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OFFICIAL REPORT
(HANSARD)

Thursday, May 1, 2014

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, May 1, 2014

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

● (1005)

[*English*]

INTERPARLIAMENTARY DELEGATIONS

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present, in both official languages, the report of the Canadian Delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the winter meeting of the National Governors Association that was held in Washington, D.C., United States of America, February 21-24, 2014.

* * *

[*Translation*]

PETITIONS

HUMAN RIGHTS IN VENEZUELA

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, I rise today to present a petition signed by hundreds of citizens from across Quebec, including many originally from Venezuela. The petitioners are expressing their concerns about the situation in Venezuela and proposing various courses of action for the government to consider.

[*English*]

BLOOD AND ORGAN DONATION

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, I have two petitions to present today.

The first petition is the iCANdonate, which calls on this House to look at science and science only when it comes to donation of organs and not one's sexual orientation.

LYME DISEASE

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, the second petition is on Lyme disease.

The petitioners call on the government to undertake a study of this disease which now seems to be increasing, especially in my riding where we have seen a number of cases. I have spoken to the young people who are affected. Clearly we need to understand this disease better. We need better testing, better understanding of it, and better treatment.

THE SENATE

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have a very timely petition, signed by residents of Winnipeg North regarding the Senate.

Given what the Supreme Court just had to say, my constituents are asking that Parliament or the Prime Minister look at ways to reform the Senate that would not require constitutional amendment.

AGRICULTURE

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, I rise today to submit two petitions.

The first petition calls on the Government of Canada to refrain from making changes to the Seeds Act or the Plant Breeders' Rights Act.

DIVORCE ACT

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, the second petition is from constituents in my riding, calling on the government to support Bill C-560.

CANADA POST

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I rise to present a petition on behalf of many of my constituents who are opposed to the cuts to Canada Post.

The petitioners believe that Canada Post should not be raising prices while cutting service that would disadvantage many people who rely on door-to-door delivery. They would like Canada Post to reverse that decision.

AGRICULTURE

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, I rise today to present three petitions.

The first petition is with regard to Bill C-18.

CANADA POST

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, the second petition is with regard to Canada Post.

FIREARMS RECLASSIFICATION

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, the third petition requests the House of Commons to fix the legislation so unelected bureaucrats can no longer have control over weapons and firearms classifications.

SHARK FINNING

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, I rise to present a petition from thousands of Canadians who want the government to take measures to stop the global practice of shark finning and to ensure the responsible conservation management of sharks.

The petitioners call on the government to immediately legislate a ban on the importation of shark fins to Canada.

41ST GENERAL ELECTION

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I am happy to present a petition on behalf of members of my constituency and many Nova Scotians beyond, including South Shore—St. Margaret's, who call on the government to reject Bill C-23 and bring forward genuine electoral reform that will stop fraud, prevent big money from distorting elections, and ensure every Canadian can exercise their right to vote.

FALUN GONG

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to present two petitions. The first petition has signatures of over 5,000 Canadians, primarily from the Toronto area, calling on the government to do everything possible to reach out to the People's Republic of China to protect human rights, particularly those of Falun Gong and Falun Dafa practitioners.

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from residents of my own riding, Saanich—Gulf Islands primarily, although there are some names here from Gibsons, Roberts Creek, and also Bolton, Ontario, but also Pender Island, Mayne Island, Saturna, and Sidney within my riding.

The petitioners are calling on this Parliament and the government to put in place a full and comprehensive plan to address the climate crisis and to bring down greenhouse gases by at least 80% below 1990 levels by 2050.

BLOOD AND ORGAN DONATION

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, the people who signed this petition are calling upon the Government of Canada to change the policy and law on organ donation in Canada. They ask that the sexual preferences of people not be grounds for instant refusal of the right to donate.

SHARK FINNING

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, I too rise, along with my colleague from Burnaby—New Westminster, to present a petition from Canadians who want the government to take measures to stop the global practice of shark finning and to ensure the responsible conservation and management of sharks.

The petitioners are calling on the government to immediately legislate a ban on the importation of shark fins to Canada.

● (1010)

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, the following questions will be answered today: Nos. 325, 327, and 329.

[*Text*]

Question No. 325—**Hon. Wayne Easter**:

> With regard to postal service, for each Forward Sortation Area, what is: (*a*) the total number of households; and (*b*) the total number of residents, who receive residential mail service in (i) houses, (ii) apartments, (iii) farms, distinguished by each of the following delivery methods: letter carrier walks, rural routes, suburban service, general delivery, lock boxes, call for, and direct?

Hon. Lisa Raitt (Minister of Transport, CPC): Mr. Speaker, the information requested is available on the Canada Post website in the Urban and Rural Delivery Area Counts and Maps section at http://www.postescanada.ca/cpo/mc/business/tools/hcm/default.jsf?LOCALE=en.

Question No. 327—**Hon. Wayne Easter**:

> With regard to the administration of Employment Insurance (EI) in Prince Edward Island (PEI): (*a*) what are the criteria behind the definition of capital and non-capital EI regions within PEI, (i) why is Oyster Bed Bridge within the non-capital region, (ii) why is Toronto Road within the capital region; (*b*) what are the estimated costs resulting from the creation of capital and non-capital regions in PEI; and (*c*) for two individuals fishing on North Rustico Harbour, one individual within the capital region and one individual within the non-capital region, what are the effects of the creation of capital and non-capital regions on each individual's total annual income?

Mr. Scott Armstrong (Parliamentary Secretary to the Minister of Employment and Social Development, CPC): Mr. Speaker, with regard to (a), section 54(w) of the Employment Insurance Act, the EI Act, specifies that the EI economic regions should be established based on geographical units established or used by Statistics Canada. As announced by the Minister of Employment and Social Development, the proposed EI economic region of Charlottetown would consist of the 2011 census agglomeration of Charlottetown defined by Statistics Canada, while the proposed non-capital EI economic region would consist of all remaining geographical units outside the census agglomeration of Charlottetown. With regard to (a)(i), Oyster Bed Bridge is located in census subdivision lot 24, which is not included in the 2011 census agglomeration of Charlottetown. With regard to (a)(ii), Toronto Road is located in census subdivision lot 23, which is located within the 2011 census agglomeration of Charlottetown.

With regard to (b), it is estimated that on an annual basis, there will be approximately $1million more in EI benefits available as a result of the proposed modifications to create capital and non-capital EI economic regions in PEI.

With regard to (c), EI eligibility and entitlement and the amount of benefits are generally based on the residence of claimants, not on the location of work.

It is not possible to predict what the monthly unemployment rates for the purpose of EI will be in each EI economic region. As the change will come into force on October 12, 2014, the unemployment rates for the two new EI economic regions will only be known at that time.

Eligibility for EI fishing benefits is based on insured earnings, unlike EI regular benefits, for which eligibility is based on insured hours. Fishers can generally qualify for fishing benefits with a minimum of between $2,500 and $4,200 in insured earnings from fishing, depending on the unemployment rate in their EI region. Entitlement to EI fishing benefits is not linked to the regional unemployment rate. Fish harvesters continue to receive up to 26 weeks of benefits within a period, depending on when they apply. The benefit rate is also calculated dependent on the regional unemployment rate for EI purposes through the divisor used to establish average weekly earnings from fishing earnings.

Question No. 329—**Hon. John McKay**:

> With regard to the purchase of Canada Mortgage and Housing Corporation Mortgage Loan Insurance by first-time homebuyers in 2013: (*a*) how many first-time buyers bought insurance; (*b*) what was the average amount insured; (*c*) what was the median amount insured; (*d*) what was the average cost of insurance; (*e*) what was the median cost of insurance; and (*f*) what would the answers to (*d*) and (*e*) have been, had the insurance rates announced on February 27, 2014 been in effect on January 1, 2013?

Mr. Scott Armstrong (Parliamentary Secretary to the Minister of Employment and Social Development, CPC): Mr. Speaker, with regard to (a), 98,714 loans were insured by Canada Mortgage and Housing Corporation, CMHC, in 2013 for lenders where borrowers were classified by the originating lending institution as first-time homebuyers. As mortgage loan insurance protects lenders against losses in the event of borrower default, the lender is the client and is the purchaser of the insurance. Most lenders pass on the cost of the insurance to the borrower.

With regard to (b), the average amount insured for first-time homebuyers in 2013 was $240,078.

With regard to (c), the median amount insured for first-time homebuyers in 2013 was $223,200.

With regard to (d), the average cost of insurance for first-time homebuyers in 2013 was $6,102.

With regard to (e), the median cost of insurance for first-time homebuyers in 2013 was $5,669.

With regard to (f), if rates announced on February 28, 2014, had been in effect on January 1, 2013, the average cost of insurance would have been $7,017 and the median cost of insurance would have been $6,519.

As announced on February 28, 2014, effective May 1, 2014, CMHC mortgage insurance premiums for homeowners and 1-4 unit rental properties will increase by approximately 15% on average, for all loan-to-value ranges.

In 2013, the average CMHC insured loan at 95% loan-to-value was $248,000. Using these figures, the higher premium will result in an increase of approximately $5 to the monthly mortgage payment for the average Canadian homebuyer. This is not expected to have a material impact on the housing market.

[*English*]

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

POINTS OF ORDER

STANDING COMMITTEE ON AGRICULTURE AND AGRI-FOOD—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the point of order raised on April 10, 2014, by the hon. member for Edmonton—St. Albert, regarding the admissibility of an amendment adopted by the Standing Committee on Agriculture and Agri-Food for Bill C-30, an act to amend the Canada Grain Act and the Canada Transportation Act and to provide for other measures and reported to the House on April 8, 2014.

[*Translation*]

I would like to thank the hon. member for Edmonton—St. Albert for having raised this matter, as well as the Parliamentary Secretary to the Leader of the Government in the House of Commons for their comments.

[*English*]

The member for Edmonton—St. Albert claimed that an amendment adopted by the Standing Committee on Agriculture and Agri-Food in relation to Bill C-30 is inadmissible, because it aims to amend a section of the Canada Transportation Act that is not contained in the bill. He argued that, in so doing, the committee had exceeded its authority and went beyond the scope of the bill that had been referred to it.

On April 28, 2014, the Parliamentary Secretary to the Leader of the Government in the House of Commons countered the points made by the member for Edmonton—St. Albert. He asserted that the amendment in question was relevant and consistent with the subject matter of the bill, and respected the rules and usual practices of the House. He explained that the amendment aimed to modify the Canada Transportation Act, which is under consideration in Bill C-30. He also reminded the House that the amendment was considered without procedural objection and was adopted by a recorded vote without dissent.

[*Translation*]

In a Speaker's ruling delivered on April 28, 1992, which can be found at page 9801 of *Debates*, Speaker Fraser explained the restrictions faced by committees when considering amendments to a bill. He said:

> As the House knows, the Speaker does not intervene on matters upon which committees are competent to take decisions. However, in cases where a committee has exceeded its authority, particularly in relation to bills, the Speaker has been called upon to deal with such matters after a report has been presented to the House.

In relation to the Speaker's authority with respect to amendments adopted in committee, *House of Commons Procedure and Practice*, second edition, at page 775 states:

> The admissibility of those amendments, and of any other amendments made by a committee, may therefore be challenged on procedural grounds when the House resumes its consideration of the bill at report stage. The admissibility of the amendments is then determined by the Speaker of the House, whether in response to a point of order or on his or her own initiative.

[*English*]

I have reviewed the amendments adopted by the committee, and particularly the amendment that gave rise to this point of order, which created the new clause 5.1 in the bill. It amends section 116 of the Canada Transportation Act, a section that was not originally amended by the bill, to provide an additional power to the Canada Transportation Agency.

The parliamentary secretary referred to several procedural authorities to support his arguments. Most notably, and helpfully, he quoted from *House of Commons Procedure and Practice*, second edition, at page 766 on the issues of scope and relevance. However, in the same paragraph that he quoted from, a critical element went unmentioned. At pages 766 to 767, it also reads:

> In the case of a bill referred to a committee *after* second reading, an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent Act, unless the latter is specifically amended by a clause of the bill.

This is sometimes referred to as the parent act rule.

The Chair has no difficulty agreeing with the parliamentary secretary that the amendment is relevant to the subject matter of the bill. Indeed, as a fellow Saskatchewan MP who represents a large number of grain producers, I can certainly agree on the importance of this issue. As Speaker, however, not only can I not simply act according to my personal beliefs, I must respect House of Commons precedents which, in the case before us, are only too clear. Relevance is not the only test to be applied in judging admissibility. As the amendment in question reaches back into the parent act to modify a section of the act originally untouched by the bill as passed at second reading, long-standing practice leaves the Chair no choice: the amendment and those consequential to it are inadmissible.

The procedural jurisprudence is clear. I am therefore obliged to rule that the amendment, and the two other consequential amendments adopted by the committee, are null and void and no longer form part of the bill as reported to the House. In addition, I am directing that the bill be reprinted without these amendments.

Let me close by recalling how the parliamentary secretary to the government House leader has reminded the House that this bill enjoyed all-party support at second reading and that the specific measures this ruling addresses were unanimously agreed to in committee. In light of that, the Chair would be remiss if I did not, in turn, remind the House that, should there still be a clear will on the part of all parties in the House to effect these changes in the law, there are several very simple and straightforward procedural options available.

● (1015)

[*Translation*]

I thank honourable members for their attention.

GOVERNMENT ORDERS

[*English*]

FIRST NATIONS CONTROL OF FIRST NATIONS EDUCATION ACT

BILL C-33—TIME ALLOCATION MOTION

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

> That, in relation to Bill C-33, An Act to establish a framework to enable First Nations control of elementary and secondary education and to provide for related funding and to make related amendments to the Indian Act and consequential amendments to other Acts, not more than one further sitting day after the day on which this Order is adopted shall be allotted to the consideration at second reading stage of the Bill; and that, 15 minutes before the expiry of the time provided for Government Orders on the day allotted to the consideration at second reading stage of the said Bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order, and, in turn, every question necessary for the disposal of the said stage of the Bill shall be put forthwith and successively, without further debate or amendment.

The Speaker: There will now be a 30-minute question period. I will ask members to keep their questions to around one minute and the responses to a similar length so that we can accommodate as many as possible.

The hon. House leader of the official opposition.

Mr. Peter Julian (House Leader of the Official Opposition, NDP): Mr. Speaker, I am saddened by this for Canadians and for first nations.

I am first saddened by the fact that this is now over 60 times that time allocation and closure measures have been brought into this House of Commons. There is absolutely no question that is an abuse of Parliament and an abuse of the democratic framework that Canadians adhere to.

[*Translation*]

However, what is even more important is that first nations are strongly opposed to Bill C-33. Many first nations are saying that it is not in line with what they want. Opposition to the bill is beginning to mount right across the country. It is clearly an abuse of Parliament. It is obvious that first nations are having a hard time accepting this bill. Instead of consulting them, the minister and the government want to impose this bill on them and shut down debate, ending the discussions that should be held in the House. My question is simple.

[*English*]

Is it not because of the growing opposition from first nations across the country and the growing concerns about the bill that the government wants to shut down debate using closure, basically ending the discussion that should be held in the House? It is shameful.

I would like the minister to explain to first nations who have expressed so many concerns about the bill why he does not want to hear debate in the House of Commons.

● (1020)

Hon. Bernard Valcourt: Mr. Speaker, the NDP is becoming an accomplice of a few people determined to bring Canada's economy to its knees and to prevent first nations students on reserve, for the first time ever in the history of this country, from enjoying the same statutory right to education as other Canadians have.

The position of the NDP was made clear yesterday. Those members will oppose the bill. If they have 10 or 15 more speakers who will say the same thing, we have heard it. We understand.

As for the Liberals, they have indicated that they are ready to work constructively. The constructive work can take place at the committee hearings of the standing committee to which the bill will be referred and where first nations will have the chance, just like other stakeholders and Canadians, to indicate their point of view on the bill, which will be transformational for first nations all across Canada.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): To be very clear, Mr. Speaker, what is really under debate right now is the government's use once again of time allocation to prevent members from fully participating in a debate on legislation.

No government in the history of Canada has invoked closure as many times as the current Conservative majority government. It is a different style of government. It goes against the principles of democracy and the manner in which the House should be operating. As has been pointed out, closure has been used over 60 times by the government to try to pass legislation. That is not healthy for democracy.

I look to the government House leader, because he is the one responsible for what takes place inside the House and for making sure that things are done in an orderly fashion. My question is not for the minister about the bill. My question is for the government House leader, who is responsible for the manner in which we are forcibly proceeding inside the chamber. Why has the majority Conservative government continued to use closure, thereby limiting the right of members of Parliament, and through members of Parliament, all Canadians from coast to coast to coast, to ensure that there is due process when it comes to making and passing laws here in Canada?

Hon. Bernard Valcourt: Mr. Speaker, the reason is clear and obvious. Were it not for time allocation, first nations students on reserve would be deprived, as they have been for many decades, of enjoying the basic right to education.

The hon. member knows very well that if it were left to the opposition, the government would not pass any laws. All the benefits Canadians get from the legislative agenda of this government, such as over one million jobs created because of our good governance of the country, would not happen. All the good measures Canadians benefit from would not happen, because the mantra of members on the other side of the House is to oppose everything, and in this case, first nations students. It is urgent that the House adopt this to give those kids on reserve the right to education, which they plainly deserve.

[*Translation*]

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

[*English*]

The Deputy Speaker: Order, please. I am seeing some inquiries, perhaps, by body language, in the House. The process for this type of question and answer period is for the opposition to be given priority for their questions, and questions and comments allowed from the government side are at a more limited level.

The hon. member for Abitibi—Baie-James—Nunavik—Eeyou.

● (1025)

[*Translation*]

Mr. Romeo Saganash: Mr. Speaker, like my colleague who spoke earlier, I too am saddened by this motion that the government has moved.

I am saddened because this really has nothing to do with the importance of education for first nations children. That is not the issue. I think that we all agree that aboriginal children should receive the best education possible. That is not what we are talking about.

What we are talking about are the government's constitutional obligations. I would like to hear the minister's comments on that. If there is one thing that should not be compromised, it is the constitutional rights of aboriginal peoples. One of the government's obligations is to consult with first nations and accommodate the concerns that are raised during those consultations. That is not what happened. I would like to hear the minister's comments on his understanding of the honour of the crown.

Hon. Bernard Valcourt: Mr. Speaker, my understanding of the honour of the crown is embodied in clause 5 of Bill C-33, which is before the House:

> 5. This Act does not apply to
>
> (*a*) a First Nation that has the power to make laws with respect to elementary and secondary education under an Act of Parliament or an agreement relating to self-government that is given effect by an Act of Parliament, including a First Nation that is named in the schedule to the *Mi'kmaq Education Act* or the schedule to the *First Nations Jurisdiction over Education in British Columbia Act*; or
>
> (*b*) the Sechelt Indian Band established by subsection 5(1) of the *Sechelt Indian Band Self-Government Act*.

Clause 4 states:

> 4. For greater certainty, nothing in this Act is to be construed so as to abrogate or derogate from the protection provided for existing Aboriginal or treaty rights of the Aboriginal peoples of Canada by the recognition and affirmation of those rights in section 35 of the *Constitution Act, 1982*.

That is what it means to respect the honour of the crown.

[*English*]

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of National Revenue and for the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, listening to the discussion and the answers from the minister, it is pretty clear. This discussion is absolutely not about closure. It is really not about the Constitution. The discussion is about the NDP deciding not to support this bill for first nations children. The discussion is about the NDP deciding to put the rights of first nations children on the back burner. We can wait another two or three or four decades, and they will never get an education and never participate in society.

This is about putting the rights of first nations children first, not second or third or fourth.

Hon. Bernard Valcourt: Mr. Speaker, the hon. member is indeed right. As a matter of fact, I am a bit astonished. Since 1971, when the Indian Brotherhood issued its policy paper on Indian control of education, first nations students, chiefs, councils, and members of those communities throughout the country have been calling for control of their education system.

Now our government is putting on the table incremental, committed funding of close to $2 billion to implement, for the first time, a school system that would bring about results and better outcomes on reserve, and this is opposed by the NDP. Well, it means that it simply wants to play politics on the backs of first nations students. We do not accept that on this side of the House.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am speaking to time allocation, because the act that is before us is supported by some very prominent, important first nations organizations and is opposed by other chiefs and councils. It is obviously an issue of great importance.

No one on this side of the House is paying less attention to first nations education than the minister, but the question of the complexity of the issue and getting it just right is paramount.

I have not heard a single reason advanced for why, once again, in anti-democratic contempt of this place, we have the 60th-plus use of time allocation on a government piece of legislation. Could the minister offer one single cogent reason why this place should rush through a bill of such importance and complexity?

● (1030)

Hon. Bernard Valcourt: Mr. Speaker, very simply, the characterization by the hon. member of the procedure and the process omits saying that the best way to fully look at the different points of view on this bill is at the committee level. Once second reading is completed, there will be ample opportunity at the standing committee for members, witnesses, and people interested to weigh the points of view of those who favour and those who oppose it. We will let the hon. members at the standing committee do their job and report back to the House, where the debate will continue.

This is not about shutting down the debate. It is about ensuring that we can make a decision in the best time possible for first nation students to benefit from this legislation.

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, I think you heard a lack of noise from this side when the House leader from the government moved the closure motion, because it is so usual for us to hear that.

The minister suggested that somehow we oppose everything. Let me remind the minister that today Bill C-30 will come before us and that it was this opposition, this New Democratic Party, this critic of agriculture, who said to the minister opposite, "We will help you, sir. We will help you get the legislation through. We will help you at committee. We will help you bring it back, because it is an emergency." We intend to continue to do that.

Unfortunately, as you heard earlier in the Speaker's ruling, the government brought forward amendments. What happened in its rush to do all of that? The government was ruled out of order. When we rush, we make mistakes. That is a human frailty. It is not necessarily a Conservative frailty, albeit the government is the one that brings closure all the time. Clearly, its frailty is probably more obvious than anyone else's when it comes to making mistakes.

This single piece of legislation is immensely important. I do not sit on that committee, so my opportunities to speak to this legislation are limited to this place. By doing what the government has done 60-odd times, it limits the opportunity for those of us who do not have the opportunity to go to committee. Some would ask why we do not just substitute in. That would be an opportunity. However, I can imagine that the government would come up with some sort of ruling that there could only be so many substitutes, because if we all tried to substitute in to listen to committee hearings, the government would say that it would take too long as well.

There are times we need to take the time to study. In this case, the minister should reconsider. I do not know why he wants to rush this through. Education is important for every child. We agree with him that first nation children deserve to have the same education and the same opportunities as everyone else, but let us get it right in the first place. Let us not make mistakes.

Hon. Bernard Valcourt: Mr. Speaker, yesterday I listened intently to the position of the official opposition on this bill. It opposed the principle of the bill. The opposition is very clear. I have been in this House long enough to say that I have never seen the opposition party change its mind on a bill after it has stated its opposition, and we know that it opposes this.

What is important is that Canadians, first nation members, stakeholders, and people who care can see the bill at committee, where the members will listen to witnesses and first nation representatives, and as the previous questioner said, weigh the views to ensure that at the end, we get a bill that enshrines in law the right of first nation students to have quality education and to finally get the outcomes they deserve.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I do have to oppose this over-60th time allocation motion.

The member for Welland made a very good point about the fact that, yes, this may go to committee, but there are a lot of members in this place who are extremely interested in this issue. As a result of the time allocation, we do not have the opportunity, and the public in Canada does not have the opportunity, to hear the views from a wide range of people from across the country.

My colleague, our critic, spoke extensively on this issue yesterday. She outlined a number of concerns that should be talked about in this place, not just at committee. There are time allocation motions here. We see the way the committees operate in this place, too, ramrodding a bill through without the committee hearing all the proper witnesses.

Again, this is an affront to the democratic process by the Conservative government in terms of ramming legislation through. We know it has had five extensive defeats at the Supreme Court in the last month. That is what happens when the proper legislative inspection is not done in the House of Commons. Mistakes happen, and things get turned down by the Supreme Court. Then, to a certain extent, it has been a waste of time.

I encourage the minister to back off on the closure of this debate and to let proper debate on this legislative matter happen in this country.

● (1035)

[*Translation*]

Hon. Bernard Valcourt: Mr. Speaker, we keep hearing the same old story. What more can we say except that we must assess the process that led to the preparation of the bill and its introduction?

For decades, first nations across the country have been asking for control over their own education system on reserve.

I cannot say it enough: it is very important and urgent that we provide the chiefs and band councils in the country with a legal framework that will enable them to provide first nations' children with an education system that produces results. That is what is driving the government's efforts.

We have been working in concert with the first nations since 1971. For the first time, a government wants to take action on the Assembly of First Nations agreement.

I am simply asking the hon. member that we hurry up and send this to committee so that we can pass this bill that will benefit the first nations.

[*English*]

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, I am kind of shocked and saddened to see exactly what is going on here today.

Here is a very important piece of legislation for aboriginal students. It is a generation that we can capture and embrace. We are hearing that the NDP members will not even let it go to committee and that they are going to vote against it at second reading. They say they want to debate it, yet they will not even let it go to committee. It is shocking and saddening.

We would spend some $1.9 billion on aboriginal students with this piece of legislation. Can the minister tell us just how important it is that we not miss the members of this generation, that we embrace them, help them up, and give them a hand up, so they can participate in this blooming and growing economy we have here in Canada?

Hon. Bernard Valcourt: Mr. Speaker, I totally agree with the hon. member.

As a matter of fact, it is important to note that the fastest growing segment of the Canadian population is among the aboriginal community.

In many provinces throughout Canada, we have a cohort of young first nations kids who are going to enter the labour market in the next decade at a speed and a number that is incredible. These kids today too often graduate or get out of the school system, attempt to enter university or trade school, and they are lacking a degree that is comparable to what the non-aboriginal kids are getting.

This serious investment, incremental funding of $1.9 billion, over the $1.55 billion that we are currently investing, would provide first nations kids on reserve throughout the country with an education system that would be comparable to what their non-aboriginal neighbours are getting.

This is the promise of the bill. This is the promise of Canada. Aboriginal people are fully members of our country and deserve the same rights as non-aboriginals.

● (1040)

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, members have an opportunity at this moment in the proceedings to talk about why the government has introduced its 60th-plus time allocation motion on a bill that the minister himself said was so important in terms of its implications.

We have some ideas on this side that are perhaps contrary to those of the minister and members opposite. I am from Nova Scotia, where the first nations and Mi'kmaq have had control of their education system for the past 20 years and are doing just fine, thanks, without the support of the patrimony of the minister and his office. They do not need a superintendent provided by the minister, who reports to the minister on matters of education.

I would like to have the opportunity to debate the issue, to explain the experience, as I understand it, from the perspective of the Mi'kmaq in Nova Scotia and of Nova Scotians about this issue and why I am concerned. I find it offensive. The members opposite suggest that I should not have the right to stand and express my views, views that may be contrary to theirs. I would like him to explain why it is that I, who has been elected by the people of Dartmouth—Cole Harbour, do not have the right, on an important piece of legislation like this, to explain what I and my constituents feel is important on this issue.

Hon. Bernard Valcourt: Mr. Speaker, if he wants to talk about what is offensive, what is offensive is the hon. member leading people to believe that the bill would prevent first nations across Canada from becoming a self-governing institution over education, as is happening in Nova Scotia. He talks about Nova Scotia, and we all know about the success of the Nova Scotia system. If he cared to read this bill, he would know that it does not apply to Nova Scotia. He would also find out, if he read the bill, that this is probably the best promise for first nations to be able to get to the self-government level with their own education system.

Obviously, as you can hear, Mr. Speaker, he is not interested in the answer—

Some hon. members: Oh, oh!

The Deputy Speaker: Order, please. There is too much chatter going back and forth in the House. I am having difficulty hearing the minister, even though he is less than 20 feet away from me.

[*Translation*]

Minister, you may continue.

[*English*]

Hon. Bernard Valcourt: Mr. Speaker, it just goes to show that when New Democrats ask a question and do not like the answer, they heckle. It does not change the fact.

The fact is that members will have the chance to continue this debate. We have until tomorrow at least, and then it will go to committee. There the hon. member is well represented by his party and he will have the chance, with other members, to see and hear witnesses and consider the bill. We shall get the report from the committee and act accordingly.

What is important is that we do this as quickly as possible because the current non-system is failing a whole generation of first nation students.

[*Translation*]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I would like the minister to explain one thing and that is the urgency of all this. The funds will be available in 2016. If this were urgent, and if the government were taking it seriously, should the money not be available already?

I lived on a reserve for two years. For 30 years, aboriginal people have been ready to get an education and to exercise the same rights as all other citizens in that regard. Until now they have only been given promises. That is probably the reason for the skepticism. This is strangely similar to the promise about the Kelowna accord, a promise made by a government that, although on the verge of collapse, at the last minute gave out money that was not included in the budget. In the end, nothing happened. That is why aboriginal people are fed up.

● (1045)

Hon. Bernard Valcourt: Mr. Speaker, would it be possible for the member to be coherent? He just said that over a period of more than 30 years, first nations children were deprived of an education system. We are bringing forward a bill that will finally give them this statutory right and his party is opposing it.

He just mentioned the Kelowna accord. It was money thrown at them by the Liberals, without reforms and without a system to ensure the success of first nations children. We have invested and committed $1.9 billion in the budget, and he voted against it. I would like him to be coherent.

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, quite frankly, the minister is being hypocritical. This bill is about education in aboriginal communities, and just because the NDP has concerns about this bill, the Conservatives are accusing us of being against education in those communities.

People may remember that, not so long ago, we had a bill before us that was supposed to fight child pornography. The NDP was concerned about the bill because it was poorly drafted. Because of its concerns, the NDP was accused of supporting child pornography. Actually, the minister had to withdraw that statement. As it turned out, the bill was so badly written that the minister himself had to withdraw it.

Let us remember that and put things into perspective. This debate is about more than education in first nations communities. It is also about the way the government drafts its bills, about how often they are messed up and badly written. The Conservatives do not even bother to consult the parties involved.

Hon. Bernard Valcourt: Mr. Speaker, the member will be happy to learn that the process leading up to this bill took place over a long period of time. Those drafting the bill considered the advice and opinions of countless first nations chiefs and band council members, school boards, first nations members and parents.

The important thing now is to study this bill in committee and find out whether the real goal can be achieved through the provisions in the bill.

The Deputy Speaker: Order. It is my duty to interrupt the proceedings and put forthwith the question necessary to dispose of the motion now before the House.

[*English*]

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And five or more members having risen:

The Deputy Speaker: Call in the members.

● (1130)

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

(Division No. 109)

YEAS

Members

Ablonczy	Adler
Albas	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Crockatt
Daniel	Davidson
Dechert	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Falk
Fantino	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)

Fletcher
Gallant
Glover
Goldring
Gosal
Grewal
Hayes
Holder
Kamp (Pitt Meadows—Maple Ridge—Mission)
Kenney (Calgary Southeast)
Komarnicki
Lauzon
Lemieux
Lizon
Lukiwski
MacKay (Central Nova)
Maguire
McColeman
Menegakis
Miller
Moore (Fundy Royal)
Norlock
O'Connor
O'Neill Gordon
O'Toole
Payne
Preston
Rajotte
Rempel
Rickford
Saxton
Shea
Shory
Sopuck
Stanton
Strahl
Tilson
Trost
Truppe
Valcourt
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)
Wilks
Wong
Yelich
Young (Vancouver South)
Galipeau
Gill
Goguen
Goodyear
Gourde
Hawn
Hoback
James
Keddy (South Shore—St. Margaret's)
Kerr
Kramp (Prince Edward—Hastings)
Leef
Leung
Lobb
Lunney
MacKenzie
Mayes
McLeod
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Nicholson
Obhrai
Oliver
Opitz
Paradis
Poilievre
Raitt
Reid
Richards
Ritz
Schellenberger
Shipley
Smith
Sorenson
Storseth
Sweet
Toet
Trottier
Uppal
Van Kesteren
Vellacott
Warawa
Watson
Williamson
Woodworth
Young (Oakville)
Zimmer– — 144

NAYS

Members

Allen (Welland)
Angus
Atamanenko
Ayala
Benskin
Blanchette
Boivin
Brahmi
Byrne
Casey
Chisholm
Christopherson
Comartin
Crowder
Cuzner
Dewar
Dionne Labelle
Doré Lefebvre
Dubourg
Dusseault
Eyking
Fortin
Freeman
Garneau
Genest-Jourdain
Godin
Gravelle
Harris (St. John's East)
Hyer
Julian
Andrews
Ashton
Aubin
Bennett
Bevington
Blanchette-Lamothe
Borg
Brison
Caron
Chicoine
Choquette
Cleary
Côté
Cullen
Day
Dion
Donnelly
Dubé
Duncan (Edmonton—Strathcona)
Easter
Foote
Freeland
Fry
Garrison
Giguère
Goodale
Groguhé
Hughes
Jacob
Kellway
Lamoureux
Larose
Laverdière
LeBlanc (LaSalle—Émard)
Liu
Mai
Martin
Mathyssen
McCallum
McKay (Scarborough—Guildwood)
Moore (Abitibi—Témiscamingue)
Morin (Laurentides—Labelle)
Mulcair
Nantel
Nicholls
Pacetti
Patry
Quach
Rankin
Ravignat
Regan
Sandhu
Scott
Simms (Bonavista—Gander—Grand Falls—Windsor)
Sims (Newton—North Delta)
Sitsabaiesan
Stewart
Sullivan
Turmel
Lapointe
Latendresse
LeBlanc (Beauséjour)
Leslie
MacAulay
Marston
Masse
May
McGuinty
Michaud
Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Saint-Hyacinthe—Bagot)
Murray
Nash
Nunez-Melo
Papillon
Pilon
Rafferty
Rathgeber
Raynault
Saganash
Scarpaleggia
Sellah
St-Denis
Stoffer
Thibeault
Valeriote– — 116

PAIRED

Nil

The Speaker: I declare the motion carried.

(Motion agreed to)

* * *

[*Translation*]

FAIR RAIL FOR GRAIN FARMERS ACT

The House proceeded to the consideration of Bill C-30, An Act to amend the Canada Grain Act and the Canada Transportation Act and to provide for other measures, as reported (without amendment) from the committee.

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

[*English*]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food, CPC) moved that the bill be concurred in.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

The Deputy Speaker: I declare the motion carried. When shall the bill be read a third time? By leave, now?

Some hon. members: Agreed.

Hon. Gerry Ritz moved that the bill be read the third time and passed.

He said: Mr. Speaker, it is indeed a pleasure to report Bill C-30 back to the House.

The bill addresses the immediate needs of Canadian farmers, bulk shippers, and our overall economy. Our government knows our economy needs a supply chain that works today and tomorrow, with the capacity to move what is produced.

I was proud to speak to the benefits of this bill at the agriculture committee last month. I understand the committee had a very extensive series of meetings, including testimony from over 20 stakeholder groups. The committee heard from the entire supply chain from farm to port, and from a wide range of commodity shippers, from wheat to oats to barley, as well as from fertilizer, mining, and timber groups.

I was pleased to see a strong will around the table to work toward industry-led solutions focused on service and private sector responsibilities.

This is a piece of comprehensive legislation, and opposition and government together appreciate the non-partisan work of the committee to date, along with all of the witnesses that came forward. By working together, we were able to strengthen the bill, which, I would like to note, passed through the committee with unanimous support. I thank the committee members for that.

It was extremely unfortunate that the member for Edmonton-St. Albert turned a deaf ear to those farmers and shippers by attempting to deprive them of meaningful service level agreements, or SLAs. His point of order accomplished nothing but delaying the much-needed measures in the bill.

I want to be clear that these parliamentary games, while unfortunate, will not deter our government and the opposition from amending Bill C-30 to include service level agreements with reciprocal penalties. Testimony shows that the majority of stakeholders support the bill and what it sets out to accomplish.

During the committee's consultations, shippers of all commodities applauded this legislation, but they also asked the government to go further. They asked us to put more teeth into service level agreements to bring day-to-day accountability to the railways. Responding to this feedback, my parliamentary secretary introduced an amendment at committee on behalf of the government.

