to follow?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, it is true that we have experienced some disruptions yesterday and today as a result of efforts by the Liberal Party to disrupt our agenda. I was puzzled as to why it was happening right now at this time. However, a news story just broke, which gave me some insight into it, where the young member for Papineau said that:

Canada isn't doing well right now because it's Albertans who control our community and socio-democratic agenda. It doesn't work....

When he was asked if Canada would be better served if Quebeckers were in charge rather than Albertans, he said:

I'm a Liberal, so of course I think so.... Certainly when we look at the great prime ministers of the 20th century, those that really stood the test of time, they were MPs from Quebec... This country—Canada—it belongs to us.

Obviously, the Liberals do not want to see the Conservatives governing, advancing our agenda or advancing our budgetary agenda. Therefore, I think that answers the NDP House leader's question as to why we are facing these delays right now in the House. However, we will carry on, Albertans and all, and the rest of the country, with Conservatives from coast to coast in this government trying to advance the agenda that Canadians believe in.

We will resume the second reading debate on Bill S-2, the family homes on reserves and matrimonial interests or rights act, this afternoon. Tomorrow we will conclude report stage of Bill C-27, the first nations financial transparency act, and third reading will take

place on Tuesday. We will start second reading debate of Bill C-47, the northern jobs and growth act, on Monday and the debate will continue on Wednesday.

The finance committee is working very hard to go through Bill C-45, the jobs and growth act. I commend them for their efforts. Our budget implementation legislation contains important measures, such as extending the hiring credit for small businesses, expanding tax relief for investment and clean energy, helping Canadians save for retirement with pooled registered pension plans and improving the registered disability savings plan.

However, I do confess that it does not include the NDP's carbon tax or its proposal for a 1% GST increase. Perhaps that is why its members are opposing it. In any event, we hope to start report stage consideration of Bill C-45 on Thursday, if at some point the Liberals give up on their disruptive delay objective and agree to allow someone other than the member for Papineau to have some say in running the country.

* * *

[Translation]

POINTS OF ORDER

BILL C-377—INCOME TAX ACT

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, I rise on a point of order regarding Bill C-377, An Act to amend the Income Tax Act (requirements for labour organizations), introduced by the hon. member for South Surrey—White Rock—Cloverdale.

The official opposition has not risen on a point of order on this bill until now. However, the question of new spending was raised during consideration of the bill in committee, and I now want to draw my colleagues' attention to this matter.

In my opinion, Bill C-377 contains provisions that will require new spending for purposes that are currently not authorized by the legislation, and it should therefore be accompanied by a royal recommendation. Under Standing Order 79, the House cannot pass an appropriation bill if it is not accompanied by a royal recommendation.

In *House of Commons Procedure and Practice, Second Edition*, which I read every night, O'Brien and Bosc state that two types of bills give Parliament spending authority and that they both must be accompanied by a royal recommendation. Bill C-377 is of the second type, namely "bills that authorize new charges for purposes not anticipated in the Estimates". O'Brien and Bosc specify that the charge imposed must be "new and distinct". In other words, it must not be covered elsewhere by some more general authorization.

Clause 1 of Bill C-377 states that:

...the information contained in the public information return referred to in subsection 149.01(2) shall be made available to the public by the Minister, including publication on the departmental Internet site in a format that allows for word searches to be performed and for cross-referencing of data.

Points of Order

These provisions require the expenditure of public funds in a manner and for purposes not currently authorized. That means that “new and distinct” funds must be authorized to give the Canada Revenue Agency the means to manage this work, which is also “new and distinct”. Even in the most recent supplementary estimates, which were tabled a few weeks ago, there is nothing about the costs related to the work required by this bill. There is nothing to show that, when the supplementary estimates were published, the Canada Revenue Agency had already planned for this bill to become a law.

By way of proof that these costs are new and unauthorized, it is important to note that the Canada Revenue Agency has never participated in the preparation of financial reports for unions or union-related organizations. Furthermore, before the Corporations and Labour Unions Returns Act was amended, it required unions to produce financial reports, but this directive was given to the Chief Statistician of Canada, not the Canada Revenue Agency. The Canada Revenue Agency has thus never been responsible for managing this type of process for the unions.

During the debate at second reading of Bill C-377, the bill's sponsor suggested that the provisions of the bill were similar to those that have been in place for charities since 1977. The information requested from charities is dealt with by the Canada Revenue Agency and has nothing to do with the information requested from unions in Bill C-377. It is not comparable.

The rules for charities require them to disclose much less information and require the agency to share a great deal less data. Yet, this program alone costs over \$33 million a year and employs over 300 full-time workers. If Bill C-377 is passed, the Canada Revenue Agency will have to create a new branch that will make up a whole new complex layer of government bureaucracy. A new entity will have to be created to administer and enforce the provisions of this new bill.

Furthermore, the bill is written in such a way as to include all labour organizations and all labour trusts, or almost 25,000 filers in total. It is obvious that there will be costs associated with training labour officials who are unfamiliar with all the new forms and, more importantly, costs associated with processing these returns from the 25,000 filers. None of these costs are included in costs forecast by the Canada Revenue Agency. These are “new and distinct” costs, the condition for a royal recommendation for a bill, as I mentioned earlier when quoting O'Brien and Bosc.

It is definitely important to discuss the new costs that will be incurred by the Canada Revenue Agency as a result of Bill C-377, but it is equally important that we discuss the extent of these costs. In committee, Professor John Logan, of San Francisco State University, compared this bill to the Labor-Management Reporting and Disclosure Act, created in 1959 in the United States.

● (1515)

This law provides for a similar reporting system that requires labour organizations to produce annual financial reports for the U.S. Department of Labor. The requirements for the returns under Bill C-377 are more detailed and complex than those in the U.S. Labor-Management Reporting and Disclosure Act.

Thus, we can expect that Bill C-377 will result in the same ongoing costs as those incurred under the U.S. law, if not higher costs. For fiscal 2011, the U.S. Office of Labor-Management Standards received reports from almost 25,000 U.S. labour organizations—about the same as in Canada—with a budget of \$41.3 million.

Finally, the provision of Bill C-377 requiring the minister to make the information collected available to the public will also give rise to new expenditures. The departmental Internet site does not presently allow for cross-referencing of data, which is required by clause 1 of the bill. The government will therefore have to invest in an expensive computer system that can handle tens of thousands of separate returns covering thousands of distinct transactions.

For all of these reasons, it is clear that the provisions in Bill C-377 require the unauthorized spending of public money for unauthorized purposes and that the bill must therefore have a royal recommendation.

Mr. Speaker, to make it easier for you to examine this important issue, I will provide the testimony given during the Standing Committee on Finance's study of Bill C-377. I want to point out that the Canada Revenue Agency received an order from the Standing Committee on Finance to answer questions regarding new and distinct funds. I strongly believe that its answers will prove beyond doubt that Bill C-377 requires a royal recommendation. I will send you those responses as soon as they are available.

