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• (1535)

[English]

The Chair (Peter Schiefke (Vaudreuil, Lib.)): I call this meeting to order.

Welcome to meeting number three of the Standing Committee on Transport, Infrastructure and Communities.

Pursuant to the order of reference of Monday, June 16, the committee is resuming its consideration of Bill C-5, an act to enact the free trade and labour mobility in Canada act and the building Canada act.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders. Members are attending in person in the room and remotely by using the Zoom application.

Before we begin, I want to ask all in-person participants to consult the guidelines written on the cards on the table. These measures are in place to help prevent audio and feedback incidents and to protect the health and safety of all participants, including our interpreters. You will also notice a QR code on the card, which links to a short awareness video.

Colleagues, I would now like to welcome our witnesses for the next two hours. Appearing before us today, we have the Honourable Chrystia Freeland, Minister of Transport and Internal Trade.

Welcome to you, Minister.

Hon. Chrystia Freeland (Minister of Transport and Internal Trade): It's great to be here.

The Chair: We have the Honourable Dominic LeBlanc, Minister responsible for Canada-U.S. Trade, Intergovernmental Affairs and One Canadian Economy. Welcome to you, sir.

We also have the Honourable Rebecca Alty, Minister of Crown-Indigenous Relations. Welcome to you.

Also, from the clean growth office of the Privy Council we have Sarah Jackson, director; and Daniel Morin, senior adviser. From the Privy Council Office we have Christiane Fox, deputy clerk of the Privy Council and deputy minister of intergovernmental affairs; and Jeannine Ritchot, assistant deputy minister, intergovernmental affairs. From the Department of Crown-Indigenous Relations we have Valerie Gideon, deputy minister; and Bruno Steinke, senior director. Welcome to you all.

Hon. Chrystia Freeland: We also have Arun Thangaraj, the deputy minister of Transport, here with us.

The Chair: We could not have a meeting without mentioning his presence in the back. Welcome to you, sir.

Ministers, we'll begin with five-minute opening remarks.

With that, Minister Freeland, I'd love to turn the floor over to you for five minutes, please—

Go ahead, Ms. Gazan.

Leah Gazan (Winnipeg Centre, NDP): I have a point of order before the testimony begins. I was wondering if I could receive unanimous consent to have a round of questions at the end.

The Chair: Is that similar to what we did yesterday, Ms. Gazan?

Leah Gazan: Yes.

The Chair: Is there any opposition to providing Ms. Gazan with five minutes to pose questions to the witnesses?

Some hon. members: No.

The Chair: Seeing none, it's adopted unanimously. I'll make sure you get that time, Ms. Gazan.

Minister Freeland, the floor is yours. You have five minutes, please.

[Translation]

Hon. Chrystia Freeland: Thank you, Mr. Chair.

[English]

Canada is at a critical moment. U.S. tariffs are battering our country and are threatening to push the world economy into a recession. Hard-working Canadians are losing their jobs, businesses are losing their customers and investors are holding back. That is why it is so essential for us to press ahead with a project that costs nothing and can be accomplished at the stroke of a pen: delivering free trade in Canada.

[Translation]

Ultimately, the decision to build one Canadian economy, not 13, is about trusting each other. It's about deciding that the delicious steak people eat in Calgary is surely good enough to serve in Charlottetown and that the dental hygienist whose patients in Moncton adore her can be counted on to do the same excellent work when she moves to Quebec City.

[English]

According to a 2019 study published by the IMF, the impact of these barriers to internal trade is the equivalent to Canadians imposing a 7% tariff on ourselves. A 2016 report by Trevor Tombe and Lukas Albrecht, in the Canadian Journal of Economics, found that removing all barriers to internal trade and labour mobility could lower prices by up to 15%. A 2016 study by the Senate committee on banking, trade and commerce found that lifting barriers to internal trade could boost productivity by up to 7%. Research by Trevor Tombe and Ryan Manucha, published by the Macdonald-Laurier Institute in 2024, estimates that free trade in Canada would add up to \$200 billion to our economy.

[Translation]

Let's seize this opportunity to transform Canada by trusting one another and creating one single Canadian economy. We introduced this bill because we want to eliminate domestic trade barriers and build one Canadian economy.

[English]

Momentum is building across Canada. P.E.I., Nova Scotia, New Brunswick, Ontario, Saskatchewan and Manitoba have all passed legislation to remove barriers to internal trade.

B.C. has passed its historic Economic Stabilization Act. Quebec is advancing its own reforms. I do want to salute Jason Kenney, who was a leader in this area when he was premier of Alberta. Memorandums of understanding between Ontario and other provinces, as well as powerful regional agreements like the New West Partnership, signal new levels of co-operation.