The first part of the amendment would give the Canadian Transportation Agency the authority to

> ...order the company to compensate any person adversely affected for any expenses that they incurred as a result of the company's failure to fulfill its service obligations...

By "company", of course, we mean railways.

The amendment allows shippers who enter into service level agreements to be directly compensated for any expenses they incur as a result of the railways' failure to meet those service obligations. This includes compensation if the shipper is out of pocket for costs such as demurrage, contract defaults, or penalties. It goes further than the reciprocal penalties that many in the industry have requested, because it applies to any level of service complaint under the Canada Transportation Act. This is a market-based solution that would help get all bulk commodities moving and continuing to move.

The second part of the amendment reads:

> ...or, if the company is a party to a confidential contract with a shipper that requires the company to pay an amount of compensation for expenses incurred by the shipper as a result of the company's failure to fulfill its service obligations, order the company to pay that amount to the shipper

This measure is equally important, because it allows compensation to be paid within a commercial contract. It would encourage the shippers and railways to come to the table and set their own terms and agree on SLAs with reciprocal penalties, should they so desire.

The goal is to level the playing field and provide better tools for shippers when railway companies breach their service obligations.

We are working to continue to improve the efficiency, reliability, and predictability of the entire supply chain. I am pleased to say that strengthening SLAs has the support of industry, the provinces, and the opposition, and I thank them all.

Industry groups that support this needed amendment include, but are not limited to, the Inland Terminal Association of Canada, the Barley Council of Canada, the Canadian Canola Growers Association, Cereals Canada, the Mining Association of Canada, the Canadian Fertilizer Institute, and the Freight Management Association of Canada. It covers all of the spectrum.

The importance of the bill cannot be understated. I recently returned from a trade mission to South Korea and Japan, where, alongside Canadian industry, I spoke directly with international buyers of Canadian grains about problems incurred in our immediate past. I assured these buyers that our government was not taking this situation lightly and explained the details of Bill C-30 to directly address their concerns. These buyers were pleased to hear that our government was taking this needed action to ensure Canada's reputation as a reliable grain shipper, and they thanked our government for acting quickly.

Farmers and all shippers need our government to pass the bill, as amended, as expeditiously as possible. Our economy and Canadian jobs are relying on us to act.

● (1135)

Crop yields show every sign of continuing to grow through better technology, higher yielding, more disease-resistant varieties and better agronomic practices.

Shippers of all bulk commodities that rely on rail are growing their businesses exponentially and are demanding increased capacity to get those products to a burgeoning marketplace. That is why we must move forward to strengthen the supply chain now for the next crop year and beyond.

Bill C-30 holds solutions that would benefit the entire supply chain. I urge everyone in the House to work together to pass this important bill, with this needed amendment, as quickly as possible.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, we do indeed support the bill, although we do not believe it goes far enough.

Certainly, the minister's point that the movement of grain is important to the economy, and trade is important, it makes no sense to go out there and sign trade deals when we cannot get our product to market. Transportation is functional to marketing and we believe the bill goes some distance to assure that transportation takes place in a timely fashion.

However, the bill falls very short in one area, and that is price transparency for producers. We know now that the spread between the export price and the price paid to producers is much greater than it was last fall. In fact, some would say that producers were getting 87% of the export price last fall, and now they are getting about 48%. This means the grain companies or someone in the system is profiting extensively at the expense of the farmers.

When the minister brought in legislation to allow this new selling system to take place, why did he not incorporate in either this bill or in previous legislation the requirement that the logistics would be in place to ensure that there would be proper movement, proper transparency in terms of pricing to farmers so farmers could be assured they would get their fair share of the market price?

● (1140)

Hon. Gerry Ritz: Mr. Speaker, the gist of what the member for Malpeque has spoke about, and I agree with most of what he said, is the basis price. This is the price that the grain companies would offer a farmer on that day, at that time and in that place. This is reflective of their inability to move that grain to market. It was a market signal to say "If we're going to buy your grain, we're going to buy it so cheaply. We can afford to store it".

The good news is less than 1% of Canada's record production in western Canada last year was sold at that lower basis price. Those are actual numbers from the Grain Commission. This is good news in that farmers were not forced or pinched to sell at that level, but we need to see more transparency in those numbers.

There are some holes in the way that is projected now so that farmers are not necessarily right up to speed, should they so desire it. They are all very much technically inclined, and they will know at a moment's notice the price being offered. They need to know what the export price is and what they are being offered in their own community.

They now have the ability to move that grain much farther than they did under the old single desk system under the Wheat Board. They are not confined to a permit book that forced them to sell to one particular point of entry. They can actually put it on their truck and take it where they need to now. That has given us some competition to keep that price where it should be.

We are seeking ways, through regulatory packages attached to this legislation, that will give that transparency to farmers on a day-to-day basis.

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, I thank the minister for his kinds to the opposition in that we did say we would sit down and work together, and we have managed to do that, albeit we have hit a bump in the road, it would seem with the piece that, to use the minister's words, put some teeth in the bill. My colleagues in the Liberal Party and I were trying to put a whole mouthful of teeth in the bill, if we could, but unfortunately we did not quite get there.

I have a couple of specific questions, because I will be rising on debate, so I will leave some of my comments until then. Could the minister report to the House the most recent statistics about how many railcars were delivered by CN and CP last week and how much grain was moved to port? Does he know whether those ports were the Port of Vancouver, or was some of it heading north or was some of it heading south?

I recognize it is a bit technical in the sense that he may not have all those numbers absolutely precise. I appreciate the fact that if he has to round that up, I will never hold him to that if he were off by a few cars here and a few tonnes there. I would not come after the minister in question period and say that he told me it was this or that. I recognize that this question is somewhat spontaneous. However, I think there is a need to know how many cars are supposed to be there, because the ramp up should be now complete for CN and CP.

Hon. Gerry Ritz: Mr. Speaker, I want to thank the NDP and the member for Welland, who sat on the committee at times, for the great work that they did in moving this forward as expeditiously as we have. We need to take it from the red zone and past the goal post. I am looking forward to that today.

With respect to his specific point on the number of cars and the amount of grain moved, the railways are within the target that was set for them. I do not have a corridor-by-corridor breakdown in front of me, but the vast majority of the grain is moving to Vancouver where the ships are sitting. Grain is moving to Thunder Bay. As I understand it, there are four boats in store at Thunder Bay right now and another 10 to 15 coming up through the canals and the lakes now to take advantage of what is in store at Thunder Bay. The overabundance of boats that were in Vancouver are being loaded and moved out as expeditiously as can be done. Also, a small amount of grain is starting to move into the southern corridors.

Part of this legislation would give Mark Hemmes of Quorum Corporation the oversight capacity and far more powers to give us that breakdown week-by-week, corridor-by-corridor. He was never able to give us the corridor specificity going south or east of Thunder Bay. We will now have that captured with the regulations under this legislation.

● (1145)

Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.): Mr. Speaker, why does the minister believe the Canadian Transportation Agency is the appropriate body to award compensation to shippers. He undoubtedly knows that the agency is a regulator with no experience with respect to the assessment of damages. Nor does it have the procedures in place to properly assess damage claims that are put to it.

I am curious as to why the chair ruled out of order the amendments proposed to create a compensatory scheme inside the Canadian Transportation Agency without giving it any mechanism to properly assess claims.

Hon. Gerry Ritz: Mr. Speaker, when the agency is assessing these claims, it would be assessing what is spelled out in the contracts that have been defined between the railways and the shipper of whatever commodity it happens to be. The great people at the CTA have the economic skills and the ability to do exactly that. The Minister of Transport has the right people in place to make those adjudications should they be desired and needed.

We are hopeful that the railways, with this extra tool in the kit of the shippers, will not have to take advantage of that adjudication. However, should they do it, the CTA is more than capable of handling that.

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, let me start by suggesting for the government, as the minister has acknowledged, the hard work by this side of the House in working on a piece of government legislation. When both parties, the opposition parties and the government, seize the opportunity to work on legislation, that can happen. This is a prime example of how the House can actually function when it comes to legislation, without the need to ram it through under time allocation or closure. That should be the model the government members look to when they bring in legislation, that perhaps there is a sense that the other side can work together with them on it.

I would suggest that the Conservatives should look to the Minister of Agriculture and Agri-Food in the future, in the sense of seeing how that could happen, as well as looking to those of us on the opposition benches who may be responsible for those particular portfolios, who could help them do that. Where it is not feasible, then let the House do what it normally does, and that is to have debates on legislation so we can improve it.

What we witnessed today with the Speaker's ruling is that when we get into a time crunch, albeit a time crunch that we put on ourselves, we make mistakes. As members of the committee, opposition and government, we agreed to try contract the time because of the emergency need of Prairie farmers to move grain. Even though we agreed to get this done expeditiously, mistakes happened, at least from the perspective of the Speaker, who ruled that it was an inadmissible amendment. The dilemma was that with the time frame in which we were dealing a mistake slipped through, but was then caught.

The member for Edmonton—St. Albert pointed it out to the Speaker, which is the member's right to do, and the Speaker ruled in an appropriate fashion. That should be a cautionary tale to all of us. When we rush legislation, mistakes get made, and we need to find ways to correct them.

Even though we are trying to accomplish something, we end up with a mistake on a procedural matter, not of legislation. The opposition parties agreed that we needed to find a way to get compensation all the way back to the farmer, not just necessarily the grain company. However, I use the pun intentionally when I say that sometimes a half a loaf is better than no loaf at all. In the parlance of people in the grain industry, they would be happy to sell some grain to make half a loaf because at the moment there is far too much grain on the Prairies. The expectation is that by the end of this crop year, which is July 31, there will still be 22 million tonnes of this year's grain left over when next year's crop comes in, so we will still see this need to move.

Clearly the legislation, from our perspective, moved the goal posts somewhat. Unlike the minister's analysis of being in the red zone and needing to get across the goal line to score a touchdown, I would suggest we tried an onside kick and we did not quite catch it. We are literally at a point where we have moved a bit, but we did not get to where we needed to get. Speaking for the New Democrats as the opposition, we have come to the realization and conclusion that this legislation needs to move forward. We intend to continue to support the legislation and move it forward.

It is important, albeit not as much as we would like, but in life we cannot get all of the things we want. However, this should be a cautionary tale for the government side. We want to work together and help the government with legislation. However, perhaps those members ought to also understand that when we put forward amendments, they are not frivolous, but are actually helpful and there are times when maybe they should accept them. I recognize the Conservatives do not have to take them all, and perhaps sometimes none, but when it comes to this type of legislation, we are working together. The minister has very graciously acknowledged that, which I appreciate and extend back to the minister.

His co-operation from the get-go was absolutely first rate. He ensured that we were informed ahead of time, so we knew it would come. When we are given that type of briefing, we greatly appreciate that. All opposition parties were given that, which was absolutely important to do because we worked together to do this. The next step is that sometimes our amendments are worth considering.

● (1150)

I would hope in the future that there will be other opportunities to do this again. It would go a long way to making things function the way they should, and we could actually take the next step where we really do consider all amendments from all parties. They may well indeed be worthwhile and helpful.

Let me just say, on behalf of the opposition, that we intend to support the bill at third reading, which was our intention from the beginning. The commitment to the minister was to try to help in the best way we knew how. We believe we have fulfilled and kept the promise we made to the minister at the agriculture committee. As the loyal opposition, we said we would do that, and we intend to do that.

I am hopeful that we will see the bill progress into law, so we can start to help farmers across the Prairies. This is what it is all about. It is about helping those farmers on the Prairies who have been suffering for a long period of time, and some may continue to suffer. I think the minister and I recognize that, and I am sure my colleague from the Liberal Party also recognizes that. Unfortunately, there will be some farmers who will get caught in this, for whatever reason. It will not be a good situation for probably a minority of farmers, which is the real pity of it all.

I look forward to the bill being implemented and to other opportunities where the government extends a welcoming helpful hand. We look forward to working with government members, and if the legislation would indeed help farmers, we will be there to make sure farmers get that help.

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, this has been a long process. I mean, this should have been done a year ago, of course, when the first rail bill came forward. If the government had listened to the recommendations at that time, we would not be sitting here. Even when the bill before us came forward, if some of the amendments had been in the bill, we probably would have had unanimous consent here today, but we do not.

We even heard from the Conservative members for Cypress Hills—Grasslands and Prince Albert, who wanted more teeth in the rail act, but they are not there. We also heard that from our witnesses when they came with their suggestions.

My question for the member is this. How important would it have been to have something in the bill on the short lines and producer cars, to make a change in how the transportation of grain would affect and help the farmers?

Mr. Malcolm Allen: Mr. Speaker, my colleague is absolutely right. I think one of the major pieces we were trying to help the government understand and get into the legislation was this whole idea of short-line railroads and producer cars.

I realize it is a little technical, but basically a producer car is a rail car into which the farmer loads the grain. He does not have to go to an elevator, but it is parked on the railroad siding. Short-line railroads are exactly that: short lines, which are short pieces of rail that are privately held and not run by the major railways. Those could have been a major component in making sure there was more of a competitive situation for farmers, because if a farmer loads his own car and sends it out to the Port of Vancouver, he is not paying the elevating charge to have it handled that he normally would.

I think this was a missed opportunity, but in life that quite often happens. My colleague and I, and our colleagues on the opposition side at committee, stressed the need for short lines to be involved and producer cars to be made available, because the stories we heard from farmers were that they were not available.

I think that was a missed opportunity for the government, which is why I said earlier in my speech that I would hope in future, when we are saying things that we believe are helpful and constructive, that the government actually hears what we are trying to say in a non-partisan way. We are trying to make this a better bill, because that is what it is about. We agreed from the beginning that we would work together.

However, my colleague has pointed out the short line and producer cars, which is exactly the piece that would have made the bill better, and it would not have been ruled out of order. It would have been a clear amendment. We lost that opportunity, but it does not negate the fact that we need to move this along because some of it will help farmers, not to the degree we would like, but at least it gets us moved down the field a bit.

● (1155)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I did not want to pass on the opportunity to be able to express what I believe has been a great deal of frustration for our Prairie farmers.

It is sad to see literally piles of wheat in fields because the storage bins are full. That is throughout the Prairies. Then in the Pacific Ocean, we have empty ships, sitting and waiting.

There is obviously a huge gap that needs to be filled in between those. That is where the government has really dropped the ball. It is important that we have legislation here today, but we do not believe it goes far enough. There is so much more that the government should have done to protect the interests of our farmers.

My question for the member is as follows. Would he not agree that it is great to see the sense of co-operation in getting this bill passed today, but that the government could have and should have done a whole lot more in terms of making it better legislation? We have lost that opportunity, at least in the short term, to be able to address many of the other needs of farmers that could have been incorporated in better legislation overall. Would the member agree with that?

Mr. Malcolm Allen: Mr. Speaker, the member is correct.

Part of what we were trying to accomplish, and the reason we said to the minister at the beginning that we would be helpful in moving the legislation is that we wanted to do exactly that. We wanted to find a way to help farmers who literally had millions of tonnes of grain sitting on the Prairies.

There are two truths to that. Some of it is in bins, for sure, and some of it is in elevators, but a lot of it was sitting on the ground, literally on the Prairie ground. Some was covered by tarps. I witnessed when I was in Saskatchewan not long ago that some of the tarps are gone.

When there is a bit of a thaw and rain, the wheat gets spoiled. A farmer said that I should come back to Saskatchewan to hunt deer, because they are going to be the fattest deer ever seen due to the amount of grain they will eat, which is just sitting on the ground.

It is true; they will be. The dilemma with that is that it is now contaminated. It cannot be sold for feed because of the contamination. We lost some time, and we lost some opportunities.

My colleague, the member for Sydney—Victoria is right. This could have happened through the rail service agreement a year ago, but it did not happen. We cannot look back and say it should have been, could have been, and we hoped it would be. It did not happen.

Now we are at a point where we have moved it a bit but not nearly enough. There were some things we suggested that would have moved it even further. They were not taken up by the government side. Maybe in hindsight it is looking at them and wishing it had, but that was, again, an opportunity missed.

I look forward to getting this moved forward, to at least getting this amount done for farmers. Farmers are looking for a signal from all of us here that we understand the dilemma they face. It is real. It is not just a statistical number. It is real for them and their families, and for many of them it is a question of their livelihood and going into further debt when they cannot move the grain. If they cannot sell it, they do not get paid. That is the reality of not moving their product.

The bigger issue across the country, of course, and the minister addressed it during his speech, is reassuring our international customers. We saw through testimony at the committee that Japan had said it was going to buy somewhere else because Canada was not a reliable supplier. The Canada brand has become "not reliable supplier". That is a shame.

Farmers across this country have spent decades building that Canada brand to the point where we were seen as producing the finest quality wheat in the world and as the most reliable supplier, on time with good delivery. Now we are seeing that erode so quickly.

We all know, in a competitive marketplace, how quickly customers get frustrated and simply say they can go somewhere else, and because they can go somewhere else, they do not need to get it from us. That is a shame.

We are going to have to work hard on that. Farmers will redouble their efforts, no doubt. I would look to the government and suggest it is going to have to redouble its efforts, as well, to ensure that at the end of the day we find those customers and convince them that they need to come back, because we can and will be again not only the best in the world but a reliable supplier of that great grain that is grown on the Prairies.

● (1200)

Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.): Mr. Speaker, I am curious as to whether the hon. member believes that the Canadian Transportation Agency is, in fact, the right body to issue compensation or whether claims for compensation ought to go to a different tribunal, court of law, or arbitration? Why does he believe that the CTA has the expertise to adjudicate claims when, before the amendment to Bill C-30, that was not something the CTA had ever been called upon to adjudicate?

Mr. Malcolm Allen: Mr. Speaker, there were a number of suggestions as to where the decision body would be placed. New Democrats made some suggestions about where we thought perhaps the arbitration process should be, but those amendments were not taken up.

All I can say to the member for Edmonton—St. Albert is that we made some suggestions that the government did not like or did not agree with. We felt that perhaps one of the models to use was the CGC, the Canadian Grain Commission, which actually has an arbitration process now. We felt perhaps that would be the body where we would put it. The amendments in my name talked about the process being adjudicated through CGC, but we included all the way back to farmers, not just to the handling companies or the shippers, as the amendment calls for.

At the end of the day, New Democrats did not win that, so we felt we needed to find a way to get some sort of compensation from the railways to some folks in the system. That is where we ended up, but unfortunately, you correctly raised the issue, which is within your rights to do as a member of the House, and the Speaker has ruled accordingly, and that is where we find ourselves today.

The Acting Speaker (Mr. Barry Devolin): Before we resume debate, I would like to remind the hon. member and all others—I believe this is the fourth time in less than 24 hours—that they need to address their comments to the Chair, not directly to their colleagues. The four times were not just this member, but he and his colleagues.

Resuming debate, the hon. member for Sydney—Victoria.

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, I will pay attention to your comments.

The agriculture industry is a very important economic driver in Canada. As many of us know, it supports farmers, suppliers, food processors, and all other stakeholders in the food industry.

Grains are a big part of our agriculture industry, with 15 million hectares of wheat, barley, oats, and rye grown by farmers in fields right across this country, with the majority on our prairies.

In 2013, Canada produced over 52 million metric tonnes of these grains. Some of our largest commodities are canola—I think we are one of the biggest producers in the world—wheat, corn, pulse crops, and barley. From those yields, over 50% is exported, and the rest is used in our livestock industry. It is also used by millers and brewers, and there are many other uses, such as for biofuels.

As many of us know, this year was a bumper crop. It is because of the technology farmers used, everything from the tillage systems to the varieties. They had some good weather on their side also.

Last November, I had the opportunity to take part in an agriculture outreach tour in the western Prairie provinces in an effort to meet with farmers and identify important areas to tackle in my critic role.

After we visited farmers in Manitoba, Saskatchewan, and Alberta, even early on in the fall, it was evident to me, and should have been evident to the minister, that the grain handling system was not proving capable of meeting industry demands. I witnessed first-hand the mounds of crops that were piled right up to the rafters. They were piled in garages and piled outside. It was amazing the amount of product that had still not been moved.

Upon returning to Ottawa, the situation after last fall, of course, got worse. We saw that with the big losses for some of these farmers, who could have been selling their product. Grain prices were going down. Even the government came out with an estimate that over $8 billion was lost to the prairie economy because of that.

Over the last few months, farm leaders from across this country have been meeting with our leader, the member for Papineau, and our Liberal agriculture team. Along with me, we have the members for Malpeque, Winnipeg North, Guelph, and of course, the member for Wascana, who was front and centre during the emergency debate and in keeping an eye on things.

The Conservatives were warned about the situation by the opposition and industry members a long time ago, not just by the farmers but in this House during the emergency debate the Liberals pushed forward. One would think it would have come from the Conservatives. Their members, coming from the grain region, should have been pushing for an emergency debate. However, we pushed for it on this side, and we appreciate that the Speaker allowed us that late night of debate on the situation.

The minister responded through the winter with some cash advance payments and a review panel to look into the disaster, but it was too little too late. Ships were idle at the ports. We all know about that. We had ships from Japan that were turned around. They had to go to Seattle. They had to go to the United States, imagine, where they were loaded up in a day, while they were waiting here for weeks to be loaded. It was a bad reflection on us.

There were also meetings in Singapore. One of the biggest issues among all the producing countries was, "What is going on with Canada? How come Canada has such good growers but cannot get their grains to market?" We were really getting a black eye on the international scene.

On farms, they were operating, and their debts were going unpaid. It took a lot to put that big crop in and harvest it, with the price of fuel. Meanwhile, they were not moving their grain.

It is blatantly clear that the Conservatives need to take another look at their failed rail act, Bill C-52. That was introduced last June. They scrapped the Wheat Board, and all of a sudden, there was nothing to protect farmers after that. Bill C-52 would have been the spot for that. There were amendments recommended, which they refused to put in.

What happened after that? There was nothing to help the imbalance in the market power of farmers and railroads. Many prairie farmers agreed that the amendments to this legislation were needed to clearly define service levels and to make it easier to fine rail companies for transportation bottlenecks. However, all our proposed amendments, which would have strengthened the position of the shippers and farmers, were unanimously defeated.

● (1205)

As a result of Bill C-52's deficiency, farmers watched their big bumper crop sit in their backyards, as customers around the world wanted our number-one quality product. We also saw customers in Canada and in the United States looking for our product and not being able to get it.

This winter in the House of Commons, the Liberals demanded that the Conservatives take action. The Conservatives finally came forward with this emergency legislation on grain transportation, which we are talking about today. We know it as Bill C-30, and it is to fix the shortcomings in the previous bill.

As mentioned by other members, the Standing Committee on Agriculture and Agri-Food studied the new bill, and although it was rushed, it provided a tremendous opportunity to improve the legislation. Many witnesses came from across Canada and many good ideas were brought forward. After hearing the testimony of dozens of farmers and stakeholders, it was obvious that this new law needed some adjustments if it were really going to enhance the entire supply chain on a long-term basis.

The bill also failed to define what rail service levels should be, to create an objective measurement of rail performance, to provide for damages payable to farmers, to clarify farmers' grain delivery rights, or to create reciprocal penalties when obligations are not fulfilled on any side.

These are the same complaints we heard last year, but once again, the Conservatives unanimously voted against all opposition amendments put forward to strengthen the bill and address the ongoing concerns.

Although this has been delayed and is weak legislation, the other problem, as many farmers know and the House knows, is that the sun will set on the bill in two years. Therefore, this is really only a short-term step to help out. How will farmers or anyone in the supply chain look at the future if this is only going to last two years?

With good farming practices and climate change, I believe that we are going to have more and more bumper crops. This is not going to be a totally abnormal year. This could be a year that is going to be the norm. If that continues to happen, there has to be something in place that will guarantee that farmers are being taken care of.

The bill is a small step in the right direction, and our party will be supporting it, because this has been delayed long enough. Farmers are out planting now. They have grain still in piles in their backyards. They are trying to get money to pay for fertilizer, seeds, and chemicals. What is happening? The grain in the bin is not going to pay for those supplies. The legislation has not passed yet.

We have to have some signal for the international community that is buying our grain. I mentioned what happened in Singapore. We have to show that the House of Commons in Canada is serious about making some moves to help move grain shipments. Every time a disastrous backlog like this develops, our international reputation as a reliable grain shipper suffers, and we lose customers.

I alluded earlier to our own processors and farmers. We have a very large livestock and food processing industry in this country. We ship a lot of our grains and oats to the United States. Most people do not realize that Cheerios come from Canadian oats. They were concerned in the United States that they would not get enough oats. What was happening did not affect just our international reputation.

At committee we heard from the former chair of the B.C. Agriculture Council, Garnet Etsell. There is a billion dollar industry in the Fraser Valley. Their poultry industry is amazing. It is one of the largest concentrations of poultry in Canada. We were told in committee that poultry farms were only a couple of days away from running out of grain. Imagine having that size of livestock industry with a couple of days of grain in the bins and seeing the trains go by and not even helping out the local farmers.

● (1210)

Some of them were forced to buy trucks, costing them $100 extra a tonne to ship in grain from Alberta. Their returns are fixed, and they are not going to get more because they have to ship products in. It was not really addressed in this bill how we are going to help local farmers who consume that grain.

It is key that the federal government have a long-term strategy so that our high-quality grains will be able to get to our customers around the world and around the country and so that this does not happen again. We will be going back to the drawing board. If the government is wise, we will sit down after this legislation goes through and look at a long-term vision for our farmers and our country so that we continue to be a number-one supplier of grains in the world.

We realize that there are other products out in our western provinces that are doing well, such as potash, coal, and oil. We do not believe that they should all of sudden stop shipping their products because we have a good crop. We have to look at investing in our transportation system. We have to sit down with the railroads to make sure that this is happening, but right now it is not happening.

I am looking forward to a time when the farmers' biggest concern is getting the crop planted and harvested and having buyers. They should never have to worry about getting it from their grain bins to the consumers around the world. It is our obligation as the federal government to always be there for them and to make sure that it happens. In the last few years, we have. I say that we have, because it is technically the Conservatives, but at the end of the day, it is the responsibility of the House to make sure that it does not happen again and that the system is in place to help farmers succeed.

If a young person is looking at getting into agriculture, there is great opportunity out there. However, to see what has been happening in the last year would discourage any young person from getting into it, knowing that they could do everything they could to produce a product but that they could not get it to the customer.

I will leave it at that, and I will open it to questions from any other members in the House.

● (1215)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I do not think, as my colleague said, that there is any question that there has been only short-term economic damage to producers as a result of the government's inaction on how to handle the system changes as a result of killing the Canadian Wheat Board. There is serious long-term economic damage to the western grain industry as well, in terms of lost markets. We have shown this year that we are not the reliable supplier we once were.

There were clearly concerns expressed at committee by the domestic industry in B.C. that there is a gaping hole in this legislation in that there are no assurances that the grain companies will have the supply cars to move domestic product for the B.C. livestock industry. As a result, they had to truck it there, at a cost disadvantage compared to the rest of the country.

Additionally, it was mentioned at committee by Ian McCreary, a farmer, that:

> The current problem has no solution under the current regulatory framework. Shippers are the only ones with standing with the agency. Shippers are the grain companies, which are making record profits from the current basis; thus a solution through the agency is unlikely.

However, the penalties the government is claiming to propose in this legislation go to the shippers, which, as Mr. McCreary said, are really the grain companies. We already know that the grain companies are ripping off producers because of the situation farmers find themselves in.

I ask my colleague if this legislation actually deals with the problem of paying penalties to the grain companies rather than to the people who are losing the money, the producers.

Hon. Mark Eyking: Mr. Speaker, I thank the member for Malpeque for all of his hard work on this file and for working with me for farmers out west.

My colleague mentioned the situation with respect to local livestock producers who were not getting the product they needed. The railroad companies have told us that the government wants to crack down on them and they will be required to move thousands of tonnes of grain, which by the way, the Saskatchewan premier says is not enough. The railroad companies have taken the so-called low-hanging fruit. They went to where they could quickly get the grain and jammed up the system. There was nothing in place concerning farmers in Fraser Valley. There was nothing telling rail companies to ensure some of that grain was sent to the people in Canada or even in the United States who needed it. The member was right when he said there was nothing there.

I read another interesting thing in *The Western Producer*. I might not have my figures exactly right. When the Wheat Board was in place, the cost of transporting a bushel of grain from the prairies to port was around $1.50 with probably 50¢ more for various charges. That came to a total of $2. Farmers are now saying that $4 is coming off their product. If they were getting $8 that has been reduced to $4. With the system that was in place before, those farmers would have been getting $6. That is why there is an $8-billion loss out there.

● (1220)

Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.): Mr. Speaker, we have been told that the amendment that I am concerned about that would empower the Canadian Transportation Agency to award compensation to shippers was passed unanimously at committee, but we heard from the NDP agriculture critic that that was not their first choice. He indicated that some other tribunal, such as the Canadian Grain Commission, might be in a better position to adjudicate disputes and claims for compensation.

I understand the hon. member also sits on the agriculture committee. I wonder if he agrees with some of my concerns that the Canadian Transportation Agency, which is a regulator, is ill-equipped to assess claims for compensation and to interpret service agreements. Would he agree that perhaps some other mechanism for awarding shippers, or producers who suffer damages as a result of the breach of service agreements, might have been a better way to go?

Hon. Mark Eyking: Mr. Speaker, the member has some legitimate points. There might have been a better tribunal. As I was just reading in *The Western Producer*, a lot of farmers think that if they have to take somebody to court or a tribunal they are obviously going to be the ones to lose.

We should have some policing out there, but that is not what we really want. We want the system to work so hopefully nobody will have to go through a tribunal system. We hope nobody will have to go to a tribunal system. We hope Transport Canada will never have to deal with that. That is what we were pushing for. If there were enough teeth in the bill then we would not have to go there. That is what we focused on. We do not want farmers appearing before some tribunal on a constant basis to get what they desire.

Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC): Mr. Speaker, I am pleased to speak on the importance of this legislation and it passing as soon as possible. As the minister said, the fair rail for grain farmers act would hold solutions that would benefit farmers and the entire value chain. It contains clear and achievable measures to help ensure Canadian shippers have access to a world-class logistic system that gets their grain to market in a predictable and timely way.

To give members a quick review of the bill, the fair rail for grain farmers act would: one, amend the Canada Transportation Act to set out minimum volumes of grain in extraordinary circumstances that railways are required to transport; two, create the regulatory authority to enable the Canadian Transportation Agency to extend interswitching distances to 160 kilometres from 30 kilometres for all commodities on the prairies; three, amend the Canada Grain Act to strengthen contracts between producers and shippers; and, four, establish regulatory power to add greater specificity to service level agreements, as asked for by all shippers.

This bill would help ensure that Canadian producers can leverage our ambitious trade agreements and maintain our reputation as a reliable supplier of high-quality products. Taken together, these measures offer market-based solutions to helping farmers get their products to market quickly and efficiently, while securing Canada's reputation as a world-class exporter.

Since day one, our government has put farmers first in all of our policies and programs in agriculture, and this is what we are continuing to do. This bill would address the immediate needs of Canadian farmers and I call upon all members of the House to move this legislation forward without further delay and to include the government's amendment, which would put more teeth into the service level agreements and bring more accountability to the railways.

Of course, we acknowledge the Speaker's ruling on this matter. However, our government feels very strongly that this amendment is necessary to get grain moving and it must be included in the bill. We are responding to feedback from many stakeholders. Therefore, I move:

That the motion be amended by deleting all the words after the word "That" and substituting the following:

"Bill C-30, An Act to amend the Canada Grain Act and the Canada Transportation Act and to provide for other measures, be not read a third time but be referred back to the Standing Committee on Agriculture and Agri-Food with the view to adding a new clause providing that the Canadian Transportation Agency may order a company to compensate persons adversely affected when the company fails to fulfill its service obligations".

● (1225)

The Acting Speaker (Mr. Barry Devolin): The amendment is in order.

Questions and comments? Resuming debate.

Is the hon. member for Malpeque rising on a question and comment?

Hon. Wayne Easter (Malpeque, Lib.): It is a question on this amendment, Mr. Speaker.

There were quite a number of shortcomings in the legislation that we outlined in some of the questions—

The Acting Speaker (Mr. Barry Devolin): If I could clarify with the member, is he rising on a point of order related to the amendment or is he raising a question for the hon. parliamentary secretary?

Hon. Wayne Easter: Mr. Speaker, I am raising a question on the amendment.

I am wondering if the mover of the amendment can tell me. The amendment seems quite narrow and there are other shortcomings that are clear in the bill that have been asked for by producers. One was, as I mentioned in my question, the assurance that the rail companies would have to move grain into the domestic market in B. C., where producers are already paying about $100 more as a result of having to truck grain in. Will that be allowed to be reincorporated into this bill?

How will this amendment deal with the fact that under the act, the grain companies are determined to be the shippers? As I said earlier, the grain companies are the ones making excessive profits right now at the expense of primary producers. Is there any way of ensuring that the penalties go to producers when the grain companies are determined to be the shippers under the act? Does this amendment deal with that particular point?

The last question is this: how can there be assurances that this is drawing grain from the total region and not just where the railways think they can gain the best volume at the lowest cost?

Mr. Pierre Lemieux: Mr. Speaker, I would like to assure the member that when the committee first reviewed the bill, it reviewed it in detail. There were numerous meetings, additional meetings that were scheduled, and additional witnesses brought before committee in order to have a full airing of points of view and opinions regarding the bill.

I would say as well that during the clause-by-clause analysis, there was full discussion on all aspects contained within the bill. Concerns were debated within committee and were determined by committee.

The member is right. What I would like to achieve with the motion is that the bill goes back to committee with a view to adding a new clause, providing that the Canadian Transportation Agency may order a company to compensate persons adversely affected when the company fails to fulfill its service obligations.

I would say that many of the points, in fact all of the points, that the member is raising today in the House have already been raised in committee and been dealt with in committee.

The other thing I would mention is that in our debate in committee, the member knows this quite well, there are regulatory processes that will be followed that will allow further consultation with industry to address some of the concerns that this member has brought forward.

● (1230)

Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.): Mr. Speaker, I am just curious if the parliamentary secretary can advise the House as to why he believes the motion will achieve its intended purpose in light of the Speaker's ruling, which would advise this House that an amendment at committee cannot go outside of the original purposes of the bill. Does he not accept that Speaker's ruling, and how does he square his amendment with the Speaker's ruling?

Second, I was wonder if he could advise the House, under which standing order he is making this motion, given that the bill has already been reported by committee to this House.

Mr. Pierre Lemieux: Mr. Speaker, as I said in my comments, we respect the ruling of the Speaker, but the question has now been put to the House, and we are asking Parliament to determine whether the bill can be sent back to committee with a view to incorporating the clause that is in question.

It will be the House that decides, and then the bill will go back to committee, and committee will have the authority to determine whether or not to include it, given the direction that will be established here in the House, based upon proceedings that are about to follow.

The Acting Speaker (Mr. Barry Devolin): Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

(Amendment agreed to)

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion the yeas have it. Accordingly, the bill is re-referred to the Standing Committee on Agriculture and Agri-Food.

(Motion agreed to and bill referred to a committee)

● (1235)

QALIPU MI'KMAQ FIRST NATION ACT

The House proceeded to the consideration of Bill C-25, An Act respecting the Qalipu Mi'kmaq First Nation Band Order, as reported without amendment from the committee.

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

Hon. Lisa Raitt (for the Minister of Aboriginal Affairs and Northern Development) moved that the bill be concurred in.

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

Some hon. members: Agreed.

(Motion agreed to)

The Acting Speaker (Mr. Barry Devolin): I declare the motion carried. When shall the bill be read a third time? By leave, now?

Some hon. members: Agreed.

Hon. Lisa Raitt (for the Minister of Aboriginal Affairs and Northern Development) moved that the bill be read the third time and passed.

Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC) Mr. Speaker, I am proud to rise before the House to explain the necessity of Bill C-25, the Qalipu Mi'kmaq First Nation act.

The genesis of this issue dates back to a historical oversight at the time Newfoundland joined Confederation that left Mi'kmaq residents on the island of Newfoundland outside of the Indian Act.

