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(HANSARD)

Wednesday, November 29, 2017

Speaker: The Honourable Geoff Regan

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HOUSE OF COMMONS

Wednesday, November 29, 2017

The House met at 2 p.m.

Prayer

● (1400)

[*Translation*]

The Speaker: It being Wednesday, we will now have the singing of the national anthem led by the hon. member for Louis-Saint-Laurent.

[*Members sang the national anthem*]

PRIVATE MEMBERS' BUSINESS

[*English*]

BILL C-352—CANADA SHIPPING ACT, 2001

VOTE ON THE DESIGNATION OF AN ITEM

The Speaker: Pursuant to Standing Order 92(4), I direct that the vote on the designation of Bill C-352, an act to amend the Canada Shipping Act, 2001 and to provide for the development of a national strategy (abandonment of vessels), resume.

[*Translation*]

I would like to remind the members that they can obtain their ballot from the table officer seated on their side of the chamber. However, during statements by members, oral questions, and Committee of the Whole, ballots will be distributed from the corridor behind the Speaker's chair.

STATEMENTS BY MEMBERS

[*English*]

NUNAVUT ELECTIONS

Hon. Hunter Tootoo (Nunavut, Ind.): *Qujannamiik Uqaqti*, Mr. Speaker. I would like to take this time to congratulate Nunavut's newly elected MLAs, Speaker, executive council, and new Premier, Paul Quassa.

As I am sure all members in this House can agree, an incredible amount of work goes into an election. I would like to congratulate them again on their hard work and achievements thus far.

This is an important time for Nunavut. With our 20-year anniversary fast approaching, we reflect on how we have grown as a territory, the progress we have made, and the lessons we have learned. We use this knowledge to determine how to best move forward as we look to the future.

With the fastest growing population in Canada, many of the challenges we face, including education, housing, and health care, are only going to become more pressing. Addressing these issues is vital to securing a bright future for Nunavut. I look forward to working closely with the new territorial government and Premier Quassa to help ensure that Nunavut shines.

* * *

● (1405)

GROS MORNE THEATRE FESTIVAL

Ms. Gudie Hutchings (Long Range Mountains, Lib.): Mr. Speaker, most of us know that the oldest professional theatre company in Canada is Stratford, of course, but I am sure most do not know the second oldest, which is Theatre Newfoundland Labrador. Their Gros Morne Theatre Festival, in Gros Morne National Park, is now the economic backbone of the community of Cow Head. According to Mayor Adrian Payne, things did not look so great for the former fishing community, but theatre swept in, and now the town is a cultural destination for locals and tourists alike.

I was excited to be with Adrian and others to announce combined funding of \$4.2 million to construct a new dinner theatre and a production complex. Everyone is applauding the investment, as audiences have grown from 1,200 to over 12,000, and they turn away people every night.

TNL is known for exceptional experiences, talented performers, and magical technicians. However, they are especially known for theatre based on our incredible local Newfoundland and Labrador stories. The entire region is excited about the expansion, the construction, the new jobs, and the opening in 2019. Come experience—

The Speaker: The hon. member for Provencher.

*Statements by Members***CHRISTMAS**

Mr. Ted Falk (Provencher, CPC): Mr. Speaker, as we transition from Thanksgiving to Christmas, we move from a state of “I am thankful for” to a state of “I want more.” Every day we are bombarded with images of things we just must have. We somehow believe that these things will bring us happiness. They ultimately never do.

As Christmas approaches, may we rather focus on the birth of Jesus and be reminded of His unchanging message of hope, peace, and love. In a world at times absent of love, at times absent of peace, it may seem hopeless and discouraging, but let us remember the message given to the shepherds.

The angel declared, “Do not be afraid. I bring you good news that will cause great joy for all the people.

Jesus, “Wonderful Counselor, Mighty God, Eternal Father, Prince of Peace.”

As parliamentarians, let us remember the foundation of our dominion. May we remain ever hopeful, ever faithful to the promise that is Canada, and turn to the Prince of Peace for guidance and direction in whatever we do in this place. He is the one who has dominion from sea to sea.

I would like to take this opportunity to wish the members of this House and all Canadians—

The Speaker: The hon. member for Brossard—Saint-Lambert.

* * *

QUEEN ELIZABETH II

Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.): Mr. Speaker, last week our Queen and Prince Philip celebrated their 70th wedding anniversary.

[*Translation*]

Her Majesty and the Duke of Edinburgh have had the longest marriage in the history of the British Crown. This is another joyful milestone for our head of state. Last year, Her Majesty became the first reigning Canadian monarch to reach 90 years of age.

[*English*]

The Globe and Mail stated last July that “The monarchy is the bedrock of Canada's constitutional order.” I firmly agree, and I have always believed that.

I am proud to be a strong monarchist, holding firm to the belief that historical continuity is the best anchor for bold and progressive governance.

[*Translation*]

I would like to express my sincere hope that Her Majesty and the Duke of Edinburgh will continue to be beacons of love and devotion for years to come.

[*English*]

I send my deep gratitude for such an inspiring life to Her Majesty and His Royal Highness.

NATURAL RESOURCES

Mr. Kennedy Stewart (Burnaby South, NDP): Mr. Speaker, during the 2015 election, the Prime Minister promised he would protect British Columbia's coast from Kinder Morgan. Well, he broke his promise and is now working to ram this dangerous new bitumen pipeline through our beautiful province. While 18 court cases have left the fate of this pipeline in limbo, Kinder Morgan has already broken the law by setting up salmon-killing anti-spawning matting in our rivers, with plans to set up more in dozens of locations. The National Energy Board has issued stop work orders, and my inquiries indicate that the BC Oil and Gas Commission will also officially sanction the company.

Kinder Morgan has erected a Guantanamo Bay-style compound in the Burrard Inlet, complete with razor-wire fencing. The company's private security firm harasses recreational boaters on a daily basis, and I have now asked the RCMP to investigate.

While the Prime Minister and his Liberal MPs have sided with Kinder Morgan against B.C., we will not stop fighting this project until it is abandoned. We will protect our coast.

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[*Translation*]

LAC-SAINT-JEAN

Mr. Richard Hébert (Lac-Saint-Jean, Lib.): Mr. Speaker, I rise today to address the House as the new member for Lac-Saint-Jean. I first want to thank all hon. members for their warm welcome upon my arrival. I will never forget those moments.

I would also like to thank everyone in my riding who placed their precious trust in me. Since October 23, I have been serving the families in my region. I am very proud to be the voice of the people of Lac-Saint-Jean.

Thank you to everyone.

* * *

● (1410)

[*English*]

GEORGE FREEMAN

Mr. Martin Shields (Bow River, CPC): Mr. Speaker, I rise today to pay tribute to the life of George Freeman. George was a pillar of his community in the town of Strathmore. He was a World War II veteran. He was the last living resident of Strathmore to have stormed the beaches on D-Day. He was honoured with the French National Order of the Legion of Honour for his efforts.

He devoted decades of his life to Ducks Unlimited and played a key role in many conservation projects throughout southern Alberta. He served as the Strathmore fire chief and as a director of the Calgary Zoo. His deep devotion to his community was apparent in the countless local charities he was involved in. His tireless efforts earned him the nickname “Mr. Strathmore”.

I offer my sincere condolences to his family and many friends. George Freeman: a truly great Canadian.

LGBTQ2 CANADIANS

Mr. Robert Oliphant (Don Valley West, Lib.): Mr. Speaker, yesterday we were witnesses to the historic apology made by the Prime Minister to LGBTQ2 Canadians who have been wronged by federal legislation, policies, and practices. However, we were more than witnesses; we were participants, and I wish to thank every member of this chamber who was here sharing in this historic, and for me, deeply personal moment.

As a young person growing up gay, I never, ever imagined this day. Throughout my lifetime, Canadians were fired from jobs, discharged from serving their country, denied access to justice, and convicted of crimes for simply being themselves.

[Translation]

Mr. Speaker, make no mistake: our long journey has only just begun. Practical reforms will follow to right the historic injustices that people continue to suffer every day. Let us continue moving forward together towards stronger, more diverse and inclusive society.

[English]

Yesterday was the start, not the end.

* * *

SPECIAL OLYMPICS ATHLETES

Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.): Mr. Speaker, this week we have some of Canada's best athletes in Ottawa. I am talking about the amazing individuals on Team Canada for the Special Olympics, who trained with blood, sweat, and tears to do Canada proud, and proud they did. In March, Team Canada flew to Austria and scooped up 29 bronze medals, 52 silver medals, and 63 gold medals.

I would like to especially recognize Katherine St. Amand, an Olympic alpine skier from my very own riding of Pitt Meadows—Maple Ridge. I was beyond honoured when Katherine came into my constituency office shortly after the Austrian Olympics in April to show me her very own, hard-earned silver medal.

I would like everyone in the House to know of the perseverance of our Special Olympics athletes and of their sheer skill in representing Canada on the world stage.

* * *

CHRISTMAS

Mr. Mark Warawa (Langley—Aldergrove, CPC): Mr. Speaker, the Christmas season is here with wonderful music and beautiful decorations. This is the Christmas story:

And there were...shepherds abiding in the field, keeping watch over their flocks by night. And, lo, the angel of the Lord came upon them, and the glory of the Lord shone round about them: and they were afraid. And the angel said to them, Fear not: for, behold, I bring you tidings of great joy, which shall be to all people. For unto you is born this day in the city of David a Saviour, which is Christ the Lord. And this shall be a sign to you: Ye shall find the babe wrapped in swaddling clothes, lying in a manger. And suddenly there was with the angel a multitude of the heavenly host praising God, and saying,

Glory to God in the highest, and on earth peace, good will toward men.

Statements by Members

Peace, love, and kindness is God's gift to each of us and is the gift of Christmas we can share with those in need. Merry Christmas to everyone.

* * *

J. ROBERT HOWIE

Mr. Matt DeCoursey (Fredericton, Lib.): Mr. Speaker, I rise to commemorate the life of the hon. J. Robert Howie, who passed away unexpectedly on November 25. Former member of Parliament for the Fredericton riding then known as York—Sunbury, Bob was first elected in 1972, was re-elected four times, and retired from politics undefeated in 1988.

Bob was a fierce advocate for children and for veterans. In 1979 he was appointed to Privy Council as minister of state for marine transport. He was appointed Queen's Counsel in 1981.

Ever present in the community, Bob served as president of the YMCA, volunteered at the Fredericton Community Kitchens, and was a devoted member of St. Andrew's Presbyterian Church. Bob enjoyed telling jokes and sharing his wisdom with everyone over a cup of coffee at Read's coffee shop, where he could be found holding court in recent years.

Above all his accomplishments, Bob's family was his greatest source of pride and joy. We extend our thoughts and prayers to his loving wife, Nancy, and to the entire Howie family.

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● (1415)

INTERNATIONAL DAY OF SOLIDARITY WITH THE PALESTINIAN PEOPLE

Mr. Chandra Arya (Nepean, Lib.): Mr. Speaker, today is the International Day of Solidarity with the Palestinian People. The date of November 29 was chosen by the United Nations in 1977 because of its meaning and significance to the Palestinian people.

On this day in 1947, the United Nations adopted the partition resolution that provided for the establishment in Palestine of a Jewish state and an Arab state, with Jerusalem as a *corpus separatum* under a special international regime. Of these two states to be created under this resolution, only one, Israel, has so far come into being.

Even today, the question of Palestine remains unresolved and the Palestinian people have yet to attain their right to self-determination, national independence and sovereignty, and their right to return to their homes and properties from which they were displaced. This is not acceptable.

* * *

2017 SPECIAL OLYMPICS WORLD WINTER GAMES

Mr. Robert Kitchen (Souris—Moose Mountain, CPC): Mr. Speaker, today I have the privilege of welcoming some outstanding Canadians to Ottawa, the athletes and coaches who participated in the 2017 Special Olympics World Winter Games in Austria.

Oral Questions

In the fall of 1968, Dr. Frank Hayden from London, Ontario started a sports program for persons with intellectual disabilities after his research showed how beneficial physical activity could be for them. This caught the attention of Eunice Kennedy Shriver, who founded the Special Olympics and recruited Dr. Hayden to work alongside her using his Canadian blueprint.

I have always been a huge supporter of the Special Olympics, and many of us are fortunate to have these athletes hail from our ridings. Not only does the Special Olympics motivate these athletes to get active and stay healthy, it also teaches important life skills such as teamwork, leadership, and socialization.

I would like to congratulate all the athletes and coaches who are here today, as it is truly an honour for me and all my colleagues in this House to celebrate their accomplishments with them.

* * *

LGBTQ2 CANADIANS

Mr. Randy Boissonnault (Edmonton Centre, Lib.): Mr. Speaker, yesterday was a historic day for equality and human rights as all parties joined together to apologize for Canada's history of discrimination against the LGBTQ2 community. To those who were criminalized for loving someone or simply being themselves, for those who were purged from the public service, the military and the RCMP, nothing can erase the pain they have experienced. Yesterday, we took an important step to start making amends. We affirmed that a Canadian is a Canadian is a Canadian regardless of who they love, what gender they identify with, or how they express that gender.

[Translation]

We are extremely grateful to everyone who made this historic apology possible, along with the financial compensation and legislative measures that go along with it. In particular, I want to thank the We Demand an Apology Network, Egale Canada, the LGBTQ2 secretariat, and above all, the many survivors who shared their heartbreaking stories.

[English]

Their voices were heard, and their voices matter.

* * *

HUMAN RIGHTS

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Mr. Speaker, Elena Urlaeva has fought against state enforced labour in the cotton fields of Uzbekistan for nearly 26 years. Every autumn, over a million Uzbek citizens are forced by their own government to leave their regular jobs and go to the fields to pick cotton, a large portion of which ends up in global supply chains and in our linen closets.

After all these years, Uzbekistan is finally changing course on this practice, mostly due to Elena's brave efforts. Elena has received multiple death threats, has been beaten, locked up, and confined to psychiatric hospitals. Still she continued to protest outside of court rooms and continued to take her camera into the fields to document abuses.

Elena is one example of the incredible bravery that inspires human rights defenders all over the world. Their sacrifices continue to bring

about profound change. On this International Women Human Rights Defenders Day, I celebrate the achievements of such remarkable women.

* * *

● (1420)

STURGEON RIVER—PARKLAND

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Mr. Speaker, I am pleased to rise today as the new member of Parliament for Sturgeon River—Parkland. I want to thank my constituents for placing their trust in me to represent them in this place. I thank my campaign team for their countless volunteer hours to make this dream a reality, and I want to thank my friends and family for standing behind me with their love and support. Without them, this day would not be reality.

The people of Sturgeon River—Parkland elected me to do one job: to hold the Liberal government to account. They want a government that puts the rights of victims and their families, not criminals, first. They want a government that does not give tax breaks with one hand and nickel and dime them with the other. They want a government that puts the long-term growth and prosperity of all Canadians first. On October 23, I heard the message loud and clear, and I am here to deliver that message.

* * *

[Translation]

SPECIAL OLYMPICS WORLD WINTER GAMES 2017

Mr. Stéphane Lauzon (Parliamentary Secretary for Sport and Persons with Disabilities, Lib.): Mr. Speaker, on behalf of all Canadians, the Government of Canada wants to congratulate the athletes, trainers, and members of the support team who wore the maple leaf as part of Team Canada at the 2017 Special Olympics World Winter Games in Austria. This was the largest team to ever participate in the Special Olympics Winter Games.

From March 18 to 24, Team Canada, including 110 athletes representing the 12 provincial and territorial chapters of Special Olympics Canada, will participate in six sports: alpine skiing, cross country skiing, figure skating, hockey, snowshoeing, and speed skating.

To all the members of Team Canada, Canadians across the country would like to thank you for your hard work and dedication and congratulate you for reaching the highest levels in your sport.

ORAL QUESTIONS

[Translation]

ETHICS

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, not only is the Minister of Finance not following the rules, but he also has a very poor track record. Despite what he and the Prime Minister claim, the deficit is double the \$10 billion that he promised; the wealthiest Canadians pay less tax, not more; and middle-class families are paying 80% more tax, not less. This minister cannot count and cannot follow the rules.

Oral Questions

Why, then, is he still the Minister of Finance?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, I continue to have full confidence in the Minister of Finance.

One only has to look at the half a million new jobs to understand why. The minister has lowered taxes for the middle class and increased taxes on the wealthiest 1%. He created the Canada child benefit, which helps nine out of ten families and which will lower child poverty by 40% across the country. He is giving more money to the most vulnerable seniors. He is lowering taxes for small business. He is managing the G7's best-performing economy. We continue to have confidence in—

The Speaker: The hon. Leader of the Opposition.

[English]

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, inconveniently for the Prime Minister, that is simply not true.

Not only is the finance minister failing to follow the rules, he is also not very good at his job. He promised to run a deficit of only \$10 billion, and of course he has blown right past that. He promised that wealthy Canadians would pay more, but after his measures came in, the top 1% ended up paying less, all the while 80% of working Canadians are paying more.

The finance minister is not competent and he cannot follow the rules. Why is he still in cabinet?

•(1425)

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, I have full confidence in the Minister of Finance, and one only has to look at the half a million new jobs to understand why.

However, it is interesting. We have created Prime Minister's question period on Wednesdays to give an opportunity to backbench MPs to ask questions of the Prime Minister directly. If the member opposite wants to see how much confidence I have in the Minister of Finance, he just needs to keep asking these questions.

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, we are happy to keep asking—

Some hon. members: Oh, oh!

The Speaker: Order. We were hearing nice things about peace earlier. I liked that. Let us try to have a little quiet when we hear the questions and the answers.

The hon. Leader of the Opposition has the floor.

Hon. Andrew Scheer: Mr. Speaker, we are happy to keep asking questions. The reason the finance minister is in trouble is that he simply cannot answer the questions.

He misled Canadians about putting his assets into a blind trust. He was fined for holding onto an offshore corporation and not disclosing it, and he introduced pension legislation that could benefit him and his family company. Now he is refusing to answer simple questions about personal, multi-million dollar transactions in Morneau Shepell.

How is it that the Prime Minister is able to blindly trust someone who has demonstrated such ethical lapses?

Some hon. members: Oh, oh!

The Speaker: Order. Order. I am unable to hear the answer from the Minister of Finance.

Order. I am going to need to hear it, or we will have a shorter question period, perhaps. Order.

The hon. Minister of Finance.

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, we have reached a new low in this House. The opposition members—

The Speaker: The hon. Minister of Finance.

Order.

Hon. Bill Morneau: Mr. Speaker, there are no secrets here. As has been reported in the press, when I came into office, I sold some shares. As has been reported, when I came into office, I made a \$5 million donation to charity. As we know, we campaigned to 36 million Canadians that we would raise taxes on the 1%, which we did. As everyone knows, except for perhaps the opposition, no one knows what the stock market will do in advance.

Therefore, if the members opposite have something they want to say, they should say it here, say it now clearly, and in the foyer.

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, it is good to see the finance minister being allowed to answer a question. If he is so sure that he has done nothing wrong, will he answer one very specific question, and this question has been posed in the House as well as outside of the House. Was it he who sold 680,000 shares in Morneau Shepell just days before the motion was tabled in the House to change the tax—

The Speaker: The hon. Minister of Finance.

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, I am absolutely happy to answer the question. As has been reported in the press, I did sell shares when I came into office.

What I can say, with absolute clarity, is that what we are doing here is we are focusing on something because those members do not want to focus on something else. What they do not want to focus on is how well things are going for Canadians. That is what we will continue to be focused on. We will pursue what we know is in the best interests of Canadians. That is working. That is what we are going to continue to do.

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, the minister still will not answer that specific question. On November 30, 680,000 shares in Morneau Shepell were sold. Was it the finance minister who sold those shares?

Hon. Bill Morneau (Minister of Finance, Lib.): Mr. Speaker, again, there are no secrets here. If the member opposite has an allegation, if he wants to say something, he should say what he means. He should say it here and he should say it now. He should stand and say it, and then he should go out in the foyer and say it again.

Some hon. members: Oh, oh!

Oral Questions

•(1430)

The Speaker: Order. I know it is too much to expect love, but we did hear about peace earlier and that was nice.

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): What a complete mess, Mr. Speaker, and the Minister of Finance has only himself to blame.

On November 30, 2015, someone sold 680,000 shares in Morneau Shepell, just a week before the minister announced tax measures that would eventually lower the value of those shares.

The minister himself confirmed having sold that many shares. He could have avoided this whole mess from the beginning by denying that it had anything to do with him, by denying that he sold the shares on November 30, but he refuses to do so.

Why, then, has the Prime Minister not called on his Minister of Finance to give a clear answer?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, I am sorry that what the opposition member has in front of him is not relevant, but the finance minister just answered that question.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, not only did he not answer the question, he decided not to answer, period. He had nothing against the question, but he certainly has something against the answer.

[*English*]

How can anyone believe what the finance minister says anymore? It seems that he is constantly annoyed just at the simple questions we are asking, which are necessary and vital for a healthy democracy. He can never give a straight answer.

I have a tip for him. Avoiding questions and threatening legal consequences to silence critics does nothing to exonerate him. In fact, it is making things worse. I would suggest another strategy that all Canadians could appreciate: telling the truth.

When will the Prime Minister ask the finance minister to tell the truth?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, the finance minister is answering questions and I am answering questions.

We continue to remain focused on the things that matter to Canadians. That is why we created over half a million jobs over the past two years, why we have the strongest growth rate in the G7, why we delivered a tax cut for the middle class and raised taxes on the wealthiest 1%, and why we delivered a Canada child benefit that helps nine out of 10 families. Unfortunately, on that child benefit, members opposite, NDP and Conservative, voted against it.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, enough is enough. The Minister of Finance is in trouble up to his eyeballs. He misled the House and benefited from a bill he introduced. He put himself in a conflict of interest and he is under investigation.

Somehow, thousands of shares in Morneau Shepell were sold a few days before a major tax announcement. When people say they no longer believe politicians and that they think we are all crooks, that is why. The Liberals were elected to restore public confidence.

How can the Prime minister have confidence in his Minister of Finance?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, one of the ways for Canadians to judge what members say is to see whether they are prepared to repeat their comments outside the House, where there is no parliamentary privilege.

I would suggest that my friend opposite be very explicit in his comments, inside and outside the House. We will see if he really wants to support the allegations he is making.

[*English*]

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, this is a newsflash for the Prime Minister. We have said all of these exact things outside the House as well as inside.

The Prime Minister's own clear promise to Canadians was that he and his ministers must not be in a conflict of interest or even in "the appearance of a conflict of interest." The Prime Minister said that he would be different. He said that he would answer questions. Let us test that promise.

Has the Prime Minister asked his finance minister if he cleared the sale of \$10 million of shares with the Ethics Commissioner before he introduced major changes to the tax code? By not holding his finance minister accountable, how would he expect any Canadian to believe anything he has to say?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, once again, the NDP and the Conservatives are pretending there was some sort of secret here, that we were going to lower taxes for the middle class and raise them on the wealthiest 1%. We campaigned on that promise. They lost because of that promise. I know they remember it.