I want to be clear: The federal legislation is about being part of a broader wave and a broader national effort to remove barriers to internal trade and labour mobility. This legislation by itself won't do the job, and there will be more work to do after, I hope, we pass this legislation on Friday, but this is the federal government's contribution to the excellent work provinces and territories are doing. It's important that we, as federal MPs, do our share. What a delicious irony it will be for us all to respond to tariffs imposed from abroad by finally tearing down the tariff and trade barriers we Canadians have imposed on each other. Let's get this done once and for all and deliver free trade in Canada.

Thank you very much.

• (1540)

The Chair: Thank you very much, Minister Freeland.

Next, we'll turn the floor over to Minister LeBlanc.

Minister LeBlanc, you have five minutes, please.

[Translation]

Hon. Dominic LeBlanc (Minister responsible for Canada-U.S. Trade, Intergovernmental Affairs and One Canadian Economy): Mr. Chair, I would like to thank the committee for inviting me to discuss the proposed legislation on one Canadian economy and the critical importance of advancing projects of national interest.

This is not only a period of profound change for Canada; it is also a pivotal moment. As my colleague just said, U.S. tariffs and rising protectionism are threatening Canadian jobs and businesses. Rarely have global markets been so volatile. Given this new reality, Canadians expect their government to act boldly, decisively and with solidarity.

[English]

At this crucial time, Canada needs to be able to build strategic infrastructure, transportation corridors and energy networks that are essential for Canadians' prosperity and economic security. We must be able to move our resources from coast to coast to coast and get them to the world more quickly and more reliably. This is an opportunity for the federal government to work with provinces and territories and with indigenous partners to identify and accelerate the projects we need right now to assure our autonomy, our security and our trade diversification. The one Canadian economy act aims to do just that. It's a key tool to secure Canadian jobs for this generation, and for generations to come, as all of us would hope.

At the recent first ministers' meeting in Saskatoon, where Chrystia and I and our colleague the Minister of Energy and Natural Resources were present, premiers from every political stripe expressed their enthusiastic support for advancing nation-building projects, because premiers understood that in order for Canada to succeed, we must build one Canadian economy out of 13 and thereby build a shared future.

[Translation]

Too often, it takes a long time for decisions to be made about projects that have the potential to connect our country and grow our economy. The one Canadian economy bill is our chance to do things differently while remaining true to our values and our responsibilities as a country, of course.

[English]

We can and will accelerate the approval of projects, while obviously continuing to abide by constitutionally mandated responsibilities towards indigenous peoples and ensuring the protection and the environmental assessments that impose as well. To that end, the government will set up a new major projects office that will provide a seamless single point of contact for project proponents once they're designated and for stakeholders, provinces and indigenous partners. My colleague will expand on many of these aspects.

The one Canadian economy act is about nation-building on a scale not seen for generations. It's about transitioning from "Should we build?" to "How do we build?" The Prime Minister and our government have been clear about our objectives. We hope these objectives are shared by members of this committee and members in the other House. Canadians have entrusted us to do things differently and better and to move nation-building projects forward. We believe this legislation is an important step in that direction.

After you hear the phenomenal comments from my colleague, we look forward, as you can imagine, to your questions.

• (1545)

The Chair: Thank you very much, Minister LeBlanc. As always, it's a pleasure to have you here.

Next, we'll turn the floor over to Minister Alty.

The floor is yours. You have five minutes, please.

Hon. Rebecca Alty (Minister of Crown-Indigenous Relations): Thank you, Mr. Chair.

I want to begin by acknowledging that we are gathered on the unceded territory of the Algonquin Anishinabe people.

I'm pleased to be here today in support of the one economy act, legislation that reflects our government's commitment to building Canada strong. This bill lays the foundation for one Canadian economy: an economy that works for all Canadians, including first nations, Métis and Inuit people.

Minister LeBlanc and Minister Freeland have outlined the substance of the bill. I'll focus on how we'll be implementing this with indigenous peoples.

First, let me start by being crystal clear: Major projects will proceed under this act only with meaningful consultation and accommodation with indigenous rights holders whose section 35 rights may be affected.

[Translation]

This bill mandates meaningful consultation with indigenous peoples during the process of designating projects of national interest and establishing the terms and conditions that will apply to those projects.

[English]

This requirement is not optional. It's protected under the Canadian Constitution and embedded throughout the legislation.

Thanks to the efforts of indigenous leaders, governments and representative organizations, last year, we also passed an amend-

ment to the Interpretation Act, which ensures that all legislation, including new legislation like the one economy act, is interpreted in a way that upholds and does not diminish the aboriginal and treaty rights recognized and affirmed in section 35 of the Constitution. We also have legal obligations under the United Nations Declaration on the Rights of Indigenous Peoples Act, as well as our modern treaties and self-government agreements, to ensure that the duty to consult and accommodate is honoured, and honoured in full.

As we undertake this nation-building effort, the principle of free, prior and informed consent must and will guide every project. As mentioned, this legislation mandates that there must be meaningful consultation and accommodation with indigenous peoples during both the process of determining which projects are in national interest and the development of the rigorous conditions for each project.

