



House of Commons  
CANADA

## Standing Committee on International Trade

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CIIT • NUMBER 015 • 1st SESSION • 39th PARLIAMENT

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EVIDENCE

**Thursday, July 13, 2006**

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**Chair**

**Mr. Leon Benoit**

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## Standing Committee on International Trade

Thursday, July 13, 2006

• (1505)

[English]

**The Chair (Mr. Leon Benoit (Vegreville—Wainwright, CPC)):** Good afternoon, everyone. We're here today, pursuant to Standing Order 106(4), to deal with the softwood lumber agreement.

Before we start, I'd like to say that in the notice I had this meeting as an in camera meeting, but there's really no need to do that. When you're dealing with future business of the committee, it's normally in camera. If the committee would like, we can make it a public meeting. Would you agree to that?

**Some hon. members:** Agreed.

**The Chair:** Okay, we'll do that. So if any media want to be here, they don't have to move away.

We'll go on, then, to the other agenda items.

Yes, Ms. Guergis.

**Ms. Helena Guergis (Simcoe—Grey, CPC):** Thank you, Mr. Chair.

Welcome, colleagues. It's great to see you all again so soon.

We have a motion on the floor, Mr. Chair, that we haven't dealt with, with respect to confidence in your position here. I think this brings a certain level of uncertainty to the table, and I would really like to deal with this motion immediately. I add that I do think you have done an exceptional job. I do want to point out that I support your position, but I do think we should be dealing with that motion immediately. In fact, I would ask that the motion be withdrawn.

**The Chair:** Mr. Julian, it's your motion.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Well, as you know, Mr. Chair, it is just a notice of motion. It's not moved at the committee level until such time as I propose to move it, and I do not intend to move it today.

**The Chair:** Yes, Mr. Menzies.

**Mr. Ted Menzies (Macleod, CPC):** I agree with the comments of Ms. Guergis. It's a bit of a cloud hanging over the head of what has gotten to be a very important chair's position over this committee. I would like to think when we're dealing with such an important issue, that this chair has the confidence of this committee. I'm concerned that the notice of motion brings that into jeopardy. So I would also like to see it either removed or dealt with.

**The Chair:** Yes. This is the first committee meeting where the 48 hours' notice will apply, so this is the first meeting at which this could have been brought before the committee.

Yes, Mr. LeBlanc.

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Chairman, with respect, I don't think we should be dealing with what could have been brought before the committee. I'm not even sure this is in order. This committee was convened at the request of members of the opposition for a specific purpose stated under the Standing Orders. I'm not sure that we solve a great deal by continuing this conversation on another matter of business that hasn't even been raised by the person who actually gave the notice of the motion.

**The Chair:** Yes, Ms. Guergis.

**Ms. Helena Guergis:** I find it quite ironic that you would want meetings with the chair when you have a question about confidence in the chair. So I really would like to see the committee deal with this motion at this time, or perhaps have it withdrawn so that we can proceed without any clouds or any issues over the proceedings we're dealing with today.

Mr. Julian, if you feel that you lack confidence in the chair after we've finished these proceedings, there's always the option for you to re-table that at some point. I just think it would be very appropriate—

**A voice:** In good faith.

**Ms. Helena Guergis:** —yes, in good faith.

**A voice:** We know how you like to operate in good faith.

**The Chair:** I would like to say that as chair I would be more comfortable if the motion were dealt with, but I do also have to agree with Mr. Julian that he can bring this motion forward at a time of his choosing. It's a little odd not to deal with it when there's apparently a desire to remove the chair, but that's certainly Mr. Julian's decision to make.

So we will proceed.

I would like us to start. You all got a copy of the letter from the minister. Could that be read into the minutes of this meeting so that it's on record? We have it in both official languages.

• (1510)

[Translation]

**Mr. Guy André (Berthier—Maskinongé, BQ):** Mr. Chairman, I don't have a copy of the letter in both official languages.

[English]

**The Chair:** You don't have a copy, Mr. André? We'll get you a copy. We have it in French as well. We have it in both languages. They were sent out in both languages.

Anyway, the point is the minister has agreed to come on July 31, and this is a letter saying that's the first date he has available. I've had some discussion with members of all the opposition parties on this. If you agree, rather than having somebody read it into the minutes, we will deem it to have been read, and it will show up in the blues and in the minutes of the meeting. Is that all right?

**Some hon. members:** Agreed.

**(Letter taken as read:)**

Dear Mr. Benoit:

On July 1st, 2006 I was privileged to initial an agreement between Canada and the United States to end the softwood lumber dispute and bring much needed stability to a key Canadian industry and to the many companies, communities and families who depend upon it for their livelihoods.

It is the intention of our government to introduce the necessary enabling legislation to the House of Commons when Parliament returns for the fall session. This legislation will be referred to Committee, where I expect members will have the opportunity to participate in a fulsome discussion.

However, it is my understanding that the Committee would like to have further debate in advance of the legislation and recall those witnesses who appeared before the Committee in recent weeks. I would be pleased to appear as the first witness before the Committee, am available to attend on July 31st and would look forward to the opportunity to discuss the softwood lumber agreement in full with my colleagues.

Sincerely,

David Emerson

Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics

**The Chair:** Now we'll move to the witness list. I think that's what the committee wants to deal with here. Can we at this time...?

Mr. Julian.

**Mr. Peter Julian:** At this time, since we are dealing with the softwood lumber issue, I would like to put forward three motions about softwood lumber. They have been translated and circulated to members of the committee.

**The Chair:** Those are the motions you sent to the clerk yesterday?

**Mr. Peter Julian:** They were sent to the clerk on Tuesday, Mr. Chair, but as you know, of course, in our standing rules, when there is a substantive motion related directly to the business, it can be raised on the day of the committee meeting itself. In this case, I chose to circulate it and translate it so that members of the committee would be aware of the motions.

**The Chair:** The clerk has informed me that the notice would have been given yesterday, which would mean it would be in order for a Friday meeting. We'd be willing to discuss these after we deal with the witness lists. We could go to these motions, then, because two of them really don't relate to the softwood lumber agreement. Number three does and is therefore clearly in order.

The first one, Mr. Julian, is a motion this committee passed just a couple of weeks ago, word for word. It is exactly the same and was part of the motion that was tabled in the House. How can this committee deal with the same motion again, two weeks later? That's clearly not in order, but motion number two—

**Mr. Peter Julian:** Mr. Chair—

**The Chair:** Yes, Mr. Julian.

**Mr. Peter Julian:** —I would disagree with you on motion number one. It is in order. It's certainly within the purview of this committee to adopt such a motion, and I would recommend that we move to consideration of the motion.

**The Chair:** But, Mr. Julian, I looked at the motion that was passed by this committee and tabled in the House the last day the House sat, and it's the same motion. It's been done. How can the committee deal with the same motion again? Are we going to start passing the same motion again and again? It's clearly out of order.

Yes, Mr. Paquette.

[*Translation*]

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Chairman, as regards this motion and loan guarantees, I wish to remind you that the report made reference to the agreement reached by Canada and the United States, and that we asked that loan guarantees be put in place if we were not given assurances that the Americans would pay back the amount due within the prescribed time frame. So, this has nothing whatsoever to do with that.

In our opinion, if there is no agreement, that motion can once again be deemed to be in order. It has nothing whatsoever to do with the other motion, which referred to loan guarantees, but as part of the negotiations undertaken following the framework agreement announced on April 27th.

This motion asks that a loan guarantee program be introduced.

[*English*]

**The Chair:** Go ahead, please, on a point of order, Mr. Jaffer.

**Mr. Rahim Jaffer (Edmonton—Strathcona, CPC):** I don't mind discussing these motions. I thought you just made a plea to the committee to go ahead with the witness list first and then deal with these motions at the end. Are we following that plan or are we moving on to the debate?

**The Chair:** Well, that's what I suggested as chair, because in my judgment the first two motions really shouldn't be dealt with, but we can deal with them all at the end without the proper notice.

**Mr. Rahim Jaffer:** And Mr. Chair, if I can say so, that could be dealt with in the debate. I just saw the motions now, and I wouldn't mind moving to the witness list so I could at least read the motions and get prepared for the debate on these motions, if we were going to have one later in the meeting.

**The Chair:** Thank you, Mr. Jaffer.

Mr. LeBlanc, go ahead, please.

**Hon. Dominic LeBlanc:** Mr. Chairman—perhaps with the indulgence of Mr. Julian—if the committee would agree, why don't we allow him to propose his third motion, which does in fact deal with the scheduling of witnesses? I think if he were allowed to propose that motion in the conversation around motion number three, we would certainly talk about witnesses and scheduling.

● (1515)

**The Chair:** Is that agreed by the committee?

**Some hon. members:** Agreed.

**The Chair:** Let's go ahead, then, with number three. Number three is clearly in order. The 48 hours' notice is not required because it does deal with the softwood lumber agreement.

Mr. Julian, go ahead, please.

**Mr. Peter Julian:** The motion reads:

Given the profound changes in the document signed by the Minister of International Trade and the impact of these changes on Canada's softwood lumber policy framework, that the Standing Committee on International Trade hold several meetings and briefings this summer to study the July 1, 2006, softwood lumber agreement initiated by the Minister of International Trade and that this Committee request the appearance of the Minister of International Trade, Mr. David Emerson, and the representatives of forestry industries in affected provinces and their provincial governments so as to better understand their objections to the agreement and explore alternatives.