The fabrications and the personal attacks, the slinging of mud in this place, and hiding behind parliamentary privilege is not what Canadians expect from this place.

•(1435)

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, in Canada, financial executives have to disclose any transactions they make on the stock market. These measures were put in place to prevent insider trading.

The Minister of Finance is Canada's chief financial officer. He is the one who makes the rules. Consequently, he must be above reproach and lead by example.

If the Minister of Finance does not want to be transparent with Canadians, how can the Prime Minister still trust him?

Oral Questions

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, once again, the members opposite are insinuating things that they do not want to come right out and say and that they certainly would not say outside the House. They are hiding behind parliamentary privilege. That is proof that this is nothing but a smear campaign against a finance minister who is managing the country so well that Canada has the strongest growth in the G7. We created 500,000 new jobs, and we are helping families across the country. We are going to continue in that direction.

Mr. Alain Rayes (Richmond—Arthabaska, CPC): I have some facts for you, Mr. Speaker. Over the past two years, it has been proven that the Minister of Finance violated ethics laws. He forgot to put his assets in a blind trust. He forgot to declare his villa in France. He refuses to disclose his numbered companies. The cherry on top is this business with his block of 680,000 shares worth over \$10 million that were sold just before a measure was introduced in the House. No one trusts this finance minister anymore.

What is the Prime Minister waiting for to fire him?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, once again the opposition has nothing better to do than sling mud.

We are showing how to create economic growth after 10 years of sluggish economic growth under Stephen Harper, when we experienced the worst growth rate since before World War II. The work we are doing now will lead to real benefits for Canadians. The opposition has nothing better to do than make personal attacks and mount a smear campaign.

[*English*]

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, I think the Prime Minister has rehearsed yesterday's talking points. In fact, our finance shadow minister did go outside the House and repeated everything that was said inside the House.

It may be a standard practice on Bay Street to threaten legal action any time legitimate questions are raised, but that is not befitting of a finance minister.

If he believes he did nothing wrong, could the finance minister simply confirm or deny whether it was he who sold 680,000 shares days before the motion to change taxes was tabled in the House.

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, I can understand that it be the Leader of the Opposition who chooses to get up again. The member for Carleton refused to repeat the allegations he made on Monday outside the House yesterday. He is hiding behind parliamentary privilege. I do not blame the Leader of the Opposition for taking his place right now.

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, I think the Prime Minister and the finance minister are jumping the gun. The accusations have not been made, because we are just trying to get an answer to the question. Was it the finance minister who sold 680,000 shares days before the motion was tabled in the House?

It is up to him to answer the question. If he did it, will he defend it? If he did not do it, why can he just not say it?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Now, Mr. Speaker, we see a bit of damage control where the opposition is

trying to hide behind lawyers and hide behind parliamentary privilege.

On Monday, the opposition made allegations that its members have refused to repeat outside the chamber. The member for Carleton swept out of this chamber, and then refused to repeat what he had said on Monday outside the chamber. Now they are backtracking, because their lawyers have told them to. These are the kinds of attacks and campaign of throwing dirt which they have been doing.

Some hon. members: Oh, oh!

The Speaker: Order, please. I want to remind members that each side gets their turn. Members on one side should have confidence in those who will have a chance to speak for their side, to make the arguments they feel should be made. However, they should not make them while someone else is speaking and has the floor, but wait until they have the chance when they have the floor.

Let us listen to the hon. Leader of the Opposition and then to the answer.

● (1440)

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, all the facts that have been said inside the House by opposition MPs have been repeated outside the House. Those are yesterday's talking points that the Prime Minister is going on.

However, when we look at the facts, the Liberal campaign platform would lead Canadians to believe that the fiscal changes would take place and come into effect on April 1, 2016. Only when the finance minister decided they would come into effect in December 2015, and only when the public knew about that, would markets move. Days before that decision was announced to Canadians, 680,000 shares were sold. Was it the finance minister who made the sale?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, opposition members have a job to do. They have to oppose. The challenge they have right now, despite 10 years of terrible economic stories from Stephen Harper's Conservative government, is that we have been able to demonstrate record growth and record job creation. We have helped millions of Canadians by lowering taxes on the middle class and raising them on the wealthiest 1%. They voted against those measures. However, they now have nothing to do except make wild accusations and sling mud. That is simply what they do.

Mr. Michael Cooper: Answer the question.

The Speaker: I have to ask the member for St. Albert—Edmonton to restrain himself and not interrupt when someone else has the floor. I know it is an exciting moment, but we have to restrain ourselves.

An hon. member: Oh, oh!

The Speaker: It seems the member for St. Albert—Edmonton did not hear me and is not listening.

The hon. Leader of the Opposition.

Oral Questions

Hon. Andrew Scheer (Leader of the Opposition, CPC): Mr. Speaker, the Prime Minister and the finance minister cannot answer simple questions. We have asked them if the finance minister meet with the Ethics Commissioner before tabling Bill C-27. They cannot answer that. We have asked whether it was the finance minister himself who sold the shares just days before tax measures became public here in the House of Commons. They cannot answer that. They cannot hide behind sweeping dismissals based on personal accusations. It is up to them to answer these questions.

We have an obligation to defend the interests of taxpayers. Canadians need to know there is not one set of rules for Liberals and another set of rules for everybody else.

Will the finance minister finally do the right thing and resign?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, the members of the opposition cannot even keep their story straight in their attacks. For weeks, they demanded that the finance minister sell his shares. Now, they are saying that he should not have sold his shares. They are all over the place in their attacks, because that is just what they do.

Meanwhile, we remain focused on Canadians, on lowering taxes for the middle class, on lowering taxes for small businesses, on creating investments in infrastructure that will help Canadians from coast to coast to coast, on delivering on the promises we made in the election campaign on which Canadians are counting.

* * *

[Translation]

HUMAN RIGHTS

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, in his apology to the LGBTQ2 community yesterday, the Prime Minister acknowledged that there is still much work to do. A bill to expunge criminal convictions for consensual sexual activity between same-sex partners has been introduced. However, the bill to make the age of consent the same for everyone has been languishing on the Order Paper for a long time now.

Will the Prime Minister commit to working with us to pass both of these bills before the House rises for the holidays?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, yesterday was an important day for everyone in the House, for all Canadians, and for future generations. Recognizing the harm we did as an institution and as a country to members of the LGBTQ2 community was essential. However, as the member said, there is still much work to do.

We will keep moving forward with changes to our laws, practical changes that send a clear message to the LGBTQ2 community that the discrimination and harm they were subjected to will never happen again.

• (1445)

[English]

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Mr. Speaker, after yesterday's historic apology to the LGBTQ community and with the answer we just had from the Prime Minister, we see an opportunity here to begin to address some of the unfinished business the Prime Minister has been talking about.

In order to do that, will the Prime Minister join us in seeking agreement from all members of this House to deal with Bill C-66 before Christmas, so that gay men with criminal records for same-sex consensual activity can have those records extinguished?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, I want to thank the member opposite for his long advocacy for human rights, for LGBTQ2 rights, and for the rights of all Canadians over many years. It was an honour to stand with him in this House yesterday.

As the member mentions, there is still much work to be done and we look forward to working with all members of this House to get it done as quickly as we can.

* * *

ETHICS

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, yesterday I repeated outside of the House the same questions that I have been asking inside of the House. Unfortunately, the minister will not answer those questions in either of those two places.

Somebody sold \$10 million of shares a week before the minister introduced tax changes that caused the stock market and Morneau Shepell shares to drop. Was that somebody him?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, you see, once again the lawyers have got into their questions.

On Monday, the member for Carleton made a very clear accusation in this House. He then swept out of the House yesterday and did not repeat that allegation outside of the House. He is hiding behind parliamentary privilege, which is why Canadians can know that this is nothing but unfounded, personal, baseless attacks and not a substantive criticism of the government.

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, fact: on December 7, the minister introduced tax changes that gave an incentive for investors to sell their stocks and realize their capital gains before the new year and before the new tax increase would take effect; fact: the stock market dropped and Morneau Shepell shares dropped by 5%; fact: the finance department has revealed that this phenomenon led to a reduction in revenues of almost \$1 billion in the subsequent year. These are all facts.

He sold his shares at some point. I am asking again. Did he sell them immediately before he introduced that measure, yes or no?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Again, Mr. Speaker, we have courts that are very able to determine facts in cases like this. However, the member opposite, by only saying these sorts of things in this chamber, protected by parliamentary privilege, as we all should be, is demonstrating that he does not want to test his allegations in the courts. He does not want to actually have to stand behind his words in a court of law. That is the baselessness of the facts.

Oral Questions

Some hon. members: Oh, oh!

The Speaker: I want to remind the hon. member for Lanark—Frontenac—Kingston that people on his side will have the chance to ask other questions, of course, and he should wait and allow them to do that, and not feel that he has to make the argument while someone else is speaking.

The hon. member for Carleton has the floor.

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, I am simply asking the question. That side is demanding that we make allegations against the finance minister. It is a very strange way for question period to unfold.

The reality is that, if a chief financial officer sold stocks a week before disappointing quarterly financial results were released, losing his job would be the least of his problems. He would be fired. Will the CEO of the Government of Canada fire his CFO now?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Again we see, Mr. Speaker, that the opposition members are filled with sound and fury, signifying nothing. They refuse to actually follow up on the insinuations and allegations they made clearly in this House on Monday because they realized they went too far, because their desire to attack and to sling mud against the honour and integrity of people on this side of the House crossed some lines. That is why they are unable and unwilling to go out and repeat what they said on Monday outside of this House, which tells Canadians that this is nothing but bluster.

● (1450)

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, yesterday I invited the finance minister to meet me out in the foyer, where I could repeat the same question out there that I asked in here. Unfortunately, he was a no-show. I will give him another chance. Where and when would he like to meet outside of this chamber so I can ask the same question and maybe he could answer it?

Right Hon. Justin Trudeau (Prime Minister, Lib.): You see, Mr. Speaker, once again the member opposite seems a little bit muddled. This is the room for questions. For him to go outside is to make a statement—

Some hon. members: Oh, oh!

The Speaker: Order, please. I know there are only 28 sleeps until Christmas, but members are too excited. The Right Hon. Prime Minister has the floor.

Right Hon. Justin Trudeau: Mr. Speaker, once again we are happy to take questions inside this chamber. However, at issue are the statements that the members opposite made on Monday that they are unwilling to repeat outside. That is the question. Will the member for Carleton walk outside and repeat the statements made on Monday outside, where he is not hiding behind parliamentary privilege?

* * *

[Translation]

EMPLOYMENT INSURANCE

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, the Social Security Tribunal of Canada is a real disaster.

Some unemployed workers have had to wait more than a year for a hearing. That is unacceptable.

During the election campaign, the Prime Minister promised to reform this process. Two years later, nothing has been done. Although the Liberals have a KPMG report on how to make the tribunal more efficient, they have yet to release it.

Are we to understand that the recommendations are not to their liking?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, after all the harm caused by the former Conservative government to workers across the country who counted on employment insurance, we made a commitment during the election campaign to reverse the changes to employment insurance made by the Conservative government.

That is exactly what we did. We are making sure that Canadians who have lost their jobs get the help they need, and we continue to make investments to ensure that happens. Our work is ongoing.

* * *

MEDIA INDUSTRY

Ms. Karine Trudel (Jonquière, NDP): Mr. Speaker, the decline of print media is hitting our regions hard. Back home, in Saguenay—Lac-Saint-Jean, ad revenue at newspapers like *Le Quotidien* and *Le Progrès week-end* is dwindling.

Since the Liberal government claims to care about information, it must take action and support print media, just like it supported other industries in which so many jobs were at stake.

Will the government commit to providing temporary financial assistance to print media and help maintain good jobs, while the industry awaits a permanent solution?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, we understand how much Canadians rely on local media to read the local news that brings them together as a community.

We will continue to spend millions of advertising dollars to support local newspapers. We recognize that the industry is going through a transformation. We will continue to support the media, because a democratic society needs strong, free media.

* * *

● (1455)

GOVERNMENT APPOINTMENTS

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the Prime Minister announced today that his pick for appointment to the Supreme Court of Canada is the Hon. Sheilah L. Martin.

This nomination will fill the vacancy created by the retirement of Chief Justice Beverley McLachlin, after a remarkable legal career. [English]

Justice Martin had been sitting on the courts of appeal of Alberta, the Northwest Territories, and Nunavut. She previously sat on Alberta's Court of Queen's Bench and the Yukon Supreme Court.

Would the Prime Minister please inform the House how this selection was made?

Oral Questions

[Translation]

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, I thank the member for Yukon for his question and his excellent French.

I am pleased to announce the nomination of the Hon. Sheilah L. Martin to the Supreme Court. With her wealth of experience and the many distinctions she has earned, she will be a valuable addition to the Supreme Court.

[English]

Justice Martin is my second nomination under our new selection process, which promotes greater openness, transparency, and accountability. We are committed to appointing justices of the highest calibre, functionally bilingual, and representative of our diversity.

Permit me also to once again thank Chief Justice McLachlin for her extraordinary service to Canada.

* * *

ETHICS

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, not only is the Minister of Finance unable to answer questions and follow the rules, but he cannot count.

He said the deficit would be \$10 billion; it was \$20 billion. He said taxes would go up on the richest; in fact, the rich are paying \$1 billion less. He said taxes would go down for the middle class, but 87% of them are paying more.

When will the Prime Minister do the right thing and fire this incompetent minister who cannot follow the rules?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, the Conservatives are jealous of our economic record. For 10 years, they showed the lowest growth numbers since R. B. Bennett in the Great Depression.

We, in two years, by doing exactly what we committed to do in the election campaign, putting more money in the pockets of the middle class and those working hard to join it, have turned around the Canadian economy and shown that the Conservative policy of helping the rich and giving benefits to the most wealthy does not work.

We are delivering lower taxes for the middle class, raising them on the wealthiest one per cent, and helping Canadian families.

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, speaking of the most wealthy, we know that those with good financial advice, who were privileged to know what they should do with their money, declared their income in the 2015 tax year. They sold their shares before the year finished, and therefore were taxed at a lower rate than they wanted charged on other people.

One of them might have been the finance minister, if he did in fact sell the \$10 million worth of shares on November 30, 2015. Did he?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, again, we can see the dilemma in which the opposition finds itself.

We have demonstrated that on what was supposed to be their strength, the economy, our plan actually works far better than any of theirs ever did. It leaves them with very little to be able to attack us on.

The economy is doing well. The middle class is growing, and it is being supported. We are putting up the best growth numbers of anyone in the G7, thanks to our extraordinary finance minister.

All the opposition has to do is sling mud, make baseless allegations, and hide behind parliamentary privilege.

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, what is extraordinary is a finance minister who breaks the law and fails to report his offshore company.

What is also extraordinary is implying that he put all of his money in a blind trust, but in fact keeping it, knowingly, invested in a company he regulates. It is also extraordinary that he introduced a bill that would help that company with changes to pension law. It is extraordinary that after three days of questioning, he still cannot tell us if he sold shares in that company just a week before he introduced tax legislation.

With these extraordinary failures, will he resign?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, on this side of the House we have a very simple principle of listening to Canadians. That is what we did for years while we were the third party in the House. That is what we continue to do to stay connected with Canadians.

Unfortunately, for 10 years, Stephen Harper did not do a very good job of listening to Canadians and over the past two years, we see that the Conservatives are doing exactly the same thing. They did not listen to Canadians tell them that baseless attacks and personal mudslinging jobs have no attraction with Canadians who want real—

● (1500)

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

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, the Prime Minister says they have one principle, actually they have two different principles, one for themselves and one for everyone else. For example, when the minister brought in his tax increase on small businesses, there was a higher rate for the pizza shop owner and the plumber, but no new taxes for his company Morneau Shepell. When he brought in his tax increase that would affect people on their capital gains, he made sure, or did he, to sell his shares before that tax increase came into effect while others would have to pay more.

Why will he not follow the simple principle of accountability?

Oral Questions

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, again, we see the challenge that the Conservatives find themselves in. A great example is our commitment to lower taxes on small businesses. For months, they spent all their time trying to scare small businesses like pizza shop owners and plumbers that we were going to hurt them or raise their taxes while we consistently said that we were going to stand up for them and ensure that the measures we had only affected the most wealthy. Then, at the end of it all, they find themselves unable to actually criticize us because we are doing the right thing, as we said we would, and they have—

An hon. member: Oh, oh!

The Speaker: The hon. member for Foothills will come to order please.

The hon. member for Edmonton Strathcona.

* * *

THE ENVIRONMENT

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, the Minister of Environment is facing court action for failing to comply with laws protecting Canada's boreal woodland caribou. She has just this week received a petition seeking an order to protect the critical habitat of five severely threatened caribou herds in north-eastern Alberta. Successive governments have failed in their mandatory duties to ensure the protection. The province admits it lacks the necessary powers.

Will the environment minister immediately recommend to the government to issue a section 61 order to save these herds?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, we take seriously the responsibility of protecting our natural environment. We know that protecting the environment and growing the economy go together. We will continue to work with our partners, including conservation groups and provinces and territories, to ensure that we are fulfilling all our obligations in terms of protection, protecting species at risk, in terms of keeping our environment protected for future generations.

* * *

INDIGENOUS AFFAIRS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, children at St. Anne's Residential School suffered nightmarish levels of abuse, torture, and child rape, yet the office of the Attorney General suppressed thousands of pages of police evidence that identified those perpetrators and in doing so, they had cases thrown out and undermined the hearings. Now that the justice department has been forced to turn over those documents, they claim it is inadmissible unless a survivor finds a witness to verify these atrocities.

To the Prime Minister, enough. The survivors of St. Anne's deserve better. Will he instruct his government to end this obstruction of justice against the survivors of St. Anne's, once and for all?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, the ills done to indigenous people over decades and centuries of colonialism in this country are shameful and are something that we need to learn from and move forward on. That

includes respecting the rights of indigenous people now in all their different aspects. That is why we are working with survivors, working with communities to ensure that we can move forward in a way that is fully respectful of all their rights as we get to the bottom of this, understand their history, and make reparations in the right way moving forward.

* * *

[*Translation*]

ETHICS

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, here are the facts: on November 30, 2015, an individual sold 680,000 Morneau Shepell shares. One week later, the Minister of Finance introduced a tax measure that resulted in a 5% loss in the value of Morneau Shepell. Earlier, the minister rose and spoke in English. I will now give him the opportunity to answer clearly in French.

Did he sell his shares or not?

● (1505)

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, what we are seeing is the dilemma that the opposition members are grappling with. They cannot criticize us or even attack us on our economic record, which is extremely positive for Canadians, for the middle class. Instead they have decided to launch a smear campaign and hide behind parliamentary privilege by not repeating their allegations outside this chamber. I know that Canadians expect better from all members of the House, including the opposition members. Let us see if they start to live up to those expectations.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, Canadians expect the government to be accountable. Canadians expect the Minister of Finance to give clear answers. Canadians certainly do not expect the Prime Minister and the Minister of Finance to be under investigation by the Ethics Commissioner. Canadians certainly do expect the Minister of Finance to be able to tell us whether he was or was not the person who sold 680,000 shares one week before he introduced tax measures that led to a 5% drop in the share price of his family business.

Was it him or not?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, it is clear to the members of this House and all Canadians that the minister has already answered this question, but the opposition members continue to sling mud because they have nothing else to do. They cannot criticize us, because in two years we have already achieved a much better economic record and helped far more Canadians than they managed to do in 10 years, despite their vaunted economic expertise. The Conservatives are showing that they overstated their expertise. We are the ones who are good at creating economic growth.

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): I will bite my tongue, Mr. Speaker.

Oral Questions

Everything about the Minister of Finance is shady and hypocritical, yet he is still trying to convince us that the opposite is true by refusing to answer our questions. Canada's finances must be managed by someone who is responsible, transparent, and honest because this is Canadians' money we are talking about.

In light of the commissioner's investigations, the minister's personal gains and his refusal to respond to questions about his financial transactions, will the Prime Minister fire his finance minister, yes or no?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, what we have learned from talking to Canadians, whether it be in Lac-Saint-Jean, South Surrey—White Rock, or anywhere else in the country, is that they recognize that our economic growth record, the impact of the Canada child benefit, the tax cut for the middle class, and the tax hike for the wealthy are helping our communities, helping families, and helping individuals. That is what we are doing, and that is why the opposition members are conducting a smear campaign, because they cannot find anything else to criticize.

* * *

[English]

HOUSING

Mrs. Salma Zahid (Scarborough Centre, Lib.): Mr. Speaker, from coast to coast to coast, housing advocates are raving about Canada's first-ever national housing strategy. Many are calling the national housing strategy a game-changer. Others are saying that the national housing strategy is a model of how modern progressive policy-making should be done. No less an authority than the UN special rapporteur on housing is calling the strategy “an incredible moment for Canada and our leadership on human rights.”

Could the Prime Minister please inform the House what the first-ever national housing strategy means for all Canadians?

Right Hon. Justin Trudeau (Prime Minister, Lib.): I thank the member for Scarborough Centre for her extraordinary community leadership. The national housing strategy is not just the first-ever national housing strategy in Canada, it is also the first time a federal government has committed itself to a human rights-based approach to housing. We are going to reduce chronic homelessness by 50%, build up to 400,000 new, repaired, or renovated units, and remove half a million households and individuals from housing need. We are all proud of delivering real and historic change to the Canadians who need it most.

* * *

FOREIGN AFFAIRS

Mr. Dean Allison (Niagara West, CPC): Mr. Speaker, John Chang and Allison Lu are Canadian citizens who have been unfairly detained in China since March 2016 over a customs dispute. According to their daughter Amy, who is in Ottawa today, it has been over six months since she has had discussions with multiple ministers in the government who said they would look into it and move on this, and yet she has heard nothing. We need to bring John and Allison home.

As the Prime Minister heads to China next week, will he promise to raise this issue and refuse to discuss any new trade agreement with China until John and Allison are released?

● (1510)

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, Canadians well know that wherever I travel around the world, I stand up for Canadian values and human rights and will continue to, including in China. The plight of Canadians, anywhere around the world, is of deep concern to our government. That is why we have had so much good news over the past two years in our capacity to bring Canadians home.

We know that engaging with China to be able to set the rules and ensure opportunities for Canadian workers and Canadian businesses to succeed in a globalized world is just the right thing to do, and we will do it while standing up for Canadian values and human rights.

* * *

[Translation]

IMMIGRATION, REFUGEES AND CITIZENSHIP

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Mr. Speaker, on Christmas Eve 2016, Nicolas Faubert of Mont-Saint-Hilaire died in a tragic accident. He was sponsoring his spouse, Sophie Thewys, and her son for permanent residence.

The application was approved, but because of his tragic death, Sophie was sent back to square one. This appalling lack of compassion is preventing a single mother from grieving properly.