In determining which projects proposed by indigenous peoples, provinces and territories are in the national interest, we'll be evaluating based on whether they strengthen Canada's autonomy, resilience and security; provide economic or other benefits to Canadians; have a high likelihood of successful execution; advance the interests of indigenous peoples; and contribute to clean growth and to meeting Canada's objectives with respect to climate change.

The legislation is incentivizing early engagement with indigenous peoples. Proponents who don't engage with indigenous peoples before bringing their projects forward for consideration under this legislation will be given a lower evaluation.

The intent of the legislation is to streamline the approvals to advance major projects. We know that failing to uphold our legal responsibilities around consultation and accommodation will only lead to costly and time-consuming delays in the courts. This legislation is about supporting projects that are not only shovel-ready but shovel-worthy; projects that respect indigenous knowledge and uphold aboriginal and treaty rights. We'll be looking for projects that have indigenous support and, even better, indigenous equity in the project.

[Translation]

To get it right, the new process proposed in this historic bill includes the creation of a new major federal projects office that will bring all relevant federal departments together to establish a single set of binding conditions for the project to move forward. This new office will include an indigenous advisory council.

[English]

We will also be providing funding for indigenous participation in this new process, from start to finish. At the same time, being a reliable partner to indigenous peoples is not just about upholding the duty to consult and accommodate. Enabling the creation of long-term wealth and prosperity for indigenous peoples through equity ownership is central to building Canada strong. That's why we doubled the indigenous loan guarantee program from \$5 billion to \$10 billion, enabling more indigenous communities to become owners of major projects. Just this year, 36 first nations in British Columbia used this program to secure a 12.5% equity share in a major pipeline project, generating long-term income and economic power for their communities.

• (1550)

[Translation]

The truth is that our economy can be strong only when it benefits everyone. We know that investing in indigenous economies and communities is good for the country as a whole.

[English]

Together, let's move this bill forward so we can begin the vital work of building Canada's future economy, one that includes and is built with indigenous people.

Merci beaucoup. Mahsi cho. Thank you.

The Chair: Thank you very much, Ministers, for your opening remarks.

We'll begin our line of questioning today with Mr. Lawrence.

Mr. Lawrence, the floor is yours. You have six minutes, sir.

Philip Lawrence (Northumberland—Clarke, CPC): Thank you, Chair.

Thank you to the ministers for agreeing to be here for the next six hours. We appreciate that.

Voices: Oh, oh!

Philip Lawrence: No? That's a little fun to begin with here. You can smile here.

Conservatives agree directionally that of course we need national projects built. We need the elimination of interprovincial trade barriers. In fact, over the last 10 years, the old Liberal government was very much against that, we felt. We are glad that the new government appears to be at least open directionally, but we do have some concerns, particularly on the ethics, accountability and transparency side.

I'll start by referencing clauses 21, 22, and 23 of the building Canada act. Together, when these are combined, they have the ability to give a minister the ability to exempt any national project from any piece of legislation passed since 1867, with the exception of the Charter of Rights and Freedoms.

Given that, and given the fact that the Prime Minister worked for one of the largest constructors and manufacturers of national projects of infrastructure in Canada—and perhaps in the world—at Brookfield, could you please identify to us the screens that will be

put in place to make sure that we don't have conflicts of interest or other lobbying concerns?

Hon. Dominic LeBlanc: Thank you for the question, Mr. Lawrence. It's a good question.

You're right when you identify the operation of those particular clauses. In no discussions that I was in, or that I participated in, was exempting requirements under the conflict of interest and ethics act, for example, which would be a piece of legislation that obviously you're referring to. As the minister who would be designated as responsible for this act, I can't imagine that in the course of my recommendation to cabinet that would be the kind of exemption we're looking at. I obviously would, in any circumstance, be governed by the advice we would get from officials from the Privy Council Office and the Ethics Commissioner in those circumstances.

I get the hypothetical question you're asking, and I've seen you and your colleagues raise these concerns in different fora elsewhere. I just think that it feels very hypothetical that we would be approving a national project and look to exempt the responsibilities of any member of Parliament, public office holder or member of cabinet from the ethics obligations. I wouldn't ever do that myself. I wouldn't go to cabinet with that kind of recommendation, but I take your point.

Philip Lawrence: Thank you, Minister.

Well, I would follow the old Ronald Reagan quote: "Trust, but verify."

The way in which clauses 21, 22 and 23 work together in the building Canada act is striking. Literally any legislation can be exempt, including the Conflict of Interest Act, the Lobbying Act, the Income Tax Act and the Criminal Code. While I certainly want to trust, I would also like to verify. My question is, would you be open to an amendment that would restrict that to prevent exemptions from the Conflict of Interest Act and other acts?

Hon. Dominic LeBlanc: The deputy clerk.... As I say, it is a good question, and I wouldn't want to leave an impression that is inaccurate. Perhaps Chris Fox could add something if, in my explanation, it's not as precise as it should be.