**The Chair:** Mr. Julian, going ahead with the discussion on this motion, are you prepared to table a list of witnesses you would like to come before the committee, and are all opposition members ready to do that? We're certainly ready to do that.

**Mr. Peter Julian:** Yes, I am ready, Mr. Chair.

**The Chair:** But of course we'll have the discussion on the motion first.

Mr. Julian, first of all, you as the mover have a right to speak to the motion if you would like.

**Mr. Peter Julian:** It's an extremely important situation, Mr. Chair. As we know, on July 1, to the surprise of everybody, the softwood industry across the country opposed the draft agreement that was distributed on June 30. That deal, which was rejected by the industry, was initiated by the minister.

So it's important for this committee to work through the course of the summer and to identify a couple of key dates. I believe there will be amendments brought to this motion, which may identify some key dates and which will allow us to take the time to work carefully through all of the implications and the alternatives that this committee could be proposing to the government.

**The Chair:** For the sake of speeding this up, are you prepared now to bring to the committee a list of witnesses so that we can get an idea of what you're talking about in terms of requirements for a meeting?

**Mr. Peter Julian:** Yes.

**The Chair:** Okay, you are. And we are prepared too. We have a list.

Do members of the Liberal official opposition and the Bloc have a list of witnesses ready to bring before the committee?

Yes, Mr. LeBlanc.

**Hon. Dominic LeBlanc:** Mr. Chairman, my colleagues and I would certainly make some suggestions today, and depending on the other lists proposed, we would get back to the clerk very quickly with suggestions. I think we're all going to zero in on many of the same people.

But, Mr. Chairman, I'd like to propose a slight amendment to Mr. Julian's motion number three, which he just read, and I'm hoping he will accept it. What I would suggest, Mr. Chairman, is that in the fourth line, where we say "the Standing Committee on International Trade hold", I would substitute, immediately after the word "hold",

"a meeting on Monday, July 31, and on Monday, August 21, from 10 a.m. to 5 p.m. on both days", and then continue with "to study the July 1...". So I would suggest we remove the words "several meetings and briefings this summer" and put "two meetings on Monday, July 31, and on Monday, August 21, from 10 a.m. to 5 p.m." The rest of the motion would remain the same, and we could go on to talk about witnesses on those dates. That would be my suggested amendment.

**The Chair:** You've heard the proposed amendment.

Mr. Julian, do you consider that to be a friendly amendment?

**Mr. Peter Julian:** I support that amendment, Mr. Chair.

**The Chair:** The amendment, then, has been accepted. Is there any discussion on the motion as amended?

We're going ahead with the motion as amended through the friendly amendment by Mr. LeBlanc.

Yes, Ms. Guergis.

**Ms. Helena Guergis:** We do support the amendments, but we do have some other amendments. Would it be appropriate now...?

**The Chair:** Sure, it's appropriate now.

Mr. Menzies?

**Mr. Ted Menzies:** Could we just have a point of clarification?

Why would you suggest August 21, Mr. LeBlanc?

**Hon. Dominic LeBlanc:** I would suggest August 21 because we believe, Mr. Chairman, that this matter is urgent. I regret that the minister is not available until the end of July. I was hoping he would be available much sooner.

We could meet for the first time with the minister and, as a courtesy, allow him to be our first witness. That would certainly be appropriate on the morning of July 31. I think that based on those discussions and on the availability of witnesses, the clerk could prepare interesting witnesses, and I think we could have two useful and enlightening days. We would have to respect the fact that many of the people we're hoping will come will need some lead time. For example, I saw in correspondence from Monsieur Chevette of Quebec that he's unavailable until the second week of August.

● (1520)

**The Chair:** Ms. Guergis, go ahead, please.

**Ms. Helena Guergis:** Thank you very much, Mr. Chair.

Taking a look at the wording that Mr. Julian has put in place here, I find that it's really predetermining the outcome of the witness testimony, and I don't really find the language to be acceptable, starting with "the profound changes" in the first line. I would recommend that should be changed and altered in some way, because many of us here believe that the deal has in fact been enhanced. So I think the suggestion that there have been profound changes needs to be addressed.

Looking at the very last line, it says—and this goes to my point even further about predetermining the outcome of the witness testimony—“to better understand their objections”. I suggest to Mr. Julian that we've heard a lot of testimony at this committee, and in my view, the majority of it is actually very much in support of the deal. So I think we should be changing the wording to say “their objections and support to the agreement”, and I'd like to see a period after the word “agreement”, and leave it at that.

**The Chair:** We have an amendment on the table here. We'll have discussion on the amendment, unless, Mr. Julian, you would accept those changes, removing the word “profound”, and adding in the last line after “objections”, “and support”, and ending that sentence after “agreement”, and removing “and explore alternatives”. Would you agree to that as a friendly amendment?

**Mr. Peter Julian:** No, I wouldn't, Mr. Chair.

**Mr. Ted Menzies:** How about as an unfriendly amendment?

**The Chair:** How about as an acceptable unfriendly amendment, Mr. Julian?

**Mr. Peter Julian:** I'm sure it's intended as a friendly amendment, but if there is disagreement about a couple of words, I think that's a subject of debate. It's not something that should be changed.

**The Chair:** Okay, let's have that debate, then. The amendment is on the floor.

Mr. Eyking, I believe, was the first one.

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** I cannot see how the government could not see that there have been profound changes. The agreement in the last month has not been enhanced. We were looking at a five-year opt-out from stakeholders, and now we're down to under two years—to 23 months. These are profound changes, and they are changes that would really be detrimental to the position of Canadian producers. They are profound changes, and I agree with Mr. Julian that the wording should stay as is.

**The Chair:** Go ahead, please, Mr. Paquette.

[*Translation*]

**Mr. Pierre Paquette:** I would like to add my voice to those of previous speakers. First of all, the agreement signed on July 1st contains a clause providing for the agreement to be terminated after two or three years, subject to interpretation. However, that clause was not part of the framework agreement reached on April 27th, and all the associations are refusing to go along with it.

Second, in the motion we have before us, reference is made to the associations that have spoken out against the July 1st agreement, particularly in British Columbia, Alberta, Ontario, and Quebec. For all intents and purposes, that means that the provincial associations affected by this agreement are unanimous. That being the case, we want to know why they are opposed to the July 1st agreement, when in fact several of these same associations, including the Conseil de l'industrie forestière du Québec, were prepared to go along with the April 27th agreement, albeit reluctantly.

It is quite extraordinary that associations which supported the April 27th framework agreement have now withdrawn their support in the wake of the July 1st signing of this agreement. What that means is that there have been some fairly significant changes made.

I think we should hear from them, in order to know exactly what they think happened.

In my opinion, motion 3 should remain as is, because that is what prompted us to hold a meeting today and to decide to hold at least two other meetings during the summer period. If the only purpose had been to assess the positive and negative aspects of the agreement, such as we have already done, it might not really have been necessary to meet during the summer. We are meeting now because we are faced with a particular situation, and it's important to emphasize that in the motion.

So, like my colleagues, I would ask that we stay with the original version.

• (1525)

[*English*]

**The Chair:** As chair, I certainly don't want to get involved in the debate, but I am somewhat concerned that from your comments, Mr. Paquette, you're prejudging what the witnesses will say, and I certainly think we ought to hear them, unless you're saying that you think what witnesses have already said to date will just be repeated in the future. Anyway, I'll leave that to the members of the committee.

Mr. Menzies.

**Mr. Ted Menzies:** Thank you, Mr. Chair.

I also have to strongly oppose the prejudice that is built into this motion. No agreement that I've ever been involved in would have had a respectable outcome if one had gone into it taking an intransigent position and saying, “This has failed; now let's talk.” That isn't the way you operate.

To say there are profound changes... This agreement has been improved. In any international agreement—for those of us who actually believe in international agreements as a fundamental future for this country, and I realize that some people around this table don't believe in trade—these changes are for the better.

The U.S. or Canada could have opted out of this with only 12 months, prior to these improvements. Now we have a three-year basis, plus a year in which the party can say they want to opt out. So that's four times better than what we had. This agreement continues to improve things for the industry.

There are comments coming out around this table about how everybody's opposed to this. I just met with the natural resources minister from Alberta on the weekend. His industry is supportive of this. So we're hearing a lot of things that aren't exactly factual.

**Mr. Guy André:** I think Mr. Menzies is out of order. He's not discussing the motion. He's—

**Mr. Ted Menzies:** Pardon me. I'm talking about the motion, if you don't mind.

**The Chair:** Mr. André, are you raising a point of order?

**Mr. Guy André:** Yes.

**The Chair:** Could I hear the point of order?

**Mr. Guy André:** I think our friend here is out of order because we're discussing

[*Translation*]

the softwood lumber agreement that has been reached, and not Mr. Julian's motion.

Mr. Julian states in his motion that profound changes have been made to the agreement. We have heard some arguments, but Mr. Menzies' refer more to the agreement, when that is not necessarily the point of the motion we have before us. Indeed, this motion is intended to allow all members present to ascertain why the various forestry associations have reacted the way they have to this agreement.

I think we should vote on the motion.

[*English*]

**The Chair:** Mr. André, clearly what Mr. Menzies was saying speaks directly to the motion, which is what we're discussing right now.

Mr. Menzies, continue.