I have written authorization, so the government cannot hide behind privacy excuses.

Will the government right this injustice and give Sophie permanent resident status?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, Canada is a generous and compassionate country. We know that we must help those in need here at home and around the world.

We are always looking for ways to do more for people. I know that the Minister of Immigration, Refugees and Citizenship is currently taking a close look at this case. I know that everyone wants to ensure the best outcome in this situation, while maintaining the integrity of our robust immigration system.

* * *

AGRICULTURE AND AGRI-FOOD

Mr. Rémi Massé (Avignon—La Mitis—Matane—Matapédia, Lib.): Mr. Speaker, here is a concrete example of one of our government's successes on the agricultural front.

In July, the Minister of Agriculture signed an agreement with his provincial and territorial counterparts on the Canadian Agricultural Partnership, Canada's next five-year agricultural policy framework.

Can the Prime Minister tell the House about the kinds of investments and programs we can expect to see under the Canadian Agricultural Partnership?

Oral Questions

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, I thank the member for Avignon—La Mitis—Matane—Matapédia for his question and for his leadership of the Quebec caucus.

Last week, we announced a \$1-million federal investment as part of the Canadian Agricultural Partnership. This investment will open markets for our farmers, make the sector more innovative and sustainable, and strengthen the sector by better reflecting the diversity of our communities and supporting public trust.

* * *

[English]

CITIZENSHIP AND IMMIGRATION

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Mr. Speaker, 200 million women alive today have undergone female genital mutilation. Today, the United Nations tweeted, as part of the 16 Days of Activism Against Gender-Based Violence that “FGM is a human rights violation. You must end cutting now for a better future for young girls”.

Canada's citizenship guide informs newcomers that FGM is a crime in Canada. However, Canada's Prime Minister has decided to delete this information. Will the Prime Minister stand with the United Nations and FGM survivors and reverse his decision?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, not only do I stand with the United Nations on this and many other issues, I actually, personally, brought up this issue when I was in Liberia, challenging local leaders and local governments to step up on the fight against FGM.

We will continue to stand against violence against women. We will continue to lead the way, pushing for an end to these barbaric practices of female genital mutilation, everywhere around the world and here in Canada. This is something we take very seriously.

* * *

[Translation]

ETHICS

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, the 2016 political financing report reveals a coincidence in the Papineau riding that is troubling, to say the least.

On July 6 and 7, 2016, while the Liberal government was approving a Chinese bank in Vancouver, the Prime Minister received nearly \$70,000 for his riding from wealthy Chinese individuals from Vancouver. That was nearly two-thirds of his political financing in under 48 hours.

Can he explain that to us?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, Elections Canada is there to ensure that all political financing rules are followed at all times. I am proud of the political financing rules that apply here in the House of Commons and at the federal level. We will always make sure that all rules are being followed.

• (1515)

[English]

The Speaker: On November 22, 2017, the following motion was adopted by the House of Commons:

That, notwithstanding any Standing Order or usual practice of the House, following Question Period on Wednesday, November 29, 2017, the House resolve itself into a Committee of the Whole in order to welcome Canada's 2017 Special Olympics World Winter Games athletes; provided that:

(a) the Speaker be permitted to preside over the Committee of the Whole from the Speaker's chair and make welcoming remarks on behalf of the House;

(b) the names of the athletes, coaches and mission staff present be deemed read and printed in the House of Commons Debates for that day;

(c) only authorized photographers be permitted to take photos during the proceedings of the Committee; and,

(d) when the proceedings of the Committee have concluded, the Committee shall rise.

[Translation]

The House will now go into committee of the whole.

* * *

[English]

CANADA'S 2017 SPECIAL OLYMPICS WORLD WINTER GAMES ATHLETES

(House in committee of the whole to recognize the 2017 Special Olympics World Winter Games athletes, Mr. Geoff Regan in the chair)

[*And Canada's 2017 Special Olympic World Winter Games athletes being present in the chamber:*]

The Chair: It is my pleasure to welcome onto the floor of the chamber many of the athletes who competed in the 2017 Special Olympics World Winter Games in Austria last March, led by the chef de mission and the 2017 honorary coach.

• (1520)

These athletes on the floor of the chamber and in the gallery have competed in alpine skiing, cross-country skiing, figure skating, floor hockey, snowshoeing, and speed skating.

Canadians from across the country are justly proud of you, and so are we. Like them, we appreciate the years of training and sacrifice, and the determination it takes to become a world-class athlete.

[Translation]

You are all champions. You are an inspiration to your fellow Canadians.

[English]

Today is also an opportunity to recognize coaches, mission staff, and Special Olympics Canada for their hard work and dedication. Many of them are sitting in the gallery, and I would ask them to stand.

Congratulations again, *félicitations*, thank you all for representing Canada so well in the Special Olympics, and good luck in your future endeavours:

Routine Proceedings

Sara Albers, Chris Anderson, Adelina Bailey-Lopes, Alexia Barré, Emile Baz, Matthew Bedard, Donna Bilous, Ryan Blinn, Kirsten Bobbie, Robert BomBoir, Darren Boryskavich, Serge Boulianne, Ronald Brandt, Susan Brophy-Leblanc, Holly Burton, Ronald Cambridge, Julien Cardinal Moffet, Alyssa Chapman, Janet Charchuk, Dr Neil Cheeseman, Ernest Chua, Janet Collins, Matthew Cormier, Mark Cullen, Kyrren Dean, Sheldon Dean, Justin Dodge, Kevin Dooks, Sylvie Ducharme, Doug Dunk, Jack Fan, Chelsea Fidler, Matthew Fields, Robert Fougere, Michael Gilbert, Timothy Goodacre, Stephen Graham, Jacqueline Gravel, Adam Guthrie, Shane Haddad, Tyler Haddad, Sébastien Hamel-Bourdeau, Brianna Harris, Floessa Harris, Kristen Hudson, Maureen Hunter, Raymond Huson, Elijah Ilag, Christopher Innes, Darren Inouye, Jade Irvine, Jennifer Jackson, Darlene Jakubowski, Evan James, Dan Jamieson, Mark Jamieson, Rosie Laidler, Michael Langridge, Zane Lauritsen, Veronique LeBlanc, Nancy Leduc, Allison Libertini, Terry Livingstone, Adam Lloyd, Allison Love, Dennis Lynch, Darlene MacQuarrie, Benjamin Maesele, Daniel Martin, Rachel Mathews, Sarah McCarthy, Tijana McCarthy, Sara McKelvie, Andrew McTaggart, Paul McTaggart, Tracey Melesko, Kelsey Mellan, Michael Milani, Jill Moore, Paige Norton, Valerie Nyhout, Alexander Pang, Renée Pelletier, Christine Peters, Roxana Podrasky, Juli Prokopchuk Brattan, Barb Prystai, Mario Richard, Jonathan Robbins, David Robertson, Elizabeth Roman, Hellaina Rothenberg, Michael Roy, Jamie Salé, Stéphanie Savard, Randy Scott, Patric Seeds, Olivier Séguin, Justin Sigal, Sandra Smith, Peter Snider, Katherine St Amand, Francis Stanley, Philip Ste-Marie, Elouise Stewart, Shane Stewart, Kailinda Stewart, Ron Struch, Michael Sumner, Marc Theriault, Erin Thom, Ben Tinholt, Paul Turner, JorDen Tyson, Garth Vickers, Lucie Villeneuve, James Walker, Susan Wang, David Whyne, Tony Wilkinson, David Wilkinson, Michael Wimbs, Elijah Wood, Katie Xu, Crystal Young, Joanne Zahaiko, Tracey Zwiers,

Some hon. members: Hear, hear!

[Translation]

The Chair All members are invited to a reception in room 237-C to meet our distinguished guests.

[And Canada's 2017 Special Olympics World Winter Games athletes having left the Chamber:]

[English]

The Chair: The committee will rise and I will leave the Chair.

ROUTINE PROCEEDINGS

• (1525)

[Translation]

FOREIGN AFFAIRS

Mr. Matt DeCoursey (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, on behalf of the Minister of Foreign Affairs and pursuant to Standing Order 32(2), I have the honour to table, in both official languages, the treaty entitled "Agreement between the Government of Canada and the Government of China on Sharing and Return of Forfeited Assets", done at

Ottawa on September 22, 2016. An explanatory memorandum is included with the treaty.

* * *

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):

Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 10 petitions.

* * *

INTERPARLIAMENTARY DELEGATIONS

Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian parliamentary delegation respecting its participation at the 38th Interparliamentary Meeting with the European Parliament's delegation responsible for the Relations with Canada, and the third part of the 2017 session of the Parliamentary Assembly of the Council of Europe in Brussels, Belgium, and in Strasbourg, France. That was from June 21 to June 29, 2017.

[Translation]

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Canadian Branch of the Commonwealth Parliamentary Association, the CPA, respecting its participation at the Executive Committee Meeting held in Darwin, Northern Territory, Australia, from April 23 to 27, 2017.

* * *

COMMITTEES OF THE HOUSE

CANADIAN HERITAGE

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the ninth report of the Standing Committee on Canadian Heritage, concerning Bill S-236, an act to recognize Charlottetown as the birthplace of Confederation.

• (1530)

[English]

CANADIAN HERITAGE

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, I also have the honour to present, in both official languages, the eighth report of the Standing Committee on Canadian Heritage in relation to Bill S-232, An Act respecting Canadian Jewish Heritage Month.

TRANSPORT, INFRASTRUCTURE AND COMMUNITIES

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 18th report of the Standing Committee on Transport, Infrastructure and Communities, in relation to Bill C-48, An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast. The committee has studied the bill and has decided to report the bill back to the House with an amendment.

GOVERNMENT OPERATIONS AND ESTIMATES

Mr. Tom Lukiwski (Moose Jaw—Lake Centre—Lanigan, CPC): Mr. Speaker, Mr. Speaker, I have the honour to present, in both official languages, the 11th report of the Standing Committee on Government Operations and Estimates, entitled, Supplementary Estimates (B) 2017-18: Vote 1b under Canadian Transportation Accident Investigation and Safety Board; Vote 1b under Privy Council Office; Vote 1b under Public Service Commission; Votes 1b and 5b under Shared Services Canada; and Votes 1b, 15b, and 20b under Treasury Board Secretariat.

* * *

NAVIGATION PROTECTION ACT

Mr. Wayne Stetski (Kootenay—Columbia, NDP) moved for leave to introduce Bill C-360, An Act to amend the Navigation Protection Act (certain lakes and rivers in British Columbia).

He said: Mr. Speaker, it is a pleasure to rise today to present this bill, Bill C-360, an act to amend the Navigation Protection Act regarding certain lakes and rivers in British Columbia. Canadians know that water and, of course, the great people we have in Canada are really our greatest assets. Water was how we first travelled around the country, using rivers and lakes. Water is one of the reasons people around the world look at us with a great deal of envy.

I am very proud today to present this bill, which would bring back into the Navigation Protection Act 12 lakes and 21 rivers from my riding of Kootenay—Columbia, which were excluded under the Conservative amendments to the act a number of years ago. One of the lakes that would be included is Columbia Lake, which is, of course, the source for the great Columbia River system, and 21 rivers, including the Flathead and Kicking Horse rivers.

I would like to see support from all members of Parliament, because we all know how important water is to being Canadian.

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

* * *

ORANGE SHIRT DAY: A DAY FOR TRUTH AND RECONCILIATION ACT

Mr. Murray Rankin (Victoria, NDP) moved for leave to introduce Bill C-386, An Act to establish Orange Shirt Day: A Day for Truth and Reconciliation.

He said: Mr. Speaker, I rise to introduce my private member's bill that would recognize September 30 as orange shirt day in honour of residential school survivors and those who did not survive. I am deeply grateful for the support of my colleagues for this initiative.

Routine Proceedings

The title comes from a story shared by Phyllis (Jack) Webstad, who at six years of age had her orange shirt forcibly removed on her first day of residential school. Orange shirt day would acknowledge that Canada intended to assimilate indigenous children into colonial culture by depriving them of their clothing, their language, and contact with their families. It would also educate future generations about the importance of respect and the role that both indigenous and non-indigenous Canadians must play in reconciliation.

This bill responds to the Truth and Reconciliation Commission's calls to action. Generations of indigenous children endured tremendous pain and harm. Canadians must never forget this history and must strive to do better.

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

* * *

● (1535)

PETITIONS

TAXATION

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, I rise to table a petition signed by 39 constituents of mine. They are calling the attention of the House to the fact that Canadians have not been given adequate time to be consulted and to provide feedback on the small business tax changes. They draw the attention of the House to family businesses that will suffer because essential retirement plans and rewards for the risk will be eliminated. Finally, they are asking the government to abandon the unfair tax proposals and defend Canadian businesses as the main driver of the Canadian economy.

Mr. Len Webber (Calgary Confederation, CPC): Mr. Speaker, I am pleased to present petitions today.

The first is from people in and around Calgary, submitted by Crista Keating, James Howe, and Sally Lewis.

These petitioners are concerned about recently proposed tax changes, as are many Canadians. They are concerned that the proposed changes will make it more difficult for small businesses and those struggling to make them a success. They are concerned the government has created a climate of instability and uncertainty for small businesses, and this has put millions of jobs at risk. The petitioners ask that the government recognize the risks in operating a small business and abandon its unfair tax changes.

FALUN GONG

Mr. Len Webber (Calgary Confederation, CPC): Mr. Speaker, I am pleased to present a second petition today from hundreds of people in and around Calgary.

Routine Proceedings

The petitioners are concerned about the way the Chinese government has dealt with Falun Gong practitioners. They are calling on Canada's government to condemn illegal arrests of Falun Gong practitioners, and more specifically, calling for the immediate and unconditional release of Canadian Ms. Qian Sun.

TAXATION

Mr. Len Webber (Calgary Confederation, CPC): Mr. Speaker, the third petition I am pleased to present is from dozens of Calgaryans. This petition was submitted by my constituent Cindy Berg.

The petitioners ask that the government abandon its unfair tax changes. These petitioners are concerned about the negative effect it will have on small businesses and employment in Canada. These petitioners recognize that, when our small businesses are struggling, it has an effect on all of us.

THE ENVIRONMENT

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, like my colleague from British Columbia, I have a petition in regard to navigable waters. As members may recall, the Conservative government stripped away environmental regulations that were covered by the Navigable Waters Protection Act, leaving hundreds of rivers and lakes vulnerable.

My community of London, Ontario, has asked that the Thames River be protected from unfair and unethical development. The petitioners ask that the Liberal government, which has failed to keep its promise to reinstate environmental protection, do so and support my Bill C-355, which commits the government to prioritizing the protection of the Thames River by amending the Navigation Protection Act.

ABANDONED VESSELS

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, I rise again to bring voices from Victoria, Nanaimo, and Ladysmith to this Parliament, given that the Liberals have blocked debate on my abandoned vessel legislation, Bill C-352. The petitioners urge Parliament to allow the bill to be debated in the House and to be deemed votable. This is based on the solutions in the proposed legislation to resolve the long-standing problem of abandoned vessels, having come directly from coastal communities. The petitioners cite fixing the vessel registry, creating a fee to assist with the cost of vessel disposal, supporting local marine salvage, and supporting recycling efforts.

With three hours left to vote today, I urge all members of Parliament to hear this petition.

AGRICULTURE

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, I am honoured to table a petition in the House today on behalf of residents from Hornby Island, Denman Island, and Courtenay.

The petitioners want to recognize the inherent rights of farmers derived from thousands of years of custom and tradition to save, reuse, select, and exchange all seeds. Further, the petitioners call upon Parliament to enshrine in legislation the inalienable rights of farmers and other Canadians to save, reuse, select, exchange, and sell seeds.

● (1540)

FALUN GONG

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it is an honour to rise to present this petition today on the eve of the Prime Minister's trip to China.

Very appropriately, petitioners are asking the House to consider the plight of the practitioners of Falun Dafa and Falun Gong in China, and particularly of Canadian citizen Qian Sun, who was illegally kidnapped. The petitioners are hoping the Prime Minister will indeed raise the issues of human rights in his upcoming visit.

* * *

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if the government's response to Question No. 1228 could be made an order for return, this return would be tabled immediately.

The Assistant Deputy Speaker (Mr. Anthony Rota): Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 1228—**Ms. Michelle Rempel:**

With regard to application processing times for the various streams overseen by Immigration, Refugees and Citizenship Canada: how have the processing times for cases in all streams, including, but not limited to, spousal, partners and children applications, parents and grandparents applications, federal caregivers, etc., changed, broken down by month, between October 1, 2015, and August 1, 2017?

(Return tabled)

[English]

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

The Assistant Deputy Speaker (Mr. Anthony Rota): Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Assistant Deputy Speaker (Mr. Anthony Rota): Is that agreed?

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS***[English]***INDIAN ACT**

Hon. Carolyn Bennett (Minister of Crown-Indigenous Relations and Northern Affairs, Lib.) moved the second reading of, and concurrence in, amendments made by the Senate to Bill S-3, An Act to amend the Indian Act (elimination of sex-based inequities in registration).

She said: Mr. Speaker, I rise today to speak to Bill S-3, an act to amend the Indian Act, in response to the Superior Court of Quebec decision in *Descheneaux v. Canada*.

[Translation]

I want to acknowledge that we are gathered on traditional Algonquin territory.

[English]

Today, we pay tribute to the tireless efforts of the women, including Mary Two-Axe Earley, Jeannette Corbiere Lavell, Yvonne Bedard, Sharon McIvor, Senator Sandra Lovelace Nicholas, Senator Dyck, and so many others who have fought to ensure that the descendants of women who lost their status because of sex-based discrimination are treated equally to the male line.

I want to be clear that I stand in solidarity with the indigenous women who have been fighting for gender equality in the Indian Act registration for decades. I hear their pain, the hurt of receiving a letter in which they were told that their marriage would cost them their indigenous status and knowing their descendants would also lose their indigenous identity.

Our government is committed to working with first nations, parliamentarians, impacted individuals, and experts to ensure all sex-based discrimination is eliminated once and for all from registration provisions in the Indian Act.

Bill S-3 was introduced by the government in response to the *Descheneaux* court decision and is focused on eliminating residual inequities flowing from the historical sex-based discrimination in Indian Act registration.

As members are well aware, this legislation was introduced in the context of a court-imposed deadline to remedy the specific charter breaches found by the Superior Court of Quebec in that case. In recognition of the court-mandated deadlines, the government launched a two-stage approach in response to the *Descheneaux* decision.

The first stage was focused on passing legislation to remedy sex-based discrimination in Indian Act registration, which violated the charter, whether ruled by a court or not.

The second stage was to occur immediately after the passage of Bill S-3. It was to be a comprehensive and collaborative process with first nations, impacted individuals, and experts on the needed broader reform of Indian Act registration, membership, and citizenship.

● (1545)

[Translation]

This consultation is enshrined in the bill and must commence within six months of royal assent.

[English]

I want to thank the Senate for its diligence and willingness to work with the government and across party and caucus lines to strengthen Bill S-3.

The government has worked closely with the Standing Senate Committee on Aboriginal Peoples and many other senators on numerous amendments to the original version of Bill S-3. These amendments have greatly improved this legislation.

For example, the bill now proactively addresses further groups impacted by residual sex-based discrimination, which were identified during the Senate committee hearings by the Indigenous Bar Association.

The bill also now addresses the issue of unstated paternity by enshrining additional procedural protections in law.

As members will recall, there was one amendment proposed by the Senate that the House of Commons did not support. While well intentioned, the scope of the amendment, now commonly known as the “6(1)(a) all the way” amendment, would have focused on other Indian status issues beyond residual sex-based discrimination in registration.

[Translation]

As mentioned, Bill S-3 was introduced in response to the ruling in *Descheneaux*. Accordingly, the bill seeks to eliminate sex-based inequities in the registration provisions of the Indian Act.

[English]

While the government is launching co-designed consultations early next year regarding broader Indian Act registration and membership issues, these matters are outside the scope of the current legislation. Moreover, independent legal experts, including the Indigenous Bar Association, highlighted to the House committee that significant legal ambiguities were created by the way the amendment was drafted. The government also had significant concerns regarding the inadequate time afforded for meaningful consultation with first nations and other impacted parties regarding the practical implications of such an approach within the court-mandated deadline.

Given these legitimate concerns, last June, the House of Commons amended Bill S-3 to remove the “6(1)(a) all the way” amendment. The Senate expressed significant concern that without the “6(1)(a) all the way” amendment, or a comparable replacement, Bill S-3 would not eliminate all residual sex-based discrimination from registration provisions in the Indian Act.

Government Orders

Bill S-3, as passed by the House of Commons last spring, remedied all sex-based discrimination in Indian Act registration since the modern Indian registry was created in 1951. Given that the modern Indian registry came into effect in 1951, the current state of the law requires remedies for Indian Act sex-based registration inequities to apply from that date forward. This has become commonly known as the 1951 cut-off and reflects the B.C. Court of Appeal ruling in the *McIvor* decision. While the 1951 cut-off is specifically referenced in Bill S-3 as a key component of the mandated future consultations, many senators and first nations advocates have argued strongly that amendments specifically dealing with the 1951 cut-off should be included in this bill.

The government acknowledges the understandable and justified scepticism of first nations and parliamentarians about decades of inaction by governments of all political stripes on the 1951 cut-off. We have listened to the arguments put forward by the Senate as well as other indigenous voices and are now proposing to amend Bill S-3 to deal with the 1951 cut-off. The proposed clause would put 6(1) status to all women who lost status through sex-based inequities and to their descendants born prior to 1985.

[*Translation*]

This includes circumstances prior to 1951. The proposed clause would eliminate sex-based inequities that date back to 1869.

• (1550)

[*English*]

The effect of this clause would be to remove the two-parent rule for the descendants, born between 1869 and 1985, of women who lost status because of sex-based discrimination. The government amendment is also drafted in a way so as to avoid any internal contradictions within the Indian Act, and therefore, would not create any legal ambiguity.

The government believes that in keeping with the scope of Bill S-3, the proposed amendment is the best way to eliminate all remaining sex-based discrimination from registration provisions in the Indian Act.

[*Translation*]

The Senate passed Bill S-3 with the government's new amendment on November 9.

[*English*]

It is important to note that during the debate in the other place, the new government amendment garnered majority support from all the Senate caucuses and groups. Senators Dyck, Lovelace Nicholas, Sinclair, Christmas, and Patterson were among the many prominent senators from each of the caucuses and groups that publicly supported Bill S-3 with the new government amendment included.

Senator Lillian Dyck said the following in the debate in the other place:

The motion today legislates the intentions of the “6(1)(a) all the way” but in a different manner than the *McIvor* amendment. The end result is the same and the legislative mechanism proposed can actually be seen as an improvement over the *McIvor* amendment. If we pass Bill S-3 as amended by today's motion, all of the female sex-based discrimination will be eliminated in the Indian Act.