There are limits in terms of what acts or what exemptions could be issued. Part 1 talks about "Acts of Parliament": Fisheries Act, Indian Act, International River Improvements Act, National Capital Act, Navigable Waters Protection Act and Migratory Birds Convention Act. It doesn't speak of some of the ethics obligations, like the Criminal Code.

Again, it's a hypothetical question that we're going to approve or designate a project and exempt it from the Criminal Code of Canada. It doesn't seem like a legitimate line of questioning.

• (1555)

Philip Lawrence: I appreciate that, but the act actually says in clause 21 that you can add other acts to it, which means that you could, in theory, add the Criminal Code. I'm not saying you would, Minister. I'm saying that the possibility thereto exists, and we have seen, in the old Liberal government, some ethical lapses—I know, it's shocking—so we would be looking for an amendment to make sure.

Specifically, like I said, the Prime Minister ran one of the largest infrastructure companies in the world, so putting those screens in place is I think incredibly important. Would you have any details on how the Prime Minister's screens might be put in place to make sure we don't have conflicts of interest?

Hon. Dominic LeBlanc: The Prime Minister has answered the questions and the Ethics Commissioner's office is able to talk about all the screens that are appropriately in place to ensure that there is in fact no conflict of interest or appearance thereof.

I'm not sure that any of us are going to speak to those specific ethics provisions.

Sarah, can you perhaps add something?

Sarah Jackson (Director, Clean Growth Office, Privy Council Office): Just on the controls that are in place with relation to clauses 21 and 22, yes, on the recommendation of the designated minister, the GIC could add acts and regulations. That needs to be done with respect to the purpose of the act, which is to advance national interest projects, provide environmental protection and respect indigenous rights.

It needs to be in keeping with the purpose of the act, first of all. Then the regulations under clause 22 would need to actually be on the recommendation of the minister responsible for each of those acts, such as the Minister of Fisheries and Oceans if modifications were being made to the application of the Fisheries Act. That's another control that's in place. They're also subject to the Statutory Instruments Act regulatory process.

The Chair: Thank you very much, Ms. Jackson, and thank you, Mr. Lawrence.

The next line of questioning will come from MP Nguyen.

The floor is yours. You have six minutes, please.

Chi Nguyen (Spadina—Harbourfront, Lib.): Thanks very much.

Thank you to our colleagues for joining us today.

Minister Freeland, we know that this is clearly a time when we need to be building for Canada. That is what this bill is trying to achieve in terms of our objectives, strengthening trade corridors and accelerating those nation-building projects.

Can you speak to how these could improve our transportation infrastructure and investments? In my riding of Spadina—Harbourfront, we have Union Station and the Toronto island airport. I'd love to hear more details on how this may open up opportunities for our country as we do that building.

Hon. Chrystia Freeland: Congratulations on your election and on joining us here in this House and in this committee. It's really great. We are neighbours geographically as MPs.

I want to start by picking up on something Mr. Lawrence said about the long-standing Conservative support of some of these measures. I do want to specifically single out Mr. Albas, in all seriousness, for having championed this issue at a time when it wasn't so much in vogue. We all remember his spirited “free the beer” campaign. He was absolutely right.

I think it's very exciting. We all know as politicians that there can be really good ideas, but you need the political moment sometimes to make them happen. I think that was the case with creating a national system of early learning and child care. For 50 years Canadian women had been fighting for it. Policy experts all agreed it was a good thing and would make our economy more productive, would make life more affordable for families and would give women more choice. It took a particular moment to make it happen. I believe when it comes to internal trade and major nation-building projects, that moment is now. I really do want to put on the record that Mr. Albas has been championing this for a long time, and that's great. Thank you.

To your specific questions, there are two ways this bill will help the life of every single person each one of us represents. One is the internal trade element. Truly getting rid of barriers to internal trade and labour mobility will make our life easier. It will make it easier for each one of our constituents to move and work around the country. It will make it easier for each one of our constituents who has a business to sell things from that business or provide services across the country. It will give all of us more choice.

I think it will also have a nation-building impact that is psychological. As we build economic networks that are truly pan-Canadian, we will truly be acting as Canadians when we do business or when we perform services rather than as residents of a province.

The second element you mentioned, Chi, is equally important. I think every single one of us as an MP has a list of projects that we really want to get built in our riding. Every single one of us has spoken with frustrated constituents who ask us why we can't get this project built faster. This legislation is an opportunity to build those projects.

Now, I'm here as the internal trade minister, but I'm also the trade minister. I'm glad you mentioned the island airport. I think it provides a lot of benefit for the city that both you and I represent and for our country. This is an opportunity to support our airports and to support our trade corridors across the country. I do really hope that every single MP who is a member of this committee will be actively working with proponents, working with premiers and working indigenous people in their communities to put forward great nation-building projects that could be facilitated by this legislation.