**Mr. Ted Menzies:** Thank you, Mr. Chair.

I would argue very strongly that the comments I was making were with regard to this motion. This motion prejudices the outcome of the discussions around this table. If we agreed with this motion, we would be saying that there have been profound differences and that there have been no supportive comments made by any witness. That is absolutely false. How can anyone around this table approve a motion that is not factual? We have heard objections, and I'll agree to that, but we've also heard support.

I agree with the suggested amendments to this, and I would vote in favour of those.

**The Chair:** Speaking to the amendments, Mr. Eyking, go ahead, please.

**Hon. Mark Eyking:** Mr. Chairman, with all due respect, you're the chairman here, and we could debate the first few lines all afternoon. The intent of the last line of the motion is to get the minister here to explain why the changes were made in the softwood lumber agreement. That is the intent of the motion.

I ask you to bring it to a question and vote on the motion that stands, or vote on the amendment that's put forward.

**The Chair:** Of course, Mr. Eyking, you know the minister has, in writing, agreed to come on July 31. Why are we dealing with the motion in that case? I think it is more than that.

Mr. Jaffer.

• (1530)

**Mr. Rahim Jaffer:** Motion number three asks for a number of people to appear in front of this committee. I need some clarification here. If we're going to be meeting—and let's say meetings have been proposed for the 31st and then again for the 21st—won't we have, subsequent to those meetings, legislation going to the House, which will outline the agreement? Then, are we going to be meeting with the same people again once the committee comes in, or is there going to be agreement within this committee that we wouldn't meet with those people again?

I know how much the opposition cares about accountability and the cost for these sorts of things, and it seems to me that it's a redundant activity, especially during the summer. When I was in opposition, we would never call a committee back in the summer regardless of issues, especially if there was going to be legislation following and you were going to be dealing with the actual details of the agreement. It seems to be redundant. It seems to be kind of like a performance in grandstanding, so to speak. I was at the Calgary Stampede this weekend, and we saw a lot of grandstanding.

I'm curious as to what the opposition wants to gain here. Maybe they're just making a make work activity because they don't have a lot to do this summer. I'm curious, if we're going to do this again in the fall, why are we doing it now? Maybe someone can clarify that for me.

[*Translation*]

**The Chair:** Mr. Paquette.

**Mr. Pierre Paquette:** Let's be clear here. We heard witnesses with respect to the April 27th framework agreement. The agreement signed on July 1st does not contain the same wording as the April 27th agreement. So, we would like to hear the views of certain witnesses in this regard.

Following that, it is my hope that the Canadian and U.S. governments will reopen their negotiations with a view to meeting the concerns that have been expressed. We can then talk about the legislation to be tabled in Parliament. We all hope that the negotiations will lead to a lasting peace. However, we cannot help but note that there have been changes.

I would like to cite the example of the Conseil de l'industrie forestière du Québec, which supported the April 27th agreement. This is what the Council's members had to say about the July 1st agreement in the letter they sent to Prime Minister Harper:

[...] our industry believes that the agreement signed by your government and the U.S. government is not acceptable in its current form. CIFQ members clearly expressed that view at the special general meeting held on July 11, 2006.

That is quite significant. In order for a council that supported the initial agreement to no longer support it after July 1st, there must be new features that are inconsistent with their understanding of the agreement. That is exactly what we want to ascertain.

If, as we are hoping, the Committee were to make recommendations to the government that it acted on, and we were to arrive at an agreement that all the various councils and associations across the provinces could support, rest assured that the Bloc Québécois would be very happy to be able to support the legislation coming forward. But that is not the case at this time. I think the government needs to be enlightened as to how to resolve this matter. For the time being, it is a complete dead end. I don't see how the government could introduce legislation regarding an agreement that has been rejected by the four main forestry associations.

What we are preparing to do is not redundant. There is new information here, and we want to find out why and how we can correct the situation, in order to arrive at an agreement that the industry as a whole and provincial governments consider satisfactory.

[English]

**The Chair:** Monsieur Paquette, just for clarification, what the member was saying is that the minister and the Prime Minister have said that we will have legislation on this agreement early in the fall, and that the legislation will go to this committee for discussion. So that was the redundancy being referred to; we weren't referring to redundancy with regard to the past hearings that we've had.

Monsieur Paquette, go ahead, please.

[Translation]

**Mr. Pierre Paquette:** Mr. Chairman, I don't see how the government could introduce legislation on an agreement that has been rejected by the main stakeholders.

I just want to avoid that happening, because it would put us in a very delicate political situation; perhaps that is the objective. I believe — and this is the position of the Conseil de l'industrie forestière du Québec — that with certain changes, the July 1st agreement could be considered acceptable, at least by the Quebec industry. And that is precisely the message we want to convey to government. If it introduces legislation based on the July 1st agreement, there is no doubt that it will be extremely difficult to garner the support of any of the Opposition parties. In our opinion, we should not wait for that to happen; indeed, we believe such a situation should be avoided. We want to ensure that the message we send to government will be sufficiently clear to allow it to take corrective action.

[English]

**The Chair:** Now we'll go to Mr. Menzies and then to Mr. LeBlanc—oh, Mr. Jaffer.

Was it Helena? I'm sorry.

Ms. Guergis, my apologies.

• (1535)

**Ms. Helena Guergis:** That's all right. Thanks very much, Leon.

First I really want to point out, going back to the amendment that I had suggested on objections to the agreement, that I wanted to see a period there, because it says, “and explore alternatives”. Well, let's be very clear here. The only alternative is no deal. That's it. The negotiations are finished. It's been initialled, and the Prime Minister has been very clear that this will be a confidence vote in the House. So there are no more negotiations, and there is no other option except no deal.

**Hon. Mark Eyking:** Who said that—Mr. Bush?

**Ms. Helena Guergis:** That is the way it is going to be—deal or no deal.

Again, I find it very interesting that the motion prejudices the outcome of the testimony here, because the profound changes are actually in the opposition's perception of the public support for the agreement. The terms of the agreement have been augmented only very slightly. You can exaggerate it all you want, but that is fact.

There has not been any significant evidence of the necessity to hold extra meetings to discuss this. We've had the witnesses before us, and the majority of the witness testimony we've heard has been in support of this agreement. We're bringing them back in again. We're

going to go through the same process again. Then we're going to have the legislation, and they'll come back here before us for a third time. And then we're going to debate it in the House. There is an exceptional cost to that. I don't understand why we want to be very irresponsible here.

It goes back to the fact that the opposition wants to cherry-pick only testimony that supports its position. If you recall, the Bloc's motion introduced in the previous session was very clearly ignoring 10 witnesses who came before this committee.

I think if we're going to talk about this motion a bit more, we need to talk about what the end result of our meetings here will be. Are we going to add on to this? We need to be sure that we have a report produced this time. I'm really not interested, and I don't think the majority of industry or the provinces are interested, in seeing another motion construed as a report coming from this committee, when it will not include the majority of the witness testimony we've had here.

I'd like to see the researchers put together a report—that is their responsibility—and I think you should be agreeing to that. That's the normal procedure we have around here. I'm not interested in having witnesses come before the committee whose testimony will be completely ignored again. So can we please decide what the outcome will be? And can we decide that we're going to have a report and an outcome and a mandate?

**The Chair:** Thank you, Ms. Guergis.

Mr. LeBlanc, go ahead, please.

**Hon. Dominic LeBlanc:** Thank you, Mr. Chairman.

[Translation]

I fully agree with Mr. Paquette. The difference — that the government seems to be unaware of — is that witnesses appeared before this Committee to talk about the April 27th framework agreement. Profound changes were made to that agreement in the middle of the night, leading up to July 1st. I would cite as evidence the reaction of a number of industry associations that were seated at this table several weeks before, and that expressed their support for the framework agreement. That should normally be an indication that changes were made.

[English]

I would have thought Monsieur Jaffer would have found it helpful, as the government prepares to draft legislation, to hear from these witnesses who have been in a number of media interviews and a number of discussions I've heard, raising both minor and major concerns they believe can be improved. If the government's position is that it's impossible and there are no changes, as the parliamentary secretary indicated, then that's their position, but that doesn't seem to be the hope of many people in the industry.

We believe it would be very useful to have someone—the minister, for starters—explain why, if the deal is in the best interests of the industry, many of the people whose interests he's seeking to serve are abandoning him. I'd be curious to have that discussion with the minister and to hear from the industry. Perhaps the government could benefit from understanding precisely the industry's concerns before bringing the legislation to Parliament in September.

We don't see it, as the government does, as a useless exercise at all. We see it as an important process to improve the agreement.

**The Chair:** Mr. Jaffer, go ahead, please.

**Mr. Rahim Jaffer:** I can totally sympathize with Mr. LeBlanc's comments, but I remember the previous government rarely bringing forward consultations in a committee before bringing forward any form of legislation. Usually amendments would be brought forward by the public or opposition members after the legislation was tabled. Obviously things have changed, with the former government now in opposition.

There is something I fail to understand. It's something I know my honourable colleague tried to touch on. If the text of the agreement is going to come forward in the form of legislation in a few months, then whether we deal with that now in committee over the summer—which, as I said, might be something the opposition feels like doing—or we deal with it in a couple of months from now doesn't make any difference, quite frankly, does it? I agree that the wording of the agreement may be changed from what it was initially on April 27. If we're actually going to deal with that in the fall when the legislation comes forward, I don't know why we would want to do that over the summer. I still haven't heard a clear reason for doing that.