During his speech, Conservative critic Senator Patterson stated:

I believe that by supporting this message—and it is a bit of an act of faith—we are doing right by indigenous women and their descendants.

Senator Sinclair also spoke in favour of the motion. He stated:

I would like to add my support for this motion and indicate that I intend to vote for it....

The amendments before us, to my relief, leave no legal distinction between indigenous men and women. It brings the act, therefore, into compliance with the Charter.

Both the Assembly of First Nations and the Native Women's Association of Canada also support the amended bill.

An updated demographic analysis, which was commissioned by the government over the summer, is now public.

[*Translation*]

The government made this demographic data public in the interest of transparency, but does not believe this to be a reliable way of estimating potential impacts.

[*English*]

These numbers significantly overestimate the number of individuals who would successfully obtain Indian status. The limitations of the current demographic projections, even with the additional independent demographic work, further underscore the need for meaningful consultation on the best possible implementation plan.

The government will continue to work on further refining current demographic estimates and looks forward to the broad-based consultations on Indian Act registration and membership, to begin in early 2018, to assist in this process. The government is committed to ensuring that the removal of the 1951 cut-off is implemented in the right way, in terms of both first nations communities and the individuals who will become entitled to registration.

We have always been clear that significant changes impacting first nations would be done in consultation and partnership. This approach is in keeping with the commitment to a renewed, respectful relationship, based on the recognition of rights, and to implementing the United Nations Declaration on the Rights of Indigenous Peoples. That is why while the balance of Bill S-3 will be brought into force immediately after royal assent, the amendment dealing with the 1951 cut-off will be brought into force after the conclusion of co-designed consultations.

These co-designed consultations will be about how to remove the 1951 cut-off, not whether to do it. They will be focused on identifying additional measures or resources required to do this right and on working in partnership to develop a comprehensive implementation plan, to be launched simultaneously.

Some have raised concerns about this approach, but while speaking during the Senate debate, Senator Christmas summarized the realities succinctly:

Government Orders

I believe it's also essential to recognize that the consultation with First Nation communities that will flow from the bill's requirements on consultation and reporting back to Parliament reflect the basis of the *Principles respecting the Government of Canada's relationship with Indigenous peoples*, announced in July of 2017.

In doing so:

The Government recognizes that Indigenous self-government and laws are critical to Canada's future, and that Indigenous perspectives and rights must be incorporated in all aspects of this relationship. In doing so, we will continue the process of decolonization and hasten the end of its legacy wherever it remains in our laws and policies.

During the same debate, Senator Sinclair added:

I want to point out that this bill attempts to reconcile two different constitutional obligations that the government has: One is, of course, to comply with the Charter when it comes to gender discrimination; the other is to comply with its constitutional obligation to consult with indigenous people....

So while it is with reluctance that I see us delaying the implementation of a Charter right, I can also see the need to do so because of that competing constitutional obligation to consult. And so I am prepared to support this legislation because it enshrines the right.

Bill S-3 also has numerous clauses to provide accountability to Parliament on its implementation and the related consultations. Within five months of royal assent, the bill requires the government to report to Parliament on the design of the consultations and how they are progressing, and a further update to Parliament is required within 12 months of royal assent.

There is also a three-year review clause in the bill, which requires the government to report to Parliament on the provisions of section 6 of the Indian Act enacted by Bill S-3.

• (1555)

[Translation]

The purpose of this review is to confirm that all sex-based inequities under the registration provisions have been eliminated.

[English]

If the government fails to pass legislation before December 22 to address the Charter issues outlined in the Descheneaux decision, the sections struck down by the court will be inoperative in Quebec. The practical implication would be that these provisions would then become inoperative within Canada, as the registrar would not be in a position to register people under provisions found to be non-charter compliant.

[Translation]

Ninety per cent of status Indians are registered by the federal government under the provisions that were declared of no force and effect in the Descheneaux decision. These individuals are consequently unable to access the benefits that come with registration.

[English]

We cannot lose sight of the thousands of individuals who will not be able to register if the court deadline passes and the provisions noted above become inoperable, or of the up to 35,000 people who will become eligible to register as soon as this bill receives royal assent.

Bill S-3, as amended, would remove all residual sex-based inequities from registration provisions in the Indian Act. As Senator Christmas said during the debate in the other place, "The

government did its job—in listening and in acting. Now it is time for all of us to do our job and adopt this amendment without delay."

I urge all members to support the amended message from the Senate and pass Bill S-3 in its current form.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, I want to talk a bit about the consultation process that is going to deal with the 1951 cut-off the minister has committed to and the process she has put in the legislation.

As members may be aware, the UN declaration was also an amendment in this. We know that first nations communities across the country feel very differently in terms of what they are going to do and how they are going to do it. The minister talked about a charter right, the UN declaration, and the need for a consultation process. I suspect that she is not going to end up with unanimity across this country.

How is the minister actually going to proceed in dealing with that piece she committed to in her speech today?

Hon. Carolyn Bennett: Mr. Speaker, when one co-creates a consultation process, one has the opportunity to co-create what would determine a consensus and how we would move forward together. The kind of consultation already under way is on things like what we do about things such as enfranchisement and adoption. What is really important in consultations with first nations communities is that the numbers are still very broad in terms of the number of people we are talking about. It is going to be very important to communities to explore the kinds of numbers that might affect their communities but also to put in place supports and services for the things they know they will need to address when the pre-1951 cut-off comes into effect.

• (1600)

[Translation]

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, I thank the minister for her speech on a topic that I, as an aboriginal person, always find difficult to address. It is hard to address a topic like the Indian Act.

As hon. members know, I have always considered the Indian Act to be archaic, colonialist, sexist, and racist. All those adjectives apply in this case.

I would like to know whether the minister believes that the current version of Bill S-3 eliminates all forms of discrimination under the Indian Act. I would like to hear what she has to say about that.

Government Orders

[English]

Hon. Carolyn Bennett: Mr. Speaker, there is no question that the bill, in its current form, with the message from the Senate, will eliminate only sex-based discrimination. We still have a long way to go in phase two to deal with other discrimination, such as in enfranchisement and adoption. The Indian Act is a colonial piece of work that discriminated against indigenous people in this country. It is the reason we are working so hard now to try to move more and more communities out from under the Indian Act and into a place where the recognition of rights would be enshrined and where, eventually, citizenship in a first nations community would be determined by the first nations community, and no longer by a registrar of the Government of Canada.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, in the course of Bill S-3, the conversations I had with the hon. minister in this place in June and the attempts to remove all vestiges of historic gender-based discrimination have now come to a good place. The new and expanded role of a Senate with independent senators and indeed the role of indigenous senators in the other place, Senator Dyck, Senator Dan Christmas, Senator Murray Sinclair, have helped enormously in bringing about that sober second thought which we used to think the other chamber was capable of providing, particularly from an indigenous perspective.

While I certainly applaud and appreciate that we are taking the bill forward, as amended, to passage, it is time to repeal the Indian Act, and this is the first time I have said that in the House. There is a lot of discussion about how we need to consult with first nations and indigenous people before we repeal it. They did not pass it. It is a vestige of a colonial history and it is inherently discriminatory and racist.

I know the minister has now had the department split in two, but this question is squarely in front of her, and it is a tough one. However, when can we start the conversation about when, not if, we repeal the Indian Act?

Hon. Carolyn Bennett: Mr. Speaker, the Indian Act is hugely disturbing to the government. It really enshrined all the bad policies of the superiority of the settlers into the act, which then discriminated against the first peoples of our country. The kind of consultation required now to understand what replaces the Indian Act is what communities are worried about. How do we reconstitute nations as nations instead of these villages that were created under the Indian Act, in what Lee Maracle called “villagizing” tiny communities and then Canada was able to take the land from in between.

Reconstituting nations and having nations then having self-determination, having self-government, is the direction in which our government is going. We want to see that happen. There has to be an alternative. The fiduciary rights of the Government of Canada to first nations must be codified and we need to have some other thing in place. My job, as my mandate letter says, is to accelerate the progress of communities getting out from under the Indian Act as quickly as they possibly can.

• (1605)

Mr. Lloyd Longfield (Guelph, Lib.): Mr. Speaker, I thank the minister for highlighting the inequity that still exists between men and women in indigenous communities. This week, we have been

reflecting on human rights in this place. We have been looking at the gender-based discrimination that has been forced on people by a government.

I am reflecting on this act and thinking that before we touched things, women had a great role in leadership and in the indigenous communities, which we then took away from them. We could have learned a lot more before we took those rights away.

Could the minister reflect on some of those thoughts around the role of women in indigenous communities and the role that women in our community could be learning from indigenous communities?

Hon. Carolyn Bennett: Mr. Speaker, this morning, when I was speaking at the leadership forum with the Native Women's Association, I reflected on the Prime Minister's comments yesterday about what was here before the settlers arrived, the colonizers arrived, even with respect to two-spirited individuals and a place of pride in their communities and the parallel of settlers arriving in our country and not even speaking to the women. Then they enacted an Indian Act, which displaced women out of safety.

With respect to indigenous feminism, we have to ensure, as we build new nations, as they reconstitute themselves, that the role of women and the empowerment of women are part of that reconstitution and decolonizing. It really is about us seeing the voices of indigenous women as being a metric of decolonizing and the need to be working in that direction, not just replicating colonial institutions.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, I am also pleased to rise in debate today on Bill S-3, an act to amend the Indian Act on the elimination of sex-based inequities in registration. For anyone who might be paying attention to the debate, it might sound very complex and convoluted, so I will start with a very simple comparison and then perhaps move to the actual process.

The Conservatives intend to support the legislation. However, the government botched it all along the way. Therefore, I will reflect on the many problems that were experienced in getting us to this place.

I had the great privilege in the 1980s to be hired as a nurse for a small band. I had no idea of the issues of status or registration in bands. I was from an urban area and was hired to work in a rural community. Fairly early on in my time there, one of the community health representatives took me to visit some of the elders, and one elder in particular, Maggie. She told me that we were not supposed to visit as she was not an Indian anymore since the government took away her registration, that she was really not part of them but was part of them.

Government Orders

Maggie had been born in the late 1800s. In the early 1900s, she had married someone from a neighbouring community, who happened to be a white man, and she lost her status. In this case, the husband died a few years later. The community knew who the band members were and made special accommodation to ensure they welcomed their elders into the community. However, it was always very difficult for them because of the issues of housing and non-insured health benefits. She did not have those things by virtue of the fact that she had married a white person. We surreptitiously visited her and, as a nurse, I was able to take care of Maggie. She was a real inspiration to me in terms of what she did and how she did it.

In comparison, a gentleman lived there and he had married someone from the neighbouring community. This had no impact on him. His wife was able to move to the community, they had non-insured health benefits, and his children continued to receive the benefits the community provided. That was an eye-opener. It did not make any sense. For the gentleman who married a woman from another community, there were no changes, yet there were significant changes for Maggie, which impacted her until the day she died. Clearly this was an inequity, and it was identified by many.

The minister talked about Sharon McIvor and so many others who had been advocating for many years for changes and to put in place legislation that would deal with these problems. It seemed simple, but as we went through the process of looking at the legislation and the massive charts in front of us, we came to realize how complicated this whole thing was and the fact that the government was determining who was 6(1)(a) or 6(1)(b). It was an amazingly complex process.

● (1610)

It is close to a year since the bill was first introduced. It was introduced in the Senate, with a looming court deadline that needed to be taken care of. In appreciation of the court deadline, the House of Commons committee, knowing it was introduced in the Senate, said that it would pre-study the bill and bring in some witnesses. We were trying to be co-operative with the Liberals. We knew there was a court deadline and we were trying to get the legislation dealt with in a reasonable way.

We started to have our hearings. One of the first people we had before us was Mr. Descheneaux, and his lawyer. They said that they did not know the legislation was even going to be tabled until they were called as witnesses. This is the plaintiff who won the case. The government responded by tabling legislation without even talking to the plaintiff. It was shocking to committee members to hear the government, which has talked about having consultations and how important it is, had not talked to the plaintiff.

Some other things happened as we were moving the bill through Parliament.

On the first day of testimony, which was November 21, 2016, department officials testified that they were confident the bill would address all sex-based inequities in the Indian Act. I will quote what we were told with respect to that.

I asked the officials this:

First, in terms of your statement...this would eliminate all known sex-based inequities, are you confident that we're not going to be looking at another court case

and another piece of legislation coming down the pike? Are you confident that we have...taken care of...[the] issue?

Ms. Joëlle Montminy stated:

We are confident. With these amendments, we are dealing with all known sex-based inequities in Indian registration. That's not to say there are not other types of inequities that are going to be brought forward by various groups. We do have active litigation on this. It could relate to other...issues.

We know there still are some outstanding issues that perhaps relate to veterans, but we had their guarantee that the sex-based inequities were taken care of.

The next day I spoke with Mr. Descheneaux, and his statement is quite interesting. He was at committee the next day. He said:

...we've never been called or asked which way we saw that stuff...I was thinking that they would come to the band and meet us, and say that they're going to go that way, or they're looking to go this way.

Then we had heard from Chief Rick O'Bomsawin, who stated that the minister's office:

...told us that we were consulted, that they consulted with chiefs last summer. I have not found one chief that they consulted. They've never consulted me, and it was our case. They never even called us.

We knew the Senate was hearing the same issues at that time and was becoming as concerned as we were.

I understand that the staff were blamed. At the Senate aboriginal committee on November 30, the minister said, "My department's failure to directly engage with the plaintiffs was not only unacceptable but embarrassing for me as minister. I have now personally spoken with each of the plaintiffs..."

I have to remind members that the government came into office with this very firm commitment to always ensure it had proper consultation and engagement. This is the first piece of legislation it has tabled with respect to the indigenous affairs file, with absolutely minimal or almost no consultation.

● (1615)

National Chief of the Assembly of First Nations, Perry Bellegarde, called on the Liberals to withdraw the legislation, ask the superior court for an extension, and use the time to fix the bill and engage in proper consultation. National Chief Bellegarde stated his team had not had adequate time to undertake a full review of these amendments, and when asked whether or not the consultations had been adequate, he gave a firm answer. That answer of course was no.

The Assembly of First Nations, the AFN Women's Council, the Quebec Native Women's Association, the Canadian Bar Association, and the Indigenous Bar Association, among others, all identified deficiencies with the process and content of the bill.

The minister talked about some of the things my colleague Senator Patterson said. On November 17, he said:

...witnesses described the consultation as lacking. National Chief Perry Bellegarde of the Assembly of First Nations told us that First Nations impacted by the bill were not properly resourced or given enough time to adequately review the proposed amendments to the Indian Act. We were astonished to find out that the plaintiffs in Descheneaux—the case that forced the writing of this bill—and their counsel were not consulted...

He reiterated some of the same concerns.

Government Orders

With the early introduction, we all tried to move the bill forward. Then we quickly realized the government had utterly failed in doing the consultation it so often says is important, but it had not actually done. Then we had witnesses who showed us design after design. In spite of what the officials said, the bill was not going to fix the inequities we needed to deal with. Again, we had to add some amendments to deal with a number of other issues.

The Senate committee put the bill into abeyance. The minister had to ask for a court extension to do its additional duties, which was to consult. On December 13, the Senate committee sent a letter to the minister, urging her to act on the witnesses' concerns. The minister then withdrew the bill and sought an extension of the court, which was granted until July 3, 2017.

We know the Senate continued to have significant concerns and issues. We voted in the House in June on an amended bill. We sent it back to the Senate, because we knew the court deadline was in the summer. The Senate refused to deal with it, or they rose in the summer before it dealt with the legislation. Again, the minister had to go back to the court to ask for a new deadline. We might see a bit of a pattern here, with deadline after deadline being missed.

Finally, we are at a place where, hopefully, all sides in the House will support moving forward. The Senate has agreed to move forward. In spite of what should have been done a year ago, the people who should have had the process of their registrations started in response to this particular case have been sitting back.

In terms of Bill S-3, many community members have been very patient. On this side of the House, in the official opposition, we have stood up many times for first nations gender equity and rights. Looking at what we have in front of us, it kind of draws me back to the debate around matrimonial real property rights. That was a really important piece of legislation to protect women. Mr. Speaker, I know you were here at the time. You will recall who voted against protection for women on reserve with the matrimonial real property legislation. It was the Liberals.

• (1620)

We are going to be supporting this, but we need to remember the record of the Liberals when it has come to issues around gender equity and first nations. Who was the government that put forward legislation so human rights would apply on reserve? It was the Conservative government at the time. I am really quite proud of our record in terms of moving some of these issues forward in a positive way, and again note that we will be supporting this bill and hopefully finally dealing with this.

In conclusion, the minister has talked very optimistically about her communication and consultation process and reporting back to the House. I am very concerned about the process she is going to undertake and whether the Liberals will ever get to any resolution on this issue, and suspect that we might end up back in the courts again.

• (1625)

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, one of the questions that remain is the fact that even after the passage of Bill S-3, none of the lady warriors who litigated this issue for some 40 years would be accorded 6(1)(a) status. In fact, they wrote a letter to the minister

who spoke before and the Minister of Justice, which states, “Our reading of the motion introduced by Senator Peter Harder in the Senate on November 8, 2017 is that we, and many other indigenous women who are similarly situated, will not be accorded 6(1)(a) status when Bill S-3 passes.”

This is squarely equality delayed, and therefore equality denied. I would like my colleague to comment.

Mrs. Cathy McLeod: Mr. Speaker, it really goes back to the minister indicating that the bill before us was going to deal with all these sex-based inequities, and we are hearing that for some of the people who have been particularly involved, the issue around the 1951 cut-off would mean they are not afforded that same recognition.

Again, we have people who have worked very hard on this issue for many years. The fact that we have received commitments that it has dealt with the sex-based inequities when it actually has not is certainly a problem.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, one of the earliest commitments the Prime Minister has made virtually since the last national election is to establish the nation-to-nation relationship. Part of that we have seen in terms of different types of funding announcements, a higher sense of co-operation, and willingness to see important issues such as the one we are debating today advance significantly. I enjoyed the questions put to the minister and compliment the minister, her department, those who were involved in making this legislation, and the Senate for the fine work they have done on this piece of legislation.

What would the Conservative opposition, the official opposition, like to ultimately see? Does it have very specific amendments it would like to propose at committee stage? My apologies if she has already made reference to that, but are there specific amendments she would like to see?

Mrs. Cathy McLeod: Mr. Speaker, the member should probably know that this is a response to the Senate, and we perceive that it is going to be moving, and at this point, we have a December 22 deadline.

What I would like to see is that when the government says that nothing is more important and it is committing to consultation, that it actually consults. If it has an example of a case like this, where it has legislation that it has to do in response to a court case, we think it would at least talk to the plaintiff before moving forward with introducing and tabling something in the House. The minimum should be that we would have that consultation process.

I would note that the words have been very nice. The right words are being said, however, in actual fact, when the rubber hits the road, when the government is required to do some consultation, it has been quite lacking.

Government Orders

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):

[Member spoke in Cree]

[Translation]

Mr. Speaker, first of all thank you for giving me the opportunity to speak to this issue, which has been very important to me for many years.

I would like to begin by talking about the context in which we are debating changes to the Indian Act, to eliminate all forms of discrimination, especially against indigenous women who have been treated unfairly for many years under this act.

Earlier, I mentioned just how racist, sexist, colonialist, and outdated I think the Indian Act is. That is why I agree with the member for Saanich—Gulf Islands, who suggested earlier that we should simply get rid of the Indian Act for all these reasons.

I find it rather strange to rise today to speak to an act that we should get rid of. Why? To paraphrase the Prime Minister: because it's 2017. We should have gotten a lot further by now, especially when it comes to policies affecting the first peoples of this country.

In December 2015, after the current government was elected, I was in the room when the Prime Minister promised several things to Canada's chiefs. There were five major items in his speech. One of the promises he made in the 2015 speech to all indigenous leaders in Canada was that the government would review every piece of legislation passed unilaterally by previous governments and get rid of them. I was very pleased with this promise made to Canada's indigenous leaders because it is something I have been thinking about for a very long time.

When I heard the Prime Minister making this promise to all of Canada's chiefs, the first act that sprung to mind was the Indian Act. I believe that it is possible to replace the Indian Act with something else, especially in this era of reconciliation in Canada.

One of the other important promises that this government made to indigenous people was that it would adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples. In my view, this is the most important promise. Why not accept this framework, which would allow us to move forward?

I will read Article 9 of the United Nations Declaration on the Rights of Indigenous Peoples.

● (1630)

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

[Translation]

This is the new framework that must guide our debates on these issues in the House.

I do want to mention that I was pleased to hear the Minister of Justice say last week that the current government would support Bill C-262, which has to do with the United Nations Declaration on the Rights of Indigenous Peoples. I am happy that the government is

supporting this bill. This bill addresses the 43rd call to action by the Truth and Reconciliation Commission, which calls upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

We should let this framework that is the UN declaration guide all of our debates involving the rights of indigenous peoples, whether on the Indian Act or other agreements. This is what Bill C-262 proposes, and I am happy to hear that the government will support it. We will see how these issues are debated next Tuesday, during the first hour of debate on Bill C-262.

However, as I pointed out in my question to my colleague, even if the bill is passed, it will not include the three lady warriors who fought against the discrimination perpetuated under the Indian Act for nearly 40 years. I think this is cause for concern.

One part of this bill aims to eliminate all discrimination committed under the authority of the Indian Act. As an indigenous person, I would have a hard time rising in the House to support a bill that does not fully eliminate discrimination. I will never rise in support of a bill that continues to discriminate against this country's first peoples. It will not happen.

● (1635)

[English]

As the bill currently stands, there remains entrenched sex-based discrimination in the bill. Ideally, the government would respect the wishes of the parties to the case, as well as stakeholders, in keeping with the current international human rights standards, specifically articles 3, 4, 7, 8, and 9, which I have just read, and article 33 of the UN Declaration on the Rights of Indigenous Peoples.

We want all gender discrimination to be eliminated from the bill before it is passed by the House of Commons. We also want the liability clause to be removed entirely. I will never take away the right of an individual to sue the government for past wrongs. I will never allow this place to pass legislation that eliminates that right. Therefore, I will be moving amendments to that effect shortly.

We must remain critical of a bill that does not entirely address all discrimination, and also critical of the slow pace of change and the failure by successive governments thus far to ensure that the laws of Canada are consistent with the United Nations Declaration on the Rights of Indigenous Peoples, since adhering to the declaration would provide a basis for Canada to address all systemic problems within the Indian Act. It is important to do so in this era of reconciliation.