• (1600)

Chi Nguyen: Thanks very much.

I have another question. In the preamble and the language of the legislation, we point to both section 35 and UNDRIP. I'm not a lawyer, so I'm hoping you can help me understand how these sit with the legislation.

Is there one that's more powerful? If you could help me understand as a layperson, that would be really great.

That's for either Minister Alty or Minister LeBlanc, please.

Hon. Rebecca Alty: Yes, it's the Constitution, ultimately. There are not only a number of clauses in this legislation, but pieces of legislation out. For example, there's the Constitution. The other one I mentioned has the changes to the Interpretation Act in Bill S-13, which is about how all legislation has to be interpreted in a way that upholds and does not diminish the aboriginal and treaty rights recognized and affirmed in section 35.

In the act itself, I would touch not only on the preamble, but also on the body of the legislation. It requires the government to consult with section 35 rights holders in the selection of projects, as well as in the process of approving or removing a project if it's deemed necessary. That's in subclauses 5(7), 7(2) and 8(3).

Again, we're committed to the United Nations Declaration on the Rights of Indigenous Peoples Act. Outside of the legislation, there are a number of things that we're looking to do, including setting up a major projects office with an indigenous advisory council, having funding for capacity so that indigenous governments can meaningfully participate from start to finish and having the indigenous loan guarantee program. We want to see projects that advance indigenous interests.

The Chair: Thank you very much, Minister.

[Translation]

Mr. Barsalou-Duval, you now have the floor for six minutes.

Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ): Thank you, Mr. Chair.

I thank the ministers for being here.

This is a very important bill, and I find it really unfortunate that we won't get a chance to study it in depth. There are dozens of witnesses, if not more, who would have liked to testify before the committee on this bill. Unfortunately, they will not have the opportunity to do so. We won't even have the opportunity to properly debate the bill.

I understand that the government has a sense of urgency right now. Otherwise, it wouldn't be forcing things through like this. I'm wondering if they are basically invoking the Emergencies Act in disguise, because that act has the kind of extraordinary powers contained in this bill. That is what a constitutional expert told us yesterday.

What can you tell us about that, Mr. LeBlanc?

• (1605)

Hon. Dominic LeBlanc: Obviously, I don't agree with that interpretation. As I recall, when we decided to invoke the Emergencies Act, things were completely different from a context, justification and legal standpoint. I was actually involved in making that deci-

sion and I am proud of the former government's decision. The matter before us today is altogether different.

During the election campaign and at our talks in Kananaskis, where I was present with Mr. Trump's government—

Xavier Barsalou-Duval: Thank you very much, Minister.

Hon. Dominic LeBlanc: I was about to describe the emergency, not the context.

Xavier Barsalou-Duval: You were about to describe your election platform. You clearly said that you see no similarity between this and the use of the Emergencies Act.

If that's the case, why is there is a five-year time limit clause? Why does the power you would be granted allow you to override just about any law? This bill would give the executive branch powers that usually belong to the legislative branch. If there is no emergency, why does this bill let the government give itself extreme powers?

Hon. Dominic LeBlanc: You interrupted me as I was about to describe the emergency that makes it necessary for us to pass the bill. Tariffs imposed by the United States are a threat that constitutes an economic emergency.

I'm glad you mentioned the election campaign. We talked a lot about taking urgent action to build major projects of national interest. We even discussed it with your province's premier at the meeting in Saskatoon. We believe we must take urgent action to diversify our international trade, build major projects, including clean energy projects like the ones the Government of Quebec wants to launch with Newfoundland and Labrador—

Xavier Barsalou-Duval: I understand that you believe there's an urgent need to act, but don't you see that you're exaggerating this idea of an emergency? South of the border, they use executive orders to do things they wouldn't normally be able to do. Western nations seem to be getting more comfortable with the idea of labelling things as emergencies so they can do things that wouldn't normally be done in a democracy. Isn't that what you're doing?

Hon. Dominic LeBlanc: I completely disagree with your interpretation that a legislative action we are taking today is anything like an executive order from the White House. You're comparing them, and I understand why. You can do politics however you like, but I fundamentally disagree with your interpretation.

Xavier Barsalou-Duval: What you're getting is essentially the power to secretly designate, since we don't know whether the consultations will be real or not. We don't know how genuine they'll be because there is no obligation to consult. There are no project selection criteria. The criteria are entirely subjective. You can also exempt projects from the application of any legislation and choose what conditions projects will be subject to.

You will be given that power. Doesn't it seem like you're becoming a sort of deputy emperor?

Hon. Dominic LeBlanc: First of all, I don't want to correct you, but you said that there were no selection criteria for projects of national interest. However, my colleague was good enough to list the five factors that are actually set out in the bill.