By putting this bill in the hands of the backbench member for South Surrey—White Rock—Cloverdale, the government is shirking its responsibility. So far, the government has done nothing but make a series of mistakes.

Mr. Speaker, you will recall that you have already had to withdraw one of this member's private member's bills from the order paper in response to a convincing point of order from the official opposition last fall, with which you agreed.

In light of the testimony we heard in committee, there is little doubt that this bill absolutely requires a royal recommendation if it comes back to the House for a vote at third reading.

I think that the government must either admit that this bill flagrantly undermines Canadian workers across the country or throw it in the legislative garbage can, where it belongs.

Points of Order

• (1520)

[English]

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I listened to my colleague's intervention with great interest. While I can say that the government profoundly rejects his contention that Bill C-377 would obligate the government to more spending initiatives, I do wish to say that we will take his intervention under advisement and I wish to let you know, Mr. Speaker, that we would make a more detailed response at our earliest opportunity, after we have had a chance to consider his remarks today.

I would also suggest that the member for South Surrey—White Rock—Cloverdale would also like to make a detailed response since he is the sponsor of Bill C-377. I will be advising him that he should be able to do so in short order as well.

We look forward to discussing this in more detail at a future date.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, this is a small follow-up for my friend.

I realize the government needs some time to consider my friend's intervention and the fact that there are costs associated to a bill, which is quite significant to whether a bill can be heard and recommended as a private member's bill rather than a government piece of legislation.

We would only urge the government and the member who has sponsored the bill that urgency is required, simply because of the legislative process that we are now in, which allows you and your office, Mr. Speaker, to make that determination. We hope that there is no delay forthcoming in realizing that. There is a clock that has been started on this piece of legislation and that cannot be altered very easily.

Mr. Tom Lukiwski: Mr. Speaker, I wish to advise my colleague, the chief opposition House leader, and all members, that we do recognize the urgency. We do realize the clock is ticking, as the member said. We understand when the next time is that the bill will be debated in private members' hour, so I can assure the members opposite that we will be dealing with this expeditiously.

The Speaker: I thank all hon. members for their interventions today and look forward to further arguments being made in the near future.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, my hon. friend, the member for Bonavista—Gander—Grand Falls—Windsor rose to speak. Therefore, pursuant to Standing Order 62, I move:

That the member be now heard.

The Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And five or more members having risen:

The Speaker: Call in the members.

• (1605)

(The House divided on the motion, which was negated on the following division:)

(Division No. 507)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Bélanger
Bellavance	Bennett
Bevington	Blanchette
Boivin	Borg
Boulerice	Brahmi
Brison	Caron
Casey	Cash
Chicoine	Choquette
Christopherson	Côté
Cotler	Crowder
Cullen	Cuzner
Davies (Vancouver Kingsway)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Duncan (Edmonton—Strathcona)	Dusseauit
Easter	Eyking
Foote	Fortin
Freeman	Garrison
Genest	Genest-Jourdain
Godin	Goodale
Gravelle	Harris (St. John's East)
Hughes	Julian
Kellway	Lamoureux
Lapointe	Larose
Latendresse	Laverdière
MacAulay	Marston
Mathysen	May
McCallum	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Murray
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclet
Perreault	Quach
Rafferty	Ravignat
Raynault	Regan
Rousseau	Sandhu
Scott	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	St-Denis
Sims (Newton—North Delta)	Sullivan
Sitsabaiesan	Toone
Stoffler	Turmel— 92
Thibeault	
Tremblay	

NAYS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Aspin	Baird
Bateman	Benoit
Bergen	Bernier

Government Orders

Bezan	Blaney
Block	Boughen
Braid	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Gallant	Gill
Glover	Goguen
Goodyear	Gourde
Grewal	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leaf	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Fundy Royal)
Norlock	O'Connor
O'Neill Gordon	Opitz
Paradis	Payne
Penashue	Poilievre
Preston	Raitt
Rajotte	Rathgeber
Reid	Rempel
Richards	Rickford
Saxton	Schellenberger
Seeback	Shea
Shiple	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer — 145	

PAIRED

Nil

The Speaker: I declare the motion defeated.

GOVERNMENT ORDERS

[English]

FAMILY HOMES ON RESERVES AND MATRIMONIAL INTERESTS OR RIGHTS ACT

The House resumed from November 1 consideration of the motion that Bill S-2, An Act respecting family homes situated on First

Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves, be read the second time and referred to a committee.

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, I am proud to rise in support of Bill S-2, the family homes on reserves and matrimonial interests or rights act. This legislation proposes to fill a legislative void that has harmed women, men, children and families living on reserves for far too long. Bill S-2 would provide individuals living on reserves the similar matrimonial real property rights and protections as other Canadians living off reserve. Recognizing the diversity of first nations, it would empower communities to develop their own culturally-specific matrimonial real property laws.

The proposed legislation is informed by many years of study, consultation and debate. It builds on previous attempts to enact similar legislation and was substantially altered before its introduction in Parliament to further strengthen the bill and facilitate the development of first nation laws in this area. Bill S-2 would provide an opportunity to finally put in place a legislative solution to a very real problem. Each delay in its passage results in the continued denial of protections and rights for individuals living on reserves.

I now move:

That this question be now put.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments by the parliamentary secretary. I think there may be some need to continue having some dialogue. She made reference to the updating of the legislation and how important it is. Whenever we are dealing with the concerns of first nations in particular, we in the Liberal Party try as much as possible to encourage consultation prior to the actual drafting of legislation. I do not believe the member made any reference to anything she might have done prior to the drafting and introduction of the legislation.

It would be very beneficial for House members if the parliamentary secretary could provide some details on which first nations she might have consulted and, in particular, which leaders in the first nation communities she consulted. It would be very appreciated if she could elaborate on that.

Mrs. Susan Truppe: Mr. Speaker, in 2005, the Government of Canada embarked on a consultation process in partnership with national aboriginal organizations.

To promote transparency, the government provided the Assembly of First Nations and the Native Women's Association of Canada with \$2.7 million each to facilitate consultation, and more than 100 consultation sessions were held in 76 sites across the country. In total, more than \$8 million were spent on the consultation process. Hundreds of people, most of them residents of the first nations communities, took part in this process. Their feedback directly influenced the content of the legislation now before us.

Some claimed that there was not enough consultation but, frankly, this issue has been discussed for more than 25 years and it is now time to act. How much more time does everyone want? Every delay is an injustice that negatively impacts women, men and children living on reserves.

Government Orders

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, when the parliamentary secretary talks about the amount of consultation that happened across this country, I would refer to the ministerial report by Wendy Grant-John that was done for the former minister of aboriginal affairs, Jim Prentice, back in 2006.