We're saying we would allow any form of consultation—and this committee will meet from morning to night if the opposition wants to—once the legislation is tabled. Creating this sort of hype now, when really nothing is going to happen, and then doing it all over again in the fall I think is quite irresponsible. That's the only thing I don't understand.

• (1540)

**The Chair:** Thank you, Mr. Jaffer.

Mr. Temelkovski, go ahead, please.

**Mr. Lui Temelkovski (Oak Ridges—Markham, Lib.):** Thank you, Mr. Chair.

I hear from the government that they don't want to hear from the same groups again, thinking that we would cost the government too much. At the same time, they're forgetting that there was an amendment, or there were some additions and changes to the original agreement that took place on July 1. If they don't think anything has changed, maybe then we wouldn't need the witnesses again. Obviously, there were some changes, and that's why there was some work done in Geneva. Some of us were there in Geneva, and we were kept in the dark by the government. They didn't share any of the information on the softwood lumber deal until after it had happened. We heard it from the media as opposed to hearing it from the minister, the parliamentary secretary, or from other members.

If these signatures on July 1 have no significance, why did the minister go to Geneva? Why was it so important that he sign if there were no changes?

I understand that when there are changes made, the government may need to hear from the same witnesses again, because there were changes. These are the people who know the legislation or the business of softwood lumber a lot better than many of us here understand it. That's why we need to hear from them and from other groups.

I think maybe some of the members from across may be jumping a little and putting the cart before the horse by assuming that we will hear only from the same witnesses. I'm sure there will be new witnesses that we will hear from, and it is the responsibility of this committee, regardless of any cost, to bring those witnesses here so we can hear from them. We—opposition as well as government—can benefit from them in order to come up with a good agreement or legislation at the end of the day.

**The Chair:** Okay. We're going to Ms. Guergis, but I do want to remind members of the committee that right now we're debating proposed amendments to the motion, removing the word “profound”—not “profound changes”, just the word “profound”—in the first line, and after “objections”, adding “and support”, and this is in the last line, and ending that sentence after the word “agreement”. That's what we're discussing right now.

Ms. Guergis.

**Ms. Helena Guergis:** It's actually Mr. Menzies. I can see why you mix us up.

**The Chair:** Mr. Menzies.

**Mr. Ted Menzies:** How do you keep getting us confused?

**The Chair:** Well, you're almost identical twins.

**Mr. Ted Menzies:** Well, thank you. You're far too flattering, Mr. Chair.

**The Chair:** I take that back. I apologize, Ms. Guergis.

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

**Mr. Ted Menzies:** I think she was the one who lost on that deal.

You're right. Let's get back to the motion. My honourable colleague proposed some changes, and I would still argue that they're friendly changes. This does not change the outcome of the motion by removing the adjective “profound”. It's very misleading, very prejudicial. Let's take it out, plain and simple.

Changing the last sentence only makes sense. If we invite witnesses who come here and show support, whenever those witnesses come...our motion has already negated their testimony to us because it says we only want to hear from those who object. Do we not want to hear from those who actually agree? I would argue very solidly that a lot of people actually do agree with this. Those would be the people in the communities who don't know what their future is.

We have an agreement. We have a good agreement. We have an agreement that will put this industry back on its feet, that will put \$4 billion back into their pockets. They can expand. They can make business plans for the future. Let's accept this motion with these amendments and move on.

• (1545)

**The Chair:** Members have heard the proposal. Mr. Menzies has spoken directly to the proposed amendments.

Now we go to Mr. Eyking.

**Hon. Mark Eyking:** Well, Mr. Chairman, with all due respect, some of the committee members here, colleagues, are repeating what they have already said.

I think it's in order that we bring the amendment to a vote and then move on to the motion. We're hearing opinions we heard 10 or 15 minutes ago. I'd like to call the vote.

**The Chair:** Is there any other discussion? You're okay?

Okay, then, we will go to a vote on the amendments.

Those in favour of the amendments? You know what they are, removing "profound" in the first line, adding "and support" after "objections"—this is in the final line of the motion—and ending the last sentence after "agreement".

(Amendments negatived)

**The Chair:** We will now go to the vote on the motion as amended.

(Motion as amended agreed to)

**The Chair:** Now can we get to the witness list?

How do you want to handle this? I would suggest that if each party has a list of witnesses ready, or will very soon, as you're saying, Mr. LeBlanc, we have, at the meeting on July 31.... We may find that we can handle all the witnesses who are suggested at the meeting on July 31. We have the minister from 10 till noon. I think that's been agreed to. I would suggest that we have panels of four witnesses at a time, from both sides of the issue, not picking only witnesses who oppose or agree, and that we have hearings of an hour to an hour and a half for each group. Does that sound reasonable to the members? Can we go about it that way?

All right. Now can we get to the actual lists? How shall we handle that? Can it be left to the chair? I certainly will have balanced groupings of witnesses, and I can send those out to the members and see, or do you want to decide right here? It might not be a bad idea to decide right here who the witnesses will be at that meeting. We could certainly do that.

Mr. LeBlanc, in your case, where you may not have witnesses nailed down, we could leave some room to add those to a spot later.

Mr. LeBlanc.

**Hon. Dominic LeBlanc:** Mr. Chairman, I presume we're thinking, most of us, of the same group of people. If Mr. Julian is ready, or *mes collègues du Bloc* and the government...if people want to make suggestions that the clerk can note, I would assume we would be in agreement with most of those. If we then want to add or suggest somebody else.... We can largely determine at least a wish list, if you wish, because many people may not be available on either of those dates. But we could certainly give the clerk some suggestions right away. I'd be interested to hear from my colleagues if they have some suggestions right now.

**The Chair:** In terms of the witness list, Mr. Menzies, go ahead and speak on the witness list.

**Mr. Ted Menzies:** Thank you, Mr. Chair.

We have some suggested witnesses, and we think this will certainly bring a balance, as I've maintained throughout this whole process. We've heard from those who are supportive and those who are critical of it.

So in the spirit of cooperation that this party is so renowned for, I would like to start our wish list with Frank McKenna, because he was involved in the first negotiation. He may be busy doing other things—maybe he's running a leadership race or something, I don't know. I'm just not sure where he is—

• (1550)

**The Chair:** Mr. Menzies, stick to the subject, please.

**Mr. Ted Menzies:** I'm just thinking that he would be a good witness to bring in.

Gordon Ritchie is another one who has been deeply involved in the softwood industry throughout the years. We'd like to suggest him.

A representative from Canfor, and when we get into the companies—

**The Chair:** Mr. Menzies, sorry to interrupt you, but are these prioritized so that we can know that if we give this list to the clerk—

**Mr. Ted Menzies:** That's why I mentioned the Liberal—sorry, Frank McKenna, at the top.

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

**The Chair:** Okay. It is prioritized. Frank McKenna is at the top—just for clarity.

Go ahead, Mr. Menzies.

**Mr. Ted Menzies:** So the order I'm reading this list off in would be the order of my priority.

Some individual from Canfor—and the same with all of these companies. Certainly we'd like the kingpin, if that's possible, but we realize it's summertime and some of us like to take holidays. We'd like to have Weyerhaeuser, the Canadian Lumber Remanufacturers Alliance, the Maritime Lumber Bureau, J.D. Irving, Ltd., Abitibi, the Québec Forest Industry Council—I believe that's the one you referred to, Mr. Paquette—

**Mr. Pierre Paquette:** Yes.

**Mr. Ted Menzies:** Then there is Buchanan, Norman Spector, Rich Coleman, and Pierre-Marc Johnson. We certainly have more—

**The Chair:** If we go to two days of meetings, yes.

**Mr. Ted Menzies:** —if our colleagues don't come up with some other names.

**The Chair:** Thank you, Mr. Menzies.

Are other parties prepared to do that?

Mr. Julian.

**Mr. Peter Julian:** Thank you, Mr. Chair.

Well, with that list we've pretty well run out of folks who support this agreement in this country. So let's hear from the associations across the country that are opposing this. They include the Québec Forest Industry Council, as Mr. Menzies mentioned; the B.C. Lumber Trade Council; the Ontario Lumber Manufacturers Association; the Independent Lumber Remanufacturers Association; Baker Hostetler's Eliot Feldman, who's one of the legal experts on this whole issue; the Free Trade Lumber Council; the Ontario Forest Industry Association; the Alberta Softwood Lumber Trade Council, which opposed this agreement; the National Association of Home Builders; United Steelworkers of Canada; International Forest Products; and I would also suggest Stephen Atkinson, who did the report yesterday that showed that 20% of the industry would be decimated as a result of this document. That's a start.

But I must say, Mr. Chair, I think you'll find in the next few weeks that you'll be getting letters from communities as well, because certainly this is an issue that has concerned many people in British Columbia. I would not be surprised if you find that you're getting letters from individuals and municipalities stating they're concerned and they want their opportunity to express their concerns about this 80-page document, which is radically different from the two-page document that was presented to us on April 27.

**The Chair:** To go to the official opposition—we'll go to the Bloc too—have you any names that you want to put forth right now, or do you want to hold off for the next couple of days to get a list in that we can work from? We need some time to organize this.

**Hon. Dominic LeBlanc:** I appreciate that, and that's why I think, Mr. Chairman, that you and the clerk can take these as suggestions. I certainly agree with most of the names that my colleagues on both sides of the table have suggested.