Government Orders

I would like to address the insubstantial nature of what passed the Senate and is poised to be adopted by this chamber. I say this because the government is promising to do only what the courts have ordered. No one should be fooled by the rhetoric into thinking that this bill, as it stands, addresses paragraph 6(1)(a) registration rights for indigenous woman, who have been seeking that status for over 40 years of litigation, namely Jeannette Corbiere Lavell, Sharon McIvor and, most recently, Dr. Lynn Gehl. Beneath the rhetoric, the bill represents an insubstantial aspiration that leaves complete discretion to the government to extend 6(1)(a) to everyone because there is no mechanism for implementation or accountability. In fact, this bill leaves so much to be desired that Sharon McIvor and Dr. Pam Palmater are headed to Washington to make a submission to the Inter-American Commission on Human Rights to ask them to intervene regarding Bill S-3 to make sure this government addresses all gender discrimination.

Many indigenous women's groups have called attention to the provisions of proposed section 10. With this clause, the government is justifying past discrimination and past violations of human rights. If we truly believe in the rule of law in this place, then this cannot happen. With this clause the government is justifying past injustices, and this should not be tolerated.

The government would continue to discriminate with impunity until it chooses to address it or is forced to address it. In my view, this underscores the sense of colonial entitlement. It undermines the rule of law. The crown has a fiduciary responsibility to first nations. It owes fiduciary duties to the people. It cannot be given impunity for its conduct because that would essentially enable breaches of the law and breaches of potential fairness to many people. With this bill, we are giving it licence to do whatever it wants, without consequence.

I want to quote Lynn Gehl, who says:

Not addressing the 1951 cutoff because the court said that the issue was one of matrilineal lineage versus sex discrimination was wrong.

....I'm of the position that the hierarchy created in 1985 between Indian men and their descendants as they are registered as a 6(1)(a) and Indian women who are only registered as a 6(1)(c) must be abolished if you want to eliminate the sex discrimination and end this process of amending the Indian Act.

In their letter that I referenced earlier, Sharon McIvor, Jeannette Corbiere Lavell, and Lynn Gehl wrote to the ministers and said:

We are writing to request confirmation that when Bill S-3 passes in the House of Commons there will be no change to the current category of Indian status accorded to Sharon McIvor (6 (1)(c)), and Jeannette Corbiere-Lavell (6(1)(c)), and Dr. Lynn Gehl (6(2))....

They continued:

None of us is affected by the 1951 cut-off introduced by Bill C-3 in 2010. Our reading of the motion introduced by Senator Peter Harder in the Senate on November 8, 2017 is that we, and the many Indigenous women who are similarly situated, will not be accorded 6(1)(a) status when Bill S-3 passes.

Again, this is equality delayed and the consequence is equality denied.

●(1640)

I too share the concern about the consultation process. It seems that the government only consults when it is convenient. Yes, I agree with the minister that there is a constitutional obligation to consult indigenous peoples when their rights and interests are affected, but it

has to be applied throughout. I do not recall if the indigenous nations affected by the Site C dam, for instance, were ever consulted. In fact, it was to the contrary. They were being intimidated by BC Hydro with lawsuits. That constitutional obligation to consult has to be applied throughout.

In the case of the bill before us, I reiterate that it falls short of settling everything. The bill continues to discriminate. The Indian Act, in fact, is archaic and we need to get rid of it. The no-liability clause, as I mentioned, is a major problem. If we recall, last June I proposed amendments to that effect, which were rejected. If the amendments introduced back in June had been accepted, we would not be here today. We would not be debating this issue anymore. Unfortunately, they were rejected.

●(1645)

[*Translation*]

Since my time is quickly running out, I will close by saying that it is essential that the House consider the suggestion I just made of getting rid of the Indian Act altogether and giving first nations, Inuit, and Métis the right to decide whether or not to recognize their own members.

I think that is one of the fundamental rights that we successfully negotiated in the United Nations declaration on the rights of indigenous peoples. It is up to indigenous communities to decide who their members are, something that the Indian Act still does not allow them to do.

I am therefore proposing amendments so that the motion would now read as follows:

That a Message be sent to the Senate to acquaint Their Honours that, in relation to Bill S-3, An Act to Amend the Indian Act (elimination of sex-based inequities in registration), the House:

1. agrees with amendments 1 to 6, 8 and 9(a) made by the Senate;
2. proposes that amendment 7 be amended by replacing the words "Replace line 3 with the following: 'ly before the day on which this section comes into'" with "Delete clause 10";
3. proposes that clause 11 of Bill S-3 be amended by adding the following on page 9 after line 33:

"(3) The consultations must be completed within 18 months of the day on which this Act receives Royal Assent."

4. proposes that amendment 9(b) be amended by replacing "on a day to be fixed by order of the Governor in Council, but that day must be after the day fixed under subsection (1)" with the words "18 months after the date that the order in subsection (1) is made".

Those are the amendments that I am proposing, and I hope that the House will accept them this time.

The Assistant Deputy Speaker (Mr. Anthony Rota): Page 791 of *House of Commons Procedure and Practice* states that:

The motion must relate exclusively to the Senate amendments, and not to other provisions of the bill that are not contemplated by the amendments.

The hon. member for Abitibi—Baie-James—Nunavik—Eeyou proposed deleting clause 10 while the Senate is simply proposing a technical amendment.

He also proposed deleting clause 11 while that clause is not contemplated by the Senate amendments.

Government Orders

I regret to inform the hon. member that this amendment is out of order as it exceeds the scope of the Senate amendments that are before the House.

* * *

• (1650)

MESSAGE FROM THE SENATE

The Assistant Deputy Speaker (Mr. Anthony Rota): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill S-218, an act respecting Latin American Heritage Month.

* * *

INDIAN ACT

The House resumed consideration of amendments made by the Senate to Bill S-3, An Act to amend the Indian Act (elimination of sex-based inequities in registration).

The Assistant Deputy Speaker (Mr. Anthony Rota): Before resuming questions and comments, 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 Saint-Hyacinthe—Bagot, Public Services and Procurement; the hon. member for Vancouver East, Immigration, Refugees and Citizenship; the hon. member for Lethbridge, Taxation.

The hon. Parliamentary Secretary to the Minister of Crown-Indigenous Relations and Northern Affairs.

[English]

Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Indigenous and Northern Affairs, Lib.): Mr. Speaker, I have a couple of comments I would like to make and a question. First of all, the member opposite talked about repealing the Indian Act, and it is probably the desire of all of us, at least on this side of the House, to repeal the act, but we also know that we have a fiduciary responsibility and that, in the absence of other legislation, it is not responsible for government to proceed in that way at this time.

However, we are creating a way and a mechanism to get there. That is the broader agenda of what government is engaged in and what the Minister of Crown-Indigenous Relations and Northern Affairs has spoken to. In the meantime, we also have a responsibility to honour the rulings of the court. The rulings of the court indicate that we eliminate all sex-based discrimination against women within the Indian Act. That is exactly what we are doing.

In fact, it has been with the tremendous support of the Senate that we are able to get to where we are today. I would like to ask the member a question, because Senator Sinclair has said:

I would like to add my support for this motion and indicate that I intend to vote for it... The amendments before us, to my relief, leave no legal distinction between indigenous men and women. It brings the act, therefore, into compliance with the Charter.

The member opposite also knows that we have gone beyond the 1951 cut-off amendment in Bill S-3. In fact, we have made amendments in the bill that would include circumstances prior to 1951 and remedy sex-based inequities back to 1869. I ask why the member opposite will not support these amendments in Bill S-3.

[Translation]

Mr. Romeo Saganash: Mr. Speaker, I want to thank my colleague opposite for her important question. I would like to start by responding to her comments.

It is true that we cannot, in 2017, continue to live under the Indian Act. The idea of getting rid of the Indian Act did not come out of the blue. Since 1984, the Indian Act has not applied to the James Bay Cree or to the Naskapi, in northern Quebec. The Cree and the Naskapi negotiated a new law that has been in force since 1984, specifically to get out from under the Indian Act.

The member says rulings of the court must be honoured. That is fine, but so must the Canadian Human Rights Tribunal's rulings on indigenous children. Let us not forget that there is a ruling requiring the government to settle the matter, not to mention three other court orders, and maybe a fourth on the way. The member should make sure she remains consistent with what she is saying.

I do agree that it is important to honour court rulings. However, our Constitution establishes the rule of law, which requires us to abide by our Constitution. This means we must also abide by section 35 of the Canadian Constitution, which relates to aboriginal and treaty rights. In my view, the Indian Act does not respect the fundamental rights of this country's first peoples.

• (1655)

[English]

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, I would like to thank my colleague, with whom I work on committee quite regularly. He has also been in this place for a long time.

This is a bit of a process question. As I indicated in my remarks, we started this over a year ago. It has been back and forth with the Senate. We certainly tried, in good faith, to move it along for two prior court deadlines.

Has the member ever seen a piece of legislation come before him where the process was so flawed and with so many challenges within the legislation that, in actual fact, it had to go right back to the starting block?

[Translation]

Mr. Romeo Saganash: Mr. Speaker, my colleague asks a very good question.

The short answer is no. However, I know it is always difficult to address such matters here in the House. I have been here for just over six years, and I have never seen a process as flawed as this one, to borrow my colleague's words. I agree with her completely.

[English]

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, with respect and acknowledgement to my colleague and his leadership on this issue, I want to take us back to a year ago.

Government Orders

The United Nations Committee on the Elimination of Discrimination against Women was very specific in its criticism of the government. This is a document dated November 18, 2016, from UN CEDAW. It notes that:

the Committee remains concerned about continued discrimination against indigenous women, in particular regarding the transmission of Indian status, preventing them and their descendants from enjoying all the benefits related to such status.

The committee recommends that [Canada] remove all remaining discriminatory provisions of the Indian Act that affect indigenous women and their descendants, and ensure that indigenous women enjoy the same rights as men to transmit their status to their children and grandchildren.

On June 21, national indigenous day, my colleague moved amendments, and we watched the Liberal government members voting those provisions down, without even seeming to understand that they were in fact voting against full gender equality for indigenous women.

Now here we are again today with the litigants, the three women, Sharon McIvor, Jeannette Corbiere-Lavell, and Lynn Gehl. Some of these women have been fighting this for four decades. They do not support this amendment and this legislation that the government has put before us today.

In what way can this incremental gender equality be accepted for indigenous women, when it is so out of step with the commitments of the government?

[*Translation*]

Mr. Romeo Saganash: Mr. Speaker, I thank my hon. colleague from Nanaimo—Ladysmith for her question.

It is a good thing that she reminded us about the decisions by some UN bodies on this issue. I myself worked on these issues at the international level for more than 23 years. Every time such a body issues a report addressing human rights issues, I believe it is important to keep it in mind as we develop legislation in the House. We often forget that we are signatories to a number of international human rights conventions.

I believe that these conventions should guide our legislative process. Under the Constitution, it is assumed that legislation introduced and passed in the House of Commons complies with international law, especially on matters of human rights. I believe that we too often forget this aspect of the question.

I hope that from now on, given that the government seems willing to adopt and implement the United Nations declaration on the rights of indigenous peoples, this will serve as our framework for all future bills and policies. I believe this to be essential. In this era of reconciliation, we do not have a choice; it is the path we must follow from now on.

• (1700)

[*English*]

Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Crown-Indigenous Relations and Northern Affairs, Lib.): Mr. Speaker, I am pleased to speak to Bill S-3 today, and I will be splitting my time with the member of Parliament for Scarborough—Rouge Park.

The minister, in her address earlier today, gave a tremendous overview of the changes and critical components that make up the amendments in Bill S-3. As members know, since last fall, the government has been working to make these amendments based on the superior court decision of Quebec in the case of Descheneaux and in the last number of months we have worked with the Senate to clarify certain components of the bill and to ensure there were no charter violations and that we could, in fact, go beyond what was being recommended to ensure that we were doing everything we could possibly do at this stage to end any clauses with sex-based inequities within the bill.

Today, I want to thank all of those who did this work in the Senate Standing Committee on Aboriginal Peoples, senators, witnesses, and many others who appeared before the committee. We also appreciate the support and co-operation they gave government to make what we believe are some really significant improvements that we are happy to propose in this bill.

A number of previously unknown groups that were impacted by sex-based inequities were added to the bill and the government has worked with senators to address the issue of unstated paternity by enshrining additional procedural protections in law through Bill S-3. The bill was also amended to require the government to report back to Parliament on a number of occasions and in a number of ways to update parliamentarians and all Canadians on its progress toward broader Indian Act registration and membership reform. All of the amendments were welcomed and supported by the government.

The Senate Standing Committee on Aboriginal Peoples also added an amendment to Bill S-3, with the intent of implementing what was known as the 6(1)(a) clause or 6(1)(a) all-the-way approach. Basically, the intent of this amendment was to provide entitlement to 6(1)(a) Indian status to all of those who had lost their status back to 1869 and all of their descendants born prior to 1985. This amendment was passed and referred to the House of Commons.

We are amending the bill that has been passed by the Senate in three particular ways: first, we are changing the title of the bill; second, we removed 6(1)(a) all-the-way amendment; and third, a reference to UNDRIP was added to the bill review clause. As members know, UNDRIP was signed onto by this government and members can expect much more detail around our commitment to and implementation of UNDRIP to come in the weeks to follow.

It has been a long process to get here. I know that many have said that we should just repeal the Indian Act. I can guarantee that is a sentiment that has been shared by the Minister of Crown-Indigenous Relations and Northern Affairs and our government for a long time. However, we know that our responsibility is really to ensure there is legislation in place in Canada that responds to the needs of indigenous people. Our goal at the end of the day is to ensure that is in place.

In the meantime, we have made significant changes and amendments to this bill. In fact, through this bill, we are ensuring that we will provide status to all women who have lost their status through sex-based discrimination, as well as their descendants born prior to 1985 or after 1985 if their parents married each other prior to that date. This includes circumstances prior to 1951 and, in fact, remedies sex-based inequities going back to 1869.

Government Orders

• (1705)

Should the House of Commons pass the version of Bill S-3 that the Senate passed on November 9, the bill, with the exception of the 1951 cut-off amendment, would be brought into force immediately after receiving royal assent. This is something that has been welcomed by indigenous governments across Canada.

At that time, the second generation cut-off rule would be eliminated for women who lost their status as a result of gender-based inequities and had children between 1951 and 1985, as well as for their descendants who were born during that same period. The additional amendment regarding the 1951 cut-off, which was proposed by the government and is included in the current version of Bill S-3, would be brought into force after further consultations and the co-development of a comprehensive implementation plan to address the impacts of removing the 1951 cut-off.

That seems to be the obstacle that my colleague who spoke previously is having some trouble with. However, this is a responsible and prudent way of proceeding, that the government implement this amendment in a way that would eliminate or mitigate any unintended negativity or consequences for communities and individuals. We have been hearing this from many people, and we know all agree that this needs to be done, but we have to be responsible about how it gets done. We have to ensure that those who are to care for and absorb those extra constituencies within their nations have the ability to provide the services and the care in an appropriate way.

The version of the bill that is before the House today would remedy all residual Indian Act registration inequities flowing from sex-based discrimination. I think that is the important factor. Just as the Senate has supported this motion and has outlined its support in many speeches and comments within the Senate, we do the same on this side of the House within the Government of Canada, because we know it is the right thing to do. It is time for us to really make the drastic changes that indigenous Canada has been asking for and wanting for a very long time. This is just the beginning. There is a lot more work to do, and we can assure members that the government is ready to do that.

We ask that all members support the bill before the House today.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, I would like to go back to the same issue that I had asked the minister about, the consultation process and coming to an agreement, because the framework of the UN declaration is embedded in this piece of proposed legislation. I expect there are going to be significant variances of opinions across this country in terms of what to do and how to do it. How is the government going to bring this to a conclusion, respecting both the UN declaration, as it committed to in the legislation, and its commitment to actually come up with something that is going to move it forward?

I think the government has a big challenge ahead, and I would like to know how it will address those two particular issues.

• (1710)

Ms. Yvonne Jones: Mr. Speaker, I do not think there is any doubt whatsoever of the sincerity of this government to act upon the inequities and discriminatory factors that exist within the legislation.

I also do not think that there is any doubt about this government's consultation practices. We have probably consulted more with people in this country than any other government before us on all decisions that we take. We feel that is a prudent and active way of implementing new legislation, but also to be inclusive and to listen to what others have to say.

This is what Senator Sinclair said in debate, and I want to point this out to the member, because I think it is very important:

I want to point out that this bill attempts to reconcile two different constitutional obligations that the government has: One is, of course, to comply with the Charter when it comes to gender discrimination; the other is to comply with its constitutional obligation to consult with indigenous people...So while it is with reluctance that I see us delaying the implementation of a Charter right, I can also see the need to do so because of that competing constitutional obligation to consult. And so I am prepared to support this legislation because it enshrines the right.

Need I say more?

Canada knows that this is a government that has a practice of consultation. Our decisions are grounded on the views and perspectives of Canadians, and we intend to continue on that path.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, it is unfortunate that the Liberal government is taking such an important and fundamental issue so lightly. It has done what my mother would call a real shoddy job.

I will now quote someone who knows a thing or two about this, Perry Bellegarde, the national chief of the Assembly of First Nations, who said: "I will say, however, that intended efforts to fix the Indian Act are basically doomed to fail. The essence of the Indian Act is a colonial mindset that can only be tossed aside. It is time to embrace and implement the minimum standards of the United Nations Declaration on the Rights of Indigenous Peoples because each First Nation is entitled to discuss with the Crown their vision of transition to move beyond the Indian Act."

Instead of using some kind of patchwork or band-aid solution, should the Liberal government not meet our international obligations and create a statute based on human rights, rather than a completely outdated and antiquated concept like race?

[*English*]

Ms. Yvonne Jones: Mr. Speaker, Bill S-3 is sexist, and the Indian Act is sexist and racist. It is a colonialist piece of legislation. We will be the first to admit that. At some point it has to be repealed and replaced.

The Assembly of First Nations has said that it supports passing the current amended version of Bill S-3, which is the bill we are debating today.

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): Mr. Speaker, I rise today to speak to Bill S-3, an act to amend the Indian Act.

This Senate bill is in response to the superior court of Quebec's decision in *Descheneaux v. Canada* and has undergone several iterations. I am pleased to support this set of amendments, which will effectively eliminate sex discrimination under the Indian Act.

I want to begin by acknowledging that we are gathered here on the traditional unceded lands of the Algonquin peoples.

Government Orders

It is hard to believe that we are having this debate today, in 2017, on sex equality. It is even more disturbing that those making the decision on such a fundamental issue of Indian status for first nations peoples are not members of any first nations communities themselves but are primarily from settler communities. The irony is not lost on me. What is equally absurd is that it has been primarily men making these decisions. Our Indian Act, unfortunately, makes this absurd debate necessary.

The renewed relationship our government seeks to establish with first nations communities on a nation-to-nation basis will untangle first nations peoples from the shackles of colonialism and the Indian Act and will set our country towards a path of true reconciliation.

The Indian Act is deeply rooted in racism and has for generations resulted in uneven and racialized outcomes for our first nations peoples. The Indian Act essentially controls the lives of our first nations peoples. It defines who is and who is not an Indian, where they live, whom they should live with, and so on. It separates first nations peoples from the rest of Canada, physically, through reserves, but also in virtually every aspect of life.

The numbers speak for themselves. I am just going to give some examples. In 2011, 26.2% of first nations people on reserve lived in overcrowded housing, compared to 4% of non-aboriginal people. In education, 39.8% of first nations people do not have high school or a post-secondary degree. Only 12.1% of non-indigenous people do not have a high school diploma or a post-secondary degree. We could go on with life expectancy, suicide, and income.

On virtually every measure available to assess social well-being, Canada's first nations people rank lower in comparison to their settler counterparts. None of the constraints of the Indian Act, however, have been more scrutinized and more painful than the definition of who is and who is not an Indian.

Notably, this Indian Act discriminates against women in a systemic and structural way, leading to inequities in membership and having an effect on their daily lives. Discrimination based on sex has affected the children, grandchildren, and their generations of kin by excluding them under the Indian Act. The amendments to Bill S-3 we are debating today aim to correct that trajectory and ensure that sex discrimination is eliminated from the Indian Act once and for all.

I want to walk members through the history. The issue of sex discrimination has been dealt with by Parliament on several occasions. However, in each round, the amendments made in the House did not go far enough to ensure that sex discrimination was eliminated altogether.

The amendments initially considered under Bill S-3 were in response to a superior court of Quebec decision in *Descheneaux v. Canada*, rendered in 2015. The Quebec court deemed the provisions of the Indian Act to be in violation of the Canadian Charter of Rights and Freedoms, as it treated grandchildren descended from a status Indian man and a status Indian women differently by providing status to the former and denying it to the latter.

Madam Justice Chantal Masse cautioned the government to ensure that any legislation that stemmed from the decision ought to have an expansive view of the issue of sex-based discrimination

under the Indian Act. I would like to quote paragraph 239 of her decision:

When Parliament chooses not to consider the broader implications of judicial decisions by limiting their scope to the bare minimum, a certain abdication of legislative power in favour of the judiciary will likely take place. In such cases, it appears that the holders of legislative power prefer to wait for the courts to rule on a case-by-case basis before acting, and for their judgments to gradually force statutory amendments to finally bring them in line with the Constitution.

After considerable back and forth with the other place, we are here today to eliminate sex-based discrimination in the Indian Act altogether.

● (1715)

During debate this summer, we heard from many witnesses, including women whose lifetime of work advanced the issue of gender equality in the Indian Act. It was a very painful experience for most of them. We also heard from many bands and communities that they alone have the right to define the citizenship of their people. I believe that both seemingly divergent views are not incompatible. Ultimately, first nations people should have the say as to who their citizens are, but in a manner that does not discriminate against one particular gender.

I want to take a couple of minutes to outline previous attempts to remove sex-based discrimination from the Indian Act. The sex-based inequities in the law we are grappling with today have their roots in the patrilineal transfer of Indian status that existed in the Indian Act prior to 1985, and the subsequent imperfect attempts to end discrimination in the act.

With the introduction of the Constitution Act, 1982, and the Charter of Rights and Freedoms, explicit discrimination in the Indian Act finally had to be changed to comply with section 15 charter rights.

Bill C-31 was introduced to make the Indian Act charter compliant. It unfortunately did not go far enough. In fact, it is Bill C-31, including the introduction of the second generation cut-off and the subsection 6(1) and 6(2) categories of Indian status that inevitably opened new sex-based inequities and the inability of individuals to pass on status to their children and grandchildren. The residual sex-based inequities that remained in the act resulted in a rise in registration-related legal challenges.

One such challenge was launched by Sharon McIvor. Dr. McIvor's case centred on her ability to transfer status to her children. Since Dr. McIvor married a non-Indian, she was only able to transfer section 6 (2) status to her son, Mr. Grismer. As Mr. Grismer also married a non-Indian, he was not able to transfer status to his children. However, had Sharon McIvor had a brother who was also married to a non-Indian, prior to 1985 their child would have been entitled to status under 6(1). Because of this discrimination, the B.C. Court of Appeal struck down paragraphs 6(1)(a) and 6(1)(c) of the Indian Act and gave Parliament one year to respond.