As the ministerial representative, Wendy Grant-John talked extensively to first nations from coast to coast to coast and found that there was no consensus regarding the legislation that could be applied to matrimonial real property. She did make a number of recommendations. We closely examined the legislation that was before the House. When we compared the old legislation to the new legislation, we found that the bulk of Ms. Grant-John's recommendations had not been included in the new legislation.

When the government talks about consultation, it forgets that a vital piece of that is to not only go out and do a consultation but to actually incorporate those recommendations into the legislation that is before the House.

I would like the parliamentary secretary to address specifically how Ms. Grant-John's recommendations were incorporated into this legislation before us.

• (1610)

Mrs. Susan Truppe: Mr. Speaker, the Standing Senate Committee on Human Rights conducted a review of Bill S-2. Many witnesses testified, including the Minister of Aboriginal Affairs and Northern Development.

An excerpt of his testimony in November 2011 reads:

The time has come to solve this issue once and for all. We all agree the status quo is not acceptable. It has not been acceptable for 25 years, yet here we are. Without legislation, the legislative gap continues to impact individuals negatively. Most of these individuals are women and children—already among the most vulnerable of all Canadians—and no court can help them.

This statement neatly summarizes why I believe we must lend our support to Bill S-2. We already have more than 25 years' worth of research, analysis, consultation and engagement. I cannot imagine how more consultation would deepen our understanding of the essential issues or influence the positions taken by various stakeholders.

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, I thank the hon. member for London North Centre, the Parliamentary Secretary for Status of Women, for her remarks and for moving this important legislation.

I, too, support Bill S-2, not simply because I am on the Standing Committee for the Status of Women and not because I am a woman, but because it is simply the right thing to do.

There are a number of reasons why I support it, two of which are as follows. First, the proposed legislation would eliminate the inequity that is currently on reserves that causes so much hardship to the women who are currently within our first nations communities.

Second, it would support first nations that wish to develop and implement community-specific matrimonial real property laws on their own reserve lands.

Those are just some of the reasons why I personally support it. I am wondering what the Parliamentary Secretary for Status of

Women feels would be the important benefits of Bill S-2 to first nations women.

Mrs. Susan Truppe: Mr. Speaker, the legislation would ensure that individuals living on reserves have similar matrimonial real property rights and protections as those available anywhere in Canada. That is the same benefits that we have here in the House and outside of the House. We have benefits and rights but women on reserve do not have rights.

Some of the benefits that Bill S-2 would provide are: safety for children and their caregivers in instances of family violence; stability for women and their children through continued access to the family home; continued connection to the community and extended family; access to services, children's programs and education facilities in the community; the equitable distribution of matrimonial real property assets; and that is just to name a few.

The legislative gap that Bill S-2 would fill has hurt families and entire communities. Moving forward with Bill S-2 to provide individuals living on reserve—

The Acting Speaker (Mr. Bruce Stanton): Order, please. There are other members who still wish to pose questions.

Questions and comments. The hon. member for Nanaimo—Cowichan.

Ms. Jean Crowder: Mr. Speaker, what the member has failed to address in her comments is that there is not one red cent for housing on reserve.

A recent decision at the Convention of Elimination of Discrimination Against Women cited a case in the north where a woman's relationship split up and she lost the right to housing on reserve. CEDAW recommended two important things: first, that there needed to be some remedy around housing, which this bill does not include; and second, that there needed to be some remedy around access to legal services, which this bill does not include.

I wonder if the member could talk about the fact that there is absolutely not one thin red dime to do anything about the housing shortage or the lack of legal services.

• (1615)

Mrs. Susan Truppe: Mr. Speaker, in my view, they are trying to deflect attention from the critical need for this legislation to address the issue of matrimonial real property on reserves. Interested groups have unanimously agreed that this legislative gap needs to be resolved on an urgent basis. It should not be stalled because of the fact that someone should have a broader discussion on the concept of inherent rights.

As I mentioned earlier, Bill S-2 offers a recourse to a spouse or common-law partner and his or her children who have been kicked out of the family home. The individual should not continue to be denied basic rights that people living off reserve take for granted. This is why we need to pass this legislation without further delay.

Government Orders

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Mr. Speaker, I welcome this legislation because I think, as does the group I represent, all women in this country should have the same rights. I am proud to be associated with a party that believes that, no matter where one lives in this great country, all people should have the same rights.

I would like clarification on one point from the parliamentary secretary. In her remarks she mentioned that over \$8 million had been spent in consultation just since 2006-07 and that organizations, like the Assembly of First Nations and the Native Women's Association of Canada, each received \$2.7 million to do this consultation. Could that item be clarified for me?

Mrs. Susan Truppe: Mr. Speaker, in addition to the Senate amendments to Bill S-4, changes were also made to the bill before it was introduced as Bill S-2. These changes encourage and assist first nations in developing their own laws. The verification process, including the role of the verification officer, has been removed. First nations are still required to ensure voters are informed of the first nations proposed law and when and where the vote will take place. The ratification threshold for first nations matrimonial real property laws has been lowered to a single majority with a set participation rate of at least 25% of all eligible voters. The lower threshold will help first nations approve their own laws and a 12 month transition period before the federal provisional rules come into force.

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): Before resuming debate, it is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Algoma—Manitoulin—Kapuskasung, Fisheries and Oceans; the hon. member for Nanaimo—Cowichan, Aboriginal Affairs; the hon. member for Saanich—Gulf Islands, Foreign Investment.

Resuming debate, the hon. member for Manicouagan.

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): Mr. Speaker, I will be sharing my time with the hon. member for New Westminster—Coquitlam.

In a continued effort to raise the cultural subtleties that should be weighed and examined during the review of a given legislative initiative, I think it is important to emphasize the highly questionable nature of importing statutory measures that are incompatible with parallel tribal mechanisms that better respond to the uncertainties associated with life on reserve. I stress the word “importing” because I would like to use comparative law to illustrate that sometimes transposing into another reality certain rules of law that apply indiscriminately across the country can become a problem. That is what I want to illustrate here.

As I have indicated in many of my previous speeches in the House, life on reserve—and I mean no disrespect—is like living in another galaxy. I spent some of my formative years in my native community on the Uashat reserve. I often tell new visitors that life on reserve is like living in another galaxy. I say this so that people are not surprised at what they see and are prepared for this type of reality. When I say that it is another reality or another galaxy, I mean that life is different there. I will explain what I mean.

I am a lawyer. I am a criminal lawyer first, and I deal with psychiatric cases, but I have also taken on a few civil law cases having to do with, among other things, the division of property and the division of acquests in aboriginal communities. This was extraordinarily complicated.

Under Quebec civil law, in the event of divorce or the dissolving of a civil union, there are required steps that are outlined in the Quebec Civil Code and related statutes. Certain rules apply, particularly to the family home. Often a declaration of family residence is filed. The declaration is meant to protect the rights of the former spouses and their children and, ultimately, the occupancy rights concerning a given home. I would remind the House that the bill currently before us has to do with real property.