I think the clerk should also look at some provincial government officials or ministers, if we could. For example, the British Columbia provincial government may have somebody they would like to send, and the Ontario government, the Quebec government, and the Saskatchewan government as well. I think we need to think about how we could ask interested provincial governments if they have taken positions publicly. The researchers and the clerk are in a position to know if some of them might be available to share the positions of their government.

**The Chair:** Okay, that's heard and noted.

From the Bloc, Mr. André.

[*Translation*]

**Mr. Guy André:** A number of Quebec industries and associations could be asked to appear, such as the Fédération des travailleurs et des travailleuses du papier et de la forêt, which is part of the CSN, the Conseil du libre-échange pour le bois d'oeuvre, and the Conseil de l'industrie forestière du Québec. However, I want you to know that Mr. Chevette will not be available on the 31; he would be available on the 21st. And finally, there is the Steelworkers' Union.

**The Chair:** Fine. Thank you very much.

**Mr. Guy André:** Is that all right, Mr. Paquette?

[*English*]

**The Chair:** We have a good start. I understand there may be a few more coming from the Liberals and some representatives from communities as noted by the NDP.

Mr. Julian, go ahead.

• (1555)

**Mr. Peter Julian:** Because we did mention a couple of the provinces—Quebec and British Columbia—I would suggest Alberta, Saskatchewan, Manitoba, and Ontario. Each of those provinces has also taken a position on this agreement.

**The Chair:** As we can, sure. That's noted too. That was recommended I think by the Liberals.

There was a question earlier as to where we intend to go with this committee. Are we going to produce a report that is put together by the clerk? What's the reason for this meeting?

Monsieur Paquette.

[*Translation*]

**Mr. Pierre Paquette:** Mr. Chairman, a number of businesses, governments and associations have asked the government to go back to the bargaining table to renegotiate certain aspects of the July 1st agreement. Ultimately, what we want is for the government to understand that and sit back down with the U.S. authorities to arrive at an agreement that businesses operating in this sector consider acceptable. I fully agree with the idea of submitting a report to the government as soon as possible. I believe that the government will follow our recommendations, and that it will understand that some people are not happy and want the government to return to the bargaining table. At that point, we can prepare a report, but our main goal is for the government to hear the views of people who have objections to the July 1st agreement.

If the government refuses to budge, it won't be our fault. We will at least have taken our responsibilities as members of the International Trade Committee.

[*English*]

**The Chair:** Merci, Monsieur Paquette.

Does that mean, Mr. Paquette, that you agree that we follow the normal procedure of the committee, and after the witnesses have been heard, we have the clerk put together a report, which will be discussed by the committee and presented to the government in the normal fashion? Is that what you expect? We have to know where we're going with this.

[*Translation*]

**Mr. Pierre Paquette:** I agree with the idea of presenting a report in early September regarding the July 1st agreement. We obviously are not going to wait for the House to resume in order to make our report public. That is the difference. If the House were sitting, we would table it and debate it. But we cannot do that.

At the beginning of September, before the House resumes, I would like to see this Committee's position and recommendations made public. We can then table our report once the House has resumed its work. I don't really know how we should proceed, but...

[English]

**The Chair:** Ms. Guergis.

**Ms. Helena Guergis:** Thank you, Mr. Chair.

I think what I'm hearing is that you're not prepared to allow the researchers to do their work and prepare their report on behalf of the committee. Is that exactly what I'm hearing? I trust the work of the researchers. They've done an excellent job in the past, and I think we should allow them to do their job, because that is their job.

I think what I'm hearing from you is that you are going to produce your own motion again and introduce it as a report. That's not what I'm hearing? Are you going to allow the researchers—

**The Chair:** There has been a question asked.

Monsieur Paquette, go ahead.

[Translation]

**Mr. Pierre Paquette:** Yes, but I would like that report to be available and for the Committee to be able to discuss it in early September. We will set a date on the 21st. I don't want to wait until the House resumes on September 18th to discuss this report. It may be too late by then: the government may well introduce legislation without considering the views of industry, which would then put us in a very difficult position, politically. I really hope it does not come to that.

[English]

**The Chair:** Just for clarity, if I could, because it really isn't clear to me, and maybe I'm missing something, are you, Mr. Paquette, prepared—no matter when this report is tabled or is presented to the government—to have the researchers put the report together based on the information presented by the witnesses? Is that agreed?

**Mr. Pierre Paquette:** Agreed.

**The Chair:** That is agreed. Good.

Okay, go ahead.

[Translation]

**Mr. Pierre Paquette:** Mr. Chairman, ideally that would mean that after our meetings on July 31st and August 21st, if we feel we have enough information — and I hope we will — another meeting could be held in early September, perhaps after Labour Day, to discuss the report drafted by our research staff and, possibly, adopt it in committee.

• (1600)

[English]

**The Chair:** Mr. Jaffer.

**Mr. Rahim Jaffer:** Since we're in the spirit of proposing more meetings here, I wanted to ask...this is obviously quite significant: the witness list, as it's developing, and the amount of time that's going to be committed to these two meetings. Personally, if we're going to go straight into hearing witnesses, I would first of all like to hear a briefing from the department on the technicalities of this agreement. I mean, I've only had so much information as well, even being on the government side. We haven't had a lot of time to go through this.

So I would like to propose that we get a technical briefing before the witnesses come in—because we are proposing some pretty important witnesses here—and have the staff from the department also give us their rundown on whether or not our witness list is complete, or maybe some suggestions that we may have left out. I think this should happen before any meeting on July 31.

I would say, since we're all here and working, that Tuesday, July 18, we should meet and get the department here, because we might need a long time to go through this agreement. So I want to propose this, and I know the opposition won't oppose, because they want to work and they are taking this very seriously.

So let's get a technical briefing next week on July 18 to prepare for the witness list, because we may need to add more people to this list and get their information. That way we're prepared for July 31.

So I propose that we—

**The Chair:** Is that a motion, Mr. Jaffer?

**Mr. Rahim Jaffer:** Yes, I guess it's a motion.

**The Chair:** Okay. If we can get that motion down, that we have a briefing from departmental officials on July 18—here in Ottawa, I assume; we can't have it in Edmonton.

**Mr. Rahim Jaffer:** I'd like to, but....

**The Chair:** No, I'm afraid not.

So that's the motion. We will now have a discussion on the motion.

**Mr. Rahim Jaffer:** I know how much they want to deal with this issue.

**The Chair:** Mr. Eyking was first, I believe.

Go ahead, Mr. Eyking.

**Hon. Mark Eyking:** I think the intent of our knowing more about the agreement is well noted, but I think we can have it when the minister comes here, and he can have his staff here to support him and tell us what the agreement is when he comes here on July 31.

**The Chair:** We'll go next to Monsieur LeBlanc.

**Hon. Dominic LeBlanc:** Mr. Chairman, that is precisely why the minister will be the lead-off witness. If his staff or his departmental officials have suggestions as to witnesses, perhaps you could circulate them, Mr. Chair, to members of the committee, and on July 31 we can take a few minutes in that long day to see if we want to adjust the list for August 21. I think the minister is in a good position.

What we need to understand, Mr. Chairman, is why on April 27 there was a certain set of circumstances that gave rise to a number of reactions, and then on July 1, in our view, there were substantive changes, and the minister is now basically standing alone, saying, "This is great for the industry". That's the process we need to understand, and that's why it's appropriate that he lead off on July 31.

**The Chair:** Thank you, Monsieur LeBlanc.

Monsieur Paquette, and then Ms. Guergis.

[Translation]

**Mr. Pierre Paquette:** If the Minister were available on July 18th, I would have no objection to our meeting with him then. However, we know full well that this is a highly political issue. Consequently, officials will say they can't answer certain questions and that it is up to the Minister to respond. The individual parties may well ask officials to hold briefing sessions, but what we want to hear are the Minister's political answers, because we're already aware of the technicalities and of the various interpretations of the agreement. However, we do not know what the Minister thinks.

For example, we have heard that the Vienna Convention is inferior to what has been negotiated in this case, since it provides for a two to three year opt-out period. In fact, nothing in the Vienna Convention provides for the agreement to be terminated other than through agreement between the two parties. I don't know where the Minister got his information, but I would really like to know. Departmental officials will not be in a position to tell us why Mr. Bernier, in particular, has been spreading that bit of misinformation.

In my opinion, every party should already have received a briefing, but it's the Minister we are interested in hearing from in committee. We can easily organize briefing sessions in the coming days. I will therefore vote against this motion.

[English]

**The Chair:** Merci, Monsieur Paquette.

Ms. Guergis, followed by Mr. Julian, and Mr. Jaffer after him.

**Ms. Helena Guergis:** Thank you, Mr. Chair.

I support the motion. In the past we've heard from departmental officials as well as the minister. I don't know why we would be opposed to hearing from departmental officials now in addition to the minister. We've had the minister here two or three times. He's said he is willing to come back at any time, and he's coming at his first availability again. We very much appreciate him always coming at any request that comes from this committee.

I don't understand why all of a sudden we're opposed to working on this. It was important to call us all back here today. In fact, I cancelled a trip to come back here because it was so important for me to be here. I don't understand why we can't sit next Tuesday. I understand Mr. Julian has a trip, and it was his motion to call us back here now, so perhaps he would consider cancelling his trip so we can come back and have a briefing by the departmental officials.