From the 1950s through to the 1980s, the Government of Canada provided funding to Newfoundland and Labrador for social and health programs aimed at first nation communities located in the province. However, both the federal government and the Mi'kmaq population on the island realized that formal recognition of Mi'kmaq communities was needed to replace the ad hoc and inadequate existing arrangements, which did not take into account Mi'kmaq governance or cultural heritage.

In 1989 the Federation of Newfoundland Indians, representing approximately 7,800 members from the nine Mi'kmaq communities across the island, along with chiefs of six affiliated groups, began a Federal Court action seeking eligibility for registration under the Indian Act. The litigation was resolved through the 2008 Agreement for the Recognition of the Qalipu Mi'kmaq Band.

The agreement set the stage for the recognition of the Mi'kmaq of Newfoundland as a landless band and its members as Indians under the Indian Act. This entitled eligible members to rights and benefits similar to those available to status Indians living off-reserve. It was always understood that the founding membership in the Qalipu Mi'kmaq First Nation would be granted primarily to people living in or around the 67 Newfoundland Mi'kmaq communities named in the agreement.

To allow adequate time to assess who could satisfy the criteria for membership, the 2008 agreement provided for a two-stage enrolment process meant to identify the founding members of the Qalipu Mi'kmaq First Nation. The first stage of enrolment, which concluded on November 30, 2009, saw 23,877 people registered as founding members through the recognition order, and three subsequent amendments to the schedule to the order were made to add founding members' names.

It was during the second phase that issues emerged that led to concerns, shared by both Canada and the Federation of Newfoundland Indians, about the credibility of the enrolment process.

During the four-year enrolment process, over 101,000 applications were received. Of these, more than 70,000 applications were received in the final 14 months of the process, and more than 46,000 of them were sent in the last three months before the deadline. That was 80,000 more applications than were originally anticipated by both parties. Both parties recognized that the numbers were not credible and could undermine the integrity of the first nation.

A large percentage of the applications submitted during phase two were sent by individuals not residing in the identified Mi'kmaq communities in Newfoundland. Of special concern was the insufficient level of detail in the supporting evidence provided by many applicants.

It became obvious that the original intent of the parties to the 2008 agreement could be compromised and that greater clarity was needed regarding the requirements of the application process. That led to the negotiation and eventual signing of the 2013 supplemental agreement, which provided clear direction to the enrolment committee about possible evidence to support the claims contained in people's applications. It also offered detailed information to applicants about the documentation the committee is looking for to determine their eligibility to become founding members.

The original 2008 agreement is still fully in effect. In fact, the criteria for membership under the 2008 agreement and the 2013 supplemental agreement are exactly the same. The 2013 supplemental agreement extended the timeline to review all 101,000 applications received during the two-stage enrolment process, resulting in the assessment of unseen applications and a reassessment of the applications already considered. This was the only way to be sure that the rules of eligibility for founding membership were fairly applied, that all applications were treated equally, and that applicants were given a reasonable chance to demonstrate their entitlement to founding membership.

In early November 2013, the enrolment committee sent letters to all the people whose applications had not been previously rejected. It indicated whether their application had been determined to be valid or invalid, based on the requirements set out in the 2008 agreement.

Approximately 94,000 applicants received letters confirming the validity of their applications. The letters included information regarding next steps in the assessment of their applications and what additional proof they had the opportunity to provide in support of their applications.

● (1240)

Some 6,000 applicants received letters indicating that their applications were invalid and would go no further.

It is conceivable that some of the current 23,877 founding members of the Qalipu Mi'kmaq first nation will lose their memberships as a result of this comprehensive review. In turn, this means that these individuals would lose their entitlement to be registered as Indians under the Indian Act, and any rights or benefits flowing from it.

This gets to the heart of the matter before us today.

Bill C-25 is an essential part of preserving the integrity of the enrolment process. It would ensure that the Governor in Council is properly authorized to carry out the last step in the process, which is the creation of a new founding members list to modify the existing one.

It is not entirely clear that the Governor in Council has such authority. There is no express authority set out in the Indian Act to amend a recognition order establishing a band, and it is uncertain whether the Indian Act specifically allows the Governor in Council to remove names from the schedule of such an order.

Certainty is critical to correct the problems that arose during the initial enrolment process. Without this act, we cannot finalize the Qalipu Mi'kmaq first nation's founding membership list and fully implement the 2013 supplemental agreement. This would be an enormous disservice to the Qalipu Mi'kmaq first nation, which has been waiting for some time to have these issues resolved.

It is long past time that we settle these matters once and for all so that the Qalipu Mi'kmaq first nation can move forward with confidence to a better future.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I thank the parliamentary secretary for that clarification on some of the concerns raised with the bill.

I wonder if, for the members of the House, he could clarify something with regard to the order in council. Clause 3 says that by order in council:

> The Governor in Council may, by order, ...add the name of a person to, or remove the name of a person from, the schedule to that Order, along with the person's date of birth.

Some concerns were raised at committee regarding the feeling that the Governor in Council would be making the decisions about who was on or off the list. I wonder if the parliamentary secretary could clarify that this is, in fact, not the case, and that it is the enrolment committee that would be making recommendations and determining who is off or on the list.

Mr. Mark Strahl: Mr. Speaker, the member is quite correct.

As we heard through testimony from officials and from the minister, it would be the enrolment committee making the determinations, going through all of the applications and applying the same criteria to all of them. It would be the one making the decisions as to who is or who is not on the founding members list, and the Governor in Council would simply affirm those decisions.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I will be brief on this. I am speaking to Bill C-25, Qalipu Mi'kmaq First Nation Act. This is very short legislation, with simply four clauses. As the parliamentary secretary rightly pointed out, it would grant a power to add or remove names that it was unclear whether the Governor in Council currently had.

I want to put add a couple of details. In 2008, an agreement was to establish a landless band for the Mi'kmaq group of Indians of Newfoundland. The parties intended that the founding membership in the Qalipu Mi'kmaq First Nation would be granted primarily to persons living in or around the Newfoundland Mi'kmaq communities named in the 2008 agreement.

While individuals living outside these communities could also become members, the intent of the parties was that non-residents would be required to have maintained a strong cultural connection with a Newfoundland Mi'kmaq community, including a sustained and active involvement in the community despite their absences.

As the parliamentary secretary pointed out, there was substantially more applicants than was anticipated and there was, perhaps, a lack of clarity around how the documentation would be applied.

That resulted in a supplemental agreement. On July 4, 2013, Canada and the Federation of Newfoundland Indians announced the supplemental agreement that clarified the process for enrolment in the Qalipu Mi'kmaq First Nation and resolved the issues that emerged in the implementation of the 2008 agreement.

In the supplemental agreement, I want to specifically refer to two things. One was they reiterated, in section 8, the self-identification as a member of the Mi'kmaq Group of Indians of Newfoundland. They said:

> In making the Agreement, the Parties were guided by the Supreme Court of Canada's decision in R. v. Powley where the Court recognized that belonging to an Aboriginal group requires at least three elements: Aboriginal ancestry, self-identification and acceptance by the group. The Supreme Court stressed that self-identification and acceptance could not be of recent vintage. This formed the basis for the criteria set out in paragraph 4.1(d)(i) of the Agreement. The Parties intended that the Enrolment Committee assess whether applicants had previously self-identified as Members of the Mi'kmaq Group of Indians of Newfoundland.

In the same supplemental agreement in section 5 it says:

> Determinations. The Enrolment Committee will determine whether each applicant is eligible to be enrolled under the Agreement. Every applicant will be advised of the Enrolment Committee's determination of his or her eligibility only after the assessments or reassessments of all applications have been completed.

As the parliamentary secretary pointed out, there were a number of questions that arose during testimony. We sought clarification from the department and the minister's office with regard to a number of them. I want to reiterate for the record about how those would be resolved.

One of the questions was whether there was some sort of an appeal process. The other question was how the Governor in Council got the list. The parliamentary secretary already addressed that in the question and answer.

From the guidance we received, it says that a person's whose name is added to, deleted or omitted from the Indian registry and a band list may protest that decision in accordance with section 14.2 of the Indian Act. Furthermore, the first nation or one of its members may also protest the addition to or deletion or omission of a person's name from the Band list under subsection 14.2(2) of the Indian Act.

It is important to note that the decision of the registrar with respect to whether or not to add a name to the Indian Register and the departmentally maintained band list under paragraph 6.1(b) and 11.1 (b) is not discretionary and would not involve a review of the Qalipu enrolment application nor of the enrolment committee review process. Rather, if an applicant is found to be eligible for founding membership by the enrolment committee, in accordance with the agreements, and his or her name is added to the schedule as a founding member, the registrar only has the authority to register that person and will not review the enrolment application. That protest of the registrar's decision would be rather straightforward.

The evidence upon which the registrar will base his decision is whether or not the individual's name appears on the schedule. If the name does not appear on the schedule, then the registrar will not have the authority to add it to the Indian register or the band list under paragraph 6.1(b) and 11.1(b) respectively. The registrar's decision on a protest may also be appealed to the courts in accordance with section 14.3 of the Indian Act, but again the courts would likely not review the enrolment committee's decision under this provision and instead would be limited to reviewing this information that was before the registrar in rendering his decision, namely the presence or absence of a name on the schedule.

● (1245)

I think it is clear that both the registrar and the Governor in Council will not be in a position to override decisions that are being made by the enrolment committee. However, the enrolment committee has an appeal master, so there is a process by which members can actually appeal the enrolment committee's decision.

Finally, there were some questions around the abilities of people going to the courts. The clarification we sought was around that issue. What we received was that clause 4 protected the Federation of Newfoundland Indians, the Qalipu Mi'kmaq First Nation and the Government of Canada from liability. However, the clause did not prevent individuals from appealing the enrolment committee determination or to challenging in court through a judicial review application their exclusion from the schedule to Qalipu Mi'kmaq First Nation band order.

Based on that clarification, the New Democrats are confident that the bill reflects the wishes of the Qalipu Mi'kmaq and we are supporting the bill before the House.

● (1250)

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, according the departmental documents, Bill C-25 would enable the Governor-in-Council to implement the agreements reached between Canada and the Federation of Newfoundland Indians to create a landless band for the Qalipu Mi'kmaq people.

The Liberal Party believes this legislation is actually focused on unnecessarily restricting the legal rights of individuals to pursue damages flowing from the band's troubled enrolment process.

[*Translation*]

When Newfoundland joined Confederation in 1949, the Mi'kmaq communities were not recognized as first nations under the Indian Act.

[*English*]

This left many indigenous people in Newfoundland with uncertain legal status and robbed them of the same benefits and recognition first nations in the rest of Canada were and are entitled to.

Talks to rectify this uncertainty have occurred on and off ever since, and in 1989 the Federation of Newfoundland Indians commenced a legal action to obtain recognition for Mi'kmaq individuals. The most recent phase of discussions to rectify this injustice began in 2002, culminating in an agreement in principle signed in 2007.

[*Translation*]

The 2007 agreement proposed specific terms for the recognition of membership in, and operation of, the future Qalipu Mi'kmaq First Nation.

[*English*]

Canada ratified the agreement in principle in 2008. Unfortunately, the Conservative government badly mismanaged the negotiations and implementation of membership criteria. Initial estimates of likely band membership were approximately 10,000 to 12,000 individuals. The enrolment committee has now received 103,000 applications. This unexpected volume of applications led to a huge amount of confusion, and has left the government scrambling to manage open-ended criteria to which it originally agreed.

In the summer of 2013, the federal government and the Qalipu Mi'kmaq First Nation band raised a supplemental agreement which adjusted the guidelines used to implement the membership criteria. These new guidelines were designed to make it more difficult to meet the enrolment criteria, and all applications are being reviewed under the new guidelines.

This has led to numerous rejections and left many who had applied under the original criteria very disgruntled with the process. In fact, this review could result in individuals who have already been granted membership in the band losing their status.

The Liberal Party recognizes that both the agreement and supplemental agreement flow from a nation-to-nation process that must be respected. However, it is unclear whether the bill is actually required to implement these agreements and, as I noted before, half of the bill is actually focused on limiting the government's potential liability for mismanaging this process.

It should be stressed that the federal government has been intimately involved in both designing and implementing the enrolment process.

Clause 4 of the bill provides that no one may receive "any compensation, damages or indemnity" from any entity, including the crown, because of being removed from the schedule to the Qalipu Mi'kmaq First Nation band order.

The government, in a process that has been mired in confusion and controversy, is now asking parliamentarians to prejudge whether applicants may be entitled to compensation for any mismanagement or the impacts of the retroactive changes to how the membership criteria are being interpreted.

As we learned from testimony at committee, this legal indemnification was not requested by the band and is not something it is looking for. It is clear that the Department of Aboriginal Affairs and Northern Development badly underestimated the number of applications that would be put forward during the membership process, relying extensively on measures of self-identification of indigenous heritage.

This is particularly puzzling, given that we know that generations of prejudice and marginalization induced many in Newfoundland to hide their indigenous heritage. As a result, whole family histories have been buried.

Whether damages are appropriate in specific cases is matter that is more appropriate for a court to decide. A judge will have the benefit of the facts on each particular case or class of cases.

It is unacceptable for the minister to use legislation to insulate his department from possible damages using a bill that he claims is simply to implement the agreements reached with the Federation of Newfoundland Indians and more recently the Qalipu First Nation.

Pre-emptively removing access to legal damages that an individual would be otherwise entitled to, flowing from an enrolment process that has been the subject of such confusion and controversy, is simply wrong.

That is the reason the Liberal Party of Canada will be voting against Bill C-25.

● (1255)

The Acting Speaker (Mr. Barry Devolin): Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

(Motion agreed to, bill read the third time and passed)

* * *

FIRST NATIONS CONTROL OF FIRST NATIONS EDUCATION ACT

The House resumed from April 30 consideration of the motion that Bill C-33, An Act to establish a framework to enable First Nations control of elementary and secondary education and to provide for related funding and to make related amendments to the Indian Act and consequential amendments to other Acts, be read the second time and referred to a committee.

The Acting Speaker (Mr. Barry Devolin): When this matter was last before the House, there were seven minutes remaining in questions and comments for the hon. Parliamentary Secretary to the Minister of Aboriginal Affairs. Questions and comments.

Resuming debate, the hon. member for Churchill.

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, I am privileged to stand in the House to speak to a bill that is extremely important to the people who sent me to Parliament, first nations and indigenous people in northern Manitoba, and of course, first nations people across our country.

I want to begin by speaking about the reality that first nations youth face in communities in our part of the country. Some weeks ago, I had the opportunity to visit Little Grand Rapids. Little Grand Rapids is a small first nation on the southeast side of Lake Winnipeg. It is isolated. There are no roads that go there; it is in the middle of the forest, or the bush, as we call it. People work hard at what they do, hunting, trapping, fishing, and they hope for the best for the future of their kids, as anybody does.

What I hear from them when I visit from house to house is their concern for their kids, the concern that their kids are not going to have the same opportunities as other kids. It is not because of where Little Grand Rapids is, how far it is from the city or where it is positioned geographically. It is because it is a first nation, and they know their kids face some of the most unequal opportunities in terms of education in this country. Because they are first nations, going to school on reserve, they are guaranteed to be going to a school that is funded to a lesser extent than other schools.

What does that mean? It means that their kids go to a school that some people describe as a fire trap. It is a school where the doors do not lock properly. In order to lock them in -40° weather, so the cold does not come in, they have to a use a chain and a lock. It means the fire alarm system does not work. In fact, when Aboriginal Affairs and Northern Development built the school, it hooked up those little fire alarm contraptions that we see everywhere else. It put them on the walls throughout the school and never hooked up the wiring to a fire alarm system. Guess what? There is no fire alarm system. Not only is there no fire alarm system, but as a result there is no sprinkler system, and due to the underfunding, there are no fire extinguishers.

My question in the House for the Minister of Aboriginal Affairs and Northern Development is whether he would be okay with his kids going to a school like that. Why should the youth of Little Grand Rapids and first nations across this country go to schools that are dangerous, underfunded, falling apart, and full of mould, that do not have enough books, do not have enough teachers, and do not have enough resources, and that are setting them up to fail?

When we talk about the history of colonialism and paternalism that first nations have faced in this country, we cannot just talk about history, because it is happening today. It is happening in the way first nations people face unequal standards across the board, whether it be education, health, employment, housing, or infrastructure. The list goes on.

To see what is most fundamentally clear in the response to the needs of first nations youth and the kind of paternalism we see, one has to go no further than the approach the government has taken on Bill C-33, the first nations education act. The reason I say that is that a fundamental obligation of the federal government to consult with first nations people has not been adhered to in the development of this critical bill.

● (1300)

First nations across the country, certainly those in Manitoba, have been clear that, without consultation, the bill cannot be supported. It is not because they have not made clear the importance of consultation. They have made it clear and have been consistent over the last number of years.

In December 2012, Aboriginal Affairs and Northern Development Canada began consultations on an education act. In July 2013 the department released a document called "Developing a First Nation Education Act: A Blueprint for Legislation". With few amendments, that blueprint became a draft legislative proposal for a first nations education act in October 2013. I am sure all too many members of the government will remember that the draft proposal was condemned by first nations educators, leaders, and activists overwhelmingly.

On the very issue we are discussing today, on the critical issue of education for first nations, first nations have told us the direction they want to take and their priorities.

In 2013 a special assembly the Assembly of First Nations highlighted five priorities: first, respect and recognition of inherent rights and title, treaty rights, and first nations control of first nations education jurisdiction; second, statutory guarantee of funding; third, funding to support first nations education systems that are grounded in indigenous languages and cultures; fourth, mechanisms to ensure reciprocal accountability and no unilateral federal oversight or authority; and fifth, ongoing dialogue and co-development of options. Those five priorities were laid out clearly in a very public manner by first nations themselves, and sadly, the federal government failed to adhere to those priorities.

What we hear from the federal government is rhetoric that is at first premised on having spoken with first nations and of having heard real concerns. Then when I and my colleagues raise the concern that first nations across the country have not been consulted on this legislation, when they need to be consulted, we hear threats, intimidation, and the same old colonial attitudes that first nations have put up with for centuries.

It is clear that first nations across this country are saying no to the first nations education act. I and my colleagues in the NDP are proud to stand with them. I am proud to stand with first nations educators who are speaking out against the first nations education act.

I would like to share the words of Janice Mokokis, an educator and lawyer from Alberta, who has been involved with the Idle No More movement. She has been clear in her opposition to the first nations education act. Janice tells us:

> There have been rallies and teach-in's held across the country to inform the Canadian public and First Nations about the implications of this Bill. People who have attended the rallies include children, mothers, fathers, teachers, professionals, leaders and those that would be directly affected by this...[government's actions]. There has been consistent opposition about the Conservative's agenda what they deem to be good for First Nations on Education. The Conservative's idea of 'consultation' needs to be closely questioned and critically examined. For example: In the Saskatoon consultation, people were...pushed out of the 'education consultation'.

It was made clear that they were not welcome to have their voices heard.

I also stand in solidarity with people in the blue dot campaign, who made clear their opposition to the government's desire for them not to be welcome at the announcement on the Kainai first nation in Alberta. Members of that nation and first nations people from across the country were there to hear an announcement of legislation that has everything to do with their future, and yet they were not even welcome to stay in the room.

It is clear that there is opposition from coast to coast to coast. First nations people are saying that their inherent rights are not being respected, that their treaty right to education is not being respected, and that the right to consultation that they have under the Canadian Constitution and that is recognized in the UN Declaration on the Rights of Indigenous Peoples is not being respected. The necessity of consultation is not being respected.

● (1305)

The reality is that first nations youth sit by and suffer as a result of the way the Conservative government is approaching a fundamental part of their development and future. We know the statistics are grim. Secondary school data over the last number of years identify the rate of first nations graduation at approximately 36%, compared to the Canadian graduation rate of 72%. Some 61% of first nations young adults have not completed high school, compared with 13% of non-aboriginal people in Canada.

In 2010, there were more than 515 first nations elementary and secondary schools available to approximately 109,000 first nations students resident on reserve. Over 64% of these students attended 515 on-reserve schools operated by first nations. The majority, 75%, were enrolled in either kindergarten or elementary school.

First nations youth is the largest young population in our country. I am so privileged to have had a chance to visit first nations across our region and look into the bright faces of these little kids, who want to be doctors, lawyers, teachers, and carpenters and who want to do great things. All I can think of is the way I come to work every day to look at a government, a Prime Minister, and a Minister of Aboriginal Affairs and Northern Development that do everything in their power to ignore the voices of their communities, educators, and leaders. They say they are doing the right thing and they say they are going to do the right thing, but after the next election, maybe in a few years, or maybe if they get re-elected. Maybe. All the while, these young people are left in limbo.

I am also fortunate to have learned from elders. They are elders who fought as part of the Manitoba Indian Brotherhood, fought against the white paper, and fought against the control that the federal government had on their education. They fought back, and they fought for first nations control of first nations education. Many of these elders are not with us today, owing to the challenging life situations in our communities and the shorter life spans that first nations people have. However, in my conversations with them and in my journey to Parliament, they taught me a very clear lesson, that first nations control over first nations education is fundamental to the success of the education system. It is fundamental to the success of first nations youth as they go forward. This is because first nations know what their nations need.

We know about education in first nations language; youth who learn their first nations language succeed at great rates. We know that when they have the resources in their schools to learn their mother tongue, the historic language of their people, they will have opportunities that other youth do not have. We know that when first nations have control over the kind of curriculum, priorities, and lessons that are shared with their youth, their students succeed.

I think of first nations like Roseau River, Peguis, Fisher River, and others that have had very successful models when it comes to education. It is not because the Minister of Aboriginal Affairs and Northern Development told them how to do it. In fact, it is the absolute opposite. It is these first nations that have stood up and sometimes, with the few resources they have, pulled together extraordinary people. They have supported the education of their youth, who have gone on to become experts and specialists in education and have come back to their communities and invested in the resource that is most important to them: their youth.

● (1310)

One would think that, in seeing the successes and knowing the way graduation rates in first nations increase when there is proper funding and proper support, when there is a focus on first nations language, the Department of Aboriginal and Northern Affairs would celebrate, that it would say that first nations control over first nations education is critical.

Consulting with first nations on further steps, on a first nations education program, is not only critical but first nations need to be leading that direction. Instead, what we have is a slap in the face from the federal government, which has a fiduciary obligation to first nations that makes it very clear that it does not matter what success these students have, it does not matter what success these leaders have had in fighting for education in their communities, with its response to promise action and change and to do that with a father-knows-best mentality, that what it knows best is what is going to go.

Some years ago I had the honour of sitting with leaders and grassroots people in Thompson at the office of the Manitoba Keewatinowi Okimakanak, where we saw live the apology the Prime Minister made to first nations people about the tragedy of the residential school system. I remember it moved all of us. I am proud that our leader Jack Layton was integral in that important historic day. There were tears. There was sobbing. There were people who were very emotional about that apology, people who had been very clear about the abuse, the oppression, and the racism they had faced. However, there was also an overwhelming sense of hope, hope that things can change, that a new spirit of reconciliation was guiding our country.

Over the last six or seven years, I cannot say how many people I have met across northern Manitoba, how many first nations people, who have said obviously that apology meant nothing to the Prime Minister. People took the time to believe and to enter into that spirit of reconciliation. Unfortunately, through the actions of Prime Minister, not just in looking at Bill C-33 but also Bills S-2, S-6 and S-8, as well as omnibus bills like Bills C-45 and C-38, we can look at the long list of legislative actions that the government has taken that fly in the face of that apology, of that spirit of reconciliation, of that commitment that the relationship with first nations would be different.

At the end of the day, is there anything more important than investing in the future of our young people? In the one area of education, the federal government had the chance to change course and maybe remember the statement that the Prime Minister had made in terms of that apology and act in the spirit of that apology. Instead, he and his government have chosen to take a very different approach, an approach that is clearly not only supported by first nations but is extremely deeply problematic in terms of the future of first nations education in our country.

In closing, I am proud to stand with first nations in Manitoba who oppose the first nations education act and who are very clear in demanding far better from the government, from Canada, and from the crown when it comes to the future of education for first nations.

● (1315)

Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, unfortunately that speech was once again a great example that the NDP is prepared to put politics ahead of the interests of first nations students.

It is clear as well that the member has not read the bill. She spoke about the protection of treaty rights. Clause 4 states:

> For greater certainty, nothing in this Act is to be construed so as to abrogate or derogate from the protection provided for existing Aboriginal or treaty rights of the Aboriginal peoples of Canada by the recognition and affirmation of those rights in section 35....

She talked about funding. Section 43(2) says that funding shall be such that it is of a quality reasonable and comparable to that of similar services offered in a similarly sized public school that is regulated under provincial legislation located in an analogous region.

If she did not want to read the bill, I hope she would have read the analysis from the Assembly of First Nations, which states:

> Bill C-33 is a constructive and necessary step supportive of the goals expressed by First Nations for control, respect for Treaty and Aboriginal rights, recognition of language and culture and a clear statutory guarantee for fair funding.

That is funding of $1.9 billion that the member voted against in the last budget. Therefore, I would like to ask her this. Why is she siding with Derek Nepinak, who wants to bring the Canadian economy to its knees, instead of siding with the students who have been calling for this type of legislation? Everything that she raised is in the legislation. Why will she not support it?

Ms. Niki Ashton: Mr. Speaker, I stand with first nations in northern Manitoba, across the Churchill constituency. I have heard from first nations youth, first nations students, and first nations leaders over the last number of days, who were unequivocal in their opposition to the first nations education act. I take very seriously the opposition they are bringing forward and the very clear statement that the federal government, despite its fiduciary obligation, has not consulted with first nations, and that treaty rights and inherent rights are not respected in the approach that the current federal government has taken when it comes to first nations education.

I am not willing to play partisan games on something as important as first nations education. I would ask that the current government go and fix the school in Little Grand Rapids or the school in Garden Hill or in Red Sucker Lake, or the long list of schools in first nations across Manitoba, and then we will talk about who is committed to first nations youth.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would like to focus some attention on the important people we enable to make education of our first nations a reality. I reflect back on a wonderful high school located in Winnipeg's north end. I am sure my colleague will know the high school, and that is the Children of the Earth High School, located on Salter Street just north of the CP tracks.

This is a high school for first nations, primarily where we had organizations like the Thunder Eagle Society, Urban Aboriginal Education Advisory Committee, and many different leaders from within the community who recognized the importance of having some form of aboriginality in the education system. We can see that there today. There is a great sense of pride. The reason I say that is that if we look at the budget of that particular school administration, we will find it is supported well in terms of public finances. I say that because it is important that we recognize that another important component of this bill is that we need to provide financing to ensure quality education. The member might want to comment on the importance of the financing of public education.

● (1320)

Ms. Niki Ashton: Mr. Speaker, I thank my colleague for raising the example of the school in Winnipeg; the Children of the Earth High School has been very successful. There are numerous examples of indigenous people leading the development of curriculum and programming across our country. Of course, on reserve the situation is very different because of the unequal funding that first nations have to deal with.

It is appalling that first nations youth, per capita, receive either half or maybe two-thirds of the same funding that off-reserve youth have to get an education. First nations youth who live in Nelson House, an hour away from Thompson my home community, receive about two-thirds the amount of money to get the same education that kids one hour down the road receive to get that same education. We know that the results show that first nations do not have the same supports, that they drop out of school earlier, that they do not succeed the way other youth do. It has everything to do with the systemic underfunding that the current federal government and previous federal governments have imposed on first nations.

I reiterate, if the current government really cares about first nations youth, it could start right now by fixing the schools that are falling apart, and by investing in every first nations youth the way any Canadian would expect.

[*Translation*]

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, I would like to thank my colleague from Churchill for her excellent speech and her excellent understanding of the situation we are dealing with today. Beyond the issue of the importance of first nations education, everyone agrees on the importance of children and youth in aboriginal communities.

It is troubling that, in this debate, members are accusing those who oppose this bill—as the parliamentary secretary did just a moment ago—of conspiring to bring the Canadian economy to its knees. That is completely false.

For example, the Assembly of First Nations of Quebec and Labrador has taken this government to court because it was not consulted about this bill. It is a constitutional obligation to consult with and accommodate the first nations, yet this was not done for the Assembly of First Nations of Quebec and Labrador.

One of the basic rights in this country is the right to initiate court proceedings. However, the Conservatives are trying to intimidate us and prevent us from doing so. Does my colleague agree with me on that?

Ms. Niki Ashton: Mr. Speaker, I absolutely agree, and I thank my colleague, the member for Abitibi—Baie-James—Nunavik—Eeyou, who is a true leader in the fight for aboriginal rights across the country.

[*English*]

I want to echo his message that we will not be intimidated by threats or accusations by anyone in this House or outside. Our words will not be twisted to mean something they do not mean.

We are here as New Democrats to put forward the concerns we have heard from first nations, whether from Quebec or Labrador, Manitoba or Saskatchewan, or wherever, when they are saying they were not consulted, and that is not okay. In large part, because of that, they are opposed to the first nations education act.

It is called "democracy". We are here to raise our voices to convey that message. If the federal government chooses to use threats and accusations and change the rhetoric, Canadians will judge for themselves. First nations and all Canadians deserve better than the kind of attitude we are seeing from the current federal government.

● (1325)

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, it is a privilege to stand in support of the first nations control of first nations education act. I am proud to stand in support of my colleague, the Minister of Aboriginal Affairs and Northern Development. I am sharing my time with the member for Desnethé—Missinippi—Churchill River.

The overriding goal of the first nations control of first nations education act is better outcomes for first nations students. First nations and our government agree that this goal is best achieved through first nations control over the education that is provided within first nations.

The introduction of this bill marks a historic event. The proposed legislation recognizes first nations control over first nations education as an essential to better outcomes for first nations children and for youth.

While the act sets out standards that would have to be met, first nations would have the authority to determine how best to meet these standards. For the first time, elementary and secondary first nations students on reserve would be guaranteed access to quality education, supported by a statutory guarantee for the funding that is required for that education.

I would like now to focus on the funding associated with this act.

To date, first nations youth have not achieved the same educational outcomes as other Canadians. According to the 2011 national household survey, only 38% of registered Indians aged 18 to 24 who were living on reserve had completed high school, compared to 87% of non-aboriginal Canadians.

Too many first nations students do not have the benefit of an education system that ensures they can graduate and become active participants in all the economic opportunities that exist in our country. Helping first nation youth to succeed in school and graduate is critical to increasing their participation in Canada's economy. Their talents and their ambitions should be part of the solution to Canada's looming labour shortage.

I was honoured to join the Prime Minister in February when he announced the funding of $1.9 billion to support major reforms of the elementary and secondary education schools through the first nations control of first nations education act. In addition to the current funding levels, this new funding would provide a better system and it would be provided through a streamlined approach.

We propose to consolidate existing and new sources of education funding into three funding streams: a core operating transfer that would have a reasonable rate of growth and would be able to provide statutory payments for this educational funding, transition funding to support implementation of a new legislative framework, and funding for long-term investments in on-reserve school infrastructure, specifically for new schools and for renovations of existing schools.

Our government has committed $1.25 billion in core operating transfers over three years, beginning in 2016, which includes funding for language and cultural programming, increasing annually on a 4.5% escalator and on a statutory basis. This funding is in addition to the current expenditure levels and would support first nations in providing their children access to an on-reserve education system comparable to that provided for children in the provincial system.

Statutory funding would be allocated to first nations based on their chosen governance model under the first nations control of first nations education act. Those governance models include community-operated schools, a first nation education authority, or a provincial school board.

Allocations to recipients will be largely formula-driven, supporting both the on-reserve school system and tuition arrangements with school boards or provinces where first nations students are attending provincial schools.

Core funding amounts may only be spent on educational services, such as paying principals, teachers, and other staff; classroom and school supplies; operating and maintaining schools; guidance and counselling; busing and other services to students; and paying tuition fees for students going to provincial schools.

● (1330)

First nations have long called for control over first nations education and for the inclusion of language and culture as essential to education for first nation students. Statutory funding for first nations that includes funding for language and cultural programming into the educational curriculum responds to this call. The bill would allow first nations to develop or build on the programming for their language and cultural priorities. This includes curriculum development, teaching tools, and program design and activities to integrate language and culture into the teaching environment.

At the same time, first nations will have the responsibility for meeting minimum standards set out in legislation and regulation.

The second stream, known as the enhanced education fund, would provide of $160 million over four years, starting in 2015-16. This targeted funding will support transition to the new legislative framework and encourage innovation.

The education enhancement fund would provide funding to first nations to establish the new educational authorities, develop service agreements, support early adopters of this act, and strengthen the partnerships that they may develop.

Our government will work with first nations to ensure that there is a smooth transition for communities and educational organizations as we move forward on this education system.

The third stream, the new education infrastructure fund, would provide funding of $500 million over seven years, starting in 2015-16, to build and renovate schools. This multi-year education fund would provide dedicated funding that is focused on improving on-reserve education facilities through construction and renovation of schools and on gaining efficiencies in the way they are designed, procured, financed, and constructed.

It is also important to understand the timelines over which funding will flow. When Bill C-33 receives royal assent, there will be a great deal of work required over the next three years to put into place the regulations to fully implement the new system. We will have to work together to make this happen.

On top of the annual funding for services and infrastructure, budgets 2008, 2010, and 2012 included additional investments in education, yet the significant gaps in education outcomes remain between first nations students and the population of Canada as a whole.

Reports by the Senate, the Auditor General, and the national panel on first nation education all came up with the same conclusion. All recommended structural reform and sustainable funding.

As the government has committed to in economic action plan 2014, stable, predictable, and sustainable funding is essential to achieving the reforms that are needed so that many more first nations children can succeed and thrive in school.

Unfortunately, it seems the NDP is putting its partisan interests before those of the kids I hear from and the parents who call my office, concerned with regard to the challenges their children are facing. The members who are opposing this legislation seem to be willing to delay the important actions that need to be undertaken. Time and time again, the NDP has failed, I believe, first nations children because of the delays it has been willing to be part of.

While money is critical, it is also clear that the problems in first nations education cannot be solved with money alone. By putting education systems in place, first nations schools will be able to improve access to services and develop efficiencies in the delivery that education.

A significant challenge facing first nation education is that many schools on reserve are unable to benefit from the economies of scale that provincial schools can achieve through provincial education systems. One of the ways that this new funding is intended to address these challenges is by providing the option to first nations to aggregate into first nation educational authorities similar to those found in the provincial systems.

First nation students want and deserve a chance to have a quality education that will provide them with the building blocks to succeed in their lives. They must not wait any longer.

● (1335)

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, I thank the member not only for his remarks but also for the great job he does as the chair of the aboriginal affairs committee.

I have had some urgent questions put to me and I hope that the member will be able to help me with clause 3, where the wording says, "to administer schools situated on their reserves".

There are first nations schools, particularly in northwestern Ontario, that would not be covered by this act. They include the Dennis Franklin Cromarty High School in Thunder Bay, the Matawa Learning Centre in Thunder Bay, Pelican Falls First Nations High School in Sioux Lookout, Wahsa Distance Education Centre in Sioux Lookout, Bimose Community High School in Kenora, and the Keewaytinook Internet High School in Red Lake.

I want to know if we can get assurance that those schools will continue to receive funding after this bill is passed.

Mr. Chris Warkentin: Mr. Speaker, I recognize and thank the member for her question, as well as for her work and her commitment to this file. This is exactly the type of thing that our committee needs to look at.

It is my understanding that the intent would be that those schools would be under the control of first nations. That is why if there are wording or text challenges, we must resolve them. Those are things that need to be investigated within committee, and I am certain that with the co-operation of the opposition, we can get it to committee expeditiously and make those corrections if necessary.

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I want to thank my colleague from Alberta for his presentation and for the great work he does on the Standing Committee on Aboriginal and Northern Affairs.

In my riding, when I meet with chiefs, councils, community leaders, and elders, they always tell me that they believe the key to success in the future of their communities is the education of their youth. Making sure they have strong, well-funded schools with good curricula is going to be paramount, along with the support they require to ensure they have education programs in place and the ability to have them consistently across the country, not just in their own communities and provinces but across the country.

Could the member to talk about that some more, and talk about how it affects first nations communities in his riding?