These provisions and rules apply equally to everyone across Quebec. However, they can be contentious; there is a reason these matters often wind up before the courts. Courts dealing with matters of family law can spend days hearing a single divorce case. In Quebec, these are big civil law cases.

In aboriginal communities and on reserves, things are different, because the very concept of property is regarded from a different angle. I would point out first of all that, in the vast majority of cases, the houses belong to the band council. At least, that is the case in my situation and in Innu communities on the north shore. People's houses usually belong to the band council, because it is often difficult for family units to obtain credit on native reserves. It is a question of the possibility of seizure. More often than not, ownership of all residences on the reserve lies with the band council.

Let us look at a very personal example: my own family unit. A deduction for the mortgage is taken every month from the allowance that my father receives. Let us say that the mortgage on the home is worth \$175,000. For 25 years, a monthly deduction is taken to pay that mortgage or to pay the band council for the house. The band council retains ownership of the house until the final payment is made.

The band council also makes decisions about and coordinates who occupies homes on the reserve. I worked for my own band council for two years and I was often called upon to go to court. The band council gave a directive that it would recognize all civil judgments made regarding custody and child support. As a result, when a judgment is made and grants custody of a child or children to one former partner or spouse, that individual has the right to occupy the house.

● (1620)

That is why it is rather ill-advised and uncalled-for to try to import external principles into a reserve.

Government Orders

People are already coming to their own arrangements. They have gotten together and have come to an understanding. The entire community comes to a consensus. I think that there is some friction related to that. I have seen it when someone dies and it is time to find out which family members will ultimately live in the house. However, we must also consider that our culture is a fundamentally oral one. People have come to a consensus and agreed on something that satisfies each of the interested parties.

I must also point out that although the problems related to sharing real property and the occupation of the family residence following a separation must be considered directly, it is up to this country's aboriginal communities to come up with measures that are culturally adapted to their own particular circumstances.

I will insist on the fact that imposing provincial laws on first nations without their consent is problematic ethically and practically, and it also disregards their inherent rights and their sovereignty. However, that is nothing new. In fact, in the past year and a half, the Conservatives have imposed measures unilaterally, especially in aboriginal affairs.

I am an expert in this area and, as the critic, I often talk about such matters. In this case, the Conservatives are just trying to prove that they have brought forward measures—albeit in a hasty, uninspired and rather disorganized manner—simply to take some credit and to say that they have dealt with the matter head-on.

I submit that it would be preferable to take a reasoned and slow approach, and one coming from and implemented first and foremost by the communities. Then government input could perhaps be added into the mix. However, above all else, these measures must originate with the members, the grassroots, the people in the communities, if we do not want this to be a stillborn initiative.

The government will have to realize that the people who live in these communities, in these sometimes contradictory conditions, are in the best position to evaluate which legislative measures could be implemented.

I submit this respectfully.

• (1625)

[English]

Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, my colleague opposite has indicated that he is a bit of an expert in this area and obviously has worked in it. It is my understanding that, when there is a situation of abuse, a judge can order an injunction to remove the abuser from the home until the situation can be resolved.

This law would allow aboriginal women to have the same rights as the rest of the women in this country, so if there are situations of abuse, abused aboriginal women do not need to find their way on to the streets; a judge can intervene.

Given his experience in this area and his obvious concern for his band, how would he justify his comments that it is awkward or inappropriate to transpose these principles in a situation of property rights, when it clearly affects abused aboriginal women?

[Translation]

Mr. Jonathan Genest-Jourdain: Mr. Speaker, I would like to thank the hon. member for her question.

It is important to pay close attention and to make a distinction. Criminal cases and civil cases are two separate things. Sometimes there is interference between the two, meaning that, in the end, decisions will be rendered in the civil court.

It is a shame, but nearly half my caseload involved cases of domestic violence. I am not proud of it, but that is the reality in our communities. Often this element comes into play.

When the criminal court delivers a ruling, when these cases are dealt with and a person is charged, the court imposes a restraining order and the offender is prohibited from contacting certain individuals. What we see most often is that, when judges—not civil court judges but criminal court judges—sentence an offender, that person is forbidden from contacting their family and from returning to the family home, even if the offender is technically a tenant or even the owner of the home. I have seen it before. If the woman stays with the children, the offender has to find another place to live.

Everything changes when the case is dealt with by the criminal court.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the member's background and comments on the issue, and I listened quite attentively through interpretation. Could he give us a sense, from his perspective, in terms of what he would see as a potential alternative? Are there some answers? Has he been able to have some discussions with individuals? How would he like to see it go?

[Translation]

Mr. Jonathan Genest-Jourdain: Mr. Speaker, I would like to thank the hon. member for his question.

Generally speaking, it would be nice to see some real involvement in Canada's political scene. There are seven Indians here in this House and some of them have never or almost never given a speech in public. I suggest that we forget about having token representatives and stop keeping Indian MPs around just for show. Instead, we should really get them involved in the decision-making process. I also suggest inviting first nations community members to get involved and really listening to them.

The Conservatives will say that they held consultations with the first nations in this particular case, but there is no point if they are holding those consultations just for show and they do not take into account any of their comments or concerns. That is what happened in January. The Conservatives put on a big show complete with fireworks, but in the end, it was meaningless. There are still problems with education, and living conditions in first nations communities are still deplorable. That is because the Conservatives are all about smoke and mirrors and make-believe.

Government Orders

•(1630)

[English]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, in the speech by the member for Manicouagan, he raised the issue of provincial jurisdiction. I wonder if he could comment on whether he has any knowledge about whether the federal government actually even talked to the provinces, because of course this is another example of naming the provinces as having some jurisdiction here. I would suspect that the government has not actually talked to them about what it would mean to their own current caseload. Could he comment on that matter?

[Translation]

Mr. Jonathan Genest-Jourdain: Mr. Speaker, I want to thank my colleague for her question. I am not aware of any real consultation with the provinces. However, if provincial standards are imported across the country, this will cause a great deal of upheaval.

I would like to address this because I read somewhere that provincial standards do not apply on reserves. That is not true. Almost all provincial standards, provided they do not violate the principles set out in the Indian Act, also apply on reserves.

When I say it is another galaxy, that is more or less what I mean. That is the image, the idea in terms of mentality and lifestyle. Provincial standards do indeed apply to all Indian reserves, provided they do not violate the Indian Act.

No, I have no idea whether there were any discussions with the provinces in this particular case.

[English]

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, I sincerely appreciated the speech from the member for Manicouagan and his direct experience with the first nations' life and living conditions. It adds a lot to this debate.

I also want to take time to acknowledge our critic for Indian and northern affairs, the member for Nanaimo—Cowichan, who has done excellent work in the past and also adds a lot to this debate and this discussion.