Government Orders

Bill C-3 was introduced by the previous Conservative government in response to the McIvor decision. However, the government decided that it would interpret the decision as narrowly as possible and that it would not address other obvious examples of sex-based discrimination in the act.

At the time, Marc Lemay, a former Bloc MP, rightly pointed out, “As we speak, a dozen or so of these complaints are before the courts in various jurisdictions across Canada, including one or two similar cases currently before Quebec courts.” I have no doubt that the cases in Quebec he was referring to were those of Stéphane Descheneaux and Susan and Tammy Yantha.

It only took six years for us to arrive back here again to pass amendments to the Indian Act to address discrimination, which should never have existed, with Bill S-3. Like Bill C-3, Bill S-3 did not initially take an expansive approach to addressing discrimination in the Indian Act. Initially, Bill S-3 addressed only the cases ruled by the Superior Court of Québec: the cousins and siblings issue and the issue of omitted minors.

I can continue to give more examples of where we have failed, but it is very clear that today, as we stand, we have the right balance to ensure that we eliminate sex-based discrimination from the Indian Act once and for all.

There would be a process of consultation that would ensure that people, particularly women, would not have to go to court to assert their rights. It is embedded in the legislation today. The bill would ensure that any discrimination based on sex, dating back to 1869, would be addressed once and for all. This is an important amendment we need to make to the Indian Act.

As my colleagues have previously said, as we walk toward elimination of the Indian Act, this is a necessary evil that will ensure that we do not continue to discriminate on the basis of sex.

• (1720)

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, it was a little over a year ago, I believe, when my colleague asked us to pre-study Bill S-3 so we could move it forward to make the Supreme Court of Canada deadline, which as we now know, has had to be extended numerous times since.

Mr. Descheneaux came before us at committee and stated that he had no contact with the government. He was the plaintiff in the case, and he had had no contact with the government before it tabled the bill. He was the successful litigant who had brought the case forward.

Can my colleague explain to Mr. Descheneaux why there was such a gap in the process? In spite of the government's commitment to ongoing consultation, it brought forward legislation when it had not even consulted the successful plaintiff.

• (1725)

Mr. Gary Anandasangaree: Mr. Speaker, we would not have even had to deal with Descheneaux had the previous government ensured that the McIvor decision was implemented in an expansive way. The decision in Descheneaux said that we needed to look at an expansive way of defining membership.

Yes, it has taken some time. It has gone back and forth to our learned colleagues in the Senate through a number of iterations. I think we are in the right place right now to pass this and to ensure that no other person has to go through the painful process of litigation to assert their rights because of discrimination based on sex.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, as I did earlier, I want to highlight that it is unfortunate that the Liberal government is trying to patch up the problem rather than taking a more global approach to the issue.

I would like to quote the current Minister of Justice, who was the regional chief of the BC Assembly of First Nations. In 2010, she said this to the House of Commons standing committee:

What this bill does not do is address other Indian Act gender inequities that go beyond the specific circumstances of Sharon McIvor and Sharon McIvor's grandchildren.

The Liberals criticized the previous government for only addressing a specific case, but they are doing the same thing today.

Is it a habit to say one thing when in opposition and to do the opposite when in government?

[*English*]

Mr. Gary Anandasangaree: Mr. Speaker, it is fair to say that there is a comprehensive plan in place by our government to ensure that we reach the point of true reconciliation with our indigenous people. That includes having two very capable ministers whose mandates will ensure that we develop long-term nation-to-nation relationships while addressing the short-term needs and concerns of our indigenous communities. It is a program that is backed by a significant amount of investment.

There is absolutely no question that we have a long way to go. However, with all the efforts made by our government, including our commitment to UNDRIP, I think we are well on that path. This is an issue we can move forward with in a non-partisan way. It is unnecessary to keep going back to the previous divisions among our parties. It is important that we move forward as one to ensure that true reconciliation takes place in Canada.

Mr. Lloyd Longfield (Guelph, Lib.): Mr. Speaker, listening to the debate reminds me of when Bill C-51 was being passed by the previous government. It was a bill with flawed security legislation, tied into a bundle of legislation, that would take away some rights from Canadians. The NDP and Green parties felt that we should get rid of the legislation altogether, versus determining how we could surgically fix the legislation.

I wonder if the member for Scarborough—Rouge Park could comment on the parallel situation we face here, where throwing out the legislation is not the right answer, but surgically fixing it is.

Mr. Gary Anandasangaree: Mr. Speaker, this is deeply flawed legislation. The Indian Act should not exist in our books. It has hurt so many generations of people, and it demonstrates a horrible human rights record for our country. I concur with my other colleagues that the Indian Act needs to go.

Routine Proceedings

In the interim, it is impossible to repeal it without having the proper mechanisms in place to ensure our legal obligations, our international obligations, and our need to implement UNDRIP are met. That will take some time. Until then, the surgical insertion of these amendments is necessary, but we definitely are going toward a path where we need to eliminate the act altogether.

ROUTINE PROCEEDINGS

• (1730)

[*English*]

COMMITTEES OF THE HOUSE

FINANCE

The House resumed from November 22 consideration of the motion, and of the amendment.

The Assistant Deputy Speaker (Mr. Anthony Rota): It being 5:30 p.m. the House will now proceed to the taking of the deferred recorded divisions on the motion to concur in the 13th report of the Standing Committee on Finance.

Call in the members.

• (1805)

And the bells having rung:

The Speaker: The question is on the amendment.

[*Translation*]

(The House divided on the amendment, which was negatived on the following division:)

(*Division No. 411*)

YEAS

Members

Abouttaif	Albrecht
Allison	Anderson
Aubin	Barlow
Barsalou-Duval	Beaulieu
Benson	Benzen
Bergen	Bernier
Blaikie	Blaney (North Island—Powell River)
Blaney (Bellechasse—Les Etchemins—Lévis)	Block
Boucher	Boudrias
Boulerice	Boutin-Sweet
Brassard	Brousseau
Calkins	Cannings
Caron	Chong
Choquette	Christopherson
Clarke	Clement
Cooper	Cullen
Davies	Deltell
Diotte	Doherty
Dreeshen	Dubé
Duvall	Eglinski
Falk	Fast
Gallant	Garrison
Généreux	Gladu
Godin	Gourde
Hardcastle	Harder
Hoback	Hughes
Jeneroux	Johns
Jolibois	Julian
Kent	Kitchen
Kmiec	Kwan
Lake	Lauzon (Stormont—Dundas—South Glengarry)
Laverdière	Liepert

Lloyd
Lukiwski
MacKenzie
Malcolmson
May (Saanich—Gulf Islands)
McColeman
Miller (Bruce—Grey—Owen Sound)
Nantel
Nicholson
Paul-Hus
Plamondon
Quach
Rayes
Rempel
Saganash
Saroya
Shields
Sopuck
Stanton
Stetski
Strahl
Sweet
Tilson
Van Kesteren
Vecchio
Wagantall
Warkentin
Webber
Wong
Zimmer — 123

Lobb
MacGregor
Maguire
Mathysen
McCauley (Edmonton West)
McLeod (Kamloops—Thompson—Cariboo)
Motz
Nater
Nuttall
Pauzé
Poilievre
Rankin
Reid
Richards
Sansoucy
Schmale
Shipley
Sorenson
Ste-Marie
Stewart
Stubbs
Thériault
Trudel
Van Loan
Viersen
Warawa
Waugh
Weir
Yurdiga

NAYS

Members

Aldag	Alghabra
Alleslev	Amos
Anandasangaree	Arseneault
Arya	Ayoub
Bagnell	Bains
Baylis	Beech
Bennett	Bibeau
Bittle	Blair
Boissonnault	Bossio
Bratina	Breton
Brison	Caesar-Chavannes
Casey (Cumberland—Colchester)	Casey (Charlottetown)
Chagger	Chen
Cormier	Cuzner
Dabrusin	Damoff
DeCoursey	Dhaliwal
Dhillon	Di Iorio
Drouin	Dubourg
Duclos	Duguid
Duncan (Etobicoke North)	Dzerowicz
Ehsassi	El-Khoury
Ellis	Erskine-Smith
Eyking	Eyolfson
Fergus	Fillmore
Finnigan	Fisher
Fonseca	Fortier
Fragiskatos	Fraser (West Nova)
Fraser (Central Nova)	Freeland
Fry	Fuhr
Gameau	Gerretsen
Goldsmith-Jones	Goodale
Gould	Graham
Hajdu	Hardie
Harvey	Hébert
Hehr	Holland
Housefather	Hussen
Hutchings	Iacono
Joly	Jones
Jordan	Jowhari
Khalid	Khera
Lambropoulos	Lametti
Lamoureux	Lapointe
Lauzon (Argenteuil—La Petite-Nation)	Lebouthillier
Lefebvre	Leslie
Lightbound	Lockhart
Long	Longfield
MacAulay (Cardigan)	MacKinnon (Gatineau)
Maloney	Massé (Avignon—La Mitis—Matane—Matapédia)
McDonald	McGuinity

Routine Proceedings

McKay
McKinnon (Coquitlam—Port Coquitlam)
Mendès
Mihychuk
Soeurs)
Monsef
Morrissey
Nassif
Oliphant
O'Regan
Peschisolido
Petitpas Taylor
Picard
Qualtrough
Rioux
Romanado
Rudd
Rusnak
Sajjan
Sangha
Schiefke
Shanahan
Sidhu (Brampton South)
Simms
Spengemann
Tan
Tootoo
Vandal
Vaughan
Whalen
Wilson-Raybould
Young

McKenna
McLeod (Northwest Territories)
Mendicino
Miller (Ville-Marie—Le Sud-Ouest—Île-des-
Morneau
Murray
Ng
Oliver
Paradis
Peterson
Philpott
Poissant
Ratansi
Robillard
Rota
Ruimy
Sahota
Samson
Scarpaleggia
Schulte
Sheehan
Sikand
Sohi
Tabbara
Tassi
Trudeau
Vandenbeld
Virani
Wilkinson
Wrzesnewskyj
Zahid— 160

Bittle
Boissonnault
Bratina
Brisson
Casey (Cumberland—Colchester)
Chagger
Cormier
Dabrusin
DeCoursey
Dhillon
Drouin
Duclos
Duncan (Etobicoke North)
Ehsassi
Ellis
Eyking
Fergus
Finnigan
Fonseca
Fragiskatos
Fraser (Central Nova)
Fry
Garneau
Goldsmith-Jones
Gould
Hajdu
Harvey
Hehr
Housefather
Hutchings
Joly
Jordan
Khalid
Lambropoulos
Lamoureux
Lauzon (Argenteuil—La Petite-Nation)
Lefebvre
Lightbound
Long
MacAulay (Cardigan)
Maloney
McDonald
McKay
McKinnon (Coquitlam—Port Coquitlam)
Mendès
Mihychuk
Soeurs)
Monsef
Morrissey
Nassif
Oliphant
O'Regan
Peschisolido
Petitpas Taylor
Picard
Qualtrough
Rioux
Romanado
Rudd
Rusnak
Sajjan
Sangha
Schiefke
Shanahan
Sidhu (Brampton South)
Simms
Spengemann
Tan
Tootoo
Vandal
Vaughan
Whalen
Wilson-Raybould
Young

Blair
Bossio
Breton
Caesar-Chavannes
Casey (Charlottetown)
Chen
Cuzner
Damoff
Dhaliwal
Di Iorio
Dubourg
Duguid
Dzerowicz
El-Khoury
Erskine-Smith
Eyolfson
Fillmore
Fisher
Fortier
Fraser (West Nova)
Freeland
Fuhr
Gerretsen
Goodale
Graham
Hardie
Hébert
Holland
Hussen
Iacono
Jones
Jowhari
Khera
Lametti
Lapointe
Lebouthillier
Leslie
Lockhart
Longfield
MacKinnon (Gatineau)
Macé (Avignon—La Mitis—Matane—Matapédia)
McGuinity
McKenna
McLeod (Northwest Territories)
Mendicino
Miller (Ville-Marie—Le Sud-Ouest—Île-des-
Morneau
Murray
Ng
Oliver
Paradis
Peterson
Philpott
Poissant
Ratansi
Robillard
Rota
Ruimy
Sahota
Samson
Scarpaleggia
Schulte
Sheehan
Sikand
Sohi
Tabbara
Tassi
Trudeau
Vandenbeld
Virani
Wilkinson
Wrzesnewskyj
Zahid— 160

PAIRED

Members

Gill

Rodriguez— 2

The Speaker: I declare the amendment defeated.*[English]*

The next question is on the main 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 yeas have it.*And five or more members having risen:*

• (1815)

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

*(Division No. 412)***YEAS**

Members

Aldag
Alleslev
Anandasangaree
Arya
Bagnell
Baylis
Bennett

Alghabra
Amos
Arseneault
Ayoub
Bains
Beech
Bibeau

Aboultaif
Allison
Aubin
Barsalou-Duval
Benson

NAYS

Members

Albrecht
Anderson
Barlow
Beaulieu
Benzen

Private Members' Business

Bergen	Bernier
Blaisie	Blaney (North Island—Powell River)
Blaney (Bellechasse—Les Etchemins—Lévis)	Block
Boucher	Boudrias
Boulerice	Boutin-Sweet
Brassard	Brousseau
Calkins	Cannings
Caron	Chong
Choquette	Christopherson
Clarke	Clement
Cooper	Cullen
Davies	Deltell
Diotte	Doherty
Dreeshen	Dubé
Duvall	Eglinski
Falk	Fast
Gallant	Garrison
Généreux	Gladu
Godin	Gourde
Hardcastle	Harder
Hoback	Hughes
Jeneroux	Johns
Jolibois	Julian
Kent	Kitchen
Kniéc	Kwan
Lake	Lauzon (Stormont—Dundas—South Glengarry)
Laverdière	Liepert
Lloyd	Lobb
Lukiwski	MacGregor
MacKenzie	Maguire
Malcolmson	Mathysen
May (Saanich—Gulf Islands)	McCauley (Edmonton West)
McColeman	McLeod (Kamloops—Thompson—Cariboo)
Miller (Bruce—Grey—Owen Sound)	Motz
Nantel	Nater
Nicholson	Nuttall
Obhrai	Paul-Hus
Pauzé	Plamondon
Poillievre	Quach
Rankin	Rayes
Reid	Rempel
Richards	Saganash
Sansoucy	Saroya
Schmale	Shields
Shipley	Sopuck
Sorenson	Stanton
Ste-Marie	Stetski
Stewart	Strahl
Stubbs	Sweet
Thériault	Tilson
Trudel	Van Kesteren
Van Loan	Vecchio
Viersen	Wagantall
Warawa	Warkentin
Waugh	Webber
Weir	Wong
Yurdiga	Zimmer— 124

PAIRED

Members

Gill

Rodriguez— 2

The Speaker: I declare the main motion adopted.

Accordingly, pursuant to Standing Order 97.1(2)(d), the proceedings on the bill shall come to an end.

It being 6:19 p.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

● (1820)

[English]

PREVENTION OF RADICALIZATION THROUGH FOREIGN FUNDING ACT

Hon. Tony Clement (Parry Sound—Muskoka, CPC) moved that Bill C-371, An Act respecting the prevention of radicalization through foreign funding and making related amendments to the Income Tax Act, be read the second time and referred to a committee.

He said: Mr. Speaker, it is a great honour to stand in my place this evening to speak to my private member's bill, Bill C-371, the prevention of radicalization through foreign funding act.

One of the privileges of being a member of Parliament is the opportunity to craft and bring forward legislation that will make a difference for Canadians. Given the inability of ministers of the crown to bring forward legislation, this is the first time since being elected in 2006 as the member of Parliament for Parry Sound—Muskoka that I have had an opportunity to bring forward a bill for consideration by my colleagues.

It is my sincere hope that the prevention of radicalization through foreign funding bill will be seen as a non-partisan and thoughtful attempt to address a national security policy gap. This is a gap that has been identified by our security experts, and addressing this policy void will strengthen our government's ability to combat radicalization and extremism in Canada in all of its ugly manifestations.

I truly see the legislation as a powerful and practical tool to stem the flow of foreign funding that would promote radicalization and extremism in Canada. The bill would provide the government with the ability to set out a schedule of foreign states, and extend our reach to individuals and entities that suppress religious freedom, impose punishments for religious beliefs, or have engaged in or facilitated activities that promote extremism, terrorism, and radicalization.

Under this legislation, it would be “prohibited for an individual or entity in Canada and any Canadian outside Canada to accept or agree to accept money or other valuable consideration, including by gift, donation, or bequest or legacy, knowing that it is from a foreign state, entity or individual referred to in subsection (1) of the bill and intending that it be used, or knowing that it will be used, in whole or in part, to fund activities of an institution” in support of radicalization and extremism.

[Translation]

This legislation gives the government the power to act swiftly, with a full review and appeal process. This bill deals with the covert means by which money is paid to Canadian organizations and institutions that support radicalization.

Private Members' Business

[English]

The legislation gives the government the power to move swiftly, with a full review and appeal process, to address foreign funding trouble spots. We know that Canadians take the prevention of radicalization, the eradication of extremism, and the safety of our country seriously. It is something that Conservatives also take seriously, and our national security must be the number one priority of any government.

There are other strong voices calling for policy to close this gap. Security experts, and anti-radicalization advocates, including those in the Muslim community, have called for controls on incoming funds that support radicalization and extremism. Richard Fadden, the former national security advisor to former Prime Minister Stephen Harper and former director of CSIS, has confirmed that there are concerns about foreign financing of Canadian religious and quasi-religious institutions.

He stated the following during testimony to the Senate Standing Committee on National Security and Defence:

I think it is a problem. I think it's one that we're becoming increasingly aware of. It's one that we share with a number of our other Western allies and, insofar as I've been able to make out, nobody has found a systemic solution. What I think has occurred on a number of cases, you can find out about a specific case and you can do something about it; the problem is finding out about the specific case.

Calgary Imam, Syed Soharwardy, as well as other witnesses, advised the Senate Standing Committee on National Security and Defence that extremist jihadist ideology is being spread at schools and universities in this country, often under the guise of academic freedom and away from the eyes of CSIS.

The Council for Muslims Facing Tomorrow, based out of Toronto, supports my bill, calling it a very important and urgent step towards stemming the tide of radicalization that has infiltrated our communities and put our youth at risk.

• (1825)

In her testimony to the subcommittee on national security at the U.S. Congress on July 27, on homegrown terrorism, Raheel Raza, president of the council for Muslims Facing Tomorrow, stated the importance of preventing funding of U.S. educational institutions and mosques by foreign extremists. She said this applies to Canada as well, to keep our country safe.

[Translation]

En 2015, the Standing Senate Committee on National Security and National Defence produced a report entitled, "Countering the Terrorist Threat in Canada". In its recommendations, the committee urged the government to prevent foreign funds from entering Canada, where such funds, donors or recipients have been linked to radicalization.

[English]

I would also like to note that there have been questions on whether the bill could cross over to implicate our key allies. However, there is a provision set out in the legislation that would not allow any countries with which Canada has extradition agreements to be included in the schedule. This, of course, includes our key allies including the U.S., France, Germany, and Israel.

This legislation actually lines up with actions already taken by some of our allies.

In 2007 the Australian government became one of the first to act on this issue when it intervened to reject a Saudi request to transfer funds to the Islamic Society of South Australia. This move was specifically taken amidst concerns about foreign-funded Islamist extremism.

Norway and Austria have taken similar actions. Germany and the U.S. have also studied the situation intensely, and in 2016 a similar bill was brought to the floor of the U.S. Congress.

In January 2016, then U.K. prime minister David Cameron did acknowledge that there is a problem of Saudi-funded education programs in the U.K. that may be responsible for promoting Islamist extremism.

Canada and her allies must be ever vigilant when it comes to monitoring radicalization extremism in our country. The recent news of returning ISIS fighters to Canada brings the point home again, that government must have adequate and efficient tools at its disposal to prevent radicalization in the first place. I propose that my legislation would provide another tool in the arsenal to achieve exactly this goal.

Again, I encourage my colleagues to give thoughtful consideration to this legislation and feel free to discuss any of its details with me.

Mr. Mark Holland (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Madam Speaker, I want to thank the member for putting forward this motion, which is very well intentioned. It is an area on which we all share a great deal of concern.

I am wondering if the member could articulate—and I am going to talk about this in my comments—on the differences Bill C-371 has from the existing mechanisms and legislation that is in place. In other words, what would the bill do that is not already in place? How does it differ from FINTRAC and some of the other mechanisms that are in place, so that I can understand what gaps he is looking to fill?

Hon. Tony Clement: Madam Speaker, indeed, the purpose of the legislation is to fill gaps.

For instance, the legislation that is currently in place that is available for CRA targets charitable organizations, but there are many other organizations—educational organizations, not-for-profit organizations—that cannot be tracked in the same way and exist as gaps in our legislation.

This was identified in the Senate committee report and is an area of vulnerability that we have, because not-for-profit organizations, other educational organizations, or individuals may not be covered under the Revenue Canada organization, FINTRAC, or these kinds of things.

What I have identified is a gap that can be filled with this legislation. It is consistent with current legislation that is in place but does not extend to these organizations.

Private Members' Business

•(1830)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, I enjoyed the previous question, and I wonder if the member could cite an example or two of the types of organizations that he might be referring to. Does he have any examples?

Hon. Tony Clement: Madam Speaker, I would refer the hon. member to the Senate report. I am afraid I do not have a copy with me for the purpose of this debate, but there was testimony before the Senate, when it was looking at our terror legislation, that indicated some examples in Canada and some concerns that were raised. I already mentioned Richard Fadden, whom we all know and whose views we take very seriously. There are indeed cases that have been brought to light.

The hon. member should know that I am not here to cast aspersions on any particular organization. I am merely citing them as examples that have been brought to light, sometimes generally, not specifically. I will grant the hon. member that. However, the idea is that, through expert testimony in the Canadian Senate, this gap has been identified, and I think it is our responsibility as parliamentarians to fill that gap.

Mr. Kevin Lamoureux: Madam Speaker, the reason I asked the question is that I am sure Canadians would share with me that we want to be careful we are not trying to create something that is maybe not there. That is why I thought there would be a benefit in hearing an example that the member across the way might have.

I understand in listening to him that what he is referring to is that there are some examples and we just need to look at the report and comments that were made at a particular Senate hearing. Is that correct?

Hon. Tony Clement: Madam Speaker, that is correct.

I will read a couple more quotes in more detail. The president of the council for Muslims Facing Tomorrow, Raheel Raza said:

This bill is a very important and urgent step towards stemming the tide of radicalization that has infiltrated into our communities and put our youth at risk.

I quote Arman Raster, director of the East Turkistan Government-in-Exile Diplomatic and Human Rights Office, which he says:

supports this important Bill which would protect Canada's multicultural society from any forms of extremism, radicalization or terrorism that harms such society.

Those are a couple more quotes I can put on the record, and I would be happy to pass over to the hon. members who have asked, in particular, the specific Senate report when I get my hands on it again.