Mr. Chris Warkentin: Mr. Speaker, I thank the member from Manitoba for his intervention and for his support for improving educational outcomes for first nations people across this country. His concerns are reflected in the concerns that I hear from parents of first nations students in my riding.

The priority for parents who have kids in first nations schools is that the quality of education be equivalent to that in provincial schools. They want to be assured that if kids move from grade 1 or grade 2 in a reserve school to a provincial school and then, some time later, move back to the reserve school, the kids will see a reflection of the same type of curriculum, the same standards. They want to be assured that the teachers are qualified to be teaching, that there is a standard of curriculum equivalent to the provincial system, and that they have the resources to ensure those things can actually be implemented and maintained.

It is important that those things happen. Those things do not just naturally happen through simply shoveling money at the issue. It is absolutely essential that there be funding to ensure that those things happen, but it is an absolute necessity to ensure that the framework exists to channel those funds toward resolving the concerns felt by first nations parents and leaders within our communities.

● (1340)

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, thank you for this chance to highlight one of the most important aspects of this legislation and what for me, as a first nation parliamentarian, is perhaps the most important. As a Cree, my home reserve is Muskeg Lake Cree Nation in Saskatchewan. I would like to highlight the linguistic and cultural provisions included in this long-awaited, historic piece of legislation.

One of the strongest messages we heard during the extensive consultations held on Bill C-33 is that first nation language and culture instruction must be at the heart of any reforms to first nations education. Going back to first nations discussions on education in the 1970s, language and culture were identified as necessary for a first nations controlled education system. The 1972 policy paper of the National Indian Brotherhood, the forerunner of the Assembly of First Nations, called for the inclusion of first nations language and culture in provincial and territorial schools.

The Assembly of First Nations' 2010 policy paper, “First Nations Control of First Nations Education: It's Our Vision, It's Our Time” reaffirmed the importance of language immersion.

The 2010 report of the Standing Senate Committee on Aboriginal Peoples, “The Journey Ahead: Report on Progress Since the Government of Canada's Apology to Former Students of Indian Residential Schools” stated that: “Measures to support Aboriginal languages and culturally appropriate educational systems will allow Aboriginal youth to develop the skills and perspective necessary to succeed through greater knowledge and appreciation of their history and their identity”.

Most recently, language and culture was identified as one of the five key conditions by the Assembly of First Nations during discussions on education at the Special Chiefs Assembly in December 2013 and in the open letter sent by National Chief Shawn Atleo to the minister.

There is solid evidence on the importance of promoting the inclusion of language and culture in first nation schools. Research demonstrates a relationship between language and cultural knowledge and positive outcomes in academic achievement. One study on the effect of providing supplementary funding for the language development of students found that reading skills improved substantially in school districts that took up these funds. Examples of first nations schools where language and culture have been integrated into the school curriculum across Canada demonstrate considerable improvement in student achievement. Educational outcomes from bilingual or immersion programs in first nations schools, such as the one at Kahnawake, are strong.

Our government recognizes the advantages that such an education offers first nation students. That is why several federal departments with responsibility for aboriginal issues already provide opportunities to develop language and cultural programming for children, youth, and communities. These are based on the communities' determination of what plans and initiatives may best help improve local education outcomes.

The new structures and standards being established under the first nations control of first nations education act would build on these successes. The bill goes further, strengthening support for language and culture in first nations schools and providing a statutory commitment for funding of language and culture programs. Meeting the conditions set out by the Assembly of First Nations, the bill stipulates that all schools must offer English or French as the language of instruction in order to ensure recognition of certifications and diplomas and transferability of students without academic penalty. This ensures the full participation of first nations youth in post-secondary institutions and trade schools and full participation in the Canadian economy.

Despite this, the bill gives first nations the authority to incorporate first nations language and culture into their education programs. In fact, Bill C-33 specifies that the funding methodology to be outlined in regulations must include support for the provision of first nation language and culture programming. This represents how far we have come from the days of residential schools, which my grandparents attended. I am proud to be a member of the government that finally apologized to the survivors.

● (1345)

I am also proud that this bill incorporates the provisions of my private member's bill, Bill C-428, by stripping the Indian Act of the provisions concerning residential schools.

Bill C-33 specifically provides that first nation students, parents, families, communities, schools, teachers, and administrators have a strong voice in the development of the language and culture curriculum. They and first nation governments, the joint council of education professionals, and first nation education organizations would all have roles and responsibilities in implementing the act. That is a key point.

Our government is committed to working with first nations through joint council education professionals to develop regulations in a manner that would allow regional and local flexibility. In fact, we have extended an invitation to the AFN to work on political protocols to establish how the joint council would work with first nations to develop the act's regulations.

First nations will decide how to best integrate language and culture programming in their curricula. Bill C-33 aims to make first nation students' right to education meaningful and to afford them the opportunities that all students in Canada have.

It is important to understand that first nations will have three governance models to choose from, offering them maximum flexibility in deciding how to best address language and culture issues.

It is also essential to recognize that the bill is not a substitute for treaty implementation or self-government but rather is a bridge to support first nations in establishing their own education systems based on histories and backgrounds. In fact, there are numerous examples of highly successful education models already in place across the country operating under these types of agreements, including the Mi'kmaw Kina'matnewey in Nova Scotia.

I also want to clarify that once self-government arrangements are concluded, those first nations would be exempt from the first nations control of first nations education act.

I am convinced that Bill C-33 would help to motivate first nations youth to stay in school and graduate with the skills they need to succeed in today's economy. This will improve their lifelong prospects so that they will enjoy the same opportunities as other Canadians, and as I have received.

I am convinced that all first nations, all Canadians, and all parliamentarians share this goal. Therefore, I urge all parties to support us in advancing Bill C-33 to see this promise realized.

[*Translation*]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, I would like to thank my colleague for his speech.

I believe the minister also stated again today that this bill is the result of a consultation process. On April 11, the Assembly of First Nations of Quebec and Labrador issued a press release. I would like to quote from it.

> ...all our teachers and all our specialists have been engaged for decades to ensure our young people get quality educational services to which they are entitled, and that the federal Government refuses to provide them. We have proposed repeatedly concrete solutions that the federal Government systematically refuses to listen too.

Is the member denying that the Assembly of First Nations of Quebec and Labrador was not consulted while this bill was being drafted? If he is admitting that the assembly was not consulted, why not?

[*English*]

Mr. Rob Clarke: Mr. Speaker, one thing I want to make very clear is that everyone had the opportunity to provide their input and feedback in the drafting of this legislation.

There are 600 first nations across Canada, and not every one of them will agree on the process. We are going to have the naysayers and those who are in favour of the bill. The unfortunate part, which we hear today, is that the naysayers get more recognition than those who are positive toward the proposed legislation.

The introduction of the first nations control of first nations education act gives first nations input into meaningful drafted legislation. The act follows years of discussions, dialogue, and studies reflecting the efforts of many first nations and governments to arrive at this point.

All first nations were presented with numerous means of engaging in the consultation process and were offered multiple opportunities to be part of that dialogue and a process leading to this legislation. Consultations were held in 2011. The Government of Canada and the Assembly of First Nations launched a national panel from coast to coast to coast asking for input on this legislation.

When we have opposition members over there with the paternalistic approach that they know best, I find it very offensive to first nations. It is degrading and mocking. When are they going to wake up?

● (1350)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I am interested in hearing from the member his thoughts regarding financial compensation. Financial resources for education are absolutely critical. We need to get some indication from the government as to its financial commitment.

We recognize that education often equates to opportunities. If we do not develop the educational system or support it financially, what we are really doing is selling our children short in terms of their future opportunities.

First nation leaders across Canada are very much concerned about the importance of finances. The member is talking about education in the bill today. There is reference to a financial commitment within this legislation. I wonder if the member might want to focus on that component. How important is it that dollars follow along with the legislation?

Mr. Rob Clarke: Mr. Speaker, I would like to thank the member for his aboriginality on the question.

To go back to the funding mechanisms in place, the Government of Canada is currently providing for first nations education. There is almost $1.6 billion provided for K-12 education. That goes to 117,000 first nation students across the country. That is an average of over $13,000 per student.

It is unfortunate that at the administration levels, there is always an administrative fee at each level of government or bureaucracy at the AFN and FSIN level. We are not seeing the grassroots bands get their total funding.

What the government has done is provide monumental funding of almost $1.9 billion to go toward K-12 education, with an increase per year of 4.5% for inflation. The Conservative government is looking at the needs of first nations. It is making first nations accountable to their own education system. The government is setting up those mechanisms so that those first nations can succeed.

[*Translation*]

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): Mr. Speaker, I have tried to remain consistent since I started my term nearly three years ago to the day, so in today's debate I will focus on the bastions of identity associated with providing education services adapted to the realities of first nations youth.

The bastions of identity are a notion I have discussed in the past, and I think that this notion is crucial when it comes to the bill we are discussing today. When we talk about the emancipation and governance of first nations, the first bastion is education, since increased intelligence, economic development and the emancipation of peoples are closely related to it. It is very much a matter of identity. These are the concepts I will be talking about today.

I must stress how important it is to take a practical approach that is free of electioneering tactics. This outdated political approach is responsible for making the public disinterested in and distanced from the process of enacting public policy.

As for the bastions of identity, it is essential to get front-line players and members of first nations involved. That is one of the issues I mentioned yesterday when the bill was introduced.

When I made recommendations to my colleagues, I made sure that I encouraged my colleagues to keep a low profile during the big demonstrations that will be held in the coming months—that is a scoop—since in 2014, the Canadian public and all members of first nations are cynical when people use contentious issues and aboriginal identity issues to win votes and serve their own ends.

That is why we need to focus on the work on the ground. I invited my colleagues to start by visiting the communities in their own ridings and to do grassroots work, instead of trying to monopolize the microphone and cameras, as we have seen in the past. These kinds of methods were used by other parties and a political elite whose day has come and gone.

In 2014, the power needs to be given to members of first nations, since these issues are important to them now, and that is the problem with the bill.

I will talk more about that over the next few minutes, but first nations involvement in the drafting and implementation of this bill has been rather minimal. This needs to change in the future.

Based on those observations, the NDP would like to see an education system that is culturally relevant, that includes the people affected and that is effective for students, teachers and communities. This ideal will only be attained by taking an approach that places members of the community at the forefront. The Canadian government's role should be limited to co-operating fully with those who want a modern system to be created.

In that regard, the NDP would like to see education standards developed in partnership with first nations educators, and at their initiative, in order to achieve that goal. We recognize that standards are needed, but they cannot be imposed by Ottawa. Provincial standards may not suit the needs of first nations communities.

The first way to demonstrate the progressive nature of any proposed approach is to recognize the chronic underfunding of first nations education. That is precisely the problem. The government admitted this indirectly in recent months with the announcement of a massive infusion of money, which will begin in 2016 or 2017—basically, who knows when. The government announced considerable investments. This does constitute tacit recognition of the underfunding, which was always denied by previous successive governments.

● (1355)

The consent of first nations members must also be obtained before any new public policies are adopted that aim to control, manage or hem in first nations members.

I will continue my speech later.

The Acting Speaker (Mr. Barry Devolin): The time provided for government business has now expired. The hon. member for Manicouagan will have 15 minutes to conclude his speech after oral question period.

STATEMENTS BY MEMBERS

[*English*]

DEMOCRATIC REFORM

Mr. Bruce Hyer (Thunder Bay—Superior North, GP): Mr. Speaker, some amendments to the unfair elections act are finally being accepted after overwhelming criticism of the bill from experts and ordinary Canadians alike. However, the government still refuses to give investigators the power to get to the bottom of election fraud. Why not?

Why can the commissioner not report publicly to Parliament instead of just to the minister? Even more important, the bill still fails to actually grant Canadians fair elections by fixing our unfair electoral system and excessive party discipline. Canadians clearly feel that their MPs work more for parties than for them. If the Conservatives are serious about change, they will allow the important reform act to pass with a free vote and most importantly, they will let Elections Canada consult with Canadians about what voting system changes they want, including more proportional voting.

It is time that every vote counted equally.

* * *

● (1400)

PUBLIC SAFETY

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, our Conservative government is taking concrete steps to tackle crime and make our streets safer. We have introduced tough-on-crime legislation like the Safe Streets and Communities Act to keep dangerous criminals and gang members off the streets and out of our communities.

Our legislation to crack down on organized crime makes all gang-related murders automatically first-degree murder and targets drive-by shootings with a new criminal offence. We are also fighting gangs by cracking down on the activities that fund them such as auto theft, ID theft, drugs, and human trafficking. However, combatting crime is our work in progress that includes the tougher penalties for child predators act, the respect for communities act, and the victim bill of rights act, and more.

While the opposition clouds the issue and makes empty promises, we are offering results that are making a difference in the lives of Canadians.

* * *

ASIAN HERITAGE MONTH

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, May 1 marks the beginning of Asian Heritage Month. To mark the long and rich history of Canadians of Asian heritage, I will be hosting an event in Scarborough at Splendid China this Sunday.

While we celebrate this month, we are reminded that many Canadians of Asian descent have been waiting for years to reunite with their loved ones here in Canada. Family reunification must be a central priority in Canada's immigration system, something we should fix so families can celebrate together next May.

While we celebrate, we will also remember the 100th anniversary of the *Komagata Maru* tragedy. This tragedy remains a dark chapter in our collective history. We cannot ignore the mistakes of our past. We cannot ignore the history of discriminatory policies that led to this incident. We believe an apology is long overdue and we hope that this month Canadians will get what they have asked for, an official apology from the Prime Minister and the government for a historic wrong we have all come to know as the *Komagata Maru* tragedy.

By voting against the NDP motion for an official apology two years ago, justice was denied again by the Conservative government.

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HOST EDMONTON

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I rise today to invite all hon. members to an exciting conference taking place in Edmonton May 22-24. The first of its kind, the inaugural Host Edmonton conference is focused on supercharging Edmonton's thriving hospitality industry with a theme of “Eat, Drink, Think”.

The brainchild of Edmonton Economic Development, Host Edmonton is a combined conference and festival that puts Edmontonians in the mix with international and Canadian celebrity chefs such as Christine Cushing, *Chopped* Judge Marc Murphy, and the Spice Goddess, Bal Arneson. From sessions on the finer points of fish to the clash of the cocktails led by the famous *Thirsty Traveler*, Kevin Brauch, this conference is shaping up to be a great hit.

Edmonton is home to over 3,000 hospitality businesses and is the birthplace of many Canadians favourites such as Booster Juice and Earls, which now operate 64 restaurants in Canada as well as locations around the U.S.

It is a break week, so I encourage all members to join me, without the distraction of the Edmonton Oilers in the playoffs, at this fantastic event and spend some time eating, drinking, and thinking.

INFRASTRUCTURE

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, freight trains that now include car after car of oil tankers pass through my home of Kingston and the Islands. The CN main line intersects John Counter Boulevard, which has become a major east-west artery for Kingston. To handle traffic and ensure safety, Kingston is ready to build an overpass to replace the level crossing.

Dawson Point Road leads up to the winter dock for the ferry connecting Wolfe Island with the mainland. It needs to be rebuilt, and that is a priority for the island.

Since last fall, municipalities have pressed for information on how to apply for infrastructure funding from the new Building Canada fund. Now, finally, we know that applications for the fund will go through the Ontario Ministry of Infrastructure, but the federal government still has to work out implementation with the provinces. Fourteen months after the Building Canada fund announcement in budget 2013, municipalities are still waiting to put their shovels into the ground. We have missed this construction season and the jobs that come with it. Let us think about that and let us think about that the next time we are stuck in traffic.

* * *

● (1405)

NATIONAL AIR FORCE MUSEUM

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, the National Air Force Museum at CFB Trenton enjoys a national reputation as housing the largest number of aircraft and the most skilled team of restoration volunteers of any military museum in our country.

The museum recently added a new exhibit to document the famous Great Escape from Germany's Stalag Luft III prison camp during World War II. Of the 76 men who escaped through an elaborate tunnel, nine were Canadians. Of those nine, six were among the fifty executed to dissuade future escape attempts.

This is an incredible example of bravery, ingenuity and collaboration and is exactly what legends and heroes are made from.

I was lucky enough to meet Albert Wallace, Fred Stephens, and John Harris, all former Stalag Luft III POWs, at a recent opening of this exhibit. I am truly honoured for their valiant accomplishments and for being proud Canadians.

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[*Translation*]

SUPPLY MANAGEMENT

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, decades of hard work by cheesemakers and dairy farmers in my riding have helped to create wealth in our rural areas.

On an island in the middle of the St. Lawrence River, the hard-working and enterprising population of Isle-aux-Grues produces cheeses like Riopelle de l'Isle and an aged cheddar that earned top honours at the British Empire Cheese Competition.

Le Mouton Blanc, a cheese factory in La Pocatière, turns out exceptional products and earned a Lower St. Lawrence tourism award in 2014.

Thanks to their day-to-day efforts and supply management, dairy farmers and cheesemakers are building not only a part of our food heritage, but also a part of our collective identity.

The House will soon vote on NDP Motion No. 496. It asks that our cheesemakers be protected from the negative impacts of the agreement with the European Union. The New Democrats will defend each point in Motion No. 496 until cheesemakers are guaranteed a viable future.

We are willing to support an agreement that benefits the manufacturing industry, but we will not leave anyone out.

* * *

[*English*]

4-H NEW BRUNSWICK

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, this past weekend, 4-H New Brunswick held its annual provincial communications competition.

Anyone who has ever had the opportunity to attend one of these events can speak to the tremendous performances given by these young people and the personal growth experienced from learning at a young age to effectively communicate ideas.

I am proud of the many clubs I have in the riding of Tobique—Mactaquac and the leaders and parents who mentor and coach these fine young people.

Congratulations to the winners from my region including, for Cloverbud Speech, Lane Findlater of Countryside 4-H; Intermediate Speech, Isaac Gilbert of Nashwaak Valley 4-H; Senior Speech, Emma Allen of Keswick Ridge 4-H; Cloverbud Single Demo, Coy Tompkins, Mount Pleasant 4-H; Junior Double Demo, Avery Gilbert/Bailey Nickerson, Nashwaak Valley 4-H; and Senior Double Demo, Rebecca Baker and Josie Versloot, Keswick Ridge 4-H. Well done, everyone.

The lessons learned from this competition and their experiences in 4-H are preparing these young people to be future leaders in our communities. Based on what I have seen from their performance and from 4-H generally, our country will be in great hands.

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2014 WORLD SENIOR CURLING CHAMPIONSHIPS

Hon. Keith Ashfield (Fredericton, CPC): Mr. Speaker, I rise today to recognize the accomplishments of the Canadian senior men's curling team, which yesterday won a gold medal for Canada at the 2014 World Senior Curling Championships in Dumfries, Scotland.

Led by skip Wayne Tallon of Fredericton, Team Canada defeated Team Sweden 7 to 2 in their gold medal match to remain unbeaten in the week long tournament. Backing Tallon were his teammates, third, Mike Kennedy of Edmundston; second, Mike Flannery of Fredericton; lead, Wade Blanchard of Saint John; alternate, Chuck Kingston; and coaches Bill Tschirhart and Jim Waite.

I would also like to recognize and congratulate the Canadian senior women's curling team, which captured silver for Canada at the same tournament.

On behalf of all Canadians, I wish to congratulate both teams on their successes while representing our country on the world stage. Their hard work and talent help continue our tradition of excellence in sports.

* * *

[*Translation*]

GRENADIERS DE CHÂTEAUGUAY HOCKEY TEAM

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, I am honoured to rise today in the House to recognize the outstanding performances of the Grenadiers de Châteauguay, a Midget AAA hockey team that played in the Telus Cup finals.

I would like to point out that, with hard work and perseverance, our young people were able to accomplish great things this year.

The Grenadiers first won the provincial Jimmy Ferrari Cup for the second time in nine seasons. That victory was their ticket to the national tournament in Moose Jaw, Saskatchewan. Through the hard work and perseverance of the entire team, they made it to the tournament finals on March 27. It was a thrilling game that went into triple overtime, but unfortunately they lost 4-3 to the Prince Albert Mintos.

I would like to congratulate coach Bruce Richardson's entire team, the volunteers, and the parents for their passion and their dedication to our young players. I would also like to single out the performances of Étienne Montpetit, Danick Crête, Tyler Hylland, and Martin-Olivier Cardinal.

Congratulations to the entire team on winning this silver medal with a golden performance. The entire Châteauguay area is behind you and says, “Bravo, Grenadiers.”

* * *

● (1410)

[*English*]

VISION HEALTH MONTH

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, I rise in the House today to announce that May 2014 is the first-ever national Vision Health Month, spearheaded by my colleague, Senator Asha Seth.

Millions of Canadians are blind or partially sighted, and the estimated direct and indirect cost of vision loss in Canada reaches into the tens of billions of dollars, making vision loss among the costliest disease groups in our country. Over four million Canadian adults have one of the leading blinding ocular diseases, including macular degeneration, glaucoma, diabetic retinopathy, and cataracts.

The soul of national Vision Health Month lies in educating Canadians that the best method of combatitng vision loss is through prevention. Going to a doctor of optometry and having our eyes examined is essential to maintaining good vision, and simple strategies like wearing sunglasses go a long way.

I know that national Vision Health Month will make a great difference in the lives of Canadians.

* * *

[*Translation*]

PORTRAYAL OF WOMEN IN THE MEDIA

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, last month, Mitsou Gélinas admitted that she was dangerously obsessed with being thin. In a touching account, she revealed her struggle to conform to industry and media beauty standards. She spoke about her inner demons, extreme diets, fainting spells, and eating disorders. Most importantly, she asked us to think about the message society is sending to young girls.

Beauty ideals based on extreme thinness can undermine self-esteem, particularly among girls and women, which increases the risk of developing an excessive preoccupation with weight, anorexia nervosa, and bulimia.

Quebec has created a provincial charter for a healthy and realistic body image. Federal MPs also need to do their part to call for a more diverse portrayal of women in advertising and the media.

* * *

[*English*]

BATTLE OF THE ATLANTIC

Mr. Greg Kerr (West Nova, CPC): Mr. Speaker, today I am honoured to pay tribute to the longest military engagement of the Second World War: the Battle of the Atlantic, a true Canadian triumph.

Through the courage and efforts of the Royal Canadian Navy, the Canadian Merchant Navy, and the Royal Canadian Air Force, Canada played a key role in helping maintain the allies' crucial supply routes through the North Atlantic. With the outbreak of the Second World War, the Germans quickly asserted their strength on the high seas, blocking the supply chains from North America to Britain.

This was a hard-fought victory that came with a heavy price for Canada. More than 4,600 courageous men and women died at sea during six years of relentless enemy attacks and some of the most severe conditions imaginable.

We proudly remember with everlasting gratitude the remarkable memory of those who made the ultimate sacrifice defending our great country.

Lest we forget.

[*Translation*]

ELVIRE ADÉ

Mr. Emmanuel Dubourg (Bourassa, Lib.): Mr. Speaker, I would like to pay tribute to Elvire Adé, who died on May 1, 2003. Born in 1919, Elvire had nine children. She was widowed at age 40, when her youngest child was only three months old. With her sewing machine and the sacrifices she made, she ensured that her children would have a good education.

As I did in the Quebec National Assembly, I would like to pay tribute to her in the House of Commons of Canada, in the language she used to pass on her values.

[*The hon. member spoke in Creole and provided the following translation:*]

Elvire, I always wear your ring to remind me of all the sacrifices you made for your children.

You had to get down on your knees to bring me into the world. Thank you for the faith you had in me. I will always honour you.

[*Translation*]

I am privileged to pay tribute in the House today to Elvire Adé Dubourg, my beloved mother.

* * *

● (1415)

[*English*]

WESTERN FOREST PRODUCTS

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, the citizens of Nanaimo are reeling from yesterday's tragic shooting at the Western Forest Products mill at the downtown harbour assembly wharf, which killed two people and left two others injured, one critically.

Fred McEachern and Michael Lunn were killed instantly on their arrival at work in the early morning by a gunman who started his rampage in the mill's car park before proceeding to the administrative office. Tony Sudar, vice-president of manufacturing, survived the attack after being shot in the side of his face. He is reported as being stable. A former employee has been charged with two counts of first degree murder and two counts of attempted murder.

Grief counselling has been offered to the employees and families affected by this heartbreaking incident, and a makeshift memorial of flowers is building up outside the mill.

Nanaimo is a close community. It is unimaginable that this kind of senseless act could happen in our city. I am sure all members of the House will want to join me in extending our sympathies and prayers to the families of the victims, and the mill and the port employees. We hope they are comforted by knowing that they have the support of all Canadians at this difficult time.

[*Translation*]

SUPREME COURT OF CANADA

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, not only are the Conservatives unable to properly appoint a Supreme Court justice, but they are also attacking judges, including some they themselves appointed, instead of accepting responsibility for their failure as a result of their own incompetence. It is unbelievable.

With the Conservatives chose to attack the Chief Justice of the Supreme Court simply because she does a good job and ensures compliance with the law.

[*English*]

The Supreme Court's ruling on the Senate, the Supreme Court's rulings on the crime bill, the Supreme Court's ruling on Marc Nadon, the examples continue to grow.

Do not blame the court for Conservative incompetence. It is Conservatives, not the Supreme Court, who are ramming unconstitutional bills through the House. It is Conservatives who no longer even want to know whether a bill is constitutional before it becomes law.

That is why in 2015, people can count on the NDP to form a transparent and honest government respectful of democracy, respectful of the courts, and respectful of Canadians.

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TELECOMMUNICATIONS

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, SMEs are crucial to Canada's long-term prosperity and essential to the strength of our economy. Small businesses account for nearly seven in 10 jobs in the private sector and contribute at least 25% to Canada's GDP.

Today, the Canadian Federation of Independent Business issued a report on the importance of increased choice and better customer service for small business telecom needs. Our government understands the importance of competition in the telecom market so Canadians benefit from more choice, lower prices and better service.

Since 2008, we have put in place several important measures that put consumers first in Canada's wireless sector. We are taking action on wholesale wireless roaming rates to promote greater competition, while also imposing fines on telecom service providers that do not play by the rules.

Under Digital Canada 150, we are expanding access to broadband Internet for over 200,000 Canadian households that previously did not have it, and providing higher speed access to more Canadians.

Our government will continue to stand up for consumer choice and competition in our wireless sector.

ORAL QUESTIONS

[*Translation*]

PRIVACY

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, why are this Conservative government's agencies collecting personal information on one million Canadians? What specific reason do they have for doing this and exactly what information is being collected?

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, section 7 of the Privacy Act spells out why this kind of information would be needed by government agencies, more specifically, our police and security agencies. It is about national security. It is very clear in the act. The opposition leader should read the act.

[*English*]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, yesterday, the Prime Minister said that this information was collected as part of "law enforcement...investigations and surveillance". That is what the Prime Minister said, and we are supposed to believe him.

Is the minister really trying to claim that there are 1 million Canadians under criminal investigation? A million? Really?

It reminds me of when Stockwell Day said that there was actually, despite all the evidence to the contrary, an increase in crime in Canada because of unreported crime.

If there are a million criminals out there, how can the law and order government possibly justify it?

● (1420)

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, it is truly absurd, and of course the leader of the NDP has not paid attention at all to what the Privacy Commissioner has said. What has been reported, of course, is the amount of information that has been requested by different agencies of the government in order to protect Canada.

The member of the opposite side asks why. The PIPEDA legislation spells out very clearly why this kind of information would be sought by police agencies and border security across the country. It is spelled out very clearly in law, in section 7 of the PIPEDA legislation, about why this information is sought. It is about public safety.

* * *

ABORIGINAL AFFAIRS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, a million Canadians; in order to protect Canada, what a—

Some hon. members: Oh, oh!

The Speaker: Order, please. The question will be answered after the member has finished asking it.

The hon. Leader of the Opposition has the floor.

[*Translation*]

Hon. Thomas Mulcair: Mr. Speaker, we have learned that the RCMP has now identified more than 1,000 cases of missing or murdered aboriginal women in Canada. Let us look at a another Canadian example in order to better understand the scope of this problem. Ottawa has a population of one million. If 1,000 women went missing or were murdered in Ottawa, would we need to beg for an investigation?

When will there be an investigation into the 1,000 missing or murdered aboriginal women in Canada?

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, if the Leader of the Opposition really wants to make change happen, then I urge him to support the Conservative government's 2014 budget, which allocates $25 million for a strategy precisely to address the issue of missing and murdered aboriginal women. Rather than talking, he could be taking action and supporting the Conservative budget.

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, more than 1,000 aboriginal women are missing or murdered, yet the minister does not seem to appreciate this staggering number. The status quo is not working.

As a member of Parliament, as a Canadian, as a grandmother, as a friend, as an aunt, I ask once again. Will the government shed light on this tragedy by publicly releasing the RCMP report and by calling for a national inquiry?

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, as a father, I am very proud to have supported more than 30 measures to keep our streets safer, including tougher sentencing for murder, sexual assault, and kidnapping.

I will stand in this House and support a $25 million strategy for aboriginal missing and murdered women. Again, that is $25 million. Why is the member not doing the right thing and supporting budget 2014?

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, it is not about a budget; it is about 1,000 missing and murdered indigenous women in this country.

This crisis has gone on for far too long. Now we learn that the Native Women's Association of Canada, which raised critical national awareness through Sisters in Spirit, is also waiting for answers. It is waiting to see if its violence prevention funding will go through.

Families want closure. They want justice. They want to be heard, and they want action from the government. When will the federal government call a national inquiry into missing and murdered indigenous women?

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, one missing person in this country is too many. That is why we are acting. That is why we are moving forward regarding the aboriginals. Last year we passed historic legislation that gave aboriginal women living on first nation reserves the same matrimonial rights as all Canadians. We were with them. Where was the NDP?

EMPLOYMENT

Ms. Chrystia Freeland (Toronto Centre, Lib.): Mr. Speaker, unemployment is sky high in southwestern Ontario, and manufacturing jobs for Canadians are scarce, but temporary foreign workers are being hired at record levels. Over the past five years, their number has doubled in Windsor and is up 43% in London. There are now more than 16,000 temporary foreign workers in manufacturing, nearly twice the 2005 figure.

Can the minister explain why he is importing temporary foreign workers in a sector and in cities where thousands of Canadians are being laid off?

● (1425)

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, the program runs on a demand basis. When employers are able to demonstrate to Service Canada that they have advertised a position at the prevailing regional wage rate from within Canada for which no qualifying Canadians have applied, they can, in principle, seek to fill that gap by inviting someone from abroad.

However, if employers are cutting corners—if they are not really making the search that they have attested to, if they are not really paying a prevailing regional wage rate—those are offences, and we will investigate and prosecute any employers who do that.

I would suggest that perhaps the member would like to talk to the Canadian Manufacturers and Exporters. I will get to it in the next answer.

[*Translation*]

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the International Experience Canada program is a diplomatic tool whose focus should be our international relations, but Immigration Canada has always favoured economic considerations.

In 2004, 47% of program participants were Canadian. In 2012, that figure dropped to 21%.

How does the government explain that drop?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, the reason for the drop is quite simply the Canadian economy's superior performance.

During a time of global recession, when there were huge job losses and serious crises in Europe, the United States and Asia, Canada remained strong. We created 1.1 million new jobs, and that attracts foreign students to our country.

We are going to continue promoting different opportunities for young Canadians both here and abroad. We expanded this program, which was created by the Liberals, and it is working quite well.

[*English*]

Hon. John McCallum (Markham—Unionville, Lib.): No, Mr. Speaker, it is explained by the incompetence of the government.

When the program was transferred from foreign affairs to immigration in 2012, it was clear that the labour market view had won out.

The government only cares if the program provides cheap, LMO-free labour. That is why the employment minister went to Ireland in 2012 to encourage Irish youth to come to Canada and work, while Canada's youth unemployment rate was a staggering 14.6%.

How can the minister of employment justify this action?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, we will never consider Canadian students and young people entering the job market in this country—where jobs are relatively plentiful and where the labour market is buoyant—as cheap labour. We are proud of the talent of young Canadians. We are proud of the foreign students who are studying in this country and bringing economic benefit to Canada. Those phenomena have grown under this government.

We are proud of the absolutely stronger performance of our job market and the fact that we have created more jobs in this G7 economy than any of our peers since the depths of the recession.

* * *

[*Translation*]

DEMOCRATIC REFORM

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, in committee, the Conservatives are systematically rejecting amendments to their electoral "deform". They are rejecting out of hand proposals supported by the Chief Electoral Officer, the commissioner of elections, the former auditor general and hundreds of experts.

The minister has said that he does not want to limit the Chief Electoral Officer's freedom to speak. However, the Conservatives have rejected an amendment that would have enshrined that.

Why is the minister going back on his commitment? Why is he betraying Canadians?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, we oppose amendments from the New Democrats that would allow people to vote without identification. That is the basis of the disagreement between our parties.

We believe that people should have to provide a piece of identification when they vote, and the fair elections act is going to require that. The New Democrats believe that people should be able to vote with no identification at all. We do not agree.

● (1430)

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, that is so much bad faith. The NDP has always said that everyone who votes must identify themselves in advance.

Here is another example of the Conservatives' bad faith. They are insisting that the cabinet have the right of veto when the Chief Electoral Officer communicates with his counterparts around the world. The Conservatives' paranoia is laughable. Despite the minister's promise, the Conservatives are so stubborn as to want to control the Chief Electoral Officer's message.

Why is the government rejecting amendments that make so much sense?

[*English*]

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Actually, Mr. Speaker, the NDP brought forward an amendment that would reinstate identity vouching, allowing people to vote without presenting any ID whatsoever. Our proposal is that every single person who votes should have a piece of ID demonstrating who he or she is. Canadians overwhelmingly agree with us on this point and they overwhelmingly disagree with the NDP, and that is why we are rejecting the NDP's amendments.

[*Translation*]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, we do not just want people to identify themselves; we want them to go and vote. For that to happen, the government has to stop muzzling the CEO.

We proposed an amendment that would allow Elections Canada to recruit polling station workers. Surprise, surprise, the Conservatives defeated the amendment. Similarly, the Conservatives insist on imposing unfair rules on independent candidates, who will no longer be able to collect money before the election is called. That will certainly be challenged in court.

Once again, why is the minster rejecting amendments that make so much sense?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, what makes so much sense is to require voters to present a piece of identification when they vote. We believe that everyone who votes should show a piece of identification. The New Democrats think that people can vote as long as someone vouches for who they are. We do not agree.

Canadians agree with us. That is what makes so much sense, and we are going to move forward with it.

[*English*]

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, against all logic and common sense, Conservatives still insist on banning the use of voter information cards as identification at the polls. To prevent the chaos that this new ban will cause, the NDP proposed something simple and helpful: make it clear and prominent to voters on the card that they can no longer use it as ID. However, the government rejected this amendment.

How can the government justify opposing something so sensible?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, the voter information card had errors on it in one in six cases in the last election. The CEO of Elections Canada admits that it continues to have errors that run into the millions, and we do not think it is a good and reliable source of voter identification, so we have eliminated the possibility that it will be used as such.

We also believe that every single voter who casts a ballot should present ID proving who he or she is. The NDP is opposed to that, and that is the real reason why it is fighting so hard against the fair elections act.

Mr. David Christopherson (Hamilton Centre, NDP): Once again, Mr. Speaker, the facts belie what the government has to say. The Chief Electoral Officer said the voter information card is likely the most accurate government ID that there is.

This so-called perfect bill is facing 344 pages of amendments at committee, and today is the final day the committee can consider amendments. The minister had promised to work with us on amendments to ensure the best possible bill. How many opposition amendments have been accepted? There have been two: one to fix a typo, and another one to make a minor word change.

Will the minister now admit that he has no other credible choice but to withdraw the bill and start from scratch?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, if the New Democrats want us to support their amendments, they should come up with some better ones. So far, their big idea is that people should be allowed to vote without any ID at all. They put forward an amendment saying that individuals should be able to walk in without producing a single shred of identification and have their ID vouched for by someone else. We think that is unreasonable and extreme, and Canadians overwhelmingly agree with us on that point. That is why the fair elections act will require every voter to present ID when he or she casts a ballot.