Today we are talking here about Bill S-2, an act concerning matrimonial real property on first nations reserve lands. It makes changes to the Indian Act to allow for provincial family law to apply on reserves in the event of a matrimonial breakdown or the death of a spouse or common-law partner.

There is a legal vacuum concerning real property on reserves due to the jurisdictional divide, wherein provinces and territories have jurisdiction over property and civil rights within the provinces, and the federal government has jurisdiction to legislate "Indians, and Lands reserved for the Indians" under section 91.24.

The Indian Act does not provide for a division of MRP upon marriage breakdown, and first nations jurisdiction is not explicitly recognized by Canada. This has led to major legal cases, such as *Derrickson v. Derrickson*, 1986, and *Paul v. Paul*, also 1986, which were dismissed by provincial courts because the provincial laws cannot apply to lands on an Indian reserve. Thus, there is this legislative gap.

Bill S-2 is the fourth iteration of similar legislation that the Conservatives have tried to pass since 2008, and the NDP has opposed every time it has come forward for debate.

There have been five parliamentary studies that have been conducted on MRP: *A Hard Bed to Lie In* by the Senate in 2003; *Still Waiting* by the Senate in 2004; *Arm-in-Arm* by the aboriginal affairs and northern development committee in 2005; the report by the status of women committee in 2006; and a ministerial report by Wendy Grant-John in 2006.

I just want to mention the latter, which stated that no consensus has been found regarding legislation that could apply to MRP. Among other things, it recommended that concurrent jurisdictional models be used where first nation law was paramount and that the government needed to identify the real costs of implementing provincial legislation on reserves.

All previous bills, and now Bill S-2, neglect almost all of the recommendations made by all of the aforementioned reports.

The Conservatives are trying to say that the recommendations from the 2006 ministerial report by Wendy Grant-John are being implemented, but that is absolutely not the case.

There is no question that this issue needs to be addressed. However, the Conservatives are trying to pass a law that appears to be in favour of first nations women's rights while ignoring the voices of first nations women themselves. They are fast-tracking legislation without addressing all the relevant non-legislative problems that first nations women and families have identified.

The Conservatives are not interested in a fulsome discussion of the bill or any first nations issues. They want to hastily enact a bad law just so they can say they have done something.

The problem requires a comprehensive response led by first nations. This approach must address family support services; more on-reserve housing and shelters; police support services; building first nations capacity to resolve disputes; solutions to land management issues; and resolutions of matters relating to citizenship, residency and Indian status.

Bill S-2 is an insincere and overly simplistic attempt to rectify a complex problem that was brought about by the Indian Act.

The Assembly of First Nations facilitated a dialogue, which identified three broad principles that are key to addressing matrimonial rights and interests on reserve. I will identify those: recognition of first nation jurisdiction; access to justice, dispute resolution and remedies; and finally, addressing underlying issues such as access to housing and economic security.

Government Orders

• (1635)

Based on these principles, I would like to take a closer look at two important themes that underpin the position of the New Democrats on Bill S-2: the absence of meaningful consultation with first nations; and the need to address the non-legislative problems surrounding the issue of matrimonial property rights.

I will turn to what others had to say on this in elaborating on meaningful consultation and non-legislative problems.

Ellen Gabriel, the former president of the Quebec Native Women's Association and AFN grand chief candidate, said:

It is reprehensible that the Government of Canada is so eager to pass legislation [that seriously impacts the collective human rights of Indigenous peoples] without adequate consultations which requires the free, prior and informed consent of Aboriginal peoples.

This is a growing trend of the Conservatives thrusting legislation upon Canadians without first consulting.

For example, the fisheries and oceans committee studied several clauses of Bill C-45, including a clause relating to the definition of what constituted an aboriginal fishery. There was an absence of consultation with first nations. It was only a one-way dialogue.

I will offer another quote from Stuart Wuttke from the Assembly of First Nations. He said at the fisheries and oceans committee:

—we feel if there's consultation and accommodation with respect to first nation interests, there may be a balanced approach. We would definitely prefer that, and we would recommend that consultation and accommodation take place in order to alleviate any potential problems that may exist in the future.

Consultation allows a legislative to find a balanced approach that serves the best interests of all stakeholders and to alleviate any potential problems that may exist in the future. For example, if the government had properly consulted on Bill C-38, it probably would not have found itself making so many amendments now in bill C-45.

According to the UN Declaration on the Rights of Indigenous Peoples, to which Canada is a signatory, consultation requires consent. While Canada has conducted limited consultation, no consent was given by rights holders. Therefore, if we endorse Bill S-2, we will be in violation of article 32 of the UNDRIP, which ensures free, prior and informed consent of any matter relating to the lands or welfare of the rights holders.

I will further add what other first nation women are saying. The Native Women's Association of Canada says:

NWAC is being told by its members that the MRP legislation is too prescriptive and does not adequately support Indigenous legal systems. As well, no financial resources will be allotted to support First Nations Governments to actually implement the legislation, if it were to get passed.

The NWAC testified at the Senate hearings on Bill S-2 and said the following:

—our women and population and constituents have repeatedly told us 12 months is not a sufficient transition period if this bill were to go ahead. First Nations are dealing with governments that are already overloaded with many socio-economic issues.

We are looking at a longer-term plan: two years, five years and ten years. Those are the types of plans that need to be developed in cooperation with First Nations, not government designing it and having patchwork input from First Nations. You will have a holey quilt, if you will. Too many resources will also be spent, and it will not be a satisfactory result for anyone.

We would rather take the time, do it right and stop pushing ahead in a rush to have a quick resolution that might not be a good one for anyone.

The image of a holey quilt is a good one and identifies the need for co-operation with first nations that the government should have.

• (1640)

About Bill S-4, which was a previous incarnation of Bill S-2, Pam Palmater, a professor of aboriginal law at Ryerson, said:

The Minister also said that Aboriginal women are in need of “immediate protection”. If the Minister actually listened to the voices of Aboriginal women, he would have heard that Aboriginal women do not want Bill S-4 as it is currently drafted. He would also have heard that what they do want is gender equality addressed in all of Canada's legislative initiatives...

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, I have a very big concern. I hear the member talk about not being interested in having fulsome discussions with the communities that are going to be affected by this legislation. I am not sure whether the member actually knows, but consultations on this issue began back in 2005 and consisted of four phases. The Parliamentary Secretary for Status of Women actually indicated the amount of money that has been invested in helping first nations go out to their communities and find out what the best decisions are for their own people. In fact, I think the number provided was \$2.7 million in funding for both the Native Women's Association of Canada and the Assembly of First Nations. Funding toward this piece of legislation totals \$8 million. I wonder if the member is actually aware of that.

The second thing I heard that I could not believe was that the member said 12 months was not a long enough process for first nations to enact this legislation. Going back to 2005 when consultations began, is seven years enough? Seven years this has been in the works. We are finally at this point to protect women—

The Acting Speaker (Mr. Bruce Stanton): Sorry, I do not mean to cut the hon. member off, but I know other members may have questions.