Furthermore, as our colleague from the Privy Council Office clearly explained, it is not true that the government could, theoretically or hypothetically, exempt all of the projects from the application of the law. These are only projects of national interest that are related to the objectives of the bill, if passed. That process is under the authority of the Governor in Council. I understand your argument, but you've blown it so out of proportion that it's not valid.

Xavier Barsalou-Duval: Let's talk more about the criteria, which give you full arbitrary power. You are in no way required to respect the factors set out in subsection 5(6) of the act proposed in the bill. That's the first thing.

The second thing is that the Prime Minister, your leader, promised that no projects would be carried out or imposed without Quebec's consent. That's what your leader promised, but we don't see that in this bill. Will you promise to accept amendments that are consistent with what your leader promised?

Hon. Dominic LeBlanc: At the press conference, I was standing behind the Prime Minister when he explained, as you just accurately reported, that he doesn't consider this an opportunity for us to impose a project on a province at all. I, for one, am encouraged by the province's desire—

Xavier Barsalou-Duval: I'm asking you if it will be in the bill. Will you agree to put the words of the Prime Minister, your leader, in the bill?

Hon. Dominic LeBlanc: I'm not on the committee. I'm happy to be here for two hours, but I won't be here for six hours. When you do the clause-by-clause study of the bill, I won't be here. I have full confidence in your work.

Xavier Barsalou-Duval: Well, you're the one who introduced the bill. I feel like you're the wolf dressed up like grandmother. You keep telling us that you're doing this for our own good and that we have nothing to worry about, but at the end of the day, there's no guarantee that you'll act in our best interest. You'll do whatever you want. That's the problem with this bill.

• (1610)

Hon. Dominic LeBlanc: I realize that you don't often attend federal-provincial meetings. I myself was in Saskatoon when all the provincial and territorial premiers spoke on behalf of all the duly elected political parties in their provinces and territories in support of doing just that.

That means you're basing your argument on an exaggerated hypothetical situation. You're good at it.

Xavier Barsalou-Duval: It's a possible hypothetical situation.

Hon. Dominic LeBlanc: Any hypothesis is possible.

Xavier Barsalou-Duval: The government will be able to issue orders in council without any discussion.

The Chair: Thank you very much, Mr. Barsalou-Duval.

[English]

Next, we have Ms. Stubbs.

The floor is yours. You have five minutes.

Shannon Stubbs (Lakeland, CPC): Thanks, Chair. I appreciate it.

Thank you, ministers, for being here.

To follow up and conclude on what my colleague Phil Lawrence was asking, is it safe to say that none of the three ministers here are responsible for the bill? This is not an accusation toward you in general, but none of you are aware of, have seen or know about a concrete ethical screen in place for the Prime Minister.

Okay. I'll take that as a no.

Hon. Dominic LeBlanc: These things are properly done by the Ethics Commissioner and the deputy clerk.

Shannon Stubbs: I think the ministers need to answer because they're responsible for the bill.

The Chair: Ms. Fox, do you want to respond to that?

Christiane Fox (Deputy Clerk of the Privy Council and Deputy Minister of Intergovernmental Affairs, Privy Council Office): I want to state quite clearly that at the Privy Council Office, we are working very closely with the Prime Minister's Office to manage all of the conflicts he's declared. That is operationalized within the communications between the Privy Council Office and the Prime Minister's Office, and it would be linked to anything, including this bill.

Shannon Stubbs: Thank you.

You may be aware, but it is clear that the ministers responsible aren't, so Canadians will trust you on that.

This whole bill started in the election campaign with meetings with the premiers and the territorial leaders. There have been weeks since those meetings and weeks since Parliament started.

Since there seem to be mixed messages about politicians sending lists in and not, is it possible for any of the ministers to identify a single energy project, for example, that will be approved and ready for shovels in the ground in June 2027 if this law passes this week?

Hon. Dominic LeBlanc: Chair, through you to Ms. Stubbs, that's a very good question.

Obviously, we don't want to prejudge whether Parliament will adopt this legislation. We're hopeful.

Monday night, I had dinner at a table with the Premier of Alberta and had a long conversation with the Premier of Saskatchewan. They are very enthusiastic about putting quickly before the Government of Canada projects that, in their view and probably in our view, would meet the national interest test. I think we're going to be very fortunate with the volume of projects that will come together quickly.

I think this is instructive. This isn't a federal infrastructure program as much as it's a way to expedite projects that provinces and territories, indigenous partners and private sector proponents will want us to work on in an expedited and effective way that encourages investment decisions.

I think we'll have well more than one within the first two years, but I don't want to prejudge what will be submitted.

Shannon Stubbs: Yes, and certainly, we Conservatives will join you in your hopes and prayers, but we obviously hoped for something a little more concrete.

Of course, as you know—and I might suggest this as a first place for you all to stop—there are dozens of projects with real proponents spending real money and losing real time. They're stuck in the federal regulatory process. They're stuck in front of all of these various pieces of legislation and regulations that you are now identifying as barriers to projects getting built. That's why you're bringing in Bill C-5 to fast-track these projects. I would suggest that you might want to start there with the real proponents of real projects, who are stuck in front of your regulatory mess right now, and give them some certainty.