* * *

● (1435)

EMPLOYMENT

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, the reality is that people are coming forward every single day and talking about losing work because of the growth in the temporary worker program. Now it is Canadian helicopter pilots denied work in favour of temporary workers.

Private companies are submitting applications for labour market opinions and claiming there are not enough domestic pilots, while Canadian pilots are sitting unemployed.

Problems with this program are system-wide. Why is the minister refusing to launch an independent audit?

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, I have told the member on a number of occasions that there are independent audits done by the integrity branch of Service Canada of employers who have obtained temporary foreign workers. We have had additional legislative authority since last December to allow for the seizure of documents, unannounced interviews, and site inspections.

If the member is aware of any particular employer she believes has violated the rule, I encourage her to let me know and I will pass that on to the enforcement officials.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, the minister refuses to answer questions about the temporary foreign worker program. He refuses to provide the most basic breakdowns and statistics around labour market opinions and these workers, yet he tries to make Canadians believe that everything is okay. It is not.

Conservative mismanagement has made a complete mess of this program. When will the minister listen to out-of-work Canadians, impose the sensible moratorium the NDP proposed, and launch an immediate program-wide audit of this program?

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, the hon. member's preamble is false. I agreed at committee this morning to furnish her with whatever statistical information she requires.

In terms of the New Democrats' incoherence on this issue, as on all economic issues, on the one hand they say they want to put a moratorium on the admission of low-skilled temporary foreign workers and on the other hand they say they do not really want to put a moratorium on low-skilled agricultural workers.

They want us to crack down on the program, but they want it wide open for foreign musicians and for people coming to the computer gaming industry. For whatever industry seems to lobby them, suddenly they lobby me. It is bizarre.

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, the government had plenty of indications that there were problems with the temporary foreign worker program. The Liberal exotic dancers scandal broke in 2004. There was the 2009 auditor general's report. Since September 2012, we have been regularly pointing out flaws in the program here in the House.

The government claims that it acted to fix the program. However, the program is driving down wages and creating unemployment.

Why is the government refusing to launch an independent investigation of this program?

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, investigations are conducted by independent officials as a result of new powers granted to them last year by legislation. I would like to thank the member once again for pointing out problems with the program that handed out visas to nude dancers when the Liberals were last in power. We terminated that program. The Liberal government had issued 600 visas to exotic dancers. That was appalling. We cancelled that program.

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, the government is trying to pin the temporary foreign worker program fiasco on a few employers who would abuse it.

However, the Conservatives cannot wash their hands of this matter so easily. They are the ones who threw the door wide open to unskilled workers. They are the ones who issue labour market opinions and they are the ones responsible for ensuring that there are enough inspectors. It is time to regain control of this program and to ask the Auditor General to investigate.

When will the minister do his job?

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Every day the NDP's hypocrisy is on display. If a minister asks the Auditor General to do something, there is criticism from the opposition.

We will respect the Auditor General's independence. If he wants to do something, the government will co-operate. Almost all organizations and businesses have criticized the government for tightening the rules of the temporary foreign worker program. They say that it is already very difficult to find workers in Canada. That is proof of the success of our reforms to date.

* * *

● (1440)

PRIVACY

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, contrary to the soothing words of the Prime Minister, yesterday the member for Lotbinière—Chutes-de-la-Chaudière said that he was concerned about the massive transfer of Canadians' private information to the government. He said:

> It is worrisome. Today, we were surprised to see how many requests there were. We will look at what we can do to protect people's privacy.

Does the minister think it is worrisome? Does he share his Conservative colleague's concern? If it is worrisome, why not support the Liberal motion for the Standing Committee on Access to Information to study this worrisome issue?

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, the committee can do what it wants and ask whomever it wants to appear as a witness before the committee.

However, our government introduced Bill S-4 to protect Canadians' private personal electronic information. That is why we introduced the bill, and here is what the Privacy Commissioner had to say about it:

> I welcome [the] proposals [in this bill, which contains] some very positive developments for the privacy rights of Canadians....

That is what we are doing.

[*English*]

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, with 1.2 million requests for personal data on Canadians, the minister fails to take immediate action.

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Malpeque has the floor.

Hon. Wayne Easter: As I said, Mr. Speaker, the minister failed to take immediate action on this serious matter.

The Privacy Commissioner's report clearly shows that there is massive surveillance being imposed on Canadians by agencies of the current government. Canadians' privacy is certainly being compromised.

Yesterday the Prime Minister basically said take it or leave it. His parliamentary secretary said that he was willing to work with opposition parties. Could we get a clear answer? Will the government support our motion for transparency?

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, if the member opposite does not believe in the Personal Information Protection and Electronic Documents Act, if he thinks it is inadequate, he was the solicitor general when the legislation was passed.

We have gone further forward to protect the privacy of Canadians. We are moving forward. Bill S-4 puts in place new protections for Canadians.

The Privacy Commissioner herself said about our legislation that she welcomes the proposals in this bill. She said this bill contains "very positive developments for the privacy rights of—"

The Speaker: Order. The hon. member for Malpeque has the floor now.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, what the government will not do to avoid giving an answer.

Let us get to the specifics. Canadians feel they cannot trust the Conservative government and they know their personal data is being spied upon.

Can the Minister of Public Safety and Emergency Preparedness inform Canadians which of the agencies he is responsible for—RCMP, CSIS, the Canada Border Services Agency—issued warrants? How many were issued and how many were spied upon without warrants?

Some hon. members: Oh, oh!

The Speaker: Order. There seem to be a lot of members trying to answer the question before it was finished being put. I am sure the Minister of Industry does not need the help.

The hon. Minister of Industry now has the floor, and I will ask other ministers to allow him to do so.

The hon. Minister of Industry.

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, it is an interesting approach to a parliamentary debate tactic to say that Canadians cannot trust the legislation that he in fact proposed for Canadians and that Canadians should not trust him because his legislation was so flawed.

We, of course, protect the privacy of Canadians. We are empowering the Privacy Commissioner with new tools to further protect Canadians online. Bill S-4, the digital privacy act, goes further than the Liberal Party ever endeavoured to go and further than the NDP has ever proposed to go in further protecting the privacy of Canadians online.

When the parliamentary committee considers this legislation, of course it can compel witnesses, and we are happy to hear what—

The Speaker: The hon. member for Terrebonne—Blainville.

● (1445)

[*Translation*]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, the government has no qualms about accessing, without warrants, the personal information of one million Canadians provided by telecommunication companies.

The government's new digital privacy bill will not solve the problem. Canadians are no longer just afraid that their personal information will be lost or stolen. They now have good reason to fear that they are being spied on by their own government.

Why do the Conservatives feel that they can access the personal information of Canadians without a warrant?

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, that is not the case at all. We are talking about a piece of legislation from 2001. It was passed in the House of Commons in 1999 and implemented in 2001. There is nothing new about it.

With Bill S-4, we are implementing new measures to better protect the interests of individuals.

[*English*]

If this particular colleague of ours does not like this legislation, then I just have to wonder why she said, when we introduced the bill, "We have been pushing for these measures and I'm happy to see them introduced".

That is what she herself said when we put the bill forward.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, now that the government's wide-open snooping on the online activities of Canadians has been exposed, the Conservatives are saying that it only happens in cases of immediate terrorist or violent threat, yet the Privacy Commissioner tells us that it happens 1.2 million times a year.

That means every 27 seconds, someone from a government agency calls a telecom and demands information on Canadians.

We know the proclivity for paranoia on the government side, but are there that many threats? Come on. Why is the government allowing open season on law-abiding Canadians who are on the Internet?

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, the NDP is coming very close to setting the indoor record for missing the point here.

The Personal Information Protection and Electronic Documents Act, section 7, spells out very clearly the parameters of this law. Beyond that, Bill S-4, our new legislation, the digital privacy act, further protects Canadians' privacy.

That is what the Privacy Commissioner said when she said that this bill contains "...some very positive developments for the privacy rights of Canadians".

The NDP critic on this issue said, "We have been pushing for these measures and I'm happy to see them introduced". That is the NDP position on our bill.

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THE ECONOMY

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, a new study from the OECD confirms what Canadians already knew. Income inequality in Canada is spiralling out of control.

The OECD says:

> Without concerted policy action, the gap between the rich and the poor is likely to grow even wider in the years ahead.

However, not only are Conservatives failing to act and close this gap, they are actually presenting budgets and writing policies to make this problem even worse.

Why is the government failing to ensure that all Canadians benefit from our nation's economic growth, and not just a select few?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, the OECD study does not take into account tax measures or government transfers.

Taking these into account, average income is up 10% since 2006, with the highest income growth among low-income Canadians.

Under this Conservative government, Canadians in all income groups are better off. We will continue with our low-tax plan, unlike the tax-and-spend Liberals and NDP, whose high-tax, high-spending agenda will threaten jobs and set working Canadians back.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, what is frightening is this minister's selective reading of important real facts about what is happening to the Canadian economy.

The Toronto-Dominion Bank, the Conference Board of Canada, and now the OECD all contradict what that minister just said. Income inequality is a growing threat to the Canadian economy.

Denial and Conservative ideology are not going to fix the problem. Because of the government, the vast majority of Canadians are falling behind top earners faster than those in France, Spain, and even Portugal.

The income gap has seen decades of dramatic growth under both Liberal and Conservative governments. Why is the current government making policies that make a bad situation even worse?

● (1450)

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, the facts are not on the side of the hon. member.

Low-income families have fallen to the lowest percentage level in three decades. Canadian children from poor-income families have a higher probability of moving up the income scale than in most countries, including the United States, the United Kingdom, France, or Sweden.

Canadian families at all levels have increased their real income by about 10% or more since 2006, and net worth has gone up by 45%. This is an amazing record, and Canada is admired around—

The Speaker: The hon. member for New Brunswick Southwest.

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THE ENVIRONMENT

Mr. John Williamson (New Brunswick Southwest, CPC): Mr. Speaker, the Council of Canadian Academies today released a report on hydraulic fracturing. Our government is already working with partners to study the impact of shale gas progress so more Canadians, and provinces in the east, can benefit from responsible resource development.

Could the Parliamentary Secretary to the Minister of the Environment give an update on the work being done across the country to protect our waters and land while developing this job-creating resource?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, it is important to note that hydraulic fracturing has been used safely in western Canada for decades, with no incidents of contamination to drinking water. In fact, the Alberta Energy Regulator, the B.C. Oil and Gas Commission, and the Saskatchewan Ministry of Energy and Resources confirm there has never been a proven case of well water contamination resulting from hydraulic fracturing under their jurisdictions.

Of course, this is where most oil and gas drilling activity occurs in Canada. As the provinces and territories are the primary regulators for this industry, we will continue to work with them to ensure Canadians benefit from safe, responsible development.

[*Translation*]

Mr. François Choquette (Drummond, NDP): Mr. Speaker, one has to wonder whether they have read the same report we have.

Today, the Council of Canadian Academies released its long-awaited report on hydraulic fracturing. The findings of the study should give the Conservative government some food for thought. Indeed, the report points out that there is not enough information to conclude that this technique is safe, provincial regulations are not based on sufficient research, and the federal government is once again failing in its environmental and health-related responsibilities.

What tangible action will the minister take to address the concerns in the report?

[*English*]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, as I was saying, it is important to note that hydraulic fracturing has been used safely in western Canada for decades, I think over 60 years, with no incidents of contamination to drinking water.

As I mentioned before, not one, not two, but three prominent bodies—the Alberta Energy Regulator, the B.C. Oil and Gas Commission, and the Saskatchewan Ministry of Energy and Resources—confirm that there has never been a proven case of well water contamination resulting from hydraulic fracturing under their jurisdiction.

That is where the drilling occurs and we are going to continue to work with the provinces and territories, because they are the primary regulators, to make sure that Canadians get the best benefit out of this resource.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the report they ordered says that they are not doing anything to regulate fracking. This is the report that the Conservatives ordered.

The parliamentary secretary knows full well that for three years we have been waiting for action and they have done nothing to better regulate fracking. All they have done is pass the buck.

However, the report is clear. It says, "...there is no national plan and no coordination or federal facilitation of...provincial efforts". Therefore, will the minister and the parliamentary secretary stop dodging and will they actually act to better regulate and keep Canadians safe?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, as I said, it is important to note that hydraulic fracturing has been used safely, I repeat, in western Canada for decades and there have been absolutely no incidents of contamination to the drinking water. As I said, this is provincial-territorial. They are the regulators. The Alberta Energy Regulator, the B.C. Oil and Gas Commission, and the Saskatchewan Ministry of Energy and Resources confirm there has never been a proven case of well water contamination resulting from hydraulic fracturing under their jurisdiction.

We will continue to work with them to make sure we have the safest use of this resource for Canadians.

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CANADIAN HERITAGE

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the Conservatives are obviously more interested in helping out their oil lobbyist friends than actually protecting Canadians. Special interests like the Canadian Association of Petroleum Producers are buying themselves more than just a little good PR when they donate to the Canadian Museum of History, because for a million dollars they are provided exclusive access to influential audiences and key decision-makers like senators, MPs, cabinet ministers, and their staff.

Does the minister really think that cash for access is appropriate?

● (1455)

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I am quite disturbed by what was said by the member. I think that all members in the House ought to take tremendous pride in the museums that we have here in Canada. In fact, I am very proud of the government's investment in our museums. We are in fact the only G7 country not to have cut direct funding to our museums during a global recession. We continued to allow them to operate at arm's-length. They make their own operational decisions and there has been no benefit given to any of their donors. It is sad to see the NDP attack donors.

[*Translation*]

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, oil lobbyists are buying access to cabinet ministers and senators by donating money to museums, and the minister does not see a problem with that. Give me a break. Cultural institutions are being exploited to benefit the oil industry, which goes to show how important culture is to this government. It also shows that the Conservatives will stop at nothing to advance the interests of their friends at Canadians' expense.

Under the Conservatives, Canada's museums are struggling to get public funding and are being forced to cave in to lobbyists. Why?

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, again, I think it is sad to see the official opposition attacking those who truly value our history and our museums.

Our museums across the country operate at arm's length from the government. We are proud of what our museums are doing, and we would never attack Canadians who are prepared to support and make donations to them. We trust our museums. There is no interference and we are proud of that.

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[*English*]

ABORIGINAL AFFAIRS

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, the RCMP is not denying media reports that it has now identified over 1,000 cases of missing and murdered indigenous women and girls, so the government's own numbers of victims of what was already an unspeakable and ongoing national tragedy have now doubled. In the face of these appalling new statistics, how can the government claim that it is tough on crime or supportive of victims?

I ask again, will the Prime Minister finally do the right thing and call a national public inquiry into the missing and murdered indigenous women and girls here in Canada?

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, as I have indicated, one missing person in this country is too many. A government-wide effort is helping Canadians to better understand and deal with this issue.

The time for action has come. We are committing an additional $25 million in budget 2014 to tackle this. Status of Women Canada is working on that. We are working as a government and we are committed to bringing more action, as we have done for the last six years.

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THE ENVIRONMENT

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, the Minister of the Environment says "...shale gas deposits can be developed...with the strict environmental policies and regulations in place". However, today's fracking report, which obviously the parliamentary secretary has not read, says that not enough is known to declare it safe and provincial regulatory systems "are not based on strong science" and there's virtually no federal regulation. The government cannot have it both ways. It cannot have strict regulation and no federal regulation at the same time.

What is it? Is it strict or is it nothing?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, what Canadians want to know is that hydraulic fracturing has been used safely for decades and there have been no incidents of contamination of drinking water, absolutely zero.

The three regulators, the prominent bodies that I talked about, the Alberta Energy Regulator, the British Columbia Oil and Gas Commission, and the Saskatchewan Ministry of Energy Resources, confirmed there has never been a proven case of well water contamination resulting from hydraulic fracturing under their jurisdictions.

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● (1500)

LABOUR

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, today is May Day, when we honour the hard-fought gains of working people and their struggles for a safer workplace, better working conditions, and fair wages. The Conservatives have launched attacks on the rights of workers and have failed to act to better protect workers. There must be consequences when companies and senior executives fail to keep workers safe.

Why is the minister refusing to hold companies to account?

Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of Labour and for Western Economic Diversification, CPC): Mr. Speaker, our government is focused on what matters most to all Canadians and, of course, growing the economy and helping create jobs. We also have to be committed, and we are committed, to ensuring that all workers have access to a safe, fair, and productive workplace. At the end of the day, healthy workers mean a healthy economy.

[*Translation*]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, the Conservatives are playing a dangerous game by eliminating fundamental measures that protect Canadians.

In their latest budget implementation bill, the Conservatives have changed the definition of what constitutes dangerous work. In recent years, workers have lost their lives on the job just a few metres from this chamber.

Why does the minister not drop his irresponsible plan to change the definition of what constitutes dangerous work in order to ensure workers' safety?

[*English*]

Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of Labour and for Western Economic Diversification, CPC): Mr. Speaker, our government is committed to preventing accidents and injuries in the workplace. It is important to note that between 2007 and 2011, the number of disabling injuries for all federally regulated sectors decreased by 22%. Building and sustaining safe workplaces contributes to Canada's continued prosperity and we as a government will continue to ensure employees and employers are making Canada's workplaces safe, fair, and productive.

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HEALTH

Mr. Ben Lobb (Huron—Bruce, CPC): Mr. Speaker, investments in health research, and particularly research in the area of mental health, are important contributions to both the health of Canadians and indeed the world at large. Millions of Canadians will suffer from neurological illnesses during their lives, impacting their families and their communities. That is why I am proud of our government's yearly investments of up to almost $1 billion to support nearly 13,000 health researchers. Can the Parliamentary Secretary to the Prime Minister update the House on the government's latest investments in health research?

Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC): Mr. Speaker, I could not agree more with my hon. colleague on the importance of health research. Just today, the Prime Minister was in Montreal announcing that we will be supporting five new research projects in the areas of Alzheimer's prevention and autism, under the Canadian brain research fund. As members know, this fund was introduced in 2011, and it represents one of the largest public-private investments in health research in Canadian history. Our government remains committed and will continue to support health research across this country.

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CANADA POST

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, the Conservative attacks on rural communities continue. Already this year, 50 communities in Newfoundland and Labrador have had their postal services reduced, with another 24 facing the same fate. Canada Post is often the only federal presence in these towns, and courier and Internet services are limited or simply do not exist. By reducing postal services, the government is hurting local businesses and limiting access to a service readily available to others. Why does the current government insist on treating rural Canadians as second-class citizens?

Hon. Lisa Raitt (Minister of Transport, CPC): Mr. Speaker, as members know, Canada Post has embarked upon a five-point plan to ensure that it returns to self-sufficiency and is not a burden on the taxpayer here in Canada. More importantly as well, it is charged with ensuring that the rural moratorium stay in place, and indeed it does. Those are protected communities in which these services will not be suspended. Indeed, it is our government that put that in place and gave it some teeth, and it is a very important part of our policy. Finally, I would say when we look at the amount of service that is provided, it is important to note that in the province of Newfoundland and Labrador there are more Canada Post outlets than there are schools.

[*Translation*]

AIR TRANSPORTATION

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, while the city of Mirabel, the CMM, the chambers of commerce, the CRÉ des Laurentides, the Table des préfets et élus de la couronne Nord and all local stakeholders are trying to find a new role for the facilities, along comes the ADM to announce that the government has given the green light to the demolition of the Mirabel terminal, as if Mr. Trudeau's mistakes could be put right by making another one.

Why are the Conservatives working against Quebec and Montreal's north shore instead of working with the community to convert the Mirabel terminal to another use?

● (1505)

[*English*]

Hon. Lisa Raitt (Minister of Transport, CPC): Mr. Speaker, as the Mirabel Airport is the property of Transport Canada, it is under a long-term lease with the Aéroports de Montréal, which has responsibility for all of its operations and indeed the land-use planning associated with it. Nothing that is being carried out today is in contravention of the terms of its lease, and we look forward to seeing what developments the Aéroports de Montréal will be taking in that area to improve and continue to develop the economy in the great portion of Montreal.

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SCIENCE AND TECHNOLOGY

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, scientific research and innovation have the potential to improve the quality of life of all Canadians and help secure our long-term economic prosperity. We know that the innovative Canadian research of today will lead to the high-quality jobs of tomorrow. Will the Minister of State for Science and Technology please tell this House how our government is committed to encouraging even more Canadians to seek out careers in science and technology, engineering, and mathematics?

Hon. Ed Holder (Minister of State (Science and Technology), CPC): Mr. Speaker, this morning I had the opportunity to attend a Let's Talk Science event at Carleton University. They hosted students from grades 6, 7, and 8 interested in exploring science, technology, engineering, and mathematics. Our government's record of investments in science and technology are helping organizations like Let's Talk Science reach young Canadians in order to support youth skills, knowledge, and positive attitudes toward STEM disciplines.

I am proud to say that the government is supporting tomorrow's innovators, tomorrow's engineers, and tomorrow's scientists.

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[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, the residents of Lac-Mégantic, who saw their town reduced to ashes last summer, are about to receive their final employment insurance cheques. A number of those receiving benefits come from Haut-Saint-François, in my riding.

However, the businesses where they used to work are only just starting to be rebuilt. Given those circumstances, the hon. member for Mégantic—L'Érable himself promised, some weeks ago, that he would be looking for a solution to their problem.

Can the hon. member tell us what solution he has found for those who worked in those SMEs in Lac-Mégantic?

Mr. Jacques Gourde (Parliamentary Secretary to the Prime Minister, for Official Languages and for the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, since the disaster, we have always been there for the people of Lac-Mégantic. We have provided $155 million to help the community, including $95 million for decontamination, $35 million for Lac-Mégantic's economic recovery and $25 million for the costs of the response.

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THE ENVIRONMENT

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, yesterday a group of experts issued a report on the capture of shale gas. The group, which was commissioned by the Department of the Environment in 2012, deems that there is considerable uncertainty about the possible risks to the environment and to human health.

The environment commissioner raised a number of concerns about the possible consequences, including the release of pollutants into the environment. Environment Canada then confirmed to the commissioner that the department would develop a position and make its findings public in March 2014.

We have heard the government's propaganda. Now, what is Environment Canada's response?

[*English*]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, as I said earlier, it is important that Canadians and Quebeckers understand hydraulic fracturing. It has been used safely in western Canada for decades. There have been no incidents of contamination of drinking water.

As I have mentioned, not one, not two, but three prominent bodies involved in the regulation of this industry—the Alberta Energy Regulator, the British Columbia Oil and Gas Commission, and the Saskatchewan Ministry of Energy and Resources—confirmed that there has never been a proven case of well water contamination resulting from hydraulic fracturing under their jurisdiction.

* * *

[*Translation*]

BUSINESS OF THE HOUSE

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, this was not a good month for this government: three of its bills were rejected by the courts because they were flawed.

Given that the government is routinely invoking time allocation and closure, the work on the bills has been sloppy.

This morning, another flawed bill, Bill C-30, was sent back to committee because this government did not do a good job in the first place. Mr. Speaker, you were obliged to reject the manner in which the government put in place this bill.

The government's process is not working. The courts and even the Speaker of the House have to call this government to order.

● (1510)

[*English*]

Now the government seems to be doing the same thing with Bill C-23, the unfair elections act. The committee was working to address many of the problems that exist in the bill. The NDP, as it always does, offered sound amendments to bring forward on this bill so that it would actually work for Canadians and Canadian democracy. However, we have the government now setting an artificial deadline. When the committee still has over 200 pages of the bill to scrutinize and still has hundreds of amendments to consider, the government is saying that the committee has to finish its work within just a few hours.

This is obviously going to be another bill that the government is going to screw up. How can the government expect bills to stand up to scrutiny if it will not allow proper scrutiny in committee and in the House?

My question is very simple. What will the Conservatives do next week to start restoring the confidence of Canadians that has been sorely lost by the amount of botched legislation we have seen coming from the government?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, first, let me acknowledge my colleagues', and I say that in the plural, co-operation with respect to both Bill C-30, the fair rail for grain farmers act, and Bill C-25, the Qalipu Mi'kmaq first nation act, today. We appreciate that co-operation.

[*Translation*]

This afternoon, we will continue with the second reading debate on Bill C-33, the first nations control of first nations education act. That debate will conclude tomorrow and we will then proceed with a committee study of this important legislation this spring.

Monday shall be the fourth allotted day. We will debate a proposal from the New Democrats.

[*English*]

The Liberals will then get their turn on Tuesday, which shall be the fifth allotted day. I am still waiting to see a proposal from the Liberal leader on the economy. Maybe he is still finessing his newest definition of the middle class. I recommend to him the recent study from the U.S.A., the one that has been widely reported, which demonstrated that the Canadian middle class, according to his recent definition, that is the median income, is doing better than ever in history. For the first time, the Canadian middle class is doing better than its American counterpart. Perhaps we will see that on Tuesday as the subject of debate in the Liberal motion, since they claim that the middle class is their priority.

On Wednesday, we will start the report stage debate on Bill C-23, the fair elections act. I want to take this time to acknowledge the hard work of the members of the procedure and House affairs committee. My friend was just talking about the hard work they have been undertaking and the difficult pressure they are under. Largely, it should be said, it is a result of the lengthy filibuster, of which the New Democrats were so proud, at the start, whereby the committee lost many days, when it could have heard witnesses.

Notwithstanding that loss of work, those delay tactics, and the obstruction by the New Democrats, the committee has got on with its work. It heard from almost 70 witnesses. It had over 30 hours of meetings. Now it has gone on to complete about a dozen or so hours of detailed study of the clauses of the bill and the government's reasonable and common-sense amendments to the bill. I expect that it will complete that work shortly.

Despite the long hours the committee members are putting in, I know that they will be keenly anticipating the appearance, before the next constituency week, of the Leader of the Opposition at that same committee. That will, of course, be in compliance with the House order adopted on March 27 respecting the allegations of inappropriate spending and the use of House of Commons resources by the New Democratic Party. There the hon. member for Outremont will have the opportunity to answer many important questions of interest to all Canadians, including, I am sure, some questions from his own caucus members, who have been dragged into the scheme the NDP leader has put in place.

Finally, on Thursday morning, we will consider Bill C-3, the safeguarding Canada's seas and skies act, at report stage and third reading. After question period, we will resume the third reading debate on Bill C-8.

● (1515)

The Speaker: The Chair has notice of a question of privilege from the hon. member for Malpeque.

Hon. Wayne Easter: Mr. Speaker, in 2002, as solicitor general, I named Hezbollah and Hamas and had them listed as terrorist entities. My question of privilege relates to statements that impact on my character as an MP and as a former minister.

Yesterday, the member for Winnipeg South Centre, in a prepared standing order, stated, “public safety spokesman, the member for Malpeque, opposed listing Hezbollah as a terrorist entity”.

The decision to name Hezbollah and Hamas was based on extensive research and evidence prepared by the department and agencies under my authority and was approved by the cabinet of Prime Minister Jean Chrétien. They were registered on the list of terrorist entities on 10 December, 2002.

The remarks by the Conservative member for Winnipeg South Centre are an absolute falsehood and an attempt at character assassination, used, in my view, with malicious intent. I would ask that the member withdraw her remarks and cease and desist from providing such false and misleading information in prepared statements in this House.

The Speaker: I understand the hon. member for Malpeque's interest in this. It does not sound to me that this is a question of privilege but perhaps is something to raise with the member. Perhaps the member in question from Winnipeg South Centre may wish to clarify, but it does not sound like it is a question of privilege. Therefore, we will move on from that.

GOVERNMENT ORDERS

[*Translation*]

FIRST NATIONS CONTROL OF FIRST NATIONS EDUCATION ACT

The House resumed consideration of the motion that Bill C-33, An Act to establish a framework to enable First Nations control of elementary and secondary education and to provide for related funding and to make related amendments to the Indian Act and consequential amendments to other Acts, be read the second time and referred to a committee.

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): Mr. Speaker, let us resume where we left off a few minutes ago.

Following consideration of Bill C-33, as well as the study I did with my colleagues and the meeting that took place two days ago with representatives from APTN and the Assembly of First Nations, in the office of the Leader of the Opposition, I have been telling my colleagues that we need to stand back when first nations take assertive action. They want to be heard and they will very likely mobilize in the upcoming months because of this draft bill on first nations education. By that, I mean let us not try to score political points.

In my last few years in the House, all too often I have noticed that some politicians, regardless of their party affiliation, usually try to score political points at public gatherings. Given the identity issue that is primarily at stake in this bill, namely first nations education, we must act judiciously. That is why first nations must be front and centre and their assertive action, their own arguments and their own points must take precedence.

It is also important to recognize that education is chronically underfunded, which naturally affects the quality of education offered in remote first nations communities. Unlike what has been claimed, it is the chronic under-funding that has affected the delivery of education services in most of the remote regions. This contradicts the claims we have heard here and what the bill is trying to imply in a roundabout way, namely that the first nations are responsible for overseeing and maintaining the quality of education and that they should shoulder the blame for their lax approach to integrating and applying the recognized education principles.

Statistics and interventions show that the chronic underfunding has been primarily responsible for the adversity in these communities. My chief said that communities can receive up to 35% less funding than the rest of the Canadian public might receive.

Therefore, the first nations members, teachers, principals, and staff who are responsible for education have had to make do with less funding and under less-than-ideal conditions. The very fact that I am here today and that there has been an increase in the level of education in these communities is evidence of the resilience of first nations members.

The government must also try to get the consent and support of community members when it enacts public policy, which has not been done or has not been done often enough. With this bill and with many others, the Conservatives have shown a rather narrow view of the concept of consultation, research and consent. I have witnessed this in my few years in the House.

That is why members of first nations, who are the primary stakeholders, were only somewhat involved. In fact, their degree of involvement remains unclear to this day. The AFNQL told us that it had not been consulted, and the vast majority of first nations members said the same. That is deeply deplorable considering the nature of the issue, the education of first nations people, which is closely linked to their identity and will ultimately lead to self-determination, a basic principle of our justice system and our parliamentary system. Self-determination of peoples can be achieved only by emancipation through education. That is why primary stakeholders must be involved in the drafting and enactment of this particular kind of bill.

It is important to keep in mind that the honour of the crown and the responsibility of the state are inextricably linked to the enactment of public policies that affect matters relating to the quiddity of being Indian. Identity and quiddity are synonyms, but there are differences. The term “quiddity” is used primarily in a legal and “aboriginal law” context.

● (1520)

The education of first nations is also covered by the fiduciary responsibility that must be observed between the crown and first nations. That is my understanding, and I think that many jurists in the country would agree. As such, attempting to attribute all of the blame for the questionable outcomes of education in these communities to teachers and first nations is quite inappropriate.

Canada is currently in an uncomfortable international spotlight. UN representatives, auditors and rapporteurs have come here over the past two years because our reputation has gone beyond our borders.

Europeans, who know a thing or two about this, decided to come take a look at what is going on with respect to education, housing and food.

I met two of those rapporteurs, so I know that Canada's human rights reputation is suffering worldwide. That is the subject of another debate.

Education is covered by this fiduciary relationship. The honour of the crown and the Government of Canada are involved every time that appalling situations come to light. Just six days ago, I was in an Innu community in Pakuashipi where members mentioned that educational adaptation is necessary, given the distance, remoteness and cultural subtleties of aboriginal communities. Teachers had to adapt out of necessity. Sometimes, children are simply brought into the forest because it is nearby. It is culturally relevant and part of the nomadic cycle and life cycle of these communities. Therefore, adjustments need to be made.

The Government of Canada must consider these specific characteristics when it drafts bills like this. Moreover, when this kind of reform is put forward, stakeholders in the community must truly be involved. Otherwise, it remains an empty shell. In this case, I would go so far as to say that authoritarianism is at play here. I will come back to that later.

The substance of the bill submitted for our consideration today shows this desire to control and interfere that is oftentimes selective. The Conservative government is trying to intervene selectively in the things that might cast an unfavourable light on the situation internationally and on education. Given that the government was exposed, it is trying to intervene in a draconian way, just as it did in many other areas in recent years. I was able to gauge this desire to intervene. The Conservatives are cherry picking, meaning that they intervene in matters that expose them and that are somewhat comfortable to them.

Therefore, the legislative instrument submitted for the consideration of the House was to outline the obligations and responsibilities of the federal government in the provision of education services on reserves, rather than to exonerate the government of its obligations by transferring the horrible consequences of the chronic underfunding of educational institutions to the institutions' local administration.

The narrative presented so far by stakeholders, who are most often Conservative stakeholders, is that the communities and stakeholders are responsible for the quality of education, even though the chronic underfunding has now been calculated. Indeed, the chronic underfunding has been calculated at a rate of 35%. My boss, the Leader of the Opposition, announced that.

I would point out in passing that, under subsection 91(24) of the Constitution Act, the Government of Canada is responsible for Indians and lands reserved for Indians. That is the first building block in our institution.

The government must provide education from kindergarten to grade 12 on reserve, and it must provide measures for post-secondary education. This must involve financial investments wherever they are needed. So far, this dynamic has received the most exposure.

● (1525)

There was tacit recognition in rather oblique language when the Minister of Aboriginal Affairs and Northern Development announced recently, with a great deal of hype, that there would be a huge financial investment in either 2016 or 2017. Those funds are needed now, not in 2016, because there is a dire need.

Nevertheless, we must acknowledge that this is a step forward. There had been no such recognition up until now. The government therefore took a step forward and indicated that if $2.4 billion—if memory serves—needs to be invested in 2016, that means that this area is now drastically underfunded. Now the question is what other areas will it pilfer from to come up with that money, but that is not my problem.

The selective interventionism and punitive nature of the Conservative government's initiatives clearly illustrate the inadequacy of the "my way or the highway" approach to providing services to the public and meeting government obligations regarding basic rights. I am talking about the punitive nature and selective interventionism because I have seen them first-hand, since I travel around to communities that have asserted their rights and have taken a stand, and are now being punished for it.

This is punishment. The government is simply making cuts. The government finds that the number of students does not correspond to the list that dates back to who knows when, and for that reason it is cutting $460,000 from the budget. For a remote community, that is a lot of money. These are punitive measures. Make no mistake.

Now I will say a few words about the moves the Conservatives keep making to off-load their obligations and their responsibility for government inaction on education for first nations youth by shifting the blame onto local stakeholders who have to deal with difficult conditions and limited resources.

The current government is trying to off-load its obligations not only to Canada's aboriginal peoples, but also in terms of providing services. We saw that with Canada Post. It is trying to off-load its obligations. Service delivery is more or less favourable, more or less on this government's agenda. In any case, the government will have to change its position, what with the general election just around the corner. Soon we will likely see the government handing out goodies, if I may put it that way.

Let me read a subclause that was brought to my attention; it belongs to a different time. The last time I had to analyze a section of legislation that reads *a contrario* goes back at least 13 or 14 years, when I got into law school. That is certainly a different time, but here it is still: clause 41 of the bill before us today reads as follows:

> 41. (1) The director of education, the principal, the teachers and the other staff of a school must provide all reasonable assistance to enable the temporary administrator of the school to exercise their powers and perform their functions and must provide any information relevant to the administration of the school that the temporary administrator requires. They must also comply with any direction given by the temporary administrator relating to the administration of the school.

Subclause 2 is where the harm lies:

> No proceedings lie against any person referred to in subsection (1) for having in good faith provided the temporary administrator with assistance or information or complied with their directions.

Strangely enough, the title of the subclause is "Immunity". We know, of course, that the Conservatives often use a word to mean the opposite—they talk of transparency and the Fair Elections Act, even though there is actually nothing very fair about it—and this subclause is no exception. If you read it *a contrario*, it means that the director of education, the principal, the teachers, and the other staff members of a school can be sued if they do not provide the administrator with assistance in good faith.

It remains to be seen what good faith is and what level of co-operation is adequate in the eyes of the Conservatives and the minister. Ultimately, I very much doubt that the minister will be the one making the assessment. This kind of not-so-veiled threat is really disgraceful. Circumstances will make the Conservatives see that they are not the only ones able to make threats like that. They may have to put up with some heat this summer.

I submit this respectfully.