The hon. member for New Westminster—Coquitlam.

Mr. Fin Donnelly: Mr. Speaker, in fact I did reference four previous studies over a period of time that identified a number of recommendations and that has been quite a problem. Those recommendations, as I pointed out in my speech, have actually not been implemented. They have not been listened to and the first nations women who were part of previous testimony have commented about how they are not feeling listened to and that their recommendations are not being heard.

I referenced those four reports. What was concluded was that if the government had actually listened to the consultations it would not implement Bill S-2, this incarnation of the legislation, because of a lack of financial resources to support first nation governments, a lack of funding for lawyers, a lack of funding to account for limited geographic access to provincial courts and a lack of on-reserve housing and land mass, which would be necessary to give spouses separate homes on reserve.

• (1645)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I thank my colleague for his overview and for reminding us of the trajectory of this initiative. One of the things that frustrates us on this side of the House is that the government is bringing forward an initiative such as this when it has not dealt with the fundamentals. The fundamentals are actually about funding for first nations. A year ago we dealt with the crisis in Attawapiskat. We have seen that young people do not have access to education. Those are the real issues.

When my colleague talks to first nations people who are working on these issues, what are the priorities for them? Is it about the processes that the government comes up with or is it about getting results for everyday people?

Mr. Fin Donnelly: Mr. Speaker, my colleague raises an excellent point about what first nations face on reserve and even off reserve, which goes to the heart of the matter. In terms of on reserve, it is basic fundamental principles and conditions that are at stake here. What has been addressed, whether it is education, housing, clean water or infrastructure, are basic common issues that are related to the underpinning of what we are talking about.

Further, the efforts to remedy the serious problem of matrimonial property rights must be guided by the three principles that I previously mentioned: recognition of first nation jurisdiction; access to justice dispute resolution and remedies; and addressing underlying issues such as access to housing and economic security, which my good friend mentioned.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, my hon. friend from Saint-Léonard—Saint-Michel also rose to speak. Therefore, pursuant to Standing Order 62, I move:

That the member be now heard.

The Acting Speaker (Mr. Bruce Stanton): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bruce Stanton): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Bruce Stanton): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bruce Stanton): In my opinion the nays have it.

And five or more members having risen:

The Acting Speaker (Mr. Bruce Stanton): Call in the members.

• (1725)

(The House divided on the motion, which was negated on the following division:)

Government Orders

(Division No. 508)

YEAS

Members

Bellavance	Bennett
Brisson	Casey
Cotler	Easter
Lamoureux	MacAulay
May	McCallum
Murray	Pacetti
Regan	Scarpaleggia
Simms (Bonavista—Gander—Grand Falls—Windsor)	
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Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Angus
Armstrong	Ashton
Aubin	Baird
Bateman	Benoit
Bergen	Bernier
Bevington	Bezan
Blanchette	Blaney
Boivin	Boughen
Brahmi	Braid
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Butt	Calandra
Calkins	Cannan
Caron	Carrie
Cash	Chisu
Choquette	Christopherson
Clarke	Clement
Côté	Crowder
Cullen	Daniel
Davidson	Davies (Vancouver Kingsway)
Day	Dechert
Del Mastro	Devolin
Dewar	Dionne Labelle
Dreeshen	Duncan (Vancouver Island North)
Duncan (Edmonton—Strathcona)	Dusseau
Dykstra	Fantino
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Fletcher	Freeman
Gallant	Genest
Genest-Jourdain	Gill
Glover	Godin
Goguen	Goodyear
Gourde	Gravelle
Grewal	Harper
Harris (St. John's East)	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
Hughes	Jacob
James	Jean
Julian	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kellway
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lapointe
Larose	Latendresse
Lauzon	Lebel
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Marston
Mathysen	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Michaud
Miller	Moore (Abitibi—Témiscamingue)
Moore (Fundy Royal)	Morin (Saint-Hyacinthe—Bagot)
Norlock	Nunez-Melo

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Opitz	Papillon
Paradis	Patry
Payne	Penashue
Perreault	Poilievre
Preston	Rafferty
Raitt	Rajotte
Rathgeber	Raynault
Reid	Rempel
Richards	Rickford
Rousseau	Sandhu
Saxton	Schellenberger
Scott	Shea
Shipley	Shory
Sims (Newton—North Delta)	Sitsabaiesan
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sullivan	Sweet
Thibault	Tilson
Toet	Toone
Tremblay	Trost
Trottier	Truppe
Turnel	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Wallace	Warawa
Warkentin	Watson
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Weston (Saint John)	
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PAIRED

Nil

The Speaker: I declare the motion defeated.

Resuming debate. The hon. member for Newton—North Delta.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, it is a pleasure to speak today to the bill. When I read the title of the bill, an act respecting family homes situated on first nations reserves, the word “respecting” strikes me because what is absolutely missing out of this legislation is respect for the independence and sovereignty of our first nations people.

I have sat here and listened to my colleagues across the way say that they have been consulting for years. However, if we consult but we do not hear, do not absorb and do not adapt to what we are going to do, then it is not listening.

What we have here is a total side-stepping of the key issues facing our first nations communities. It is just so the Conservatives can go to the United Nations and say that they have done something. As we know, the United Nations has been urging the government to take action to address the matrimonial rights on first nations lands for years and years and it has failed.

This reiteration of legislation fails once again on fundamental values that we hold dear and that the government committed to when they met with the leaders from the first nations communities. One of them is consultation. Consultation does not just mean getting to speak and then going home and then doing exactly what one intended to do all along.

Second, there is that fundamental right that has been recognized in Canadian Parliament of our first nations to self-governance and the right of sovereignty over their own land. This legislation shows utter disrespect for those values and disrespects the very people the government says it will try to help.

If I were a woman living on first nations lands, I would ask what I need the government to address. First, I do not need a patronizing piece of legislation. Second, what I need is for the government to address the issues and to help to fund programs in order to build strong families and strong communities.

I hear the mantra over and over again from my Conservative colleagues about how the fundamental core of Canadian society, and especially of their platform, is the family. I agree with them because I think there is nothing as important as family. When we have strong families we have strong communities.

However, when we get legislation like this that does not even address the key issues facing our first nations communities, we begin to realize that my colleagues across the way have one set of rules for their own families and another set of rules for families, whether they are first nations, newcomers or the hundreds and thousands of Canadian families separated from their loved ones because of the government's policies and living in many different countries.

• (1730)

The Acting Speaker (Mr. Barry Devolin): Order, please. It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[English]

TRANSBOUNDARY WATERS PROTECTION ACT

The House proceeded to the consideration of Bill C-383, An Act to amend the International Boundary Waters Treaty Act and the International River Improvements Act, as reported (with amendments) from the committee.

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

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC) moved that the bill be concurred in.