We know we have a legal text now, which is considerably different from what we had before. The departmental officials could take us through the legal text, which I think is extremely important. If we're very serious about this, which I know we all are around the table, then I can't see why we wouldn't meet on Tuesday.

I am very much in support of this motion and I am ready, willing, and able to work.

•(1605)

**The Chair:** Mr. Julian.

**Mr. Peter Julian:** Thank you, Mr. Chair.

Some of us on this side of the table have read through the document, we've had our briefings, and we've talked with industry.

We're ready and willing to question the minister. We don't need a technical briefing from the ministry. We've actually spoken to industry officials, we know what's in the agreement, and we know the concessions that have been made and how substantially different this is from even the framework agreement on April 27. We're ready to go.

It's unfortunate that the minister is not available until July 31, but we've adopted a motion to sit on July 31. I would encourage members of the Conservative Party to read the document and get the briefing required, because that information will be helpful.

**The Chair:** Mr. Jaffer, you're up next.

**Mr. Rahim Jaffer:** We're hearing a couple of different stories from Mr. Julian. He said he's talked to industry, and they're ready to get the minister...yet he's put forward a huge list of industry people he wants to hear from again on this agreement.

Clearly the official opposition can agree with this point, that a minister's time is limited. If we had the opportunity to question officials on this particular agreement, it would allow for a more productive meeting with the minister during the course of his time, which I think is going to be limited to two hours, plus we're going to have a number of other witnesses.

If this continues to grow, unless you propose that we meet until the late night hours during those two dates that we've proposed...all I'm saying is that we wouldn't mind an opportunity to have that technical briefing to get a lot of the questions out, so that when the minister does come, with the limited time he has, it's going to be fine-tuned. Again, I think my colleague said it: that's a normal procedure. And I don't see why the opposition would try to hold that up, especially for members of the committee who want to have that briefing.

I propose we have a vote on this, because clearly those who don't want to be there don't have to be there, but they don't have to stop the process from going ahead.

**Ms. Helena Guergis:** They just want to play political games.

[Translation]

**The Chair:** Mr. Paquette.

**Mr. Pierre Paquette:** I have an amendment to move, Mr. Chairman. We are not opposed to the idea of officials briefing the Committee, but we do not believe that will be particularly useful if the Minister is not here. So, we would like the Minister and senior officials to be invited to appear on July 18th for a briefing on the agreement. I am prepared to come, but only if the Minister appears. I don't want to waste my time listening to officials say they cannot answer our questions and that we have to put them directly to the Minister.

So, I would like to move an amendment to state that both the Minister and senior officials be invited to meet with the Standing Committee on International Trade on July 18th.

[English]

**The Chair:** Merci, Monsieur Paquette.

Mr. Menzies.

**Mr. Ted Menzies:** Thank you.

I would like to point out that there have been a lot of statements, and I'll be very kind and call them erroneous statements. One such comment is that the minister is standing alone on this agreement. That should be stricken from the record of this meeting because that is an absolute false statement. For someone from this committee to suggest that the government is not doing its job, that the government members of this committee have not read this report, I find that absolutely repugnant and unacceptable behaviour by a member of this committee. We're all working hard. We're all here for the right reason. Let's keep it honest, let's keep the comments realistic, and let's move on with this thing.

We need to get the minister here. I'm absolutely in support of the motion, and I will speak to this motion. We need the government officials to obviously brief this committee, because even though Mr. Julian says he has read it, he obviously doesn't understand the benefits of the improvements that have come about since that original agreement. So I think it's absolutely necessary that we have a briefing for the committee first.

**Mr. Rahim Jaffer:** On a point of order, Mr. Chair, I thought I heard from the vote. When I finished my comments, I said let's get a vote on this. I don't know how long we need to debate it.

•(1610)

**The Chair:** It's up to the chair. We have two more people to be heard from, as far as I know, and then we'll call for the vote, unless somebody indicates that they really must speak to it.

Mr. Eyking.

**Hon. Mark Eyking:** I used to be PS to trade, and I know the minister is very busy. He's been in Geneva, he's doing a lot of trade talks, and he's probably very busy in his riding right now, so I don't think it's fair to ask him to come here on July 18. I think he's committed to coming here on July 31, and we should go with that. That's what we should stick with, in all fairness to him.

**The Chair:** That, of course, Mr. Eyking, isn't in the motion. The motion is to have the departmental officials—

**Hon. Mark Eyking:** That's right. So I think the motion for July 18 is not necessary because he's coming on July 31.

**The Chair:** Okay.

Finally, Ms. Guergis.

**Ms. Helena Guergis:** First, I want to point out that I think we, again, on the government side know that no matter what we bring up or talk about, you guys are going to band together and vote it down, so let's just get that—

**Hon. Mark Eyking:** No, it's not true.

**Ms. Helena Guergis:** Yes, that's how it has operated from the very beginning.

I just want to point out that this is an emergency meeting, Mr. Julian. It's an emergency meeting, we're here, and it's very important that we work immediately on this. I'm ready, willing, and able, as I said. I'm offering the departmental officials to come not only this Tuesday so that we can work with them in advance, but also to have them return with the minister on July 31. As Mr. Mark Eyking has pointed out, the minister is extremely busy and he's coming here at the earliest date he can, July 31. So I offer up the departmental

officials for Tuesday, in addition to being with the minister on July 31.

[*Translation*]

**Mr. Pierre Paquette:** No. It is the reverse that I'm suggesting: namely, that we hear from the Minister on the 18<sup>th</sup> and the 31<sup>st</sup>.

[*English*]

**The Chair:** I think we've heard the discussion. Let's go to the question then.

**Mr. Rahim Jaffer:** On a point of order, there was an amendment made. Are we voting on the amendment first, or are we voting on the motion?

**The Chair:** Oh, was there an amendment? By whom?

Mr. Paquette, I hadn't recognized you, so there certainly wasn't an amendment. Go ahead.

[*Translation*]

**Mr. Pierre Paquette:** I moved an amendment stipulating that the Committee would agree to meet on the 18<sup>th</sup> to hear from departmental officials, if the Minister is present. So, he can decide whether he wants to be here for the meeting on the 18<sup>th</sup>, the meeting on the 31<sup>st</sup>, or both.

Speaking personally, I do not intend to travel here to attend a technical briefing on as political an issue as this, if the Minister is not here. My amendment is therefore intended to ensure that we hold a meeting on the 18<sup>th</sup> with departmental officials, if the Minister is present.

[*English*]

**The Chair:** A point of order, Mr. Jaffer.

**Mr. Rahim Jaffer:** On a point of order, Mr. Chair, there is a problem with the amendment—and I know it's a friendly amendment. The problem is that it depends, and rightly so, on the minister's schedule. I'm sure if he can be here, he will, and this is the reason why I proposed the departmental briefing initially, the technical briefing. We can check to see if the minister is available, and if he is, maybe he'll move his time forward. I don't think that's possible.

**The Chair:** We've already done that, Mr. Jaffer, as you know, and the earliest date he can come is July 31.

**Mr. Rahim Jaffer:** Right, so I think that unfortunately the amendment is out of order on that basis, because there's no way we can get the minister anyway. So the technical briefing is the only thing we can deal with.

**The Chair:** Yes, Mr. Eyking.

**Hon. Mark Eyking:** To help the chair, I think we have to vote on the amendment that's on the floor and then vote on the motion.

**The Chair:** Yes. If the discussion on the amendment is over, let's go to the vote on the amendment. You all know what the amendment is.

**Mr. Rahim Jaffer:** But it's out of order.

**The Chair:** It's not out of order, even though it may be irrelevant.

(Amendment agreed to)

**The Chair:** Now, on the motion as amended.

[Translation]

**Mr. Pierre Paquette:** Mr. Chairman, I want it to be perfectly clear that the Committee on International Trade will meet if the Minister is available. If he is not available, there will be no meeting. I want that to be clear.

[English]

**The Chair:** That is what the amendment said.

Mr. Julian.

[Translation]

**Mr. Peter Julian:** When will we know? Can we get that information within the next 24 hours?

[English]

**The Chair:** We know already, Mr. Julian. The minister has said the very first date that he could possibly appear would be on July 31. He has done everything he can to accommodate the members of this committee, and he agreed to come the very first day that he is available.

[Translation]

**Mr. Pierre Paquette:** Who knows, something he had scheduled may have been cancelled.

**The Chair:** Mr. Paquette.

**Mr. Pierre Paquette:** Perhaps there were changes to his schedule that we are unaware of. Once we have carried the motion, the clerk will take whatever action is necessary.

[English]

**The Chair:** Let's go to the question. On the motion as amended, those in favour?

**Mr. Rahim Jaffer:** This is on the amendment, Mr. Chair?

**The Chair:** It's on the motion as amended. We've already voted on the amendment.

(Motion as amended agreed to)

• (1615)

**The Chair:** Okay. Is there anything else?

Mr. Julian.

**Mr. Peter Julian:** Mr. Chair, I would like to move now to motion number two, which was distributed:

The Standing Committee on International Trade, noting that actions of the Government of Canada have delayed legal proceedings that would otherwise bring to swift conclusion the countervailing duty order on softwood lumber from Canada, recommends that the Government of Canada rescind forthwith its suspension of April 27, 2006 and the Extraordinary Challenge Committee proceeding initiated by the United States that same day, so that the NAFTA Panel decision of March 17, 2006, finding Canadian softwood lumber not to be subsidized, may be confirmed; the countervailing duty order against softwood lumber from Canada will be terminated; and the United States will cease to collect illegally some \$40 million/month in cash deposits from Canadian industry.