● (1530)

[*English*]

Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, I once again want to turn to an analysis that was provided of Bill C-33 by the Assembly of First Nations which said that not only did it show how Bill C-33 met the five conditions laid out in the open letter by Shawn Atleo and by the resolution from the Chiefs Assembly, but it also said that Bill C-33:

> —is a constructive and necessary step supportive of the goals expressed by First Nations for control, respect for treaty and Aboriginal rights, recognition of language and culture and a clear statutory guarantee for fair funding...

Shawn Atleo, the national chief, said:

> What we are hearing the government commit to is a new way forward that we jointly design an approach to education that we have First Nations control and sustainable funding that has to be anchored in legislation.

Of course that is in the legislation. Therefore, I want to know this from the hon. member who is a member of the aboriginal affairs committee. If the Assembly of First Nations seems to think this legislation is meeting the goals it has set out, why is the NDP playing politics and opposing it?

[*Translation*]

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

One person cannot be responsible for or represent the opinions of an entire people. The stakeholders who have come to meet with us so far have told a different story. It is up to Mr. Atleo to address that.

However, the lack of support is noticeable across the country, and the chiefs who came on behalf of the AFNQL two or three days ago said that they will oppose this bill as it stands, as it has been drafted and introduced in the House.

That is what we are going to have to contend with.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I previously have had the opportunity to express a concern related to the financing of education. It is an important issue for us. I was formerly an education critic in the Province of Manitoba where we dealt with the importance of providing a curriculum. It is so critically important that along with that we have to provide the funding that is necessary to implement the curriculum. There is no doubt a great deal of concern about how much money is going toward the actual education of the students. This is of critical importance.

Even though the legislation refers to education, there does not seem to be any sort of commitment going to that direct link to education dollars for the students. Would the member care to comment on the importance of that aspect of education in general?

● (1535)

[*Translation*]

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

At times, funding is the best way to address a desperate situation. In this case, it has been clearly demonstrated that underfunding is the cause of education problems in these communities, particularly the ones that are remote and that have to deal with somewhat challenging conditions and the added challenge of recruiting qualified teachers and stakeholders.

When I went to Pakuashipi, I realized that they are in desperate need of a visit from a psychiatrist, someone who can talk with the youth about fetal alcohol syndrome and many other things. However, that would require massive funding. Those are excess costs that schools in downtown Montreal, for example, would not have to deal with, but that would be shouldered by stakeholders and local institutions.

Sometimes, it is easy to solve the puzzle. Funding levels should reflect the funding provided for all Canadian students. Students across the country should all have matching funding.

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, my hon. colleague is doing a great job as the deputy critic for aboriginal affairs. I know so, because there are two Algonquin communities in my riding.

Those communities told me that they were scared of this bill. They are afraid that the bill will affect the control they have and they will not be able to meet the real educational needs of their people. This bill will create a lot of red tape at the Department of Aboriginal Affairs and Northern Development instead of actually helping the communities.

Does my hon. colleague agree with those communities? It is unfortunate that the government is just doing this without really caring about the actual needs of those communities.

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

I met with Chief Whiteduck from his riding just a couple of days ago. Chief Whiteduck holds a PhD in education. He is therefore well equipped to determine not only the relevance of the funding but also the relevance of the upgrading and the implementation of culturally appropriate programs in his own community.

This government interference and the idea of going back to a government agency that would supervise the schools and the quality of education could be counterproductive and raise hackles under the circumstances. That is the reason for this opposition and the assertive action that will be brought forward, and rightly so, based on my own experience.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, I would like to say a few words about what the government said.

The government said that the National Chief of the Assembly of First Nations agreed. However, the national chief also said that it was up to the first nations to decide whether or not it was a good bill. We are hearing more and more that it is not what first nations want. Patrick Madahbee, Grand Council Chief of the Union of Ontario Indians said:

[*English*]

"They just don't get it, either that or they're hell bent on legislating First Nations to death".

In fact, Bill C-33 reminds a lot of people of the Safe Drinking Water for First Nations Act. Again, the government is putting in legislation that impacts first nations without providing money. With this first nation, we see that the government wants to provide money, but it is way later on when it is convenient for it, when it is election time.

Maybe my colleague can comment on what the impact of this education act will be on first nations, and how many more first nations are coming forward saying they do not see this as a bill but a way of putting another Indian agent in place through the legislation.

● (1540)

[*Translation*]

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

I believe that she provided two options. Under the circumstances, I think it is the second option. What I would say is that the government should have done it the other way, that is, it should have given the money first and then it should have looked at what to call it and how to frame all of this. At this time, the pressing needs concern the chronic underfunding that affects the quality of teaching, bearing in mind the additional challenges that the communities have to deal with. For example, they have to hire employees who often live in urban centres and have to move to isolated areas. These things have to be taken into consideration and are strong arguments for the massive injection of funds prior to the enactment of such measures.

In this case, they have done the opposite. The government has promised and announced funds for 2016, as though this government will still be in power in 2016. I submit this respectfully.

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I have a quick question that my colleague will surely be able to answer. The history of relations between aboriginal peoples and the Canadian government is littered with promises that have generally not been kept. My colleague has worked very hard to get an education and to become a brilliant lawyer. I would like him to describe what it means for a young aboriginal person to hear that the problem could perhaps start being fixed in two years.

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

I would say that this kind of message and reasoning was already at the forefront in my own community. Now that I am in Ottawa, I am in a position to pinpoint the types of things that are truly hindering the expansion, emancipation and self-determination of the peoples.

One of these things is that key players and first nations members are almost always left out of the process when these measures are introduced. There may be some Indians who come to testify in committee, but most often I would say that these measures are introduced and implemented behind closed doors. First nations members are rarely asked to participate. That is rather outrageous, but I am starting to get used it after three years.

[*English*]

Mrs. Stella Ambler (Mississauga South, CPC): Mr. Speaker, I will be splitting my time today with the member for Miramichi.

I rise in the House today in support of Bill C-33, the first nations control of first nations education act. I am proud to be a part of a government that supports first nations education success. Our government is proud of the deeply collaborative approach that has been taken on this important file and we are seeing the results.

From the outset, our government committed to working with first nations to develop a first nations education act. Consultations and engagement with first nation parents, students, leaders and educators, as well as the provinces, were integral to the development and drafting of this proposed legislation. I would like to highlight some important milestones.

In 2011, the Government of Canada and the Assembly of First Nations jointly launched a national panel on first nation elementary and secondary education. Over the course of five months, the national panel held seven regional round tables and one national round table. Panel members visited 25 schools in 30 first nation communities across Canada, meeting with key individuals and organizations in each region.

In its final report, the national panel described education legislation as a fundamental part of an education system. In the words of the national panel:

> —legislation...establishes and protects the rights of the child to a quality education, ensures predictable and sufficient funding, provides the framework for the implementation of education support structures and services, and sets out the roles, responsibilities and accountabilities of all partners in the system.

Following this report, our government made a commitment in economic action plan 2012 to put in place first nation education legislation and launched an intensive consultation process in December 2012. The consultation process consisted of two stages.

First, our government shared a discussion guide with all first nations across Canada. The discussion guide informed first nations of components which would be covered in proposed elementary and secondary education legislation for first nations on reserve. The guide was informed by years of studies, audits and reports, including the 2011 June Status Report of the Auditor General of Canada, the 2011 report by the Standing Senate Committee on Aboriginal Peoples, and the 2012 report of the national panel.

From January to May 2013, our government engaged first nation parents, youth, educators, provincial partners and others with an interest or expertise in education through regional consultation sessions across the country. As well, more than 30 video and teleconferences were held and opportunities included email submissions and an online survey to make available and provide additional input.

Areas of interest and concern raised throughout these consultation activities included first nations control over first nations education, funding, the transition to a legislated system, parental involvement in education, language and culture, and aboriginal treaty and treaty rights.

After considering the findings from the national panel and feedback received through the consultation process, our government developed an annotated outline of the proposed legislation. The blueprint was released in July 2013. It was shared with first nations chiefs and councils, organizations, provincial governments, and others with an expertise or interest in first nation education for feedback.

In October 2013, following additional feedback and comments in response to the blueprint, the government released "Working Together for First Nation Students: A Proposal for a Bill on First Nation Education". In addition to posting this draft legislative proposal on the Aboriginal Affairs and Northern Development Canada website, our government shared the draft legislative proposal with more than 600 chiefs and band councils and every first nation community across the country, as well as provincial governments, for further input.

We have undertaken unprecedented and intensive consultations with first nations across this country, which have led to the exchange of open letters and dialogue between the Minister of Aboriginal Affairs and Northern Development and the National Chief of the Assembly of First Nations.

In November 2013, the Assembly of First Nations released an open letter to the Government of Canada asking for collaboration on five issues. These included first nation control and respecting inherent and treaty rights, a statutory guarantee for funding for education, support for first nation languages and cultures, jointly determined oversight that respects first nation rights and responsibilities, and, finally, an ongoing process of meaningful engagement.

● (1545)

In December 2013, my colleague the Minister of Aboriginal Affairs and Northern Development responded in an open letter with a commitment to address the issues raised.

Our government worked with the Assembly of First Nations to address its five conditions for success. As a result, in February 2014, Canada and the Assembly of First Nations announced the first nations control of first nations education act.

The bill includes important changes, such as the creation of a joint council of education professionals to provide advice and support to first nations and the Government of Canada on the implementation and oversight of the first nations control of first nations education act; first nations control in incorporating language and culture programming in education curricula, and providing funding for language and culture programming within the statutory funding stream; third, a commitment by the government to work in collaboration with first nations to develop the bill's regulations; and last, adequate, stable, predictable, and sustainable funding.

It was a historic moment for Canada-first nations relations, and we must not lose this momentum. These changes responded in full to the AFN's five conditions for success.

Our government has taken an open, transparent, and iterative approach to legislative development, including, as I have mentioned, the unusual step of the online release of draft legislation ahead of time.

We have listened and responded to concerns. Throughout the consultation process, our government provided updates to all first nation chiefs and councils on next steps in the development of a proposed approach to legislation.

As demonstrated by the name, first nations control is the central principle upon which this proposed legislation is based. It would recognize the ability and responsibility of first nations to educate their students. It would recognize the importance of treaty and aboriginal rights, which are protected by the Constitution. It would not apply to first nations that are part of an existing comprehensive or sectoral self-government agreement that covers education.

When our government announced our intention to introduce legislation, we made it clear that the partnership does not end with the introduction of the bill. Going forward, through the creation of, and the role of, the joint council of education professionals as proposed in Bill C-33, Canada and the Assembly of First Nations will continue to explore ways to further engage first nations as part of the commitment to respecting first nations control over first nations education.

It is in this vein that the minister is committed to negotiating a political protocol with the AFN on the role and membership of the joint council. First nations and all Canadians will have the opportunity to continue engaging during the parliamentary process.

In addition, when this bill receives royal assent, our government will work with first nations to ensure that there is a smooth transition for communities and first nations education organizations, and it has committed funding to do so.

Given the importance of this issue, these discussions have sometimes raised passionate and differing points of view. What we all agree on is that every child in this country has a right to quality education, no matter where they live in Canada. We can also agree that despite the best efforts of countless parents, teachers, and communities, too many first nation children are being left behind.

The historic way forward with the Assembly of First Nations is reflective of a constructive exchange and consultation process with first nations. I am proud of the deeply collaborative approach we have taken on this file. Working closely with first nations, we have reached a historic agreement on giving first nations control of first nations education, something that has been desperately needed for generations.

Bill C-33 represents an important step forward together. Our government will continue to focus our energies to work even harder now to ensure improved outcomes for first nation students on reserve.

● (1550)

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my colleague for his speech.

Why did the Conservative government not consult or collaborate with the real partners, meaning the communities, educators, teachers and people who work in the education system in these communities? Why did the government not work with them?

[*English*]

Mrs. Stella Ambler: Mr. Speaker, in fact we have worked in collaboration with so many stakeholders. Years of discussion, dialogue, and studies have illustrated the point that consultation is such a high priority for this government.

The government took into consideration the views and perspectives that were shared during this consultation with first nation educators, first nation leaders, parents, and teachers. There were meetings and online meetings. There was a sneak preview for everyone of the legislation online ahead of time. These are the kinds of things that teachers and other educators had many opportunities to respond to during the course of the consultation process, which lasted a number of years.

I am proud to say that the minister took the advice that was given to him and to the government as part of the consultation and incorporated it into the new bill.

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, the first nations control of first nations education act is a constructive and necessary step toward a better future for first nation students across the country.

I am both shocked and saddened that the NDP would stand in the way of improving the lives of first nation students for purely partisan reasons.

The NDP is opposing legislation that, for the first time in our history, would give first nation students the right to a quality education. NDP members are choosing to stand with those calling to bring Canada's economy to its knees and opposing an unprecedented investment of $1.9 billion for first nations' education. I am disturbed that they would play politics on the backs of first nations children.

Can the hon. member please elaborate on the benefits that would flow to first nation students across Canada?

● (1555)

Mrs. Stella Ambler: Mr. Speaker, I thank the member for Don Valley West for raising this important issue and allowing me to talk a little about the economic prosperity that I believe the bill would ultimately bring to this fast-growing segment of our population, first nation youth.

Frankly, it has been unfair to them that, through no fault of their own, they have not been able to share in the prosperity that other Canadian children have had as a result of a good education system. That is why we on this side of the House believe so strongly in this proposed legislation.

The goal is to improve educational outcomes with a view to improving the lives of children and their economic prospects. The bill would enable first nations to exercise control over their own education system.

There are other issues too that I did not have a chance to mention in my speech; for example, the funding formula. I was able to touch on it a little, but ultimately secure, stable funding would be provided. We are now replacing the 2% increase with a 4.5% escalator in funding. This would allow first nations to be assured for years to come that they will be able to fund a strong system for their children.

Mrs. Tilly O'Neill Gordon (Miramichi, CPC): Mr. Speaker, I am rising in the House today in support of Bill C-33, the first nations control of first nations education act. I welcome this opportunity to outline the advantages of Bill C-33 and the many benefits it would bring to the first nations and all Canadians.

The proposed legislation would provide flexibility for each first nation, while establishing legislation that sets out standards to encourage students' success. For the first time ever, every first nation youth would have a guaranteed access to the high quality education that all Canadian students enjoy.

I want to speak about the need to improve the quality of education for first nation students and why it is a shared priority for our government and first nations. First, I want to acknowledge the first nation communities across Canada that have demonstrated commitment to improving education for their youth. We have seen the success these approaches can deliver, and we hope that Bill C-33 can empower other first nation communities to achieve similar results.

While first nations have worked hard with our government, provincial governments, and other partners to establish quality schools, the vast majority of first nation children do not have the same educational opportunity as other Canadian children do. Statistics show that this has a dire impact on their chances for success later in life.

There are numerous success stories, but we still have an urgent situation at the national level. According to the 2011 national household survey, only 38% of registered natives living on reserves, ages 18 to 24, had completed high school, compared to 87% of non-aboriginal Canadians. I am sure members will agree that this is a shocking and appalling number.

When we consider that aboriginal youth represent the fastest growing segment in the Canadian population, it becomes clear that steps must be taken to close this education gap. Currently, standards vary in on-reserve schools and, as a result, students have no guarantee of being able to transfer to a provincial system without academic penalty or to receive a diploma or certificate that is recognized by their university or employer of choice.

Recognizing that first nations are best placed to determine how to achieve the best results for their communities, the bill is informed by and built upon the fundamental principle of first nations control of first nations education. It gives first nations the same authority that is awarded to provincial school boards. The ability to set curriculum, hire and fire teachers, and set student and teacher evaluations are just a few examples that come to mind.

First nations would retain these authorities as long as they meet basic standards that are legislated in the act, and these would include requirements for teacher certification; requirements for minimum instruction days similar to provincial requirements; a recognized high school diploma; transferability between systems without penalty; and access to education for every first nation student.

These are basic requirements that every school off reserve must fulfill and are essential to ensuring a high quality of education. By setting standards, education legislation ensures that the features of a quality education system are there for our children every day.

In the rest of the country, legislation allows provinces to set standards for schools and school boards, like annual planning, health and safety, and requirements for daily operations. Legislation ensures that everyone involved knows their job and their responsibilities, from education directors and school principals to teachers and parent community committees.

Such legislation is in place in every province and territory in Canada except on first nation reserves. The proposed legislation would provide stable and predictable statutory funding consistent with provincial education funding models. This means the first nation would have the resources to determine the best means for educating its children, integrating language and culture, and developing policies and procedures for its school system.

● (1600)

Equally important is that first nations would be able to choose the governance model for their education system. First nations would get to decide whether they wanted to operate their own community school, whether they wanted to join a first nations education authority, or whether they wanted to participate in a provincial education system.

Supported by funding for governance and administration costs, first nations education authorities would be school-board-like organizations that would be run by first nations and would have the size and capacity to provide participating first nations with functions such as hiring teachers, setting policy, and purchasing supplies, as well as providing a wider range of support services for students. Whether first nations chose to enter into agreements with provinces or decided to form first nations education authorities, these organizations would provide support to schools to ensure they are meeting their requirements under the act and providing a quality education for students.

Let me emphasize again that the bill would establish first nations control over first nations education and would provide first nations with the flexibility to determine what is effective for their students' success. Parents, community members, and first nations leaders would be able to work with school administrators on the operations, planning, and reporting processes in their schools.

In addition to setting important standards, Bill C-33 would strengthen governance and accountability and provide mechanisms for stable, predictable, and sustainable funding.

We want to ensure that on-reserve schools provide the support services that are so important in achieving good educational outcomes and in ensuring that first nations children get the resources they need in order to succeed. We want all first nations students to have access to the quality and the quantity of the tools they need to learn: desks, textbooks, computers, sports equipment, and all the rest. We also want to ensure that first nations students are able to transfer seamlessly between schools on reserve and the provincial system if necessary.

First nations students and parents deserve to feel confident in their quality of education and confident that graduation comes with a recognized diploma or certificate so they are prepared to enter the labour force or continue their education.

We know that in order to provide the high quality of education that all other Canadian students enjoy, we need to ensure that first nations students are being taught by certified teachers and are spending a minimum number of days in class each year.

The proposed legislation would help turn the corner for first nations elementary and secondary education. That is why the historic announcement made in February by our Prime Minister with the Assembly of First Nations on first nations control over first nations education legislation included an unprecedented amount of money, $1.9 billion, to support it. When this bill passes, the funding would be guaranteed by law. It would also be subject to a 4.5% escalator, replacing the 2% funding cap that the Liberals put on first nations spending.

The proposed legislation and the new funding respond to the five conditions for success set out in a resolution by the Assembly of First Nations and endorsed by the Chiefs-in-Assembly in December 2013.

These are investments in the future of first nations children and in Canada's prosperity. Bill C-33 would establish first nations control over first nations education, with the flexibility for first nations to choose what works best in their communities. It is not about making all on-reserve schools the same; it is about making sure that every student has the same opportunity, no matter where he or she lives in Canada.

● (1605)

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, contrary to what the government side is saying with respect to consultation, a lot of first nations across this country are saying they were not consulted.

I have a letter written by Chief Shining Turtle, dated May 1, 2014, that was sent to all members of Parliament. It discusses a resolution and it speaks about this legislation as infringement legislation, as opposed to first nations act legislation. It says, “These resolutions reject the unilateral imposition of these bills” in talking about their resolutions, and it goes on to say:

> There has been no meaningful consultation and accommodation of First Nations interests in any of these documents (emphasis added)!! We have no record of any consultation with Whitefish River First Nation on this piece of legislation.

It also indicates, as the government should know:

> We have the right to free, prior and informed consent on anything that would affect our rights.

The question I am asking on behalf of Chief Shining Turtle is this: can the hon. member explain how the government fulfilled its duty to inform Whitefish River about any of these pieces of legislation that have been passed by Parliament, including the first nations education act?

Mrs. Tilly O'Neill Gordon: Mr. Speaker, our government will keep fighting for first nations children and the Assembly of First Nations and will continue to move forward with this historic and necessary bill.

Reform of first nations education has been a topic of discussion for many years, including through dialogue in the National Panel on First Nation Elementary and Secondary Education for Students on Reserve.

The way forward negotiated between the government and the Assembly of First Nations in February follows years and years of discussions, dialogue, and studies reflecting the efforts of many first nations and governments to arrive at this point of legislation that would recognize first nations control of first nations education.

If we followed the ideas of the opposition, the bill would be at a standstill and the money that our government is ready to put into the studies of aboriginal students for their benefit would be at a standstill. However, our government is ready to act and move forward.

● (1610)

Mrs. Carol Hughes: Mr. Speaker, I need to correct my colleague across the way. Actually, we do not need legislation in order for the money to flow.

The money is very important to first nations education, and it should have been flowing immediately, if not a long time ago. Let us not forget that the 2% funding cap came from the Liberals.

On that note, the member did not answer the question I asked. I mention again that the government had a responsibility with this piece of legislation. The legislation should have been telling the government of its responsibilities and describing the government's responsibilities to first nations education. It does not do that. It actually legislates directions.

Again, the question from Chief Shining Turtle is this: can the member actually tell us how the government fulfilled its duty to inform Whitefish River First Nation about any of these pieces of legislation that have been passed by Parliament, including the first nations education act?

Mrs. Tilly O'Neill Gordon: Mr. Speaker, from June to November of 2011, the national panel held seven regional round tables and one national round table, conducted site visits in 30 first nation communities and 25 schools, and held meetings with key individuals and organizations in each region.

The panel's final report, issued in February 2012, provided the government with valuable feedback and recommendations on the next steps to improve educational outcomes for first nations, including the development of legislation.

We have done our work and we are ready to move on.

The Acting Speaker (Mr. Bruce Stanton): Before we resume debate, it is my duty, pursuant to Standing Order 38, to inform the House that questions to be raised tonight at the time of adjournment are as follows: The hon. member for Winnipeg North, Democratic Reform; the hon. member for Malpeque, Employment Insurance; and the hon. member for York South—Weston, Rail Transportation.

Resuming debate, the hon. member for Winnipeg Centre.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I rise today and first take note that today is May 1, the international day of solidarity, which is about the workers of the world. My colleagues on this side of the House take that day very seriously. I say this to remind members that “mayday” has a second meaning. Mayday is the international voice call of distress among mariners. That is precisely what we are hearing today from first nations across Canada, with the introduction of Bill C-33.

I put to the House, and I maintain, that Bill C-33 is pure Orwellian newspeak at work. In George Orwell's *1984*, it was the minister of peace who waged war. It was the ministry of love that oversaw torture. It was the minister of plenty who oversaw rationing. Here we have the Conservative government introducing into Parliament a bill euphemistically called an act for first nations control of first nations education, which should more appropriately be called a bill to increase ministerial power over first nations education and to limit first nations' inherent rights.

Today, as we speak, the minister does not have the long list of powers that this bill is designed to give him by statute. Currently the minister has to rely on a not so genteel form of extortion, by which first nations must agree to sign a contribution agreement, which stipulates those powers to the minister in order to get money to educate their children. Bill C-33 would give the minister, who I would remind the House is a person of another culture, another background, and another language and history, all of those intrusive powers by law.

I have news for the minister. The right of first nations to control their education already exists. It is for this Parliament to recognize that right, an inherent right, a right confirmed by sacred treaties, a right recognized by international covenants. I argue that Bill C-33 would put limits on those rights by design.

First nations are demanding nothing more than what we already take for granted: the right to see that their children receive an education in accord with their own culture, language, and teaching of history and values. The right was not surrendered by first nations at treaty. It is not necessary to have an act of Parliament to confirm an existing right. All that is needed is a mechanism so that the right can be fulfilled and made manifest and realized by having the means provided to do it. In fact, letting Parliament give that right or afford that right makes it a legislated right and not an inherent right, which is one of the inherent flaws of this bill.

After the exercise in creative writing that is the title of this bill, I ask the House to consider the preamble. We all know that the preamble does not have the effect of committing Canada to doing anything, but I challenge members here today to read those lofty verses in the preamble and then to try to match them in any meaningful way with the real content of the bill.

I will give the House an example. The preamble states:

> Whereas First Nations must receive support that enables them to exercise their rights and fulfil their responsibilities relating to the...education provided to their children;

All that sounds good, but compare that with the actual fact that we offer them a paltry 4.5% annual increase on the already miserly amount they receive now, which is half or less than what their provincial counterparts receive. It would take up to 22 years to catch up, without even considering population increases, inflation, and the increasing cost of education. Compare that with the lofty principles of the language in the preamble. What a cruel deception we are being asked to pass here with this legislation.

Another example in the preamble states:

> Whereas First Nations education systems must receive adequate, stable, predictable and sustainable funding...

Then we give them a bill that makes this promise empty, which is an utterly cruel deception and Orwellian doublespeak, if I have ever seen it. These are inherent contradictions meant to deceive.

The minister is crowing that under the current system, there is no recognition of first nations languages and first nations culture, and he is giving them that by virtue of this bill. This is another example of the Eurocentric, paternalistic, colonial attitude of the government. It is not his to give, because that is already their inalienable, inherent right.

● (1615)

First nations can already teach language and culture if they choose to do so. The permission of the minister is not required. However, under Bill C-33, the minister can impose the regulations that would set out how that language and culture would be taught. He can impose the amount of money that can be spent for that purpose. He can impose who is qualified to teach the language and culture and whether the laws of the province apply to the teaching of that language and culture. The end result is that first nations would have less control over the teaching of language and culture than they have now. It is blatantly disingenuous or ignorant to imply otherwise.

Clause 43 is another example of contradictory Orwellian newspeak. It provides that the minister must pay to a first nation education authority an amount of money determined by a calculation, which is what it costs for a provincial public school in a similar location, per pupil, to provide educational services. On first reading, one would assume that by this legislation, they would get the same amount of money as provincial students do, except that reading further, on the very next page, clause 45 of the bill states that the minister will obtain an order in council limiting the amount of money in any fiscal year to whatever amount the minister wants to set, or whatever amount of money the minister can pry out of the hands of his minister of finance around the cabinet table. Presto, the obligation to provide equitable education has just completely vanished, because the reality is that clause 45 trumps, again, the lofty principle, the carrot dangled, by clause 43.

I know that members opposite will say that we have to be fiscally responsible, that we cannot do this all at once, and that it has to be phased in gradually. In actual fact, there are two problems with that argument. The first is that if a first nations school decides it can no longer deprive its children of the education they deserve and decides to send its children to a nearby provincial school, the minister will pay that full school tuition for those students, double the amount he planned to spend if those children stayed on reserve. The money will be there for that, so why is it not available as a first option for students to stay at the reserve school?

The second reason is a larger picture, perhaps, that we really have to address in the context of this kind of funding question. It is that first nations receive absolutely not one penny from the tens of billions of dollars from oil, minerals, forestry products, and natural resources taken from their lands. It is trillions of dollars over the years if we were to add it up. One cannot tell people that there is no money to provide for the basic needs of first nations children to realize their full potential when we are harvesting tens of billions of dollars per year from first nations lands and territories. In all good conscience, those of us in the House of Commons have to address that fundamental issue. First nations children are Canadian children, and all Canadian children deserve the right to realize their full potential through a quality education.

I want to take a moment to look at the international obligations the bill fails to acknowledge or recognize. The year 2014 marks the 25th anniversary of the United Nations Convention on the Rights of the Child. Article 28 recognizes the right of a child to equal opportunity to have an education.

The United Nations Declaration on the Rights of Indigenous Peoples states that indigenous people must have access to schools consistent with language, culture, and values and that "indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages" and cultures.

Article 13 of that UN declaration states:

> Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

Bill C-33 gives no recognition to any of these international instruments, nor does it acknowledge that Canada has any responsibilities and obligations in this regard. I believe that this is by design, not by any oversight.

We have also heard the minister say that Bill C-33 is a first step, a transition to something better and that this will evolve into something more acceptable in time.

● (1620)

That is exactly what they said about the act for the gradual civilization of the Indians 14 decades ago, and we still have the Indian Act today, an act best described as 140 years of social tragedy, an act unworthy of a western developed democracy. Instead of rising above that act, this piece of legislation is consistent with the Indian Act in that regard.

What is the purpose of this legislation? Clause 3 states:

> The purpose of this Act is to provide for the control by First Nations of their education systems by enabling councils of First Nations to administer schools situated on their reserves

That, perhaps more than any one phrase, is the nutshell of the problem.

There is a considerable difference between control of education by first nations and enabling councils to administer the schools. The whole structure of Bill C-33 is to give control over first nations education to the minister and then to provide for the administration of the minister's will at the local level by the council. The boss gets to dictate the means of production, and the workers get to decide what colour to paint the lunchroom. That is what this boils down to, but then it would not be a vision of industrial democracy.

In the bill, first nations are finally going to be allowed to be their own Indian agents. Again, that is what this boils down to. They would be the administrators of regulations decided in Ottawa by the minister on their behalf.

The charade continues with clause 7:

> The council of a First Nation must, in accordance with this Act, provide access to elementary and secondary education to any person who is ordinarily resident on a reserve

Thus Bill C-33 would impose an obligation on a first nation council to provide education, whether or not the resources were provided to do so, and neither is there freedom of the council in how it complies. It must do so in accordance with the bill.

The bill would expand the discretionary powers of the minister in more than one way. If we cannot see what is wrong with that mindset and world view, then we have no right to be addressing such an important subject today.

In clause 10, we come to the joint council of education professionals. Why does the government call it a joint council when all the appointments are made by cabinet, the chair is appointed by cabinet, and the minister can kick out anyone who does not toe the line? That is what a powerless group it would be. Essentially, it would sit and wait until the minister asked for its advice on certain matters, but the minister would be under no obligation to follow the advice or to explain why the advice was not followed. This is not self-determination under any sense of the word, nor does it meet the test of true implementation of authority over the system.

The minister would only be obliged to ask the council for its advice when he wished to do so. We would never know what that advice to the minister was or why it was being implemented, or not, because advice from a statutory body to a minister is considered a confidential cabinet confidence and is protected from release. The council would not be obligated to support first nations control of education.

The minister says that the council would provide oversight to the operation of the act, but unfortunately, Bill C-33 provides no oversight powers. Again, it is an inherent flaw in this legislation that is deliberate and not by accident.

When concerns like this are raised, the minister's response is, “trust me”. There will be political protocols, he has assured his doubters. I do not have to remind the House that Ottawa is a boneyard of discarded political protocols. Why does the minister want to wait until after the bill becomes law to offer a protocol? We all know the answer to that question.

In clause 20 of Bill C-33, we move into governance, and again we find what I believe is tricky and calculated deception. We have to read clause 21 with one eye focusing on what the bill says first nations can do and the other eye focusing on the power of the minister to make the regulations. For example, the council must establish policies and procedures; establish education programs, attendance policies,and success plans; monitor the quality of education; and provide the minister with an annual report. The minister says this is evidence of local control.

The bill goes on to provide the minister with the unilateral authority to impose regulations that set out the form and content of the budgets, the plans, the programs, and the policies. The minister may also impose provincial law to govern such matters.

● (1625)

Again, this bill has to be read in its totality, not as isolated clauses selected to make a certain case that local autonomy or local control is in fact a reality.

Clause 21 also provides that first nation language can be the language of instruction, but it has to be in addition to English or French. That clause pretty well wipes out the possibility of immersion instruction. Just imagine telling a French immersion school that it must also be providing parallel instruction in English.

Will there be any extra funding for instruction in a first nation language? Again, Bill C-33 is silent in this regard. Then, once again, the instruction of the indigenous language must be provided in accordance with the regulations unilaterally set out by the minister. “Trust me”, the minister says.

I am almost out of time, and I am not even halfway through this bill. It gives cause for us to reflect on just how pockmarked and potholed, with one-way streets, with arrows pointing both ways, this bill really is. I have not had time to mention how the provinces are going to react when the minister starts to force the provinces to pick up part of the tab, bit by bit, until, I would argue, the whole expense is going to be offloaded.

I have been assisted by comments and analysis that are starting to emerge from first nations, and I urge members opposite to do the same.

I will end my formal remarks by pointing out how appalling I find it that a bill of this nature has been subjected to time allocation and closure before the opinions of those first nations can be registered and made manifest before decision-makers and policy-makers.

I cannot imagine anything more contradictory to first nation culture than to shut down debate in a culture that values oral tradition, that values letting everyone's voice be heard until consensus is achieved.

I honestly did not think the Conservatives would have the gall to invoke closure on a bill of this nature, on this subject matter, but they have. They keep saying that the AFN is in favour of this bill, and that is why they are plowing ahead. We have heard from first nations. As of two hours ago, the executive council of the Assembly of First Nations has overridden the opinion of their leader. A resolution to that effect is coming forward.

On May 14, there is a confederacy scheduled for Ottawa where these first nations leaders are going to bring the true position of the affiliates of the Assembly of First Nations to convey their real opinion of this bill, which is unanimously opposed. No one can find a first nation constituency in the country that supports this bill.

To implement it now would be the height of hypocrisy and colonial, Eurocentric arrogance. I say this looking at the Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, who I think knows better and who knows how offensive to the sensibilities of first nations and all Canadians it would be to continue this legacy of paternalistic colonialism and impose on them a piece of legislation that they are not in favour of.

Whether the Conservatives say their consultation met the test of true consultation or not, and I do not believe it did, the tables have turned as of today. As of two hours ago, this has all changed, yet by May 14, will we even still be debating this bill, or will it have been rammed through the House of Commons and sent on to the Conservative-dominated Senate?

This bill warrants and deserves careful examination. First nations have a right to have input in the legislative process and to give testimony at committee. If there was ever a bill that should be taken on the road by committee for consultation in each region of the country, this is one.

I know it is not my job to ask them questions. They will ask me questions. However, how do the Conservatives justify clamping down debate on such an important piece of legislation, denying the opportunity for first nations to participate in the legislative process? It is beyond me.

● (1630)

Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, it is always good to hear from one of Parliament's great storytellers. Unfortunately, a lot of his analysis of the bill was fiction when it comes to his conspiracy theories about the sinister plot of the minister to wrest control away from first nations by giving them more control, by denying them funding, by giving them more funding. He described as miserly the $1.55 billion per year that the government provides in funding, as well as the $1.9-billion increase that was proposed in the last budget, which, of course, he voted against.

Perhaps that is the reason why the member for Western Arctic, who has not been given an opportunity by his party to participate, mentioned in his question yesterday that he thought if every reserve in Canada, of which there are 600, got a new school, in his estimation, $50 million to $100 million per school would be needed. Therefore, according to the NDP, just $60 billion would do the job and meet the obligations.

The member for Western Arctic was the deputy critic for aboriginal affairs until very recently.

I would ask the member, is $60 billion what the NDP is proposing, or is that miserly as well?

Mr. Pat Martin: Mr. Speaker, we do not need legislation to elevate the standards of contribution for first nations students to the provincial equivalent. The province of Manitoba is a good example. There are reserves near Thompson, Manitoba, where the funding per capita per student is $7,000 or $8,000 by the federal government. The province's funding per student in Thompson, Manitoba, right nearby, is $15,000. One could argue that the amount of money per capita in reserve schools could in fact be even higher than the provincial average because of the special needs and historical catching up that may need to be done in order for first nations students to achieve their full potential through education.

We do not need legislation to do that. It could have found its way into the 2014 budget, but even with implementation of this bill we will not see any improvement until 2016, conveniently just after the next federal election. I suppose the Conservatives will be dangling that as some kind of a carrot in front of the noses of aboriginal voters. This is the hypocrisy of it.

Then what the Conservatives contemplate is this paltry increase of 4.5% of the current 2% cap. It will be 22 years, by the NDP's calculation, before there is a catch-up to where first nations schools are funded to the same degree as their provincial counterparts, and that is without taking into account the increase in population and the increase in the cost of providing education. There is no built-in escalating formula in that model. He knows it is paltry. He knows it is cheap. I do not know what wild numbers he is pulling out of his hat now, but the total amount of money that goes to first nations people is paltry on a per capita basis. One might say it is not all about money. A lot of it is about money.

● (1635)

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, when the member for Winnipeg Centre started his eloquent speech, he rightly centred the concerns and approach in a rights-based approach. Unless we deal with education and other matters with regard to first nations from a rights-based approach, we are always going to get it wrong. This piece of legislation that is before the House should really be called the first nations administration of first nations education, not the first nations control of first nations education, because the bill would provide administrative functions for bands, administrative detail, and administrative reporting.