Mr. Mark Holland (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, Lib.): Madam Speaker, I reiterate my appreciation to the hon. member across for his work on the bill. This is an area the government is very concerned with, and we appreciate his attention to the issue.

Most of my comments today will centre on the question I asked concerning redundancy, namely the mechanisms that are already in place and whether this bill is filling a gap or overlapping the existing mechanisms, and what the consequences would be. I will run through these, if I could.

The proposals to create a mechanism to stem funding from foreign bodies known to promote radicalization and extremism in Canada are at the centre of this bill. It would also authorize the Minister of Foreign Affairs, in consultation with the Minister of Public Safety, to recommend the listing of states that have engaged in religious persecution, torture, and the promotion of radicalization. Canadian religious, cultural, or educational institutions would then be prohibited from accepting money or other valuables from sources affiliated with those listed states. As I have stated, these measures are totally in line with the objectives of the government.

The bill also attempts to respond to recommendation 15 of the 2015 interim report of the Standing Senate Committee on National Security and Defence. That reference proposes that the government develop measures to prevent foreign funds from entering Canada, where such funds, donors, or recipients have been linked to radicalization.

My concern is that the stated aim of the bill seems, in some instances, to be inconsistent with its provisions. Only one of the three reasons to list a state has to do with promotion of radicalization. The other two do not. They have to do with subjecting individuals to human rights violations, either through religious persecution or torture and cruel punishments. Those violations are already covered under the new Magnitsky act, which allows Canada to impose broad asset freezes and financial prohibitions on individuals responsible for, or complicit in, gross violations of international human rights.

With respect to preventing funds from being used to support terrorist activities, we can say that the Government of Canada is committed to a strong and comprehensive regime. The Proceeds of Crime (Money Laundering) and Terrorist Financing Act, or the PCMLTFA, is a primary piece of legislation that establishes this framework. The act requires approximately 31,000 financial institutions and intermediaries to identify their clients, keep records, and have internal compliance programs in place. It creates a mandatory reporting system for suspicious financial transactions, large cross-border currency transfers, and certain proscribed transactions.

The legislation also established the Financial Transactions and Reports Analysis Centre of Canada, or FINTRAC, which I was referring to earlier, Canada's main agency for monitoring money laundering and terrorist financing. FINTRAC is authorized by the existing legislation to collect and analyze financial transaction reports and disclose pertinent information to law enforcement and intelligence agencies. With the millions of financial transaction reports received every year, FINTRAC helps to establish links between individuals and groups in Canada and abroad suspected of financing and supporting terrorist activities. This intelligence assists police and national security agencies in their investigations of terrorist financing and threats to the security of Canada. It is also information that is used in assessing the level of risk posed by organizations that apply to be registered as charities.

Private Members' Business

There are a number of rules that govern how charities should operate, whether in Canada or abroad. The Canada Revenue Agency, as the federal regulator of charities, protects the charitable organization registration system from being abused by individuals or groups with links to terrorists. The charities directorate formally established the review and analysis division in 2003 to audit registered charities based on the potential risk of terrorist financing abuse. It works to prevent organizations with links to terrorism from being registered and to revoke the registration of those that are.

The Criminal Code's terrorist listing regime is another important tool in the fight against terrorism. The listing of entities counters terrorist financing and criminalizes certain support for listed entities. It is based on a principle similar to what we see in the bill before us today. When an entity is placed on the list, banks and financial institutions freeze its assets. The code makes it a criminal offence for Canadians at home and abroad to knowingly deal with the assets of a listed entity. Listings aim to help obstruct financial support for terrorist groups and supporters of terrorism. For example, Canadian charitable organizations that are maintaining connections to organizations already listed under the Criminal Code can be and are listed.

● (1835)

Furthermore, the list of entities helps to prevent registered charities in Canada from serving as a support network for terrorist organizations operating abroad. An organization can be denied charitable status or have its registration revoked when its resources provide any means of support for, or benefit to, an organization listed under the Criminal Code.

A further result of listing may be to deny its members, recruiters and facilitators entry to Canada.

The assessment process to identify potential entities to consider for listing is continuous and action can be taken when and if necessary. Under the code, Canada has the ability to apply appropriate criminal measures to deter terrorist activity in Canada. Once listed, an entity becomes defined as a terrorist group under the Criminal Code, which means various terrorism-related offences could potentially then be applied to the entity's supporters in Canada. These include offences related to terrorist financing, terrorist related-travel, recruitment and training.

When it comes to the prosecution of terrorism-related offences, however, it should be noted that the Criminal Code's definition of a "terrorist group" is not restricted to listed entities. Charges and prosecutions can even proceed if the group involved is not on the list. That is only one of several mechanisms we already use effectively.

When it comes to countering terrorism, the government understands that stemming the flow of dubious funding is only one part of the equation. That is why we have taken a recent major step further, through the effort to prevent radicalization to violence rather than only deal with it after the fact. That involves getting at the root causes and factors that contribute to terrorism by actively engaging with individuals and communities.

We know that our success in doing so relies on the support and participation from all levels of government and society, especially

local communities and individual Canadians. The newly created Canada Centre for Community Engagement and Prevention of Violence, or the Canada Centre, is a source of advice, research and funding in that respect.

Thanks in no small part to \$35 million in funding over five years provided through budget 2016, the centre is already making a real difference. It is working with youth, communities, academia, and stakeholders to help prevent radicalization to violence in Canada. It is based on the understanding that there is no single ideology or cause of radicalization to violence and that prevention must be an essential component of Canada's efforts to counter terrorism.

All of this goes hand in hand with new security legislation, or Bill C-59, which is heading to committee now. It is designed to update our national security framework to reflect current realities, while putting the rights and freedoms of Canadians at the core.

The Canadian government already takes all appropriate action to counter terrorist threats to our country, to our people, to our way of life, and to our global interests. The Proceeds of Crime (Money Laundering) and Terrorist Financing Act, the efforts of FINTRAC and our security agencies, the Criminal Code listings, and the new Canada Centre, in concert with our proposed overhaul of Canada's national security framework, are all parts of a well-functioning system. Every day, they are informing our work to combat terrorism and to keep Canadians safe.

As I mentioned at the top of my speech, Bill C-371 is a well-intentioned legislation. The concern I would have, and I raised it in my question for the member, is where it will fill in any gaps that might have been missed in the various mechanisms I have just articulated.

One of the things I would ask members to do is to consider the implications of that duplication and ensure the legislation is moving that forward.

I look forward to further conversations with the member. I very much appreciate him bringing forward the legislation and for his ongoing work and concern, which I very much share.

● (1840)

[*Translation*]

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Madam Speaker, I thank my colleague from Parry Sound—Muskoka for introducing this bill. I also liked his anecdote. Indeed, cabinet members do not get to introduce private member's bills. That is something we tend to forget.

Private Members' Business

Unfortunately, I am opposed to this bill for a number of reasons. The first was aptly explained by the Parliamentary Secretary to the Minister of Public Safety. The objectives sought by the member in this bill are already enshrined in legislation. They were even improved on by the Magnitsky act, which was passed unanimously by the House. In Canada, it is already illegal to receive funds from a criminal or terrorist organization.

Another one of my concerns stems from the Senate report that my colleague was talking about, one of whose recommendations led to the creation of this bill. The Senate's study, if I am not mistaken, focused entirely on the Muslim community. I find that deeply concerning because I fear that these measures target specific groups and countries. With all due respect, if we look at the stakeholders my colleague mentioned as supporters of this bill, a dangerous theme emerges.

• (1845)

[*English*]

My colleague quoted Mr. Richard Fadden, the former head of CSIS and a national security adviser to former Prime Minister Harper. I want to read what came after that quote in the same testimony before the Senate.

Mr. Richard Fadden said, "In fact, in my previous job, I actually raised with representatives from some of the countries who might be involved in this and suggested to them this was not helpful." He is of course talking about funding of terrorist activities. He continued with "The difficulty in most cases is that the monies are not coming from governments. They're coming from fairly wealthy institutions or individuals within some of these countries." That is fair enough. The member has included those measures in his bill to deal with people who are associated with the government of the country that would be on this black list. However, he went on to say, "It makes it doubly difficult to track. It doesn't mean you're not right in raising it. I just don't have an easy solution."

When I read that, it caused me great concern that the head of CSIS and a national security adviser to a prime minister felt there was no easy solution and that it was difficult to get to the root of the cause. I have a difficult time imagining a list such as this, which could potentially become arbitrary, being managed by the Minister of Public Safety in consultation with the Minister of Foreign Affairs.

[*Translation*]

That brings me to my other concern, and that is Canada's track record on public safety related lists. Take, for example, the no-fly list, the list of terrorist entities, or even the list of criminal organizations proposed by my colleague from Rivière-du-Nord. He proposed a bill in that regard in this Parliament. We know the risks associated with those sorts of lists.

First, there is a risk for the court system, since these lists could result in countless charter challenges. Second, there is a risk that these lists may be arbitrary, since they are established by the government of the day. Of course, the member sponsoring the bill may say that there are oversight mechanisms and criteria to prevent that from happening, but the problem is that depending on how we view certain acts, trying to interpret the definition of torture or cruel treatment of citizens is a slippery slope.

The United States prison in Guantanamo is a good example, since cruel and inhuman acts have been committed there that should be considered torture. Are we going to put the United States on the list?

We cannot, because the United States is excluded under the provisions of that same bill. That example may seem a bit extreme, but I am using it to illustrate one of the shortcomings of the bill.

[*English*]

The other issue is on what we want to tackle here, and that is radicalization leading to violence and ensuring public safety. As the member who sponsored the bill rightly pointed out, it certainly is not a partisan issue, even when we may have disagreements on how to obtain that objective. For that reason, I want to raise the following points.

First, more and more studies are showing, even anecdotal evidence of what we see in the news and also hear more and more from expert testimony, that the methods being employed by certain groups conducting terrorist activities are cheaper. We are not talking about sophisticated organizations that are being funded. The member would probably want me to raise the distinction between the act being committed and the money being used to radicalize. However, it is becoming clearer and clearer that it is less about money and more about the issues of which we need to tackle the root causes, and I will get to in a moment. The parliamentary secretary has also raised this.

Second, I read a study out of Great Britain. It says that 40% of the money being used to finance terrorist acts committed in Europe, and certainly the example can apply to us as well, comes from what we could call petty crime. We are talking about money laundering, robberies, drug trafficking. These things remind us of the importance of not looking to legislative change, as we have so often on these issues, but ensuring the men and women who ensure our safety have the proper resources. That is consistent with what the New Democrats have always stood for. It is exactly what we said during the debate, for example, on Bill C-51 in the previous Parliament. Why look to a legislative change to do something that can be done by providing proper resources?

• (1850)

[*Translation*]

Another point to consider is whether this is the right way to fight radicalization. I do not think that money is the root of this particular problem.

Private Members' Business

To go back to what the parliamentary secretary said earlier, there is a government initiative receiving some funding. I hope that the government continues to step up its efforts and maintains this funding. If we want to fight radicalization and violence properly, it will take a community effort like the one the centre in Montreal is making, for example. It will also take federal involvement in other initiatives, to encourage all orders of government, stakeholders, and community organizations to contribute to these efforts. It is very important to add that these efforts must not focus on any one group in particular.

Hon. members will recall last week's awful far-right rallies in Quebec City. Some of the groups involved either were American or had been infiltrated by or were affiliated with American far-right groups. In that context, we need to look at the whole range of factors weighing on youth, youth who often struggle with addiction or mental health issues that we have a responsibility to address.

By properly addressing those factors and making sure that a young individual in the process of being radicalized does not take the bait, not only do we help someone who really needs it, but we also ensure public safety. By making the right kind of efforts, we will be able to ensure that this individual never goes on to commit the kinds of atrocities we see all too often on the news.

For these reasons, unfortunately, I will be opposing the bill. I am always open to working with my colleague on public safety initiatives, but I do not feel that this bill serves the intended objectives, and unfortunately it could end up targeting a specific community, which I think is totally inappropriate.

[*English*]

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, it is good to be here today to speak to this issue. I am very happy with my colleague for bringing this forward. It is an important initiative, and unfortunate that we need it. There are a number of other ways to approach some of these issues, basically various levels of dealing with it, and we have heard a little about some of them tonight. I will talk a bit about that later.

I guess one of the things that would give us a little more comfort is if we felt that the current government was actually willing to deal with these issues seriously. As far as we can see, in the two years it has been in power, it is not. There is no indication that it would actually treat seriously the issues my colleague has brought forward, issues such as radicalization and dealing with the connections to culture, religion, and education. In fact, we hear in the Liberals' speeches tonight that they are just not willing to do that.

Another example of the government's unwillingness to deal with this seriously is the way it claims to be handling these returning ISIS fighters, in spite of the fact that the Minister of Public Safety and Emergency Preparedness has said that basically we are not going to be able to change these folks and we are coming late to this fight anyway. Still the Liberals come and talk about how they are going to have these programs.

Yesterday or the day before, the Prime Minister said in the House that he believes he can deprogram ISIS fighters when they come back. As we have pointed out, some of these folks are coming back deliberately, coming back here to stay and then create trouble later. I do not think poetry sessions and sitting in counselling sessions is

going to change that in their minds. The government is not taking the issue of terrorism seriously. It is not really taking the issue of radicalization seriously. We have seen that at one of the committees I am on, as well.

I am very thankful that we were able to pass the Magnitsky Act earlier this fall. That was an important part of this whole piece, and is something some of us worked on last Parliament. Thanks to our colleague from Manitoba and one of our senators from the other place, we were able to bring that in here, and then the government finally came to its senses and supported it.

However, Canadians do not have confidence that the government is going to do the right thing. Another example of that would be in its relationship with Iran. The member opposite asked earlier if there are examples of places where we can see this kind of radicalization that could be taking place. Obviously, over the years, Iran has been listed as a state sponsor of terror for a number of years by a number of countries. Again, the relationship this government insists on having with Iran is just naive. It thinks that somehow it is going to change its direction by cuddling up to it. That is not going to happen. It is very disturbing. We see Iran trying to stretch itself out in the Middle East, and the trouble it is causing in places like Yemen where it has gone in. It is trying to create as much of a conflict there as it possibly can.

For those of us who have been working on the religious freedom issues over the years, another place we see radicalization has taken place is through Wahhabism that has come out of Saudi Arabia. If the money that has been put into spreading that ideology around the world had been stopped 20 or 30 years ago, we would not find ourselves in the situation we do right now.

I respect the bill that the member has brought forward, but we do have several levels of dealing with these things. I mentioned state sponsors of terrorism. I think we have two of them listed still, which are Iran and Syria. Other countries list places like North Korea and Sudan. There is also another level of dealing with these issues, which is to list the terrorist entities. The government on the other side seems to say that this is not really a serious issue or whatever.

If we take a look at the number of listed entities that Canada has listed, it is well over 50. These are 50 terrorist organizations that function around the world. It is naive to think that not one of them is taking money and putting it into kind of parallel organizations, sister and brother organizations that may have very different names and is not trying to influence governments around the world. As my colleague has pointed out, it is the flow of money that is actually critical.

We have sanctions on countries as well. There is a third level layer of sanctions. We have over 20 countries listed on a sanctions list, and that started in the Special Economic Measures Act. Those countries had sanctions put against them for good reason. However, this bill deals specifically with the flow of money and trying to stop that flow of money. It is more than timely. It is past time that we should have brought this forward.

Private Members' Business

• (1855)

It does not sound as though it is going to, but I hope the government will step up and at least send the bill to committee and see if there are some changes it would like to make and we can agree to, so that the bill can go forward and become effective in the future.

The bill starts off by talking about religious, cultural, and educational institutions, and where they may play a central role in the lives of many Canadians. We know that is true. Those three components are critically important to a lot of people around the world.

The government is naive about the role that religious faith plays in many people's lives. The government—from some of the comments we have heard from some of the leadership—seems to think it is not a relevant concept for people in this time and age. That just shows naivety about what is going on around the rest of the world, where the majority of people are informed and driven by some very serious faith considerations and beliefs in their own lives. That is why I appreciate the member bringing this forward in those terms.

We also know that education plays an incredibly important role around the world. Typically, if an individual is going to try to influence people and is going to spend money doing that, that individual is likely going to put that money into some sort of either faith institution or educational institution in order to try to change people's thinking. The bill specifically addresses those issues and those components.

It goes on to say “some foreign states and some entities and individuals abroad provide those institutions with funding through donations or gifts”. We understand that money travels around the world. People who hold to different beliefs and principles are willing to spend their money and commit it to causes, and for the most part they are good causes. That is why Canadians contribute to charities. That is why we are known as some of the most generous people in the world, because people are willing to make those contributions to things that they think are important.

That is the good side of the equation, but there are also people who do not have those same benevolent attitudes and who want to use their money in another way, which is to bring down other governments, other institutions, and other states. This bill addresses that.

It says “funding could flow from foreign states, entities or individuals that support or promote extremism, radicalization or terrorism and that seek to influence those institutions”. That is where we believe that the Parliament of Canada needs to step in. It is important that we do.

This bill has a number of provisions to it. Its purpose is to prevent an individual, an entity, or a foreign state that does support or is associated with radicalization or terrorism being able to fund those institutions around the world through either donations or gifts. It is a pretty simple explanation. There is a schedule that could be put in place that would deal with that, and then that would address the issue of those states, those individuals, those foreign entities trying to have influence in Canada when they should not do that.

It is incredibly important that we address this issue. My NDP colleague said that money is really not the issue here, but I would disagree with him. The only way to actually diminish the activity is to cut off funding and reduce the money. Then we can look at some of the other causes, some of the other things that are influencing people to become radicalized. As long as foreign money is allowed to come into a country, whether it is Canada or another country, it gives people the capacity to influence, to tear down institutions, and then to do the damage that they really would like to see happen.

There are a number of provisions to this legislation that might be worth going through.

The bill would apply to a foreign state whose name is set out in the schedule or any senior official or member of the official's immediate family. We often see a senior official who is functioning and then family members are doing something off in another direction or whatever.

It is good that we have followed the lead of other countries. My colleague mentioned countries such as Australia, which did this very specifically to deal with an issue it had in that country. Norway and Austria are other countries that have acted on this. Others such as the United States and the United Kingdom are thinking about it.

It is a good idea that Canada thinks about it as well. It would be a great help to many people around the world. It would be a great help to many Canadians if the government would treat this seriously, support the bill, and send it to committee, and then we can have further discussion about it.

• (1900)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):

Madam Speaker, I have some thoughts I would like to share with members, and I will start with one of the criticisms from across the way, which is that this government is not concerned about a very important issue to Canadians. We have not only talked about the issue of safety, but very tangible actions have been taken, whether it is budgetary or legislative measures.

My colleague made reference to the Magnitsky legislation that was passed by the House. It received all-party support. There were many strong advocates within the Liberal caucus for that legislation. In fact, Irwin Cotler, the former member for Mount Royal in Montreal, is a very strong human rights advocate. He is very well known and respected in the world. In fact, he is one of the most able-minded individuals dealing with that. He contributed immensely in the House with respect to that act, which was discussed not only over the last couple of years but for a few years. Even under Stephen Harper, there was discussion about the Magnitsky Act.

Many of the comments we are hearing, even this evening, have been dealt with in part through the Magnitsky legislation. I have had the opportunity, not only in Ottawa but in other places, particularly in Winnipeg, to talk about the importance of the issue.

This was one piece of legislation that passed with the support of all members of the House.

Private Members' Business

However, we also introduced government legislation. Members will recall Bill C-51 and the impact that legislation had in the chamber. When the member across the way is critical of the government and says that it is not doing enough, I remind the member that two substantial pieces of legislation have been brought forward to the House.

Bill C-22 dealt with the establishment of the parliamentary oversight committee. This might even be an issue the oversight committee could discuss, once it is up and running, but I suspect it will have a fairly busy agenda. That was put in place to ensure rights and freedoms were being addressed, which is very important.

When we talk about the safety of Canadians and the radicalization of individuals who call Canada their home, we take it very seriously. At the same time, we also want to ensure that the rights and freedoms of Canadians are being protected. Therefore, that legislation was put in place.

Today, we are having a great deal of discussion about Bill C-59. Many measures within that legislation deal with safety. I do not know how many times I have heard the Prime Minister talk about the importance of ensuring that Canadians feel safe. Aside from governance, it is most important to ensure there is an element of safety. Many measures have been put in place by this government. The Minister of Public Safety and Emergency Preparedness, the minister responsible for global affairs, and members as a whole recognize what is being talked about and the concerns that Canadians have.

This is the reason I asked the questions of the sponsor of the motion. What is the motivation behind this legislation? We all want to ensure we have safe communities and there is proper legislation in place to prevent radicalization whenever we can do that. There is already a litany of measures in the Criminal Code.

•(1905)

I emphasize that we have proactive law enforcement agencies, security agencies, and even the Canada Border Services Agency for border control. There are many different departments in place today to protect Canadians.

One of my colleagues across the way made reference to education. We have invested, through budgets, millions of dollars for education or outreach. In fact, we launched the Canada Centre for Community Engagement and Prevention of Violence to support local initiatives. To cite a few examples, we looked at pushing back against violent extremism, addressing online terrorist propaganda and recruitment, intervening early to turn young Canadians away from the path of extremism, and supporting families and communities affected by radicalization.

I was involved with the youth justice committee for many years, and we had a wonderful RCMP officer who participated in it. I know first-hand the commitment of our women and men in the RCMP. It is about making connections and connecting the dots to promote more harmony and tolerance in our communities.

I did not like the debate that took place here regarding Islamophobia. I believe it did more damage than good inside this chamber. I still do not quite understand why we have some people in

the House who do not recognize Islamophobia as something that is real.

We have to go out of our way to ensure that there is more communication among the many different groups out there. We even have a group in our caucus that meets on occasion with two different faith groups to try to bring faith communities together. This is something I believe is really important.

When I think of radicalization, one of the areas of concern I have is not necessarily what takes place in communities as much as what takes place on the Internet. The Internet is one of those areas we could spend time evaluating. Some of the problems being generated in society are because of the Internet, and we should consider ways we can address that issue.

We have seen radicalization that has stemmed from the Internet. I am concerned about the attraction it has. It is universal. It does not apply to one group of people or one faith group. Youth look at it far too often as something that might be an attractive thing to do. At times, it even crosses gender.

Many of my colleagues reach out to the community on this issue. At the end of the day, I believe we should be promoting education. I think education is the best way to combat radicalization. Whatever we can do to support that—

•(1910)

The Assistant Deputy Speaker (Mrs. Carol Hughes): Sorry, the time is up for the member.

Resuming debate, the hon. member for Bellechasse—Les Etchemins—Lévis.

[*Translation*]

Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC): Madam Speaker, I am pleased to have this opportunity to talk about the private member's bill introduced by my colleague from Parry Sound—Muskoka, which sets out to prevent radicalization through foreign funding.