**The Chair:** Mr. Julian, that motion is not in order unless the committee agrees unanimously to hear it. It's not in order. The 48 hours notice required is not there, and this motion does not deal with the business of today, which is the softwood lumber agreement.

**Mr. Peter Julian:** Indeed, it does, Mr. Chair, because the countervailing duty orders and the ECC challenge are contained within at least three articles of the softwood lumber agreement,

among the 80 pages. Since every member of the committee has read this agreement, they would be aware of that, as well as annex 10bis. The countervailing duty orders and the NAFTA challenge are all within this agreement. So indeed, Mr. Chair, the motion is in order.

**The Chair:** Let's have the discussion on the motion. I want to hear some discussion to determine whether this is in order. Let's have a look at the motion. The motion is right here—to discuss the softwood lumber agreement....

**Mr. Peter Julian:** I have read the motion, Mr. Chair. I'd like to speak to it.

**The Chair:** Go ahead and speak to it, Mr. Julian. It will help me make a ruling on this.

**Mr. Peter Julian:** Essentially, Mr. Chair, as I know you're aware, the ECC, the extraordinary challenge committee, was suspended at the end of April. This particular ECC hearing is non-appealable and would force the removal of these illegal countervailing tariffs, almost all of the tariffs that are imposed on our softwood lumber. It's contained within the agreement in a number of different areas.

The issue, Mr. Chair, really is that we need to make sure that alternatives are looked at, and one of the clear alternatives that provides us with more leverage.... Whether you agree with this agreement and that further negotiation is required, as some members of the industry say, or whether you believe the agreement itself is not even good enough to adopt, in either case, Canada's leverage needs to be increased. That issue can come to a conclusion through that final ECC challenge.

That is non-appealable, Mr. Chair, as I'm sure you're aware. What that does is take off the bulk of the tariffs—almost all of them that are currently being levied against softwood lumber. And given that, I move this motion.

**The Chair:** Mr. Julian, I'd like you to relate this motion directly to the agreement so we can be certain that it actually is in order, and I haven't seen you do that yet. I'd like you to do that as directly as you can, please.

**Mr. Peter Julian:** Well, Mr. Chair, within the agreement in article III we talk about the revocation of anti-dumping and countervailing duty orders, which are directly related to the ECC challenge. When I go to article XIV—

**The Chair:** In my judgment, reading this motion, that does not have the motion meet the criteria of the motion this meeting is dealing with.

**Mr. Peter Julian:** It is directly related to the business we are engaged in, Mr. Chair. We are talking about the softwood lumber agreement. The softwood lumber agreement does refer, in several different aspects, from article III to article XIV.2 to article XXI to annex 10bis, where the actual case itself is listed as one of those.... Annex 10.... Excuse me a moment. It's a very lengthy document, as I know you are aware, Mr. Chair.

The termination of litigation agreements—

**The Chair:** Mr. Julian, I am aware of what you're saying, and so far you haven't convinced me this is in order, but continue, please.

**Mr. Peter Julian:** Well, that's a decision of the committee, of course, Mr. Chair, as you know. However....

**The Chair:** Let Mr. Julian try to make his connection here.

**Mr. Peter Julian:** My point is that since there are references to the countervailing duty cases and there are references to the ECC challenge and NAFTA throughout the softwood lumber agreement, it is indeed in order for this committee to provide direction to the government on what the next step should be.

Now, I agree with your interpretation that since there is no specific reference to loan guarantees within the softwood lumber agreement, your point—though I accept it with regret—is well taken that a notice of motion is required. But in the case of motion number two, it is very clear that the softwood lumber agreement that was initialed on July 1 refers specifically to the countervailing duty orders and specifically to the litigation that has been undertaken since then. As a result, it is in order to consider this now. And I intend to bring back motion number one on the loan guarantees at the next meeting of this committee.

• (1620)

**The Chair:** Mr. Julian, I'll hear some more discussion on this. So far I don't believe that this motion does meet the requirement of not needing 48 hours notice.

Mr. Menzies.

**Mr. Ted Menzies:** I would absolutely agree, Mr. Chair, and I don't think it's appropriate to be challenging your decision.

**The Chair:** Mr. Menzies, I don't believe he has challenged my decision. I want to hear just a little bit more.

Mr. LeBlanc, would you like to make some comments on this specifically, on this motion two? If I'm missing something that makes the connection that would eliminate the need for a 48-hour notice of motion, then please help me with that.

**Hon. Dominic LeBlanc:** Mr. Chairman, I would submit, respectfully, that motion number two is in order. On motion number one, I agree with Mr. Julian: with regret, perhaps, your decision applies more appropriately to motion number one.

On motion number two, I think it's unreasonably strict to interpret the special order calling this meeting to discuss the softwood lumber agreement. I would submit to you that you're being unreasonably strict in interpreting the softwood lumber agreement to not include essential elements of that agreement, like ending litigation, suspending litigation. The whole discussion around whether the softwood lumber agreement in fact would survive is whether or not different companies would, as per the agreement, suspend their litigation rights.

So in my view it's very much in order. By reference, I think you could rule that the softwood lumber agreement includes a discussion of litigation rights and rights that had been gained or preserved by the government and by parties in that litigation. I think you're taking too narrow a view in reading the softwood lumber agreement to exclude, with respect, the discussion of litigation, as motion number two contemplates.

**The Chair:** I just want to explain. And of course the committee is free to challenge the chair if it wants. I want to just explain why I believe this motion isn't in order without 48 hours notice unless the committee agrees to hear it. That is, if we start allowing any motion that is loosely connected with the subject matter of the committee

meeting, then the 48 hours notice is really a moot requirement; it will never apply, because you can always find a loose connection.

I don't believe that the connection is direct enough to allow this motion to come forth without 48 hours notice, and I haven't been convinced otherwise. Do you understand why I believe it's important to make this decision and to stick to what I think was the intent of the rules laid out by this committee when we started to operate?

Is there any other discussion on that? No? Then I rule that motion is not in order without 48 hours notice, which has not been provided.

Is there any other business before the committee?

Mr. LeBlanc.

**Hon. Dominic LeBlanc:** Mr. Chairman, I don't know whether this motion requires notice or not, but I'm hoping that colleagues would agree that one of the things we could ask the researchers and the clerk to look at.... I think the two meetings at the end of July and the third week of August will be instructive. I think we should also, as a committee, consider whether we want to go to Washington to meet with some members of the United States Congress. It's obvious that the role of our counterpart legislators in the Congress and the Senate has been instrumental in this whole discussion on softwood lumber over the decades, and other colleagues who have been on the committee longer than I have and have followed these issues probably know more than I do.

All I would suggest, Mr. Chair, is that the clerk perhaps look at the possibility, perhaps in early September, of meeting for a day and a half in Washington, and prepare some options for discussion. The committee could look at this informally, for 15 minutes at the end of July or even on August 21. Just ask the clerk to examine what the options would be for this committee to go to Washington for maybe a one-day meeting or a day and a half at the most, and try to meet some key members of the United States Congress in the House of Representatives and the Senate who have been instrumental in this whole discussion of softwood lumber in the United States.

As I say, I'm not making a motion that the committee travel. I'm simply asking if you, Mr. Chairman, would agree to ask the clerk to look at some options of how this could be done, and then we as a committee can discuss it further at the end of July or even the middle of August.

• (1625)

**The Chair:** Even if there is no motion, Monsieur LeBlanc, I really need to get a sense from the committee whether this is something the committee wants to pursue. I can't do it just on the suggestion of one member. There is no motion, but very quickly we can have a bit of informal discussion.

Mr. Paquette.

[*Translation*]

**Mr. Pierre Paquette:** I want to express my support for Mr. LeBlanc's initiative. In fact, we have done this in the past; we spent a day and a half in Washington. In any case, we will have to do that, because even if there is an agreement, in the final analysis, the U.S. bias against us is still there: we have seen it in previous versions of the agreement tabled by the Americans. We can discuss that again.

The fact is we have not finished debating Mr. Julian's motion. Like Mr. Julian, I believe that...

[English]

**The Chair:** We have actually finished with the previous motion: I have ruled that it's out of order. From the information I was given, I believe that the correct decision is that this motion would require 48 hours notice. I have made that decision. If you can give me some information informally and I see that I was wrong....

I've read the agreement, Mr. Julian. I admit I don't understand it perfectly, but I don't believe that connection is close enough and direct enough. We're done with that; let's move on.

Now, if we're going to travel—

[Translation]

**Mr. Pierre Paquette:** Can your decision be challenged?

[English]

**The Chair:** Are you challenging my decision?

[Translation]

**Mr. Pierre Paquette:** Yes, because in my opinion, the July 1st agreement is related to the April 27th agreement, and the decision to not appoint judges, in the case of the extraordinary challenges process, is also related to the April 27th agreement. By that very fact, this matter is closely related to the discussions we have been having since April 27th.

[English]

**The Chair:** Monsieur Paquette, you're not allowed debate, I understand from the clerk. If you're challenging a chair's ruling you have to go straight to the motion that the chair's ruling be sustained. If you want to go the formal route, that is the way to go, Mr. Paquette. I will hear no debate on this; we'll get straight to this.