The other piece of this is that the government consistently says that first nations are consulted. The member for Winnipeg Centre referred to one part of the bill that is a really important indicator of how this is not consultation and referred to the regulations. What we have heard previous Conservative members talk about is that first nations will have control over how those regulations are going to be developed. Of course, those regulations are where all of the details are in terms of how this act is going to move forward. It says the joint council. That is not first nations. The minister has the overall authority in terms of appointment on that joint council and that joint council is made up of nine people.

I wonder if the member for Winnipeg Centre could comment on how the joint council simply does not constitute appropriate first nations engagement and involvement in the development of regulations.

Mr. Pat Martin: Mr. Speaker, I thank my colleague for Nanaimo—Cowichan for her advocacy on behalf of first nations people during her long tenure as the official opposition's senior critic for aboriginal affairs.

The member is right, the joint council process would by no way give first nations control over their education. It would give them an obligation to administer carefully the directives dictated by the minister. The unilateral, discretionary authority of the minister has been enhanced and augmented. It is hard to believe that one could expand on the overwhelming powers that the Minister of Aboriginal Affairs and Northern Development has over first nations people, but the bill does. The bill contemplates an increase in support for first nations students but at the direction and control of the Minister of Aboriginal Affairs and not first nations people, and again, subject to what he is able to wrest from the Minister of Finance in any given year.

The Conservatives' model is not equal funding as it would be for provincial students, and then work backwards. Their model is to seek to achieve equal funding if the Minister of Aboriginal Affairs and Northern Development has enough clout around the cabinet table to divide the pie to provide better resources to first nations people. That is a far cry from the rights-based approach that my colleague for Nanaimo—Cowichan says should be guiding and informing the development of this important public policy.

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, I think it is important that we set the record straight, because what my colleague had in his performance before was not necessarily reflective of what we are hearing from the AFN.

First of all, there are the five conditions that were set out by the AFN, which are in this piece of legislation.

The legislation, if passed, would not define nor alter aboriginal or treaty rights that exist. The member's comments on that are, of course, incorrect.

Clause 4 of the bill specifically notes that it does not "...abrogate or derogate from the protection provided for existing Aboriginal or treaty rights of the Aboriginal peoples of Canada by the recognition and affirmation of those rights in section 35 of the Constitution Act, 1982".

In fact, the AFN national chief said that this will serve as a bridge to self-government.

What disappoints me is that we are talking about $1.9 billion that would go to educating kids on reserve to give them the education and skill sets that they require to achieve in this great economy that is going on here in Canada, but the NDP members will not even let the bill go to committee. They would defeat it on second reading if they had their choice.

Of course, the NDP solution is to spend some $60 billion in trying to solve this. It is total hypocrisy in what they think is reasonable and what is required. It just shows that the NDP has no clue what first nations people really need and want.

My question for the member is: will he allow the passage of the bill to second reading so that it actually goes to committee, moves forward, and at least give these kids a chance to participate in the strong, booming economy and get the skill sets they need so that they can achieve and succeed?

● (1640)

Mr. Pat Martin: Mr. Speaker, the members of the party the member represents have not only denied the ability of first nations to come forward and have their voices heard in the process of establishing this legislation, they have undermined the democratic institution that we are sitting in as we speak by repeatedly, and again, imposing closure.

How often does the Conservative Party invoke closure on bills? Every time, and on all of them. At every stage, the Conservatives shut down the ability for the voices of Canadians to be heard.

People on this side of the House represent the majority of Canadians, including many first nations whose voices deserve to be heard. The Conservatives have no concept of consultation and accommodating the legitimate concerns of all Canadians.

One thing the Conservatives never learned when they managed to achieve their majority government is that they have to be government to all the people and not just those who voted for them. There is a great section of the population who did not vote for them but who still have legitimate points of view. The Conservatives have an obligation to accommodate those legitimate points of view instead of shutting down debate like a bunch of goose-steppers. It is appalling.

For the member to characterize the speech I just gave as a "performance" just shows how truly ignorant he is perhaps of the issues facing first nations people and those who struggle on a daily basis to provide the best education possible for their people with the impossible funding mechanism that we have now.

We would support a bill that truly did lead towards equality of educational opportunities for first nations people. However, the bill before us does not do it, and the Conservatives will find very soon that there is not a first nation in the country that agrees with them. They will be trying to impose this legislation in their Eurocentric, colonial, paternalistic attitude that is an extension of the Indian Act.

Mr. Earl Dreeshen (Red Deer, CPC): Mr. Speaker, I will be splitting my time with a fellow educator, the member for Palliser.

It was 40 years ago this week that I entered my first classroom as a teacher, fresh out of the University of Alberta. One of my instructors was J.W. Chalmers, a great historian on native education and advocate for aboriginal youth. I gained an insight and appreciation for native culture that has stayed with me over the years.

I was also honoured in 1976 to attend the centennial commemoration of the signing of Treaty No. 6 at the Saddle Lake Indian reserve with numerous provincial political leaders, including the former Alberta minister of education, Bob Clarke, premier Peter Lougheed, and NDP leader, Grant Notley. One of the mementoes that I brought back that day was a bumper sticker that not only commemorated the ceremony, but contained a very important message:

> As long as the sun shines, the river flows and the grass grows.

That message was in my classroom for the rest of my career, and it is proudly displayed in my office here in Ottawa. It is in that context that I am so proud to be able to speak to this important legislation this afternoon.

There are many reasons to support Bill C-33. Among these, it must be said, are the accountability and governance measures contained in the legislation. They are vital to ensuring that the gap in educational outcomes is closed between first nations children and youth and other Canadian students, which is the ultimate goal of this legislation. The first nations control of first nations education act addresses the need for clarity regarding governance and accountability, one of the five priority issues identified by the National Chief of the Assembly of First Nations and endorses in a resolution by the Assembly of First Nations of December 2013.

As the Prime Minister stated in February, when he and the national chief made this historic announcement:

> The legislation will end Ottawa's unilateral authority over First Nations education, while requiring First Nations communities and parents to assume responsibility and accountability for the education their children receive.

The fundamental principle on which this bill is founded is establishing first nations control of first nations education. While our Conservative government may be the first to take this important step and to bring this principle into legislation, the idea behind it is actually not something new.

The Government of Canada began the process of devolving control of first nations schools to first nations councils back in 1973. This was, in part, a response to the 1972 policy paper, entitled "Indian Control of Indian Education" and written by the National Indian Brotherhood, now known as the Assembly of First Nations. More recently, the call for legislation that gives control to first nations has been repeated in various reports, studies, and audits, including those done by the Auditor General and the Senate Standing Committee on Aboriginal Peoples.

While these may have led to small structural improvements, the major piece of legislation devolving control of education to first nations is the one before the House today. As a result of Bill C-33, first nations would, for the first time, have the ability to choose how they want to operate their schools.

They could choose to operate their own community schools, or they could choose to aggregate into a first nations education authority with other first nations in order to manage a number of schools. If such a body is formed, it would effectively serve as a first nations-led and operated school board. Alternatively, they could choose to enter into or continue an existing agreement with the provincial school board to manage a school on reserve.

Whatever the choice, first nations would be responsible for providing first nations students on reserve with access to an elementary and secondary education that would enable them to obtain a recognized high school diploma. Whether a first nation chooses to administer its community school or delegate this responsibility to a first nations education authority, the management of schools and the provision of educational services would need to meet basic conditions set out in regulations.

For example, students and their parents, elders, and community members would need to be consulted on school policies and education programs, including policies or programs that relate to aboriginal language and culture.

● (1645)

First nations councils would also need to report back to their community members. This would enable them to evaluate whether their needs and the needs of their students were being met under the arrangement that they were currently in. These changes would build more robust and responsive education systems for students on reserve. Equally important, they would establish a relationship of mutual accountability among governments, first nations and community members, which would contribute to long-term success in educational administration. In turn, this would improve educational outcomes for first nations, which is of course the overarching objective of Bill C-33.

It is important to understand that in addition to first nations having control over curriculum and the day-to-day management of reserve schools, provincial governments also carry responsibilities. Provinces are important partners in first nations education due to the high rate of student mobility between first nation-operated and provincially operated schools.

In 2011-12, approximately 39% of first nations students attended provincially operated schools subject to tuition agreements. It is important to remember that joining a provincial education system is one of the government's models available to first nations under Bill C-33. As well, provinces have expertise on curricula, criteria for high school graduation and standardized testing, all of which can be of interest to first nations-run schools.

Bill C-33 would clarify roles and responsibilities for education on reserve, acknowledging both the Government of Canada's ongoing obligation and the role of the provinces. Most important, however, it would provide a vehicle for first nations to take control of their own education systems.

For their part, first nations' responsibilities reflect the broad control they would have under the legislation, including choosing and implementing one of the three governance options to operate schools and delivery education services; determining appropriate measures for the inclusion of language and culture; developing bylaws to establish policies and procedures for their education systems; exercising responsibilities and accountability for the management of their education system; hiring and firing of teachers, principals, and inspectors; developing curricula; developing the school calendar; and reporting on outcomes.

All the while, the federal government would be limited to providing funding for education, including $1.9 billion in core statutory funding transfers, infrastructure and capacity building. It would establish a joint council of education professionals with the Assembly of First Nations, developing regulations and collaborations with first nations and with the advice of the joint council; providing additional resources to aid in implementing the act, including capacity building and; and based on advice from the joint council, appointing interim administrators in exceptional circumstances and only in cases where the minister has received advice to do so from the joint council.

Partnerships with first nations and the provinces will be increasingly important under the act to ensure that all governments are working in the most coordinated manner possible.

Many of the details surrounding these issues will be addressed in the regulations and will be developed together with first nations. The regulations would set out provisions regarding the establishment and operation of first nations education authorities, including bylaw making powers and conditions, as well as governance agreements between first nations and first nations education authorities. Regulations would also elaborate on the functions of councils, first nations education authorities, directors of education, and principals. The joint council would be required to consult with chiefs, parents and educators before working in partnership with a government to develop necessary regulations.

Those are details to be worked out collaboratively over time. For now, our objective is to move Bill C-33 forward so we can finally realize the shared goal of our government and first nations across the country, recognizing first nations control of first nations elementary and secondary education on reserve.

I urge members of all parties to support this worthy legislation, the product of consultation and years of collaboration, which will finally enable us to achieve our mutual objectives.

Since my first involvement as a university student and throughout my 34 years as an educator, I have always believed that parents of native children, because of their traditions, want the very best for their children. As such, this bill would give these children the opportunity to grow and flourish, “as long as the sun shines, the river flows and the grass grows”.

● (1650)

Ms. Lois Brown (Parliamentary Secretary to the Minister of International Development, CPC): Mr. Speaker, I was in the House on Tuesday night when we talked about the issues in South Sudan. I made the comment at the time that I had a daughter who was married to a man from Ghana and she was currently teaching in a grade 4-5 class. She has 72 students in her two classes. She is home for a bit of R & R between semesters, but she undertook a project with her students to write to the students at the school where she taught in Newmarket for the last two years.

I was going through those letters with her as she prepared them for the students to respond to the students back in Ghana. I was struck particularly by one comment in the letter of a young girl, who is nine years old in her class. The letter said, “I am glad to be in school because I want to be somebody in the future”.

I do not think there are any of us in the House who cannot think that it is not the plea and the call of every child both here in Canada and abroad, “I want to be somebody in the future”.

Could my colleague speak to how this legislation will help our young people in first nations and aboriginal communities be somebody in the future?

● (1655)

Mr. Earl Dreeshen: Mr. Speaker, when I started teaching again 40 years ago, my cousin ended up going to Botswana and was teaching at same time. Similar to the story that the member just mentioned was something he talked about. People would walk for miles and miles to classrooms of 50 people and it was the significance of the education they had.

If I go back to some of the earlier experiences I had as a teacher, I could see the excitement that young students had as they would come into school. However, as time would progress, they would find they were having some difficulties. I had many situations where people from first nation schools came back into the public school system and a lot of remedial work was required. However, they worked as hard as they possibly could to get back to a level where they could read and process , and from that point they did amazing things.

This is the second time I have been on the Standing Committee on Aboriginal Affairs and Northern Development. The first time we did a study in the territories and we had a chance to talk about different barriers to development. One of the key barriers that was mentioned was education. We had a chance to speak to various individuals there, and these were young people in their twenties and thirties. They had such amazing skills because they had learned it from the land and also from the education system, which they had been able to work through.

Therefore, if we give first nations the opportunity, the talents are certainly there and we will see some amazing things for our next generation of aboriginal students and for our country.

[*Translation*]

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, I listened to the debate with great interest.

I want to echo what my colleague said, that the Conservative government did not consult the first nations on this bill. We talked to a number of communities across the country and we found, in fact, that the communities are against this bill that, among other things, is not increasing funding for the first nations education system to an acceptable level.

I would like to ask my colleague why he thinks that it is acceptable not to consult the first nations on this bill. The Conservatives did that in the past with Bill S-2, which aboriginal women opposed.

Why does the government keep introducing bills that do not have the support of aboriginal communities across the country? Let us not forget that the government has a constitutional duty to consult the first nations.

[*English*]

Mr. Earl Dreeshen: Mr. Speaker, that is exactly what we did. We went through consultations.

I would like to remind the hon. member that in 2011, the Government of Canada and the Assembly of First Nations launched a national panel on first nations elementary and secondary education, which recommended in its final report a first nations education act. This would be the first level of consultation.

Then in December 2012, the government launched a consultation process and released a discussion guide to help support open and meaningful consultation activities on the government's proposed legislative approach.

Between December 2012 and May 2013, the Government of Canada held face-to-face regional consultation sessions, video, teleconferencing sessions and online consultation activities, including an online survey.

The government received input on a variety of topics, including first nations control over first nations education, inherent rights and treaties, the transition to legislative funding, language and culture, and parental involvement in education, which is what we see in this legislation.

Mr. Ray Boughen (Palliser, CPC): Mr. Speaker, I feel very privileged to stand today and talk about something near and dear to my heart, which is education. I had the opportunity, as a younger person, of spending 35 years in education, all the way from being a chemistry and algebra teacher to working in the department of education for the Province of Saskatchewan as director of provincial exams and student records. Also, I had the opportunity to serve a number of school divisions as their director of education. Therefore, I look upon this bill as a very worthwhile piece of literature, a document that says it is time to put some sort of structure around a program of education for aboriginal youth on and off reserves.

Let me just make a couple of general statements to start with. Aboriginal students have two choices really: going to school on a reserve or going to school in a town, a village, or a city. Most students who are not of aboriginal descent do not attend aboriginal schools. In the school structure there is a designed course of studies known as a curriculum. If one is going to be a student in a school in a town—for example, Whitewood—then one would follow the prescribed curriculum of K-12 there. Whitewood is a community in Saskatchewan, and Saskatchewan has a provincial K-12 curriculum. That is not a rare or isolated thing. That is the norm. When we look at schools in Saskatchewan and coast to coast to coast, we will find a provincial curriculum in place.

The bill we are looking at this afternoon says that aboriginal students, their parents, and their boards of education would have a right to choose a school in their community and follow a provincial curriculum, or follow a curriculum as designed and implemented by the first nations folks. That is quite different from a student going to school in a provincial elementary or high school. Parents do not design that curriculum. Curriculum writers design the curriculum. It is approved by the department of education, and that is the one that is followed. This difference alone would certainly assist aboriginal students in their learning programs, because it would be something near and dear to their hearts and they would be able to feel part of the design and presentation of that curriculum as they study things like mathematics, science, English, social studies, history, et cetera.

Those two big items are very worthwhile noting. The bill lays out the principles that say there are two ways to follow. It is very important for us to understand that, because if we are sincere about presenting a curriculum that would be acceptable to aboriginals and first nation folks, then we have to give them an avenue to implement that curriculum. With Bill C-33 we have put forward an opportunity for them to do just that.

This introduction of legislation comes after years of dialogue and consulting with first nations across the country and with the Assembly of First Nations who identified the need for a better education system for first nations. There was ample consultation across Canada, with various groups meeting to talk about what works for them in their educational programming at the K-12 level. It is interesting to note that British Columbia has a well-developed program. Other provinces are catching up to that. They lead the charge with developing their own curriculum, as well as implementing some curriculum from B.C.

In December 2013, the National Chief of the Assembly of First Nations set out the following five conditions for a successful first nations educational system.

● (1700)

The first is first nation control of education, so nation by nation control of their own education, which is a quantum leap of faith compared to one universal control of education called the curriculum. The second is guaranteed federal funding, which may not be as generous as it could be. In the regulations, as the parliamentary secretary said earlier today, we would find some dictation around the idea of funding.

The third is protection of language and culture. Many schools and educational opportunities extend the school day for specific instruction. For example, the folks in the Hutterite colonies speak German, and the German is taught outside of the regular school time, which in Saskatchewan is from 9:00 a.m. to 4:30 p.m. or 3:30 p.m. That is an option that aboriginal schools may look at, an extension of the school day, again, with their approval. The fourth is joint oversight of the new education system. Point five is meaningful consultation with first nations.

These are the things that happened that preceded the actual design and writing of the bill.

Carrying on with that, greater first nations oversight over education systems on reserve—this is the objective of the curriculum design; providing stable, predictable, and sustainable funding; reinforcing first nations' ability to incorporate language and culture programming in the educational curriculum; and creating a joint council of educational professionals who would have a robust oversight and would serve as the mechanism for engaging with first nations on the development of regulations.

Here is a further example of the desire of the curriculum writers to bring in the first nations folk to address these issues, such as what should be the language and culture programming for the curriculum. This is consultation. This is what would happen throughout the implementation of the bill.

Let me speak for a minute or two on what we see happening with the bill. The bill would recognize first nations control of first nations education and create a joint council of education professionals to provide advice and support to Canada and to first nations on the implementation of the act.

Bill C-33 would put control of education on reserve squarely in the hands of first nations, specifically: first nations choose their governance options, which is their first choice, that they choose which way they want the governance; first nations develop their own curricula, which could include the incorporation of language and culture, if they choose, which is far from dictatorial when we see words like choose and choice and the assembly to design the curricula; first nations choose their own inspectors, control the hiring and firing of teachers, and determine how their students will be assessed, in other words, what kind of evaluation would be used; and first nations determine how the school calendar would be structured to meet a set number of days. There again, it is a committee meeting to decide how many days the school would run throughout the course of the calendar year.

The act would recognize the importance of language and culture as an essential element of first nation education and enable first nations to incorporate language and culture programming into the education curriculum, including the option of immersion in a first nation language. This is hardly dictatorial. This is very consultative.

It would establish a legislative framework that would set out minimum standards. For example, the proposed legislation would require that first nations schools teach a core curriculum that meets or exceeds provincial standards, that students meet minimum attendance requirements, that teachers are properly certified, and that first nations schools award recognized diplomas or certificates. That could be said for any school division across Canada from coast to coast to coast. There is nothing outlandish about that at all.

● (1705)

To conclude, Bill C-33 offers a transformative reform so that first nation youth can reach their full potential and become full participants in the Canadian economy. I strongly urge my hon. colleagues to support this important legislation for the economic and mental growth of young people on and off reserves.

● (1710)

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, in February 2014, the Prime Minister announced that the bill would be drafted. In April, the bill was introduced.

Aboriginal groups were not at all pleased with the way this was done. The first nations were not satisfied because they felt their concerns were not heard and that all the government had to do was simply change the draft bill to ensure it met the five conditions the hon. member talked about earlier. I will not repeat them.

Why did the Conservatives not do that?

[*English*]

Mr. Ray Boughen: I am sorry, Mr. Speaker, I dropped my earphone. I am not sure why we did not do—what? I did not catch what it was we did not do. Perhaps the hon. member might repeat that, please.

[*Translation*]

Mrs. Anne-Marie Day: Mr. Speaker, it would be my pleasure.

The first nations asked that the draft bill be changed to meet the five stated objectives in accordance with their requests and desires.

Why was that not done?

[*English*]

Mr. Ray Boughen: Mr. Speaker, my understanding is that consultation was done and there was an opportunity for people across the country to give feedback. I am not quite sure what we are talking about here. As far as I know, the consultation covered off questions that arose.

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, in 2012, 72% of first nations members living off reserve who had completed high school had a job, compared to 47% without a high school diploma. The unemployment rate for Canadians age 25 to 29 without high school, the majority of whom are first nations, is almost double that of high school graduates, 16.4% versus 8.8%.

Could the member for Palliser say why our government believes that the current situation is neither acceptable nor sustainable?

Mr. Ray Boughen: Mr. Speaker, the truth of the matter is that we said we were going to educate young people on reserve and then they would take their place in society. What we forgot to deal with was the fact that the curriculum that is offered in schools across Canada is not necessarily the curriculum that is offered on reserves.

We have to make sure we meld the two curricula together, so that both are captured and nothing is lost in the educational process for those students. That means bringing provincial curricula together with curricula for reserve schools.

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, the bill itself purports to give native groups the right to control their own education and yet it says, and I will read it aloud:

> Subject to the regulations, the council of a First Nation is to offer English or French as the language of instruction and may, in addition, offer a First Nation language as a language of instruction.

My question for the member is this, would this then limit the ability of a first nation to offer native language as the only language of instruction for young children as a way of immersing them in their culture and language, as they do in several first nation schools around the country? This would therefore become illegal by this legislation.

Mr. Ray Boughen: Mr. Speaker, across Canada instruction occurs in either English or French. There are options for immersion programs in French. Hutterite colonies teach German in an immersion setting after the regular school year. Right now, most schools on reserve teach their own language in kind of an intermittent fashion without prescribed times of attendance, as a rule. It is something that has grown with the reserve.

Is there a better way to do it? There probably is if we all sit down with the chief and the council and design a program that could start in September and finish in June that would mesh with English and/or French. There are ways to combat that, but we simply have not addressed that. I really cannot believe that we get stopped and cannot move forward. I think we can. We just have to listen to each other and make sure that when we go back to the table, we are prepared to implement what we heard being asked for implementation.

● (1715)

The Acting Speaker (Mr. Bruce Stanton): Before we resume debate with the hon. member for Kootenay—Columbia, I will let him know there are about 13 minutes remaining before we wrap up debate on government orders. Of course, any unused time out of the 20 minutes he has will be taken up when the House next resumes debate on the bill.

The hon. member for Kootenay—Columbia.

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, I am very happy to rise in the House today in support of Bill C-33, the first nations control of first nations education act.

Bill C-33 is the product of decades of dialogue and study. It was shaped by the unprecedented and extensive consultations our government held over the past 15 months with hundreds of first nations leaders, educators, parents, and community members across the country. Our government heard the concerns raised about first nations education and responded with a commitment to work with the Assembly of First Nations and other first nations leaders to create a better education system for first nations students. First nations control of first nations education means that first nations have the mechanism that will help them to strengthen accountability for results for their students.

I want to talk specifically about the accountability tools and measures that the act would help provide to first nations parents and communities. Across Canada and around the world, parent involvement in education at home and in schools leads to higher academic performance and higher graduation rates. Parent and community involvement is a central feature of the long-standing call for first nations control over first nations education. In fact, parents and communities can play a large role in the success of the school and its students.

Clause 25 of the bill legislates a voice for parents and community members, in particular elders and youth, in the development of school policies and programs, particularly those related to first nations languages and cultures.

We know that children benefit when parents and communities participate in the decision-making of the overall management and daily operations of education systems. For first nations, encouraging formal and informal involvement in education is not only a way to support student success, a worthy goal in itself, but also to integrate culture and languages into curriculum and school activities. Our government has seen the benefit this brings to individual students and to the community as a whole.

The first nations of the Treaty 4 territory in southeastern Saskatchewan is just one example. Community development and participation are the starting point for every aspect of the Treaty Four student success program, which promotes literacy and numeracy, and encourages children to stay in school. Involving first nations elders, leaders, parents, educators, youth, culture, language, and traditional values are as fundamental to the program as reading and writing. Local involvement increases local control.

The first nations control of first nations education act would do exactly what its name suggests. It would provide authority to first nations leaders, elders, and parents where education is concerned. Under the proposed legislation, first nations would choose their governance models and control their systems of education with the benefit of stable and sustainable statutory funding.

On February 7 of this year, the Prime Minister announced the historic agreement between the Government of Canada and the Assembly of First Nations to proceed with the final drafting and introduction of the first nations control of first nations education act.

The Prime Minister stood with the National Chief of the Assembly of First Nations and announced $1.9 billion in new funding through three streams: statutory funding with an unprecedented rate of growth, transitional funding to support the new legislative framework, and funding for long-term investments in on-reserve school infrastructure.

● (1720)

All of this funding would be in addition to the $1.55 billion that our government already provides to first nations for education on an annual basis.

Furthermore, the new funding would be subject to a 4.5% escalator that replaces the 2% funding cap that the Liberals put in place. This would ensure that funding for first nations education is stable, predictable, and sustainable for years to come.

These statutory funding provisions meet one of the five conditions for success outlined by the Assembly of First Nations for education systems that are grounded in first nations' languages and cultures. As indicated by the AFN in a recently published analysis, the rest of the bill meets all the other conditions.

In the words of the National Chief of the Assembly of First Nations, this act means getting the Minister of Indian Affairs "out of our lives" on education as well as having fair funding and oversight that first nations themselves design.

As the national chief indicated, part of getting the minister out of first nations' lives when it comes to education means that it would be up to first nations to decide for themselves whether they want to operate their own schools, join a first nation-led education authority, or enter into an agreement with a provincial ministry of education. Each first nation would determine which governance option would best meet the educational needs of their students.

Regardless of the governance structure under which they operate, every school would be accountable to parents, communities, and students. This would be in contrast to the current approach, which burdens first nations with reporting requirements to Aboriginal Affairs and Northern Development Canada.

Under this bill, the chosen educational authority would be ultimately accountable and would have the responsibility to ensure that the education provided to the students is in accordance with the standards and regulations outlined in this act.

The joint council of education professionals would be composed of professionals recognized for their knowledge and expertise in first nation education. It has been alleged that this council would be appointed solely by the minister and be used as a vehicle for unilateral control. On the contrary, half of the joint council membership would be made up of individuals selected by the AFN, and the minister would be required to seek its advice in a number of prescribed circumstances.

Our government has heard from parents and first nations that they need to participate in the development of regulations and standards. Our government and the Assembly of First nations have agreed to collaborate on the development of necessary regulations. In fact, the joint council would consult with first nations and provide important advice both to the minister and to first nations on regulations.

First nations would have the authority to build on the proposed minimum standards required for schools and students, with input from parents and communities. The act would establish five core standards: access to education, a recognized certificate or diploma, certified teachers, a minimum number of instructional hours and instructional days, and transferability of students between systems without penalty. All other decisions on standards would be made by first nations, which would control schools.

The rigour of the standards in this proposed legislation would ensure that first nation parents would know that their children were receiving a quality education, while the flexibility would reinforce first nation control and encourage incorporation of cultural and language teaching as each first nation sees best.

● (1725)

Going to school is an essential experience of childhood. It is important that parents and communities feel confident in the quality of education their child receives. That is why our Conservative government believes that parents and communities need to have a strong role in creating a school environment that respects and reflects community values.

Throughout the consultation to develop this proposed legislation, first nations youth and parents made it clear that education was more than a piece of paper or a path to a job. Education is fundamental to nationhood and identity. Students want to create a future where they can access the kind of education that leads to a successful life, not only for themselves but also to support their families and contribute to their communities.

This bill recognizes the ability and responsibility of first nations to educate their students. It recognizes the importance of treaty and aboriginal rights, which are protected by the Constitution of 1982. Bill C-33 would support accountability to parents and communities. This would contribute to more children and youth succeeding at school and in life.

In my constituency of Kootenay—Columbia, the Ktunaxa nation is a proud nation that has some of its education on reserve, starting with grades 1 to 6, and it is starting to reintegrate its language. That is one of the most important parts of this entire bill, for first nations to be able to integrate their own language and feel proud about their history and language, and to be able to pass that on from generation to generation. It is something that has been missed, and this bill would capture that important part of first nations education.

With that, I look forward to any questions.

The Acting Speaker (Mr. Bruce Stanton): We will have to leave those questions for another time. In fact, the hon. member will have precisely ten minutes available for questions and comments, should he wish it, when the House next resumes debate on this question.

It being 5:30 p.m., the House will proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

● (1730)

[*Translation*]

SUPREME COURT ACT

The House resumed from February 28 consideration of the motion that Bill C-208, An Act to amend the Supreme Court Act (understanding the official languages), be read the second time and referred to a committee.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, as Liberal critic for official languages, following my colleague, the hon. member for Charlottetown and the Liberal justice critic, I am pleased to second Bill C-208, An Act to amend the Supreme Court Act (understanding the official languages), introduced by our colleague, the member for Acadie—Bathurst.

This bill would require that in the future anyone appointed to the Supreme Court have a command of both official languages and be able to understand them without the assistance of an interpreter. The bill is not retroactive and therefore sitting judges would remain on the bench.

[*English*]

Under the Official Languages Act, every federal court is required to ensure that the language chosen by the parties during proceedings is understood by the judge, or other officers who hear any given proceedings, without the assistance of an interpreter. There is one exception, though: the Supreme Court. In practice, this bill would put an end to this exception.

The Liberal Party has been a long-time champion of language rights, linguistic duality, and the exercise of the Official Languages Act.

[*Translation*]

The Liberals also have no problems supporting this bill, given that we introduced a similar bill ourselves, in 2007-08, during the 39th Parliament. This was Bill C-548, amending the Official Languages Act to extend the requirement to understand both official languages to justices of the Supreme Court of Canada. The bill was introduced by the hon. member for Bourrassa at the time, the Hon. Denis Coderre, the new mayor of Montreal. I recall that bill as I had the honour of being the leader of the official opposition at the time.

More than five years later, let us hope that this time will be the right time and that this Parliament will give French-speaking Canadians the assurance that they will be understood by the nine most important judges in our legal system.

And why would this Parliament not give that assurance to the country's francophones? Is it not high time to do so, 45 years after the Official Languages Act was passed?

Those who oppose this bill claim that the selection of judges must be a matter of competence only. However, adequate command of both official languages is precisely part of the competence required to be fully able to treat all Canadians fairly.

Both the Commissioner of Official Languages and the Minister of Justice confirmed that we now have a big enough pool of bilingual jurists from across the country who fully meet the appropriate standard of merit and legal excellence to appoint bilingual judges to the Supreme Court. Clearly, this pool will grow bigger every year if Parliament sends young Canadian lawyers the message that bilingualism is a requisite if they wish to reach the top of the Canadian legal system.

Our judges must always prove their worth in terms of knowledge of the law, judgment, work habits, ability to write and communicate, honesty, concern for fairness and social conscience, but they must also be bilingual.

We are not here to criticize the unilingual judges of the past, some of whom were great legal minds who did wonderful things for the cause of French and official language minorities in Canada. At one time we had British judges and they too did great things, but that did not stop us from wanting Canadian judges.

It is therefore reasonable to say that the judges of the past would have been even better equipped had they been able to understand the language of Molière or Vigneault.

The need is there. About 30% of the documentation that Supreme Court judges need to study is in French. Judges who cannot read French have to rely on the summaries provided by clerks, who are often talented but of course have neither the skill nor experience that a judge has.

During hearings, unilingual judges have to follow debate using simultaneous interpretation. No matter how good it is, there can be errors, misunderstandings or inaccuracies. When judges speak among themselves about cases before them, only one of them needs to be unilingual for all the discussions to, inevitably, be held in English, even for cases where most of the documentation is in French. In practice, French-speaking judges are required to write their drafts in English.

Opponents of Bill C-208 who state that requiring bilingualism would undermine the competence of judges must know that this is precisely the argument that was used against the adoption of the Official Languages Act. Parliament of 1969 did not let this objection stop it, and everyone takes the credit today. Therefore, let us be inspired by the wisdom of the members who came before us.

Not surprisingly, support for this bill is coming in from all sides.

● (1735)

[*English*]

Of course, the National Assembly of Quebec, the Commissioner of Official Languages, Mr. Graham Fraser, the Fédération des communautés francophones et acadienne du Canada, and the Quebec Community Groups Network all support Bill C-232. Also the Canadian Bar Association adopted a resolution in support of institutional bilingualism at the Supreme Court of Canada during its annual meeting in August 2010.

L'Association des juristes d'expression française du Canada de common law adopted a resolution in 2010 affirming its support for Bill C-232. The Quebec Bar Association supports this bill. In 2010, the president of the Young Bar Association of Montréal stated:

[*Translation*]

> Functional bilingualism must be a minimum competency and not limited to being simply a consideration…

I would like to provide other support, but my time is short.

Voting for this bill is betting on Canada, a country that is lucky to have two official languages that are international languages, big windows on the world; a country that is lucky to have two legal systems, the civil code and common law, which allows it to share the legal traditions of 80% of countries around the world.

With this bill, we will ensure that this increased strength that our bilingualism and bijuralism bring us will become part of the highest court in our legal system and will help our Supreme Court become one of the most respected in the world.

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, I am very proud to rise today to express my support for Bill C-208.

This bill would amend the Supreme Court Act to require that only judges who can communicate well in French and English without the assistance of an interpreter be appointed to the Supreme Court.

I would like to begin by congratulating my hon. colleague, the member for Acadie—Bathurst, who is the NDP's official languages critic, for the remarkable diligence he demonstrated in introducing this bill.

I mention his remarkable diligence because, despite the Conservative government's opposition to this bill, my colleague never gave up. He kept fighting to ensure respect for linguistic equality before the courts for all Canadians, especially those who live in minority francophone communities.

This is my colleague's third attempt since 2008 to get this bill passed. Let us not forget that, four years ago, this same bill, known then as C-232, passed third reading. Despite the opposition of all Conservative members, including francophone Conservative members, my colleague managed to get Bill C-232 passed in the House of Commons. Unfortunately, the bill was blocked in the Senate by Conservative senators, some of whom were francophone, as incredible as that might seem.

The Senate and unelected senators blocked Bill C-232 until the March 2011 election was called. The bill would have protected the interests of Canada's linguistic minorities, but they let it die on the order paper. That is both shameful and an insult to democracy.

Fortunately, my colleague from Acadie—Bathurst will continue to work tirelessly to protect the rights of linguistic minorities. I can guarantee that he has the support of all NDP MPs and that, together, we will continue to fight to ensure respect for our two official languages from coast to coast.

The NDP is not alone in this fight. My colleague's bill has been praised and supported by many non-partisan stakeholders. For instance, the Commissioner of Official Languages, Graham Fraser, has said several times that he believes that Supreme Court judges should be bilingual; he also supported Bill C-232 in the previous Parliament.

According to the commissioner, any litigant appearing before the Supreme Court should have the right to be heard and understood by all the judges in either official language without the aid of an interpreter. The Barreau du Québec, the Fédération des communautés francophones et acadienne, the Fédération des associations de juristes d'expression française de common law, and a number of law professors also support the NDP's position on having bilingual Supreme Court judges.

However, the Conservative government has used every possible obstructive measure to undermine the NDP's efforts to have this bill passed, while claiming that they are looking after the language rights of French-language minority Canadians.

The simple fact that an issue of paramount importance like equality before the law is being raised in a private member's bill instead of in a government bill is an indication of how little importance the Conservative government attaches to the language rights of francophones.

In addition to appointing a unilingual anglophone Auditor General to Parliament, this government appointed two unilingual anglophone judges to the Supreme Court, Justice Rothstein and Justice Moldaver. In fact, there is a pool of highly qualified and fully bilingual judges, but the Conservative government pays no heed to that for partisan reasons.

The Conservatives seem to be forgetting that Canada was founded as a result of the hard work of two linguistic and cultural groups. Ignoring the right of francophones to have access to justice in their own language is betraying one of Canada's founding principles that is based on co-operation between the two linguistic communities.

Bilingualism and Canada go hand in hand, just like the traditions of British common law and French civil law go hand in hand. Denying the full equality of French in our courts is ignoring a fundamental principle of our nation. Our country's highest court must reflect Canada's bilingualism.