The Acting Speaker (Mr. Barry Devolin): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Barry Devolin): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Barry Devolin): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion the yeas have it.

And five or more members having risen:

Adjournment Proceedings

The Acting Speaker (Mr. Barry Devolin): Pursuant to Standing Order 98 the recorded division stands deferred until Wednesday, November 28, immediately before the time provided for private members' business.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

FISHERIES AND OCEANS

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, I am glad to be able to revisit my question on heritage lighthouses and the Mississagi Strait lighthouse in particular. I will take a brief moment to acknowledge the people who have been driving this issue and keeping me up to date with the efforts of the La Cloche—Manitoulin Lighthouse Association as it strives to become the caretaker of this historical gem. I recognize the hard work of people such as Bill Caesar from Meldrum Bay and Rick Nelson, curator of the Kagawong museum, for their passionate efforts to save our historic lighthouses. I imagine they are watching this intently. They are joined by other groups across the country who are working to preserve these grand structures, which are not merely surplus in the eyes of their communities but are wonderful reminders of our history.

I also acknowledge the open door treatment I have received from the Minister of Fisheries and Oceans who has shown that he understands the important role that the Mississagi lighthouse plays in the local economy, and has kept himself up to date on the issues that surround the potential divestment of this asset. I also pass on my best wishes for a speedy recovery. We certainly look forward to having him back here in the House.

From the time it became known that Canada's surplus heritage lighthouses would be divested, the La Cloche—Manitoulin Lighthouse Association has been hard at work to ensure it would preserve Manitoulin Island lighthouses, and the Mississagi Strait lighthouse in particular, as tourist sites and anchors for the local economy. Currently, the Mississagi site supports a nearby restaurant and hotel while receiving many visitors a year. However, lately people have not seen the grand old structure in the same condition as they would have when it was a functioning lighthouse that played a significant role in our Great Lakes maritime history. Instead, they see a structure that is just hanging on. Tarps adorn the building to protect it from the elements and it could not be described as anything near shipshape.

Yet, this is an official heritage site as designated by the Federal Heritage Buildings Review Office and is the cornerstone of significant efforts to foster a tourist industry centred on Manitoulin lighthouses. In an area with relatively few economic opportunities, it is a unique attraction that locals hope to preserve, promote and develop. In fact, there is already strong interest on the part of both Canadian and American tour operators to develop a theme-based tour centred on Manitoulin lighthouses generally, and the Mississagi lighthouse in particular.

While local municipalities and residents are willing to take on responsibility for area lighthouses, these cash-strapped municipalities simply do not have the resources to bring these structures up to a reasonable standard of repair from their current state. They feel it is imperative that the Department of Fisheries and Oceans, as the present owner of these structures, ensure the lighthouses are transferred to local municipalities in reasonable condition or with adequate financial resources to fund essential repairs including leaking roofs and deteriorating foundations. Simply put, the costs to repair these aging structures are prohibitive for Manitoulin municipalities acting alone, and it will take federal support to ensure this initiative is possible.

The future caretakers of the historic and socio-economically significant Manitoulin lighthouses implore the federal government to do the right thing. Will the government commit to handing off these structures in a reasonable condition or with the funds needed to ensure the lighthouses are shipshape?

● (1735)

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC): Mr. Speaker, I am pleased to have the opportunity to respond to the member opposite on the issue of the maintenance and preservation of Canada's lighthouses, in particular the Mississauga Straits lighthouse on Ontario's Manitoulin Island.

Lighthouses have made significant contributions to maritime safety over the years. The role of lighthouses has evolved over time as a result of advances in marine navigation technology. In many instances the principal value of lighthouses is now reflected in the tourism-based ventures that have been established at these sites. In fact, the Mississauga Straits lighthouse property has been leased since 1983 to local interests that have developed the site as a popular regional tourist destination.

In recognition of the historic importance of lighthouses, the government enacted the Heritage Lighthouse Protection Act on May 29, 2008. Three hundred and forty-eight federally owned lighthouses were nominated for heritage designation during the act's two year petitioning period. All lighthouses for which petitions were received will be considered for designation by May 29, 2015.

It is anticipated that the act will enable the preservation of many of Canada's historic lighthouses in a manner that will conserve heritage values and promote public visitation and enjoyment. Given that retaining formal ownership of lighthouses is seldom required for program purposes, many lighthouse structures, including the Mississauga Straits lighthouse, have been identified as surplus over the past 20 years and made available for alternative ownership opportunities, either through the regular divestiture process or the provisions of the Heritage Lighthouse Protection Act.

Funding to maintain real property assets is limited and must be prioritized in a manner that sustains federal programs and services. Long-term investments and assets that are expected to be divested are not prudent to hold and would require that funding be diverted from projects that are critical for ongoing program mandates. For surplus lighthouses, short-term repairs are recommended to safeguard the structural integrity of the buildings, pending their eventual divestiture.

Adjournment Proceedings

Although the Heritage Lighthouse Protection Act is expected to accelerate the pace of lighthouse divestitures, it is in fact consistent with existing practices that have been in effect for many years. Many former federally owned lighthouses, including those with active aids to navigation, have been successfully divested in order to benefit local economic development and tourism. Communities such as Southampton, Ontario; Matane, Quebec; and Yarmouth, Nova Scotia have assumed control over the conservation of their historical landmarks and many more are willing and able.

I am pleased to inform the House that the Mississauga Straits Lighthouse has been nominated for designation under the Heritage Lighthouse Protection Act. In accordance with the provisions of the act, a community-based organization has developed an alternative ownership proposal for this property. Negotiations to establish mutually acceptable terms of transfer are ongoing between the parties.

While Fisheries and Oceans Canada maintains a limited budget to subsidize the cost of certain site and building maintenance as part of the transfer process, it will consider such requests on a case-by-case basis.

Mrs. Carol Hughes: Mr. Speaker, his speech was similar to mine. The parliamentary secretary talked about the Heritage Lighthouse Protection Act. He talked about the importance of these lighthouses to the communities with respect to the economy and tourism. He talked about public visitation and enjoyment. I think that is very clear and that it is the same message that we have been putting forward. This is basically the goal these groups have been trying to achieve.

The problem here is the limited funds. Again, these lighthouses' maintenance has basically been abandoned by the government for many years. They have been "neglected", I guess the word is.

Again, the important point is that these lighthouses can be saved and that these associations want them, but they need funding and to know where they can get that funding in order to be able to maintain these lighthouses. Otherwise, it would just not be a viable project.

• (1740)

Mr. Randy Kamp: Mr. Speaker, I thank my colleague opposite for raising this issue.

The fact is that funding for real property assets is prioritized to support program needs. Long-term investments in assets that are expected to be divested, as I have said, are not deemed to be prudent.

For surplus properties, such as the Mississauga Straits lighthouse, short-term repairs are done to safeguard the structural integrity of the buildings pending their eventual divestiture.