To that end, can I ask you about the lack of the two-year timeline embedded right in the legislation, including criteria and conditions that will be made behind closed doors, and then where projects will be adjudicated on an ad hoc, case-by-case basis? How do those two embedded uncertainties—not yet addressed in the bill, but we hope you'll accept some amendments in that regard—possibly give private sector investors or proponents the certainty that they want to get these big, major, nation-building projects built for the benefit of all of us?

Hon. Chrystia Freeland: If I may, Ms. Stubbs, I want to start where Mr. Lawrence began. A lot of us here are in violent agreement about the objective and that we need to get big things built faster in Canada. What—

• (1615)

Shannon Stubbs: Certainly, because you announced that in 2022. Now, here we are, still with the same government trying to make that happen.

Hon. Chrystia Freeland: What I would say is that there is a contradiction between the notion that specific projects should be named right now and the path we need to take to actually get things done.

This legislation is quite intentionally about setting a framework that is clear and transparent and gives transparency to provinces, indigenous organizations and business leaders. We need to go step by

step. We need to have the framework and transparency and hopefully get the legislation passed.

As my colleague said, there are a lot of projects waiting for this. We were together in Saskatoon and we heard from the premiers. They are very keen.

It would be inappropriate to specify the projects in the legislation. The right way to do it is to create a framework and have the conversations. Let me tell you that as soon as this is passed, we're going to be dealing with moving with alacrity.

Shannon Stubbs: Thank you.

I get it, but what would you have to say for all of the projects that will not be fast-tracked or make the cut?

The Chair: Thank you, Ms. Stubbs.

Thank you, Minister.

We'll move on now to Mr. Kelloway.

The floor is yours. You have five minutes, sir.

Mike Kelloway (Sydney—Glance Bay, Lib.): Thank you, Mr. Chair.

Thank you to the ministers for being here and for your testimony.

I'm going to try to get questions to the three of you. I have limited time.

I'm going to start with Minister Freeland.

I think you did a really good job of explaining the “why” of this legislation, which is eliminating federal internal trade barriers. You talked about the “what”. It's impressive in its potential. We could reduce costs by 15%, increase productivity by 7% and increase the GDP by 4%.

I think it's really important for Canadians to have a mental image of what that truly means. Hypothetically, there's a company in Cape Breton that sells really good beer. How would it impact them going forward in terms of the elimination of federal trade barriers?

Hon. Chrystia Freeland: Thank you very much, Mr. Kelloway, and thank you for agreeing to serve as my parliamentary secretary. It's great to be working together.

As Mr. Albas identified presciently, the beer examples have a way of seizing the imagination of Canadians, so they're good ones. This legislation alone is not going to remove barriers to interprovincial trade, and it is not alone going to create free labour mobility. Most of the barriers are at a provincial level, and our government respects the jurisdiction of the provinces.

What we have seen is, as part of this wave of patriotism across Canada, provinces stepping up. Your own province of Nova Scotia, really, is a leader, if not the leader, of this effort with regard to the mutual recognition legislation. However, when we talk to the provinces and territories, we know that, in order to really be facilitating and encouraging true free trade in goods and services and true labour mobility, the federal government has to do its part. This legislation is about that. It's about removing the federal barriers that exist to trade in goods between provinces and territories and the federal barriers that exist to labour mobility. I made a point in my opening remarks to be clear that the federal government is not the jurisdiction principally responsible. This legislation is not going to do it on its own when it comes to free internal trade and labour mobility, but it's a big part of it. I hope everyone here will help us keep up the momentum after, I hope, the legislation is passed on Friday. There is a meeting, as you know very well, on July 8 of the committee on internal trade of the provinces and territories to keep going. On July 15 and 16, the deputy minister of transport is hosting a hackathon of transport officials to finally get movement on trucking. There is still a lot of work to do, but this is an important step.

Mike Kelloway: Thank you, Minister Freeland.

Minister Alty, does this act supersede section 35 of the Constitution and/or UNDRIP?

Hon. Rebecca Alty: No, it doesn't.

I'd like to just take a moment to elaborate because I do think that there's talk of accelerating and talk of fast-tracking, and folks think that that'll impact the consultation. One of the things I'd point to is that, over the last year, the department has held Crown-indigenous relations engagement sessions with indigenous peoples across Canada through our existing forums and tables. They were about a proposed Crown consultation coordination. In these sessions, the concerns we heard were that there's insufficient coordination, that there's difficulty navigating the system and that there's growing consultation fatigue where people are having that overlapping, duplicative process. With this bill, what we're really looking to do, as well, is have that major projects office. Without a new, coordinated mechanism to navigate these problems, we are running into those issues of consultation inadequacy and of delays on projects. Being able to streamline the process means, on one hand.... I think of my territory, and if one impacted indigenous rights holder is left out of the consultation, we have to go back and redo it all. The ability to have this one organization in the federal government be able to organize it will produce those better results. It's not impacting the quality, but it is impacting the time.