In addition to these matters of principle, there are also technical considerations with respect to the limitations of translation, which also point to the importance of having bilingual Supreme Court judges.

● (1740)

[*English*]

Surely it goes without saying that there are numerous nuances and subtleties in every language that can and often do get lost in translation. This is of crucial importance when matters of law and justice are concerned, especially at the Supreme Court level, the final court of appeal for all Canadians.

One significant problem lies in what Professor Ruth King, a member of the Department of Languages, Literatures and Linguistics at York University, refers to as code switches. Professor King defines code switches as sentences that use verbs to communicate opinions or belief. Statements such as “I think”, “I guess”, or “I believe” all work to underscore the speaker's stance or truth of the proposition and in some cases to indicate a degree of uncertainty.

King argues that terms such as these can be translated in French using words that can either enhance or diminish the degree to which the proposition is true. Based on her research, one can conclude that translators who translate between the French and English languages are likely to face problems in accurately conveying the meaning of a statement, not because those translators are bad at their job but because there are simply too many nuances and subtleties in both of our official languages to rely solely on translation when it comes to legal matters. Therefore, Canadians who have to rely on translation to make their case for justice are at an automatic disadvantage. The same applies to many other situations.

For example, if a test written in French is given to one who only speaks English, it is unlikely that person would be able to perform to the best of his or her ability, as relying on a translator would stand as an impediment. In 1998, Professor R.K. Hambleton performed a number of studies on the reliability and validity of tests administered across language and cultures. His research concluded that language did, in fact, play a significant factor in one's ability to perform well on a test. Hambleton suggests that despite the use of translators, when one is tested in a language that is not his or her own, the results are not an accurate representation of the person's knowledge.

Hambleton concludes that it is imperative for tests to be administered in one's native language in order to gain truly reflective results. Much like taking a test, trials rely on the interpretation of questions, by which judgments are based on one's response. If a question is answered incorrectly due to its interpretation, this poses a fundamental risk to the reliability and validity of a verdict. Simply requiring all judges to be fluent in both English and French can reduce such problems. By removing the language barrier, all Canadians, both English and French, will receive equal opportunities to a fair and reliable trial.

Therefore, the inherent limitations of translation requires judges to be able to communicate in both English and French in order to avoid any misinterpretations of vital information. Given the responsibilities and integrity of the Supreme Court of Canada, it is absolutely essential that any room for error be eliminated. If judges are required to speak both English and French as it is being proposed in this bill, the chance for misinterpretation might not be eliminated, but it would certainly be greatly reduced and go toward improving our trial process in the Supreme Court.

It is the responsibility of the House to ensure that the Supreme Court of Canada provides sound and equal treatment to all citizens of Canada. What is more, it is inexcusable to risk a Superior Court that cannot discern testimony with utmost accuracy and precision and fails to offer the optimal conditions for all those who seek justice.

In closing, I ask my colleagues from all political parties to rise above polarizing partisan divisions and make good use of this opportunity to restore the faith and respect Canadians once had for this great Parliament. As this House did with Bill C-419, let us work together to support this motion that seeks to uphold two of our most cherished, fundamental constitutional rights: equality before the law and equality of our two official languages.

I call on all members of the House, especially my Conservative colleagues across the way, to vote in favour of this motion and send the right message to all Canadians that we have respect for both official languages groups, that we have respect for those who are in minority situations to be understood in the highest court of law. I ask them to work with us to send this bill to the Standing Committee on Justice and Human Rights for further deliberation.

● (1745)

[*Translation*]

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, I am very pleased to be speaking today in support of the bill introduced by my colleague from Acadie—Bathurst.

[*English*]

It is a real pleasure for me to support my colleague's bill that promotes real equality in the two official languages of our country.

[*Translation*]

The bill amends the Supreme Court Act and introduces a new requirement for judges appointed to the Supreme Court to understand English and French without the help of an interpreter.

[*English*]

I am not perfectly bilingual but I am working very hard on my English skills. It is important for me to work at the House of Commons in Canada's two official languages.

A person who stands before judges in the Supreme Court of Canada has a right to be heard and understood in his or her mother tongue.

[*Translation*]

This bill promotes equal access to justice. The Supreme Court is Canada’s highest court and its entire membership is occasionally called upon to hear certain cases. For the litigants, the ruling can have serious implications. Unilingual judges must rely on third parties to understand oral arguments and written submissions, which can be problematic at times and result in poor interpretation.

While I have the utmost respect for translators, I think we need to recognize that simultaneous interpretation and translation have their limits. The bilingualism requirement for judges ensures that francophones and anglophones have equal access to justice.

● (1750)

[*English*]

It is important for me to speak about equality, equality between francophones like me and anglophones. People who want to work in the most important judicial institution in our bilingual country must respect our two official languages.

[*Translation*]

The equality of French and English in Canada has been recognized by the Supreme Court. Since Canada’s laws exist independently in the two languages, fluency in both official languages should be a prerequisite for appointment to the Supreme Court, just as there are other mandatory requirements that a candidate must meet before becoming a judge.

[*English*]

The Supreme Court is there to serve Canadians, whether their first official language is French or English.

[*Translation*]

Canada's laws are not written in one language and then translated; rather, they are co-drafted in both official languages, and neither language takes precedence over the other.

This means that the body of Canadian legislation exists independently in both official languages. It is therefore essential for Supreme Court judges to understand legislation as it is written, in its duality, so they might apply it in its entirety, without infringing on the rights of the litigants.

I would remind the House of a few important facts that are worth pointing out. In 2009, all of the Conservatives, including francophone Conservatives, voted against this bill at second reading when it was Bill C-232. They also opposed the bill at third reading in May 2010. Despite the Conservatives' opposition, Bill C-232 passed in the House of Commons in 2010. However, the Conservative senators used their majority in the Senate to block it, which is absolutely appalling, until an election was called in March 2011.

In addition to opposing Bill C-232, the Conservative government showed its utter contempt for francophones by appointing two unilingual judges to the Supreme Court.

[*English*]

The Prime Minister must respect equality too, but he does not do that. We really have proof that the government does not care about the rights of francophones in our country.

[*Translation*]

Having unilingual judges is problematic when deliberations take place behind closed doors, that is, without the assistance of an interpreter.

Judges always have to communicate their opinions, ideas, and knowledge in their second language. Consequently, they run the risk of being much less accurate when they are not bilingual. When all judges are functionally proficient in both official languages, everyone can use their language of choice.

[*English*]

By sending the message that bilingualism is not important, the government is discouraging young Canadians, including young western Canadians, from learning French. The government must instead work with its provincial partners to encourage French language training by improving immersion programs and increasing support to post-secondary institutions so that future lawyers can acquire solid skills in their second language.

[*Translation*]

A number of people agree with the official opposition, and I would like to share some of their opinions with the House. The Commissioner of Official Languages, Graham Fraser, has spoken out a number of times in favour of having bilingual Supreme Court judges. The Barreau du Québec has repeatedly expressed its support of the bill on bilingual Supreme Court judges. I quote:

> Bilingualism should be among a Supreme Court judge's required skills in order to ensure equal access to justice, and the Barreau du Québec's position in this regard is categorical.
>
> It is a fundamental right to be heard by a judge in one of the two official languages.

The Fédération des communautés francophones et acadienne also supports this bill:

> The FCFA believes that all citizens have a right to be heard and understood before the highest court of Canada in their official language of choice, without the assistance of an interpreter.

Serge Rousselle, a law professor at Moncton University specializing in language rights and past president of the Association des juristes d'expression française du Nouveau-Brunswick, also supports this bill:

> Bilingualism is a required skill for Supreme Court judges. To fully grasp an oral argument in a field where the subtleties of one official language or the other can be critical, the importance of being understood directly by the members of this court, without the assistance of an interpreter, seems obvious.

I quoted a number of people whose opinions are similar to ours. I think it is very important for a Supreme Court judge to be bilingual. We must remember that people involved in the legal system have rights, have the right to be heard and, especially, have the right to be heard in the language of their choice—in their first language, whether that is French or English.

I would never put myself forward to be a Supreme Court judge. I do not have that ambition. I do not have the right education, of course, but I am also not bilingual. In a bilingual country like ours, someone who is highly trained and manages to become a judge, which is already a rather important and difficult job to get, also has the opportunity to learn a second language.

● (1755)

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, I admit that the first question that came to mind when preparing this speech was the following: should I be pleased or disheartened by the prospect of speaking to a bill that, for the third time, is attempting to introduce common sense? We agree that the bill introduced by my colleague for Acadie—Bathurst is based on common sense.

At a time when politicians sometimes have a bad reputation for being opportunists, making promises that they do not keep and changing their tune depending on which way the wind is blowing, my colleague from Acadie—Bathurst is just what is needed to counter these hasty judgments or preconceptions. He is feisty and persistent, and he is not the sort of person to give up on his ideas when difficulties arise. Therefore, I wish to congratulate him for his efforts on behalf of the people he represents, the people of Acadie—Bathurst and especially, today, for his long fight for our country's two official languages and recognition of bilingualism in the federal government and Canada's major institutions. I am not referring to recognition just on paper, but in actual practice.

My colleague from Acadie—Bathurst has been a source of inspiration ever since I arrived in the House. When I was first assigned to be a member, with him, on the Standing Committee on Official Languages, he showed me everything that remains to be done in order to ensure that the spirit of the Official Languages Act becomes part of Canadians' reality. It is because of my colleague's efforts and his example of perseverance, that I have finally chosen to say that I am honoured to rise today to defend, with all the courage of my convictions, his bill, Bill C-208, An Act to amend the Supreme Court Act (understanding the official languages).

His bill would change the Supreme Court and create a new requirement for the appointment of Supreme Court justices. It is a very simple requirement, if it is one at all: to be able to listen to and understand anyone who appears before the Supreme Court, in the language of their choice, whether English or French, without the assistance of an interpreter.

As I just mentioned, this is my colleague's third attempt at seeing this initiative through. This legislative measure was introduced for the first time in June 2008 and the same bill was introduced in November 2008. Those who have been here for a while will probably remember that it was then Bill C-232, which was passed by the House of Commons. I want to emphasize the fact that it was passed by the House of Commons. Today, here we go again. Something is not right.

The bill was passed on March 31, 2010, but the Conservative senators used their majority in the Senate to block it until the election was called in March 2011. This is another example of unelected people blocking a bill that was passed by elected parliamentarians in the House of Commons. I think this needs no further comment.

Let us leave the Senate aside for now and come back to the essence of the bill. Why is it so essential for a judge to understand both official languages? There are many reasons, but I will focus mainly on the two that I consider to be the most important.

The first is equal justice. The Supreme Court, as we all know, is the highest court in the land and its nine justices are sometimes called to sit for the same case. It is rather unthinkable that some of them might not have exactly the same understanding of the arguments being made as the others who listen to and understand both official languages. The witnesses and other participants can speak in the language of their choice. That is a recognized and properly applied right. There are no problems there.

However, it is important that the judges understand the nuances of the testimonies. In law, often everything lies in the nuances. Simultaneous interpretation has its limits. We realize that every day in the House of Commons. The House interpreters do a tremendous job, but it is never as good as being able to listen to each speaker in their own language and understand all the subtleties.

● (1800)

Judges being bilingual, therefore, helps ensure that francophones and anglophones have equal access to justice. It gives them the assurance, not only that they will be heard, but above all, that they will be understood. When a case is in its final stage in the legal process, the assurance of that right should be guaranteed.

The second reason rests on the duality of our body of law in Canada. In Canada, all legislation exists in both official languages. Let us understand each other clearly. No statute adopted by this Parliament is first written in one language and then translated into the second. Statutes are drafted in both official languages at the same time, with the subtlety of each language's vocabulary and with neither language taking precedence over the other. If we have therefore considered it to be right and proper to have that kind of legislation in Parliament, those called upon to sit in judgment in support of that process must have the same ability.

Why are we proposing this bill? The bill introduced by the hon. member for Acadie—Bathurst is not before us in order to make the task of a Supreme Court judge even more complex. At the outset, I understand the traditional objection that we have heard each time this bill has been debated in the House. The question is always: will we be depriving ourselves of an eminently competent judge, who happens to have the disadvantage of being unilingual, given that simultaneous interpretation has all the limitations I mentioned just now?

My answer is very simple: yes. We should have to deprive ourselves of the services of a unilingual judge. To my recollection, we have never witnessed the appointment of a unilingual francophone judge. Please understand me. I am not saying that francophones have been treated differently. However, we have to recognize that, for a francophone, a knowledge of English is an essential part of legal training. It is precisely this fact that anglophones who aspire to a seat on the highest court in the land have to recognize. In Canada, French is an essential skill to qualify for that position. Period.

A prime minister who does not speak Canada's two official languages? Unthinkable. Well then, what about a Supreme Court judge? Should that not be just as important? Every time this bill comes up for discussion, it receives plenty of support across Canada. For example, the Barreau du Québec has repeatedly expressed its support for the bilingual Supreme Court judges bill. Here is what it says:

> Bilingualism [it says] should be among a Supreme Court judge's required skills in order to ensure equal access to justice, and the Barreau du Québec's position in this regard is categorical.

Those words are strong, clear and precise. That says it all. Some might say that, obviously, Quebec, with its francophone majority, would want this. However, the same goes for other groups all over Quebec. For example, the Fédération des communautés francophones et acadienne also supports this bill just as categorically:

> The FCFA believes that all citizens have a right to be heard and understood before the highest court of Canada in their official language of choice...

It is really the notion of being understood that is at the heart of my colleague's bill.

Lastly, the Commissioner of Official Languages, Graham Fraser, has said several times that he believes that Supreme Court judges should be bilingual.

What is the NDP doing when it comes to official languages? Not only is the bill sponsored by my colleague from Acadie—Bathurst an eloquent demonstration of the NDP's defence of the French fact, but we could also mention Bill C-315, which I had the pleasure of sponsoring and which deals with French in workplaces under federal jurisdiction, or that other bill that passed in the House and that now requires officers of Parliament to be bilingual before being appointed to the position.

● (1805)

In closing, I would say that, based on all the evidence, it is quite clear that the NDP is more than just the official opposition; it is also a party that makes proposals. We are a party full of proposals that, as I said in the beginning, make a lot of sense and speak not only to the spirit but also to the letter of the Official Languages Act.

The Supreme Court exists to serve Canadians, whether their first official language is French or English.

Unfortunately, I have to end it there, although I have so much more to say.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I stand before my hon. colleagues tonight to close the second hour of debate on Bill C-208, my bill that aims to make English-French bilingualism a new requirement for judges appointed to the Supreme Court of Canada.

I also want to thank my NDP colleagues who have spoken tonight and in the first hour and who support my bill. I would also like to thank the hon. member for Saint-Laurent—Cartierville and the Liberals who supported my bill in 2008, in 2010 and again today.

Everyone can see that the Conservatives are the only ones saying no.

This is my third attempt to get this bill through, and I hope that all my colleagues on the other side of the House will vote in favour of the bilingualism requirement for Supreme Court judges when we vote on May 7.

In recent weeks, I have had the opportunity to visit a few universities and a few communities to talk about Bill C-208. I went to Sudbury and had the opportunity to present my bill to students at Laurentian University. I also presented my bill to students in the faculty of law at the Université de Moncton and law students at the University of Ottawa.

People in my riding support my bill enthusiastically. Everywhere I went, people said that the bilingualism of Supreme Court judges was important for the equality of both official languages and equality in the access to justice.

[*English*]

Let me now tell the House about the support I have received from various stakeholders in the fields of official languages and justice.

In his letter of support for Bill C-208, the Commissioner of Official Languages, Graham Fraser, said:

[*Translation*]

> Since 2008, I supported the principle that all Supreme Court justices should be bilingual, and that is still my opinion. I believe, out of respect for all Canadians, that it is a matter of ensuring that they are all served by judges of the highest distinction and greatest ability, who can hear and understand a case in either official language

The Barreau du Québec also supported my bill and said that:

> [It] has always believed that functional bilingualism should be among a Supreme Court judge's required skills in order to ensure equal access to justice...

● (1810)

[*English*]

The Quebec Community Groups Network also supports this important bill. Its letter of support for Bill C-208, it stated that the QCGN supports the requirement that Supreme Court Justices be capable of executing their responsibilities in both official languages without the aid of an interpreter on the same basis. In addition, the letter stated that the QCGN believes that Bill C-208 strengthens the principle of the rule of law upon which our society is based.

[*Translation*]

The Fédération des communautés francophones et acadienne, or the FCFA, and its members have also shown their support for Bill C-208. In its letter of support, the FCFA indicated:

> ...we find it completely unacceptable that, in this day and age, French-speaking Canadians still cannot be heard and understood by all of the judges who sit on the highest court in our country without the assistance of an interpreter.

I would like to thank all the people, groups and associations who shared with me their support for the important issue of the bilingualism of Supreme Court judges.

I would like to remind hon. members of the importance of my bill. This is a matter of access to justice. The Supreme Court is the highest court in the country, and it is very important for its judges to be able to understand both official languages without the help of an interpreter.

[*English*]

Second, having bilingual Supreme Court judges would ensure the equality of both the official languages. We have to remember that the Supreme Court has recognized the equality of French and English.

In conclusion, I urge all my colleagues to vote in favour of my Bill C-208.

[*Translation*]

We must protect the equality of our two official languages and equal access to justice. In particular, I am calling on the Conservative members from Quebec and the members who have francophone communities in their ridings, such as the member for Madawaska—Restigouche, the member for Moncton—Riverview—Dieppe, and the member for Saint Boniface, who is the Minister of Canadian Heritage and Official Languages, to ask their Conservative colleagues to support my bill, which seeks to ensure that Supreme Court judges are bilingual. It is a matter of justice and equality.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

[*English*]

The Acting Speaker (Mr. Barry Devolin): Pursuant to Standing Order 93 the division stands deferred until Wednesday, May 7, immediately before the time provided for private members' business.

ADJOURNMENT PROCEEDINGS

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

[*English*]

DEMOCRATIC REFORM

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it was not that long ago that I posed a question for the government regarding the manner in which it had verbally assaulted Canada's Chief Electoral Officer.

I find it most interesting. It was not that long ago, maybe an hour or so, that I was in the procedure and house affairs committee, where I was being forced to vote. I was being forced to vote because the government had put in time allocation at 5 o'clock. All debates and discussions related to Canada's election law had come to an end because the government did not want to hear any more. Clause by clause, every clause came to a vote.

I say that because we have gone through a terrible process in changing our election laws. The Conservative government has made the decision to change the way in which our elections will operate, and it took it upon itself to make those changes without any consultation. It did not work with opposition parties. It is the only political party that supported Bill C-23 coming into second reading, and it used its majority to change the election laws.

When I sat on the committee and listened to the many different presenters who came before the committee, one of the most compelling presenters we heard from was the Chief Electoral Officer. He is the individual who is responsible for conducting Canada's elections. Elections Canada is held in high esteem around the world because Canada, generally speaking, is perceived as a country that has assigned a great deal of value to democracy. That independent organization, which is responsible for the administration of our elections, made a presentation. The Chief Electoral Officer came to the committee and expressed the concerns he had regarding what the government wanted to do with our election laws.

He was very clear that the government had missed the boat in many different ways. The most significant way, which I would like to highlight, is that the government did not recognize the need to compel a witness. It was not prepared to allow Elections Canada or the Commissioner of Elections to be able to compel a witness when they believe an election law has been broken, in order to investigate a matter. This is something that other elections agencies at the provincial level in Canada already have. Many of them have it. Elections Canada wanted to be able to do likewise. Why? I believe it is because of the last federal election.

In the last federal election, there were tens of thousands of Canadians who made contact, directly or indirectly, with Elections Canada, talking about problems. They ranged from cheating, to overspending, to robocalls, to the in-and-out scandal. There was a lot. The government's official response, which came from the minister responsible, was a verbal assault on Elections Canada's Chief Electoral Officer.

My follow-up question for the minister is this. Can he explain the reasons for the verbal assault on the Chief Electoral Officer of Canada?

● (1815)

Mr. Erin O'Toole (Parliamentary Secretary to the Minister of International Trade, CPC): Mr. Speaker, it is a privilege for me to stand in this House to speak to the fair elections act, which I did at the procedure committee for several weeks, and in the media, to make sure that Canadians understand the modernization and reform we are bringing to our elections law. The polls last week seemed to show that Canadians agree with our modernization of elections administration.

I will address the questions and commentary from my colleague from Winnipeg North. First, he said about his own experience at the procedure and House affairs committee that the government did not want to hear and that he did not feel that the government was listening to him. I would remind him that there were almost 30 hours of witnesses. Almost 60 or 70 witnesses appeared at the procedure and House affairs committee to give their perspectives on the fair elections act.

Members in this place spoke in questions and in debate, as well as in discussions in the media, which means that there was a lot of discussion. Our government made 14 substantive amendments to a bill that was already focused on modernizing our antiquated elections law. That word “antiquated” comes from Harry Neufeld himself.

The hon. member suggested that the government acted alone or took charge of an issue that seemingly did not need to be addressed. He certainly has not been following elections law in Canada. In 2011, the results in Etobicoke Centre led to a result being overturned and ultimately to a challenge at the Supreme Court of Canada, where issues related to election administration, the training of officials, and vouching showed that our system needed profound modernization.

Elections Canada asked Harry Neufeld, the former B.C. chief electoral officer, to do a report. He had both an interim report and a final report. The bill is also built on a 2007 Elections Canada report on voter participation and issues related to groups that are under-represented on election day.

I would suggest to the hon. member that this bill did not come out of thin air. In fact, it came out of a profound need to modernize and make our system far more effective and less prone to irregularities, because each election, we have between five and 15 results in the 200 to 500 vote range. Mr. Neufeld's report showed that our old way of doing things had as many as 500 errors per riding.

In a G7 country, it is unacceptable to have an antiquated system, so we have updated it. It is our position, and it has been clear throughout, and Canadians agree, that one must show some form of identification before one votes at the poll. Canadians understand it. It is reasonable, and our amendment has addressed the concerns about some of the 39 forms not having addresses.

It is a great bill. The amendments have made it even stronger, and our government is proud to move our elections forward with it.

● (1820)

Mr. Kevin Lamoureux: Mr. Speaker, the member said that the bill did not come out of thin air. The bill came out of the Prime Minister's Office. No matter what the member has to say, at the end of the day, the only individuals who were supporting the original bill were the Conservative members of that caucus, possibly, and definitely the members of the Prime Minister's Office.

There was no support going into committee for this bill from any credible source outside of the Conservative caucus. That is the reality. Yes, some amendments have been brought forward. However, one of the fundamental flaws of the legislation is with respect to compelling witnesses and the Prime Minister's Office not recognizing the importance of Elections Canada being able to compel witnesses. That is a fundamental flaw, and that amendment did not happen.

It was not appropriate for the government to launch a verbal attack against Canada's Chief Electoral Officer. Does he not recognize that an apology is needed—

The Acting Speaker (Mr. Barry Devolin): The hon. parliamentary secretary.

Mr. Erin O'Toole: Mr. Speaker, I am pleased to speak for a few moments. I am not sure how to respond, because most of those were general statements.

It is clear that members of the opposition, both in the Liberal Party and the NDP, have not even done the basic level of research on the bill or on the Neufeld report. I saw, and Canadians saw, this at the procedure and House affairs committee.

I would suggest they read pages 23 to 27, where Neufeld said that this antiquated system needed modernization. He warned the government that we lived in a great parliamentary democracy, so there was a complacency with respect to the system. A lot of people will feel that we do not need to fix it, even when court decisions show it is profoundly broken. He warned us that there would be resistance.

What I find deeply troubling is that the NDP and the Liberals allowed this process to be part of their partisan efforts to work with activist groups against really fixing a system.

We now have a bill that is quite strong and will give us the modern system we need.

Adjournment Proceedings

EMPLOYMENT INSURANCE

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, on January 30, I raised a question to the Minister of Employment and Social Development concerning the destructive impact the Conservative attack on rural and regional unemployed was having on Prince Edward Island.

The question I asked was direct and it was specific:

> —government policy should enhance job growth and improve income. However, in the P.E.I. seasonal economy EI is having the opposite impact. Take a farmer's seasonal employee for example, who is needed only a day and a half a week at this time of year and paid $16 an hour. After deductions and the EI clawback of 50¢ on every dollar, the employee is left with less than $6 an hour. The employee is poorer and the farmer has trouble attracting employees. It is starting an underground economy. Will the minister stop inflicting this economic hardship and reconsider the policy?

Rather than respond to the concerns that were raised, concerns which come from my constituents and Islanders generally, the minister actually told the House that employment insurance contributed to neither economic growth or to higher standards of living.

That kind of arrogance would be unbelievable, but indeed that was the response I received from a minister of the Conservative government. EI does contribute to the economic growth in many of the rural communities on Prince Edward Island, throughout Atlantic Canada and indeed across the whole of Canada.

Those receiving EI benefits do not transfer that money to offshore accounts. They spend that money on food, utility bills, and children's clothing, and retailers benefit from their business.

The question remains, how does the minister respond to the reality that the clawback provisions that he and his government have instituted actually take money directly out of the pockets of those finding work while on employment insurance claims. That is what is happening. It is taking money directly out of the pockets of the seasonally employed.

The example I have stated is not an academic exercise. Workers throughout the region are having their monies clawed back, leaving them in serious financial difficulty. They are skilled seasonal workers who are important to our seasonal businesses and our seasonal economy.

The government's response to set up two EI regions within Prince Edward Island has hurt those seasonal workers even more seriously.

In total, the government's decision on just the clawback alone takes $2.4 million out of the pockets of seasonal workers this year, and about a little over $3 million next year. That is the estimate. That is the impact on the total economy, and the impact on workers is very serious.

Therefore, my question remains, is the government prepared to eliminate the clawback provisions in order to ensure that not only are those seeking work but those seeking available local workers can achieve their goals?

● (1825)

Mr. Scott Armstrong (Parliamentary Secretary to the Minister of Employment and Social Development, CPC): Mr. Speaker, I am glad to have the opportunity to reply to the claim made recently in the House by the hon. member for Malpeque. He stated that the changes made last year to the employment insurance program were making people poorer in Prince Edward Island. Nothing could be further from truth. I would ask that he stop making false accusations that are misleading and scaring the people of Prince Edward Island. In fact, the recent changes to employment insurance announced by the Minister of Fisheries and Oceans are actually increasing the amount of EI for rural islanders. I would call on the member opposite to join our party in support of these EI measures that support the rural parts of his province.

The broader changes we have made have made the program more flexible, more fair, and more responsive to the employment needs of people collecting EI. We did not change the eligibility requirements for EI. The rules for applying for and qualifying for employment insurance remain the same.

The changes simply ensure that claimants are given clear guidelines on the kind of work they need to consider when receiving EI benefits. In fact, we are supporting unemployed workers with information, jobs, and various measures to help them get back to work more quickly in their local area.

Our ultimate goal is to make it easier for job seekers and employers to find each other and connect, to make sure people have an opportunity to take jobs that are available in their region. This is why we introduced the connecting Canadians with available jobs initiative a year ago. Through this initiative, we introduced several new measures to provide employment insurance claimants with additional support. For example, the enhancement of the job alert system includes more timely and more relevant job postings and information about the job market in the claimant's local area.

The changes we made to EI also clarified the responsibility of claimants to look for work while receiving benefits. As long as workers meet all the regular requirements, including the requirement to seek employment, they will receive their benefits. It is that simple.

None of these changes is making people poorer. It is absolutely false to make those comments. Instead of trying to mislead the people of Prince Edward Island with baseless claims, I ask the hon. colleague to please stick to the facts.

For example, fewer than 1% of the people who were disqualified from EI since the changes were made over a year ago became ineligible because they failed to look for a job or refused to accept suitable work.

What is important to remember is that EI benefits will continue to be there for all Canadians, including people living in areas where jobs simply do not exist outside of seasonal and specialized industries.

● (1830)

Hon. Wayne Easter: Mr. Speaker, I am absolutely shocked that a member from Atlantic Canada would stand in this place and give that kind of a response. It is unbelievable. He failed to answer the question on clawback. The clawback is where one works while on claim and the government claws back 50¢ on the dollar. It creates a disincentive to work. It leaves businesses short of workers. It jeopardizes workers coming back into the workforce for next year's seasonal economy.

The member talked about numbers. The pilot project destruction by the Government of Canada cost the economy $11 million. This clawback is costing the economy $3 million next year and the changes made will only add $1 million. It is a net loss to islanders. It is a net loss to seasonal workers.

Why is the government attacking seasonal workers in Atlantic Canada?

Mr. Scott Armstrong: There you have it, Mr. Speaker, that is the difference between our party and the Liberal Party. Atlantic Canadian Conservative members of Parliament want to build an Atlantic Canadian economy around jobs and growth. The Liberal Party wants to build an Atlantic Canadian economy that revolves around employment insurance.

We want to make sure that we fund jobs, opportunity, and growth. That is why we are funding things like the Irving Shipyard deal in Halifax. That is why we are supporting the Muskrat Falls development. That is why we support the west-east pipeline. That creates jobs. We are focused on making sure we have employment in Atlantic Canada or the jobs of the future for Atlantic Canadians to participate in.

The Liberals are focused on trying to build up a system that people will rely on in the future based on and revolving around EI. We believe in jobs and growth. They believe in dependency.

RAIL TRANSPORTATION

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, in my question of Friday, April 4, 2014, I noted that the decision to run trains with only one operator was made not by the minister but by the rail companies themselves, and their decision was merely rubber-stamped by the minister. Of course, we know the result: 47 dead in Lac-Mégantic and hundreds of millions of dollars in damage.

My suggestion to the minister was that the system was broken and needed fixing. The answer I got was that a protective direction was issued. The system remains the same, but a new regulation is in place prohibiting railroads from doing what they did before Lac-Mégantic.

A closer examination of the system reveals other flaws, which leads us to believe that the railway safety system itself is in need of a fix. The system now is to avoid regulation and day-to-day inspections and instead allow each railroad to develop its own safety management system, which is then audited for compliance by Transport Canada.

The Auditor General, in a scathing report this year, noted that Transport Canada failed to conduct 74% of the planned audits of safety management systems. Whether that was due to budget cuts or staffing issues is unclear. What is clear is that the system is not working.

The CBC uncovered evidence that railroads are failing to report hundreds of derailments. They uncovered 1,800 over the last few years and another hundred this past year. No charges have been laid for this deception. A system that brags about how few derailments there are while hiding the truth from the public and the legislators is broken and needs fixing.

The Lac-Mégantic derailment involved railcars that were mislabelled as having contents less volatile than what was actually being transported. In fact, the labels were changed when the load crossed the border. No charges have been laid for this deception. The fact that a railroad can get away with that with impunity means the system is broken and needs fixing.

In 1989, DOT-111 railcars were involved in a collision and fire in Cherry Valley, Illinois. One of the conclusions of the investigation of that accident was that the DOT-111 cars were not safe for the transportation of dangerous goods. Twenty-five years later, the federal government has acted, in part. It removed 5,000 cars at the end of May, but the remainder, some 65,000 or so, will continue to be used for three years. A system that identifies a problem but takes 28 years to take action is clearly broken and needs to be fixed.

The Transportation Safety Board testified that DOT-111 cars are subject to rupture, leading to environmental spills and possible fires, at speeds as low as 20 miles an hour. However, the government will continue to allow these cars to be run at 50 miles an hour or 40 miles an hour in built-up areas for the next three years. How is it that cars that are subject to rupture and fire can still run at such high speed? Again, the system permits it. It is broken and needs to be fixed.

The Transportation Safety Board has reported on many derailments over the past few years. In cases stretching back at least 10 years, the TSB has recommended that Canada implement a form of electronic fail-safe, commonly called positive train control. The U.S. is moving forward with such a system. This government has ignored this recommendation each and every time. If there were recommendations involving aircraft safety, they would be implemented, but not for railways. A system in which the government can ignore safety recommendations of the duly appointed investigators is broken and needs to be fixed.

In conclusion, Canadians need to trust that federally regulated railroads are being run past their homes, schools, and daycares in a safe manner. Recent events and disclosures suggest that the public question their ability to trust the safety of the system.

The government is responsible. The government needs to act to fix the system and restore public trust.

● (1835)

Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC): Mr. Speaker, our government is committed to safety and security for Canadians.

In fact, just last week the Minister of Transport directed her department to take immediate action to improve rail safety and the transportation of dangerous goods. These actions were to specifically address the Transportation Safety Board recommendations related to the tragic incident at Lac-Mégantic.

The minister directed Transport Canada to remove the least crash-resistant DOT-111 tank cars from service; second, to require DOT-111 tank cars that do not meet the standard published in January 2014 in the *Canada Gazette*, part 1, or any other future standard, to be phased out within three years; third, to require emergency response assistance plans for even a single tank car carrying crude oil, gasoline, diesel, aviation fuel, and ethanol; fourth, to create a task force that brings municipalities, first responders, railways, and shippers together to strengthen emergency response capacity across the country; and fifth, to require railway companies to reduce the speed of trains carrying dangerous goods and implement other key operating practices.

These are strong measures that will enhance rail safety in Canada. In fact, Wendy Tadros, chair of the Transportation Safety Board, said, “I am encouraged by the Minister of Transport's strong response to the Board's recommendations”.

The Federation of Canadian Municipalities was also supportive of these announcements. Its president, Claude Dauphin, stated, “The new safety measures announced today respond directly to our call for concrete action and are another major step forward in improving the safety of Canada's railways and the communities around them”.

Even the NDP's transport critic on the issue of phase-out of DOT-111 said that the three-year period is the best thing that can be done.

Furthermore, following the tragic events in Lac-Mégantic, our government quickly took action by implementing several initiatives, including introducing more prescriptive rules to increase railway safety.

The rules require a minimum of two crew members when operating a freight train carrying dangerous goods, and also require that unattended locomotives be secured, that reversers be removed, and that an employee confirm how the equipment has been secured before leaving it at any location. The rules also require railway companies to include their process for testing the effectiveness of handbrakes, in their special instructions.

These actions not only demonstrate our government's commitment to improve railway safety and the transportation of dangerous goods by rail, but they will also considerably further strengthen Canada's regulation and oversight of rail safety and the transportation of dangerous goods.

While we have made important improvements to the safety of our railway system in recent months, our government will continue taking concrete steps to further strengthen co-operation with stakeholders and redouble our efforts to enhance the safety and efficiency of the railway transportation system for all Canadians.

● (1840)

Mr. Mike Sullivan: Mr. Speaker, while I do recognize that the minister has in fact acted, my question was not about whether or not the minister has acted in reaction to events, but whether or not the system as it exists is not broken. I still maintain my conclusion that the system as it exists, where in fact we have to wait until 47 people die before we take action, is a system that Canadians cannot trust.

As we discovered again yesterday, another incident involving the DOT-111s took place in Lynchburg, Virginia, where a river was on fire with oil from the DOT-111 cars that crashed in a city in the U.S. It is only a matter of time before it happens again in Canada.

Three years is too long. If these cars must be used, they must be slowed down to a speed that is appropriate for the safety of those vehicles, and 40 miles an hour is way too fast. We learned today that in parts of Manitoba, trains go at five miles an hour in reaction to the safety concerns of the communities they go through.

The system is not working. It needs to be fixed.

Mr. Jeff Watson: Mr. Speaker, never mind the illogic for all the brokenness. I have just spent four minutes talking about fixes.

I want to take this moment to raise something with the House about the fact that the Minister of Transport recently worked with the member opposite to hold an information event with Transport Canada officials.

I am sorry to report to the House that instead of taking rail safety seriously, the NDP member for York South—Weston and an audience stacked with NDP activists turned that information session with non-partisan public officials into a disappointing partisan political charade precipitated by a partisan tirade by the member opposite.

I will tell members that our public servants, who are non-partisan and independent, deserve far better treatment than what they were subjected to by the member of Parliament opposite.

As a result of his shenanigans, the Minister of Transport will no longer subject public servants to that kind of abuse and embarrassment from the NDP on any issues, especially those as sensitive as rail safety.

We are going to continue to take that issue seriously. I wish the member would—

The Acting Speaker (Mr. Barry Devolin): Order. The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 6:43 p.m.)

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