Negotiations with community-based interests to establish mutually acceptable terms of transfer for this particular lighthouse are ongoing and could include provisions to subsidize the cost of certain improvements as part of the transfer process.

This government will continue to invest prudently in lighthouses within the federal inventory and facilitate opportunities for divestiture to ensure their preservation for future generations.

ABORIGINAL AFFAIRS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I am rising again on a question I raised a number of weeks ago with regard to funding cuts to key aboriginal organizations.

I am going to read into the record a letter dated November 22 to the Minister of Aboriginal Affairs and Northern Development. It says:

Dear Minister,

We are writing to express our dismay over unprecedentedly deep funding cuts for Canada's Aboriginal Representative Organizations, including the Assembly of Manitoba Chiefs, the Federation of Saskatchewan Indian Nations and tribal councils across the country. This follows the forced closure of the National Aboriginal Health Organization.

As researchers, we work with these organizations and others in research partnerships to tackle some of the most pressing issues Canada faces. Grant funding agencies supported by your government consistently identify Aboriginal research as one of the top priorities for research in Canada. They also make it clear that this research can only be done in partnership with First Nations, Métis and Inuit communities.

As minister, you are well aware of the health, education and infrastructure issues that are preventing Canadian First Nations, Métis and Inuit communities from reaching their full potential. Innovative research partnerships between the people affected and the brightest minds at Canadian universities offer hope for resolving these issues in an effective and fiscally responsible way. In many cases, these bright young minds are First Nations citizens themselves.

We partner with the organizations whose funding you have cut on practical issues such as clean drinking water and community planning. We also partner with individual First Nations that rely on these umbrella organizations for training and support that enables them to engage meaningfully in research. Dedicated staff at these larger organizations, with whom we have developed relationships over years, are named as co-applicants and collaborators on our research grants. However, these people may not be able to carry through on their commitments because they may lose their jobs.

The potential loss of expertise is staggering and could take a generation to recover. Canada cannot afford to wait another generation for solid research on urgent issues. We urge you to rethink these ill-advised cuts to organizations that have been doing excellent work in their communities that benefits Canada as a whole.

This letter is signed by 121 different individuals at universities and organizations that are supporting this research.

Concerns are being raised from coast to coast to coast on these cuts. I just need to quote once again the UN Declaration on the Rights of Indigenous Peoples, which Canada endorsed in November 2010. Article 19 states:

States shall consult and cooperate in good faith with indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

These cuts are seriously hampering organizations that are offering support, particularly to some of the smaller bands. The government is actually forcing cuts right at the time we are seeing crises in things like housing, water and education.

The Conservative government has a legislative agenda that actually requires some of the services that were formerly provided by, for example, tribal councils, to help with the implementation of that legislative agenda—for example, Bill C-27, the financial transparency and accountability act.

Adjournment Proceedings

I am just asking the parliamentary secretary if the government has reviewed the impact of these cuts and what it will mean for these organizations to be able to deliver services that are essential in these communities.

• (1745)

Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I appreciate this opportunity to extend the discussion. Particularly over the last couple of weeks when there has been a pretty light load for Aboriginal Affairs and Northern Development, we like to continue debating this matter, speaking to the health and self-sufficiency of aboriginal communities. We take this very seriously.

On September 4, our government announced an exciting new funding model for aboriginal representative organizations, tribal councils and band advisory services. We are taking steps to ensure that government funding will be more clearly focused on those shared priorities and to maintain the progress we have made toward healthier and more self-sufficient aboriginal communities across the country.

Our new approach will ensure that projects being funded are better aligned with our government's shared priorities of education, economic development, community infrastructure and other initiatives that promote great self-sufficiency in aboriginal communities. Let me assure the member that these priorities are in fact shared by first nations, Métis and Inuit leadership. Our government has taken steps to make the greatest impact with our resources. The new funding model will create greater funding equity among aboriginal organizations across Canada.

This is a time of transition and change. To minimize the impact of these changes on organizations, we are streamlining the reporting requirements and the changes are being implemented over time. This will allow everyone to adapt their operations and, if needed, to seek out new sources of funding. Aboriginal representative organizations make a great contribution on behalf of all their members and this is recognized by our government.

This is the first modification to tribal council funding since it was launched more than 30 years ago. Funding for tribal councils will be based on several considerations, including the size of the populations they serve, the number of first nation communities in their membership and the range of major programs they deliver. This new approach will reduce the reporting burden on organizations with a simplified application and reporting process.

We are making changes to have a greater impact where it matters the most: in the communities. Over the last six years, the government has invested in creating the conditions for healthier, more self-sufficient aboriginal communities. Economic action plan 2012 builds on that progress with \$275 million in new funding for first nation education, an additional \$330.8 million to build and renovate water infrastructure on reserve and improve water quality for first nations communities, \$27 million to renew the urban aboriginal strategy and \$13.6 million to support aboriginal consultation on resource development projects.

We are making changes to have a greater impact where it matters most in communities across the country and we will continue to work with first nations communities to improve the lives of their members through targeted investments and, though changed, our continued funding to aboriginal representative organizations, tribal councils and band advisory services will continue to make a difference in aboriginal communities.

Ms. Jean Crowder: Mr. Speaker, it is interesting that in a draft analysis I have it says that cuts to core funding for all first nations organizations between 2012 and 2015 are projected to be over \$6.1 million or 32.3%, cuts to core funding for regional first nations organizations between 2012 and 2015 are projected to be \$5.6 million or 40.3% and cuts to core funding for first nations tribal councils between 2011 and 2015 are projected to be \$19.5 million or 40%.

The government has indicated that it is telling tribal councils that they will not have to provide what have been deemed essential services in the past, but nowhere is there any information about who is now going to provide these essential services. I have spoken to first nations from coast to coast to coast. When I say that we have heard the government is making these cuts and ask who has received additional funding as a result of these cuts since they are supposed to be targeted, not one organization has been able to identify where this money was supposedly redirected.

Will the parliamentary secretary tell us who will get the additional funding to provide these services and when they will get it?

• (1750)

Mr. Greg Rickford: Mr. Speaker, this government has consistently shown its commitment to aboriginal people through significant investments to enable them to participate in, contribute to and benefit from Canada's prosperity. Our government continues to take concrete steps to create conditions for healthier, more self-sufficient aboriginal communities.

The new funding models put in place in September 2012 will continue to create greater funding equity and ensure that our funding is directed at the delivery of essential services and programs for aboriginal people.

We are delivering on tangible and lasting results that will ensure every person in every community is well positioned to fully participate in a strong, dynamic Canadian economy.

The Acting Speaker (Mr. Barry Devolin): The hon. member for Saanich—Gulf Islands not being present to raise the matter for which adjournment notice has been given, the notice is deemed withdrawn.

Adjournment Proceedings

As such, the motion that the House do now adjourn is deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 5:51 p.m.)

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