This bill is laudable because we are in a democratic institution. In essence, the bill would create a list of foreign states, individuals and entities that sentence individuals to punishment based on their religious beliefs and promote such punishment, support activities that promote radicalization, or even limit freedom of religion. I am surprised at what I have heard some of my parliamentary colleagues say because we are in an exemplary democratic institution here, and I think we should be proud to give this bill second reading.

If we do not take this opportunity to talk about radicalization, and if the government flatly rejects worthwhile initiatives like the one my colleague has proposed, it is likely that further developments will be left in the hands of those who are actively making the situation worse. We know all too well that radicalization leads to terrorism, as we saw with the tragic events that we experienced here in October 2014. This bill strives to silence those who would corrupt people's minds. Contrary to what one of my colleagues said earlier, the only way to do that is to go right to the root of the problem by cutting off the money supply. Dark and shadowy forces finance activities that cause instability and erode the underpinnings of our democracy.

Adjournment Proceedings

We live in what is probably the best place in the world to speak our minds freely without inciting violence. Unfortunately, there are some entities that seek to disrupt that reality. They use methods that we must protect ourselves against. My colleague's private member's bill proposes specifically to amend the Income Tax Act to recognize that there may be ways of funding organizations that promote radicalization resulting in violence. It is important to understand that we already have a list of terrorist entities in Canada, so clearly, if an entity promotes the use of violence, it can be banned and we can go after its sources of funding.

Where things get trickier is when rhetoric encourages or leads to radicalization and the creation of terrorist entities. My colleague's initiative is courageous because it aims to create a framework and give the government tools to protect itself against radicalization. Under the Income Tax Act, organizations can have their charitable status stripped if they encourage violence or are affiliated with terrorist entities, but there is a grey area. There is some vagueness, as we saw in committee. That is precisely why the Senate studied the matter and recommended that measures be taken to cut off the sources of radicalization.

Moreover, former national security advisor Richard Fadden confirmed that some sources provide funding, here in Canada, to different kinds of entities that encourage people to commit terrorist acts. That goes against the very principles of our society. Many organizations can make their views known, but accepting money from an entity conveying a message that corrupts the democratic principles we live by is forbidden. Sometimes, the message is subtle and insidious, but it results in acts of violence. We know this all too well.

•(1915)

Our intelligence services are very busy nonetheless.

What makes a young person abandon our democracy to go and fight abroad? How have we gotten to the point where youth can be exposed to a narrative that provides them with a justification to travel abroad to commit acts of violence?

That is at the heart of this bill. I would say that we are being proactive about dealing with people who go to the airport and say that they want to become foreign fighters and participate in the decapitations that we witnessed, to everyone's horror.

We are vulnerable, especially at a time when ISIS has disbanded and to some extent dispersed. As a society, it is important that we have the tools to say no to radicalization and to those who seek to radicalize our society by funding messages that result in hate and violence.

I was pleasantly surprised that my colleague quoted someone whom I greatly admire, Mrs. Raheel Raza, a Canadian journalist of Pakistani origin. She is a Muslim woman who supports this bill because she knows that money can be used to radicalize and disrupt the rule of law in our country.

Obviously, this bill deserves to be studied in committee. We heard from security experts, people like Raheel Raza, who support the bill and can help to fulfill the need we have as a society to develop the proper tools.

Is this a challenge? Yes, absolutely. That is why we, as parliamentarians, have the responsibility to explore the approach proposed by my colleague to stop radicalization. If we turn a blind eye to radicalization, radicals will gain control of the narrative and we will be left to pick up the pieces. Let us prevent that from happening by thinking about this and having a discussion. That is what my colleague is proposing.

•(1920)

The Assistant Deputy Speaker (Mrs. Carol Hughes): The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the Order Paper.

ADJOURNMENT PROCEEDINGS

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

[*Translation*]

PUBLIC SERVICES AND PROCUREMENT

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Madam Speaker, on November 3, I rose in the House to ask a question regarding the broken Phoenix system. Once again, the Liberals will be breaking their promises to fix this fiasco. The government announced that it would not be able to honour the new collective agreement implementation dates for more than 100,000 public servants. I think that now is the time for the government to step up and find a solution to the disastrous Phoenix system.

This new pay system was meant to modernize the previous 1970s-era system. The government claimed that it could save \$688 million with this new system, but in reality, the system has cost taxpayers half a billion dollars so far, and it simply does not work.

The government wanted to save taxpayers money, but the complete opposite is happening. Employees are either not receiving their full pay or are being paid too much and live in fear of having to file an incorrect income tax return thanks to the mismanagement of the pay system. Many federal public servants will have to repay the federal government large amounts of money.

Ultimately, what happened was that the government wanted to save money at any cost, without considering the risks, and now here we are.

At a press conference, the President of the Treasury Board was quick to lay the blame on the Conservatives, but it was this Liberal government that gave the green light to launch Phoenix, without testing it, and it was this government that ignored the warnings from our party and the unions. Perhaps it is time that the government listened to the experts.

Adjournment Proceedings

This fiasco has been going on for a year and a half now, and once again, the government is not being transparent. Members of unions like the Public Service Alliance of Canada and the Professional Institute of the Public Service of Canada, which represent over 50,000 federal employees, are frustrated by the countless problems they have had to deal with since the federal government implemented Phoenix. They believe, and rightly so, that the government needs to be more honest with the employees affected by the failures of the pay system.

More than 265,000 federal employees are having pay problems. The Liberals need to understand that more than 50% of our public servants are affected, and that is huge. The nightmare is not over for the victims of the Phoenix pay system.

As I mentioned in my question, the government promised to honour the collective agreement of more than 100,000 public servants. Once again, the Treasury Board has gone back on its word. As a result, wage increases and retroactive payments, for example, will not be paid as set out in these collective agreements.

This is a tragic story. There are people suffering from chronic stress and anxiety, and who wonder every day when or whether they will be paid. This is a travesty. How can the government remain unmoved by this situation? This story makes the headlines almost every day. The NDP has brought it up over and over again, the unions and public servants have been sounding the alarm for a long time, but the government is still turning a deaf ear. The government must act now to put an end to this disaster. We cannot allow our fellow citizens to go without income or benefits. Even worse, as if that were not bad enough, the Auditor General revealed in his most recent report that it will take years to fix this fiasco.

When will the government finally take steps to set up a pay system that works? I do not think that is too much to ask.

• (1925)

Mr. Steven MacKinnon (Parliamentary Secretary to the Minister of Public Services and Procurement, Lib.): Madam Speaker, I thank my colleague for her speech.

We have noted and appreciated the constructive attitude the hon. member and her party have brought to this debate, at times. As the member for Gatineau, there is no one more motivated than I. My riding may not have the highest concentration of federal public servants in Canada, but it comes close. We have applied that passion and motivation to resolving the Phoenix pay problems.

I can assure my hon. colleague that we have made great progress, which is not to underestimate or minimize the problems associated with the pay system. We are concluding new collective agreements.

The former government made it so that we inherited this Phoenix pay system; we had no choice but to move forward. It is not like we could choose the Phoenix pay system or the old system. The choice we had was between the Phoenix pay system and no pay system. The whole thing has been clearly documented by the Auditor General, as well as his predecessor, who said in her report that the Phoenix pay system was a ticking time bomb. We had no choice.

Furthermore, when we came to office, 300,000 public servants were working without a collective agreement. That is nearly the

entire public service. The President of the Treasury Board quickly got to work negotiating new collective agreements with our partners in the public service unions. Naturally, the new agreements applied retroactively to the years when the previous government was in power.

It takes thousands or even hundreds of thousands of transactions to issue retroactive pay to our public servants. As a result, we had to reassign compensation advisors to implement these new collective agreements, even though the number of compensation advisors we had inherited was already not enough for the transition to the Phoenix pay system.

The good news is that we were able to pay nearly all of our public servants. True, we did not always meet our deadlines, but we paid our employees retroactively. We have always been very transparent with the unions in this regard. Every month, we process more transactions than the month before, amounting to hundreds of thousands of transactions.

There has been some progress. We are putting resources towards this. This is the federal government's number one priority. I want to assure my hon. colleague that the problem is not a lack of will. We are allocating all the necessary resources and doing everything in our power to fix the problems with the Phoenix pay system.

Ms. Brigitte Sansoucy: Madam Speaker, I feel like I keep hearing the same speeches and the same answers.

In the beginning, the government chose to do the necessary trial runs before moving forward. In my riding, hundreds of public servants and retirees were victims of the Phoenix pay system and still are. I would like to take a moment to acknowledge the work of Mario Lavigne, who came to our office when the Phoenix troubles began to give us a petition signed by hundreds of people affected by this fiasco. These people are calling on this government to do something about it.

More than half the public service is either being overpaid or not being paid enough. Two hundred and sixty-five thousand is not just a number, it is human beings and families living under tremendous stress every day.

This burden is not theirs to bear, it is the government's. It is not right that people are losing their homes and struggling to feed their family and pay their bills. We cannot be callous about this. It is imperative that we resolve this situation.

• (1930)

Mr. Steven MacKinnon: Madam Speaker, again I thank my hon. colleague.

I would reiterate that we are not trying to minimize the problems. Obviously, we deeply regret that we are still not at the stage where we are providing the correct pay to many of our employees or paying them on time.

Adjournment Proceedings

I am committed, both personally and on behalf of the government, to assigning all the technological, human, and financial resources necessary to resolve and stabilize the pay system. We will get there. I offer that assurance to the House. We will redouble our efforts. We are working day and night. I wake up every day feeling very motivated, and knowing that my government is very motivated, to fix the problems with the pay system, which we inherited from our predecessors.

[English]

IMMIGRATION, REFUGEES AND CITIZENSHIP

Ms. Jenny Kwan (Vancouver East, NDP): Madam Speaker, the Immigration and Refugee Protection Act has a provision, commonly known as excessive demand, used when determining if a family should be granted permanent resident status. Essentially, if someone in the family unit has a disability, that individual is automatically singled out for additional assessment. The assessment process only sees the individual's disability and assumes that the person is a burden on society. It is blind to the benefits the individual and his or her family might bring.

Take the case of Professor Montoya and his family. He came to Canada with his wife, daughter, and son in 2012. He and his wife worked, paid their taxes, and contributed to their community. Their son and daughter attended a Canadian school, but the entire family was deemed inadmissible because his son Nico has Down syndrome.

Despite the fact that Nico was not using any special social services, IRCC concluded that Nico may use more than the average value of select social services. Never mind that Professor Montoya was paying double the amount in taxes that IRCC had suggested Nico's so-called excessive demands would cost. That does not include the contributions of his wife or the future contributions of his daughter and son. It completely ignored social contributions as well.

This so-called cost-benefit analysis does not taken into account any benefits. Additionally, the so-called basket of services examined as costs are arbitrary at best. For example, housing costs are not part of the baseline calculation of social costs for average Canadians with a disability. However, under the excessive demand assessment process, they are. By the way, when the baseline costs were calculated in 2004, they were done incorrectly. Different services had costs from different fiscal years, and the figures were not adjusted to inflation to make them comparable.

Finally, this policy is discriminatory. It contradicts our charter, federal and provincial human rights legislation, and our international commitment to respect the rights of people with disabilities. Frankly, this policy reminds me of a sci-fi movie I saw some years ago. The whole premise of the movie was based on a hunt for people with defects, disabilities, and they were to be wiped out. I wonder how different this is from the premise of that movie.

Effectively, we have an immigration policy that aims to bar people with a disability and their families from being permanent residents in Canada. The minister recently said, "From a principled perspective, the current excessive demand policy simply does not align with our country's values on the inclusion of persons with disabilities in Canadian society."

The minister has been reviewing this policy for two years now. The policy continues to discriminate. Families continue to be hurt by it. If the minister is going to be true to his words, he needs to repeal the excessive demand provision. In the words of Professor Montoya, "Section 38(1)(c) is flawed...the charter isn't being applied as it should be, and neither is the United Nations convention that Canada ratified".

Given all of this, will the government commit to repealing paragraph 38(1)(c), the excessive provision demands in IRPA?

● (1935)

[Translation]

Mr. Serge Cormier (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.): Madam Speaker, I thank my colleague for sharing her concerns on this important issue. I also thank her for the work she is doing on this issue in committee. This is important, and I share her concerns.

The excessive-demand provision is indeed an outdated policy, and my colleague provided some examples. This policy is now 40 years old. This is why our government conducted a comprehensive review of the provision and why the Standing Committee on Citizenship and Immigration is currently examining this issue.

The Minister of Immigration, Refugees and Citizenship has openly stated that this review is necessary and long overdue.

From a principled perspective, the current excessive-demand policy simply does not align with our country's values on the inclusion of persons with disabilities in Canadian society. Currently, the objective of the provision is to strike a balance between protecting publicly funded health care systems and social services and facilitating immigration to Canada, while also supporting humanitarian and compassionate objectives in Canada's immigration policy.

However, there is now a recognized need to realign the policy to also make it more fair and inclusive for people with disabilities, as the minister mentioned.

As my colleague is no doubt aware, the health inadmissibility provisions are designed, in part, to reduce impacts on Canada's publicly funded health and social services systems.

There are a number of guiding principles underpinning our review of the excessive-demand policy, but the need to continue to protect health and social services also plays a role.

As part of the government's review of this policy, the department launched consultations with the provinces and territories in October 2016. Departmental officials also got stakeholders, including disability advocates, involved. The results of these discussions, together with consideration of public perspectives, judicial decisions, media reports, and the recommendations of the Standing Committee on Citizenship and Immigration, will inform the development of options that the government will present for decision.

Adjournment Proceedings

As the minister said in committee, the government shared potential areas of change with the provinces and territories. This information will give the provinces and territories the opportunity to assess these options and the potential impacts on their jurisdictions.

At the federal-provincial-territorial forum, all the ministers responsible for immigration, be they Conservative, New Democrat, or Liberal, committed to ensuring that the policy continues to recognize the need to protect health, education, and social services while treating applicants fairly.

We are eager to pursue our collaboration with the provinces and territories in the context of this review, and we are very much looking forward to the recommendations from the Standing Committee on Citizenship and Immigration that will guide and inform our review of the policy.

The department is currently considering all of its available options, and any change to the policy as a result of the review will be announced to the public once a decision has been made.

[*English*]

Ms. Jenny Kwan: Madam Speaker, continued delays to act means the government is complicit in the discrimination against people with disabilities. There is no way around this. The witnesses were nearly unanimous. The Council of Canadians with Disabilities, Canadian HIV/AIDS Legal Network, HIV & AIDS Legal Clinic Ontario, Parkdale Community Legal Services, the Canadian Association for Community Living, Disability Positive Consulting, Caregivers' Action Centre, Migrant Workers Alliance for Change, Chinese & Southeast Asian Legal Clinic, Ontario Council of Agencies Serving Immigrants, South Asian Legal Clinic of Ontario, Community Living Kingston and District, several legal experts, and more than 1,000 Canadians who signed an open letter on this have all called on the government to repeal paragraph 38(1)(c).

My question is quite simple. If the government agrees this is wrong, will it simply repeal that provision?

[*Translation*]

Mr. Serge Cormier: Madam Speaker, as I said to my colleague, we are very involved in this file. The minister appeared before the committee, and he himself said that the policy was outdated because it was over 40 years old. We have consulted extensively with the provinces and territories on this issue.

The committee is currently studying this issue. The member is on the committee, and we have heard from a significant number of witnesses on this issue. We are serious about looking at all possible options and everything available to us to ensure that the policy takes our current obligations into account.

Once again, the minister made it very clear that the policy was due for a review, and that is what we are doing now. We will look at all of our available options.

● (1940)

[*English*]

TAXATION

Ms. Rachael Harder (Lethbridge, CPC): Madam Speaker, the Liberals' small business tax hikes continue to target hard-working middle-class families in Canada. Thousands of people in my riding

are terrified that their businesses might go under due to the tax changes announced this summer.

These changes not only jeopardize their business, but also their economic well-being as families. For example, Charmaine, a new Canadian in my riding, shared her heartbreaking circumstances with me. I want to quote her directly. She said, "I am the sole breadwinner for my family. My husband is abroad.... I have three children struggling with university and high school studies. My father-in-law stays with me who is dependent on me.... These taxes would leave me in more debts and would adversely affect the entire family and create an obstacle for us to settle down in Canada."

Unlike the finance minister, local business owners in my riding and all across Canada do not have the luxury of tucking away millions of dollars for a rainy day. They are hard-working, visionary, risk takers. They are Canadians who make approximately \$75,000 or less per year. The minister calls these individuals "fat cats"; I call them job creators.

My riding is home to many farms and ag operators or producers. When I talk about this, I am talking about small businesses. I am talking about families who work together. I am talking about parents, children, and perhaps grandparents, who are all part of the operation. Together, they work as a collective to make sure their business thrives.

The Liberal government has promised to target these hard-working families, who will now have their businesses scrutinized by bureaucrats here in Ottawa. The CRA tax men who have not spent a day on a farm are going to dictate what counts as farm work and what does not. As we have seen over the past few months, we know not to trust CRA staff. They really do not know what they are talking about when it comes to being able to discern the difference between a legitimate claim or not.

Let me give an example. Diabetics who used to receive the disability tax credit for many years suddenly have CRA agents deciding, no, their claims do not meet the mark anymore. They have been told they do not qualify, and because the CRA has changed its "interpretation", it says, of the seriousness of the illness, those with diabetes will no longer be given this tax credit.

These are the types of people who are going to decide what counts as farm work and what does not. These individuals, thousands of miles away from my riding in Lethbridge, Alberta, will dictate to my ag operators what is determined to be equitable work and what is not, what is to be fair and what is not.

Why are the Liberals choosing to do this? Why are they choosing to put such power in the CRA?

Adjournment Proceedings

Agriculture is a hard and uncertain business. Farming does not result in trust funds, like the Prime Minister's. The inheritance that comes from farming is in fact the farming operation itself, the land, the equipment, the work.

Maurice from my riding told me that "These tax changes...will take our dream of passing down the business to third-generation family members, and for the most part wipe out our retirement funds." The Liberals' proposed tax changes to capital gains would indeed make it nearly impossible for family farms to be kept within the family. How is that fair?

Instead of cancelling these changes, the Liberals have said they are going to put them on pause for a while and will consult. However, the truth is that we have seen them consult before. Consultation for the Liberals does not look like listening.

My question is simple. Will the Liberals admit that their tax proposals are fundamentally flawed, and will they finally do the right thing and back down?

Mr. Steven MacKinnon (Parliamentary Secretary to the Minister of Public Services and Procurement, Lib.): Madam Speaker, I listened attentively to the member's remarks. I suspect that we need to update her on some of the recent developments in taxation.

The government has come forward with what I think, for the agricultural community and the stakeholders we have heard from, including a number of stakeholders from the member's own province, are salutary changes for the farming community in the Prairies, Alberta, and right across this country.

The changes that the minister has indicated will not go forward, namely with respect to the treatment capital gains, will ensure that farmers are able to comfortably plan for the succession of the family farm and enable these hard-working people, whom we consider very much, to plan their futures in a way that would allow their children to continue to farm and work hard.

As for small business, we were incredibly pleased to offer to our hard-working small business owners a tax reduction that brings about the lowest small business tax rate in the western world. It was contained in our election platform.

● (1945)

Ms. Rachael Harder: That was a Conservative promise originally. That was proposed in our 2015 budget, and a measure that you guys backed out of.

The Assistant Deputy Speaker (Mrs. Carol Hughes): Order, please. I want to remind the member that when she was speaking, the House provided her the respect to allow for her speech. She will have a chance for reply. There will not be any questions and comments from anyone else. Therefore, I would ask her to wait her turn.

The hon. Parliamentary secretary.

Mr. Steven MacKinnon: Madam Speaker, we will be going from the current rate of 10.5% to 10% as of January 1, which is in 31 or so days, then to 9% as of January 1, 2019. For the average small business person, this will mean an additional \$1,600 per year. For entrepreneurs and innovators, men and women, people who work

hard, who risk money, who risk their future on their dreams, ideas, and ambitions, it will leave that money where it belongs, in their pocket. Up to the maximum of \$500,000, there is a potential of \$7,500 in tax savings that can be used toward new equipment, hiring new staff, and taking the kinds of decisions that will grow their small businesses.

The government is very pleased to have come forward and met this very important platform commitment.

That is not all. We have worked very hard to ensure that the middle class get a better deal. I know the decision to climb what is often called the "welfare wall", to make that decision between leaving social assistance and entering the workforce, is sometimes a hard one. I was working with former Prime Minister Martin when he and the current member for Regina—Wascana brought in the working income tax benefit. It is a very efficient measure that helps those Canadians who are looking to climb that welfare wall and getting into the workplace. That WITB, the working income tax benefit, will be increased by \$500 million a year, starting in 2019.

I would be happy to discuss more, but these are the measures this government is taking to ensure entrepreneurs, workers, and people who are in the middle class and those who are working hard to improve their lot continue to benefit from the policies of this government.

Ms. Rachael Harder: Madam Speaker, I thank the government for finally adopting the Conservatives' good idea, and what was promised in our 2015 budget, to take the tax rate down from 10.5% to 9%. Kudos to the government for that, and I thank it for listening.

It is clear that the Liberals do not listen to Canadians overall. They are making very judgmental changes. They have revised income sprinkling, and they have not released those revisions yet. They are keeping that a secret from Canadians.

In addition to that, the Liberals did back down somewhat on their passive income investment changes, but not enough. However, they are not going to be facilitating or looking after the complexities that come with things like sick leave, maternity leave, and retirement, those types of things about which everyday, hard-working small business owners have to worry. The government does not understand that. As well, when it comes to handing down the family business to the next generation, the Liberals have simply hit the pause button and decided to consult, but we have no evidence of that.

When will the Liberals admit they got this wrong and back down?

● (1950)

Mr. Steven MacKinnon: Madam Speaker, the hon. member certainly is true to her party's philosophy. Our philosophy is this. In the case of passive investment, some 3% of the corporations have over 80% of the passive investment, and our changes are aimed squarely at that category. All others are able to benefit from this lower tax rate, while keeping this passive investment income inside their corporations to do with as they choose, and that is as it should be.

Private Members' Business

The government is squarely aimed at ensuring we have a business and economic climate in the country that is propitious for business owners, innovation, job creation and one that is propitious as well for the people who work in these small businesses all throughout the country, to ensure, through things like the child benefit and the working income tax benefit, our middle class continues to benefit from the policies of this government.

Bill C-352, an act to amend the Canada Shipping Act, 2001 and to provide for the development of a national strategy on the abandonment of vessels, completed.

[*English*]

PRIVATE MEMBERS' BUSINESS

[*Translation*]

BILL C-352—CANADA SHIPPING ACT, 2001

VOTE ON THE DESIGNATION OF AN ITEM

The Assistant Deputy Speaker (Mrs. Carol Hughes): Pursuant to Standing Order 92(4), I declare the vote on the designation of

The motion to adjourn the House is now 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 7:51 p.m.)

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