•(1630)

[Translation]

**Mr. Pierre Paquette:** Fine, if there is no debate; but I want to challenge your ruling.

[English]

**The Chair:** All those in favour that this motion made by Monsieur Paquette that the chair's ruling be sustained....

I've been informed by the clerk that this is the appropriate language if you are challenging a decision of the chair. You would be putting it in the affirmative that you uphold the decision of the chair. If you vote in favour of this, that means that you're not in favour of challenging the decision of the chair.

The question is that the chair's ruling be sustained.

Let's see a show of hands on the question that the chair's ruling be sustained. Those opposed?

Okay. The chair's decision has been successfully challenged.

Mr. Paquette, you can move forward with the motion of non-confidence in the chair at this time.

**Mr. Peter Julian:** No, no, no—just on the motion. We've overturned your decision on the allowability of the motion.

**The Chair:** We'll follow the procedure here. There is a motion that has been given notice on non-confidence in the chair, and I'm somewhat uncomfortable.

**Mr. Peter Julian:** Mr. Chair, that is not Mr. Paquette's motion. It's very clear: it's overruling your decision on the admissibility of motion number two. That was Mr. Paquette's motion. We then moved to consideration of motion number two.

**The Chair:** I understand.

**Mr. Peter Julian:** We simply moved to consideration of motion number two.

**The Chair:** What the clerk has said is that the motion is not out of order now because my decision has not successfully been sustained, to use the proper language. Therefore, Mr. Julian can move ahead with motion number two.

**Mr. Peter Julian:** And I so move motion number two. I think we've had some debate, discussion, so I would move and hope that we could proceed—

**The Chair:** Then we'll go to a vote on motion number two.

Yes, Mr. Menzies.

**Mr. Ted Menzies:** If we're going to discuss the motion, I think we need to look at some amendments. Once again, following what seems to become a pattern here in this, there are a lot of wrong assumptions, absolutely false assumptions in this that I could not support. Where it says, in the second line, "Government of Canada have delayed legal proceedings", I would suggest that the government has alleviated legal proceedings by actually reaching an agreement.

The part about "would otherwise bring to swift conclusion"—I don't know where on earth you would have come up with that. How many years have we been waiting for this swift conclusion that has not come? So that part would need to be stricken from it.

The assumption of the \$40 million a month is a bit of an assumption.

I'm more offended by the false statements in the first three lines. So I would like to suggest that the word "delayed" be removed from that, and that it be "the Government of Canada have alleviated legal proceedings", and eliminate "bring to swift conclusion", because it's a false assumption to assume that was ever going to be a swift conclusion. Some lawyers have spent their entire careers at it: I don't call that a swift conclusion.

**The Chair:** Mr. Menzies, just so we have this clear, could you explain the exact amendments again and where they come? I just want to have that.

**Mr. Ted Menzies:** I'm just working through it in my mind. I was assuming it was going to be ruled out of order, so I don't have it all....

I would like to remove the word "delayed" and change it to "alleviated" legal proceedings at the countervailing duty. So we would just eliminate "would otherwise bring to swift conclusion", take that out of there—however it makes sense.

**A voice:** That's it? One word?

**The Chair:** No, he's removed—

**Mr. Ted Menzies:** It's a wrong assumption to say it would bring a swift conclusion.

**The Chair:** The amendment so far is removing "delayed" in the second line and replacing it with "alleviated", and removing.... We haven't quite got the wording here, but basically removing "that would otherwise bring to swift conclusion", and having the rest of the sentence fit together in a way that makes sense.

**Mr. Ted Menzies:** There are a lot of other things that don't make sense in here. The extraordinary challenge has been suspended, but it would be immediately re-initiated. So to have this in here doesn't make sense.

**The Chair:** So how would you word that? I'm trying to figure out how you'd put that together with those words removed.

**Mr. Ted Menzies:** I would just scratch out the whole motion, Mr. Chair.

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

**The Chair:** I don't think that amendment would be in order.

• (1635)

**Mr. Ted Menzies:** Isn't that a friendly amendment?

**The Chair:** I don't think it's in order, no.

Any suggestions on how to put that together?

**Ms. Helena Guergis:** Can I make a point here? Can I add to it?

**The Chair:** Yes, Ms. Guergis.

**Ms. Helena Guergis:** I think what Mr. Menzies is trying to say is if we added in here that if the legislation fails in the House.... Yes, the ECC is suspended, but if the legislation fails in the House, it automatically goes back into play. So if we lose the vote in the House—that is a fact, Mr. Julian—then it automatically begins the process; it's reinstated and it starts again. So I guess if we bring it to the House and we vote and we lose confidence, we're back on the campaign trail and the ECC is back in place.

**The Chair:** Okay. Thank you, Ms. Guergis.

So I'm still kind of waiting for the wording of this amendment. It could take some time; it's kind of hard to fit together. I understand the intent of Mr. Menzies....

**Mr. Ted Menzies:** I'm just trying to get rid of the false statements in here.

**The Chair:** Mr. Julian.

**Mr. Peter Julian:** Mr. Chair, if I may, Mr. Menzies had this motion yesterday morning.

**The Chair:** Mr. Menzies, it's important; we can take some time here. It's important, if you're going to make an amendment, that it works and that it can be done properly.

**Mr. Ted Menzies:** With the help of our wonderful clerk, I would ask once again that we remove the word "delayed" and put in "alleviated legal proceedings relating to the countervailing duty order on softwood lumber from Canada".

**The Chair:** All members have heard the proposed amendment now. Is there any more discussion? There was someone who had indicated they wanted to speak on that.

On motion number two, it is proposed that it be amended by removing in the second line the word "delayed" and replacing it with "alleviated"; by removing the words starting on the second line "that would otherwise bring to swift conclusion" and replacing the words after "proceedings" with "relating to the countervailing duty order on softwood lumber". That's the way it would read.

Is there any other discussion on this amendment?

(Amendment negated)

• (1640)

**The Chair:** We'll go back to the motion now unamended. We'll go to the question on the motion.

(Motion agreed to) [See *Minutes of Proceedings*]

**The Chair:** Is there any other business before the committee today?

We do have a budget item we have to deal with.

We have incurred some cost for witnesses. What I get, as the chair of the committee, is a statement with a blanket number to cover these costs. I've asked the clerk to provide one sheet on the cost to each witness or group of witnesses that is appearing before the committee. That will happen in the future, so we'll know in a little more detail, without becoming too bureaucratic about it, what our money is being spent on.

We have a request here for witness costs of \$5,300—witness expenses of \$4,800 and miscellaneous \$500. Of course, if this isn't all used it will be returned, as is the norm. That's for each meeting.

You have before you the details. The total amount would be \$19,700. That would break down to witness expenses \$19,200 and miscellaneous \$500. That's the amount we'll be voting on.

**Some hon. members:** Agreed.

**The Chair:** Mr. Eyking.

**Hon. Mark Eyking:** It was brought up in this committee today that maybe we should be going to Washington. If that were the desire of the committee, to go to Washington, would we have to put a budget forward soon?

**The Chair:** We would have to put a budget to the liaison committee. I don't know when they're meeting next, but it takes some time. We'd never have it happen before September. It would be some time later than that, certainly.

**Hon. Mark Eyking:** The only way it could happen would be if we were to use our points—I think we're given points, as members of Parliament—to travel to Washington.

**The Chair:** Before we carry on with the discussion, is there unanimous agreement to go ahead with it in that fashion?

There isn't, so there's no use discussing it further unless we're going to put a motion forward and go through the proper process.

**Hon. Mark Eyking:** I'd like to make a motion.

**The Chair:** Okay. Go ahead and make your motion, Mr. Eyking.

**Hon. Mark Eyking:** I'd like to move that we propose going to Washington in September. Maybe the clerk could come back with some costs of attending a meeting in Washington in September for the next meeting.

**The Chair:** But Mr. Eyking, with the process in place.... I've been involved with the liaison committee enough to know that is a totally unrealistic motion. The liaison committee.... It takes more than one meeting to approve these things, first of all.

When does the liaison committee meet again? I don't believe it meets until September, until the House.... It has to be.... That's right, until the House meets.

So this committee has to be very careful not to put forth unrealistic motions. We're going to suffer a reputation loss with this kind of thing if we go ahead with it.

**Hon. Mark Eyking:** It has to go to the liaison committee, though—

**The Chair:** It does.

**Hon. Mark Eyking:** —even if we as parliamentarians decided to go to Washington.

**The Chair:** You'd still need an authorization from the House, Mr. Eyking, and that can't happen until after the House starts sitting.

Yes, Mr. Jaffer.

**Mr. Rahim Jaffer:** If I may, Mr. Chairman, I think Mark was suggesting.... That's maybe a discussion some members who are interested in going to Washington could have.

You mentioned that we have points to travel, and that's correct. I think if we want to go and avoid going through an official sort of visit by going through the House procedures, we could decide if we wanted to have a group of us go down there to have meetings. That's something we could do independently anyway, under our points. I think you started to suggest that, but maybe that's something we could discuss as members and see if there is the will to do so.

I think the chair is right, it will take a while to get it through that process.

**The Chair:** Yes. It's not business of the committee, though. It's something that members of the committee can discuss independently, certainly, and you can reach an agreement.

The meeting is adjourned.

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**Published under the authority of the Speaker of the House of Commons**

**Publié en conformité de l'autorité du Président de la Chambre des communes**

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