● (1620)

The Chair: Thank you, Minister Alty.

Thank you, Mr. Kelloway.

[Translation]

Mr. Barsalou-Duval, you have the floor for two and a half minutes.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

Mr. LeBlanc, small projects located pretty much anywhere in Quebec or in our municipalities have to comply with the law. Like it or not, projects usually involve thorough consultation and work.

This bill is about major projects with major repercussions. Typically, the whole of society would be part of the conversation because these projects will impact future generations. Now we're going to end up with major projects with major repercussions that are subject to fewer laws than small projects by SMEs. We're going to end up with decisions made behind closed doors. The application of the law will be politicized. We have no guarantee that you, Mr. LeBlanc, won't turn into a minister of cronyism.

This week, the Société de l'Acadie du Nouveau-Brunswick wrote to us to say that it is concerned because this bill would allow projects to be exempt from the application of any law, including laws respecting francophones' official language rights. For example, the bill would allow projects to be exempt from the application of the Canada Labour Code or any other legislation.

Personally, I find that problematic. The bill already gives you the power to exempt projects from environmental laws. Why do you want more powers that you don't need to carry out these projects?

Hon. Dominic LeBlanc: Mr. Barsalou-Duval, I think you asked about 10 questions, but I'll try to answer them all.

First, I would recommend not pursuing the idea that a project could be exempt from legislation such as the Official Languages Act or the Criminal Code. PCO's experts have said that the decision had to be made based on the objectives of Bill C-5. I'm sure legal experts will come and testify to that effect.

Xavier Barsalou-Duval: If a developer doesn't want people speaking French or French signage on their site, the objectives of the bill would allow that. Similarly, if a developer says they don't want to pay tax in connection with a project, the bill would allow that. The bill you introduced is so far-reaching that it makes just about anything possible.

What are the other acts that are not among the thirteen acts and seven regulations listed in the schedule? If you want to exempt upcoming projects, why not say so now?

Hon. Dominic LeBlanc: You're using examples that make no sense to substantiate a point that doesn't hold water.

You also said that these projects of national interest would be subject to less oversight and assessment than municipal projects. You know that's not true—

Xavier Barsalou-Duval: Minister, what makes no sense is that it allows you to—

The Chair: Mr. Barsalou-Duval, please let the minister finish his answer.

Xavier Barsalou-Duval: Mr. Chair, the minister says that what I'm telling him makes no sense. However, the bill allows for projects to be exempted from any act—

The Chair: Mr. Barsalou-Duval, your time is up.

Before giving the floor to the next speaker, I'm going to give the minister time to answer your question.

Hon. Dominic LeBlanc: Mr. Chair, I would be very happy to move on to the next speaker.

The Chair: Thank you very much, Minister.

• (1625)

[English]

That brings us to Mr. Albas.

Mr. Albas, the floor is yours. You have five minutes, sir.

Dan Albas (Okanagan Lake West—South Kelowna, CPC): Thank you, Mr. Chair.

Thank you, Ministers, for your service to the country and for being here. Hopefully, we'll get some accountability.

Minister Freeland, there was some reference to freeing the beer going between provinces. Really, under this act, there is nothing because if provinces like B.C. and Alberta come up with a bilateral between the two, all this bill says is that you'll just acknowledge it and recognize it, but it doesn't add any value. Is that the case?

Hon. Chrystia Freeland: I was very careful, Mr. Albas, in my comments to not overstate the specific contribution that this legislation will make to internal trade and labour mobility. As you know very well, the federal government's role in that space is limited. This is about the federal government doing everything appropriately within its power to contribute to the larger goal of free movement of goods, services and people across the country. We need to do this because it's very hard for the federal government to play the appropriate role of convenor of provinces and territories if it's not doing its part.

Dan Albas: Interprovincial shipping is actually a federal power, Minister. The Canada Post Corporation Act, for example.... I had a bill, Bill C-260, that would actually give Canada Post the authorization to send beer, wine and spirits. Right now, it's something that can be prohibited by an individual province. That is a federal power.

I'll move on.

In the act here, it also says that you will recognize a designation or a credential from a provincial.... At the technical briefing, the bureaucrats who were there—good people—mentioned that a land surveyor, for example, might be.... Are there any other jobs that this would apply to, or is this just so niche that it really doesn't do very much?

Hon. Chrystia Freeland: I've been very clear to not overstate the extent to which the federal government is our problem when it comes to barriers to interprovincial trade and the movement of goods, services and people. The fact is that this is principally a provincial matter. This law is about the federal government doing its part. There are a few specific areas that this legislation removes unilaterally because what we're saying to the provinces and territo-

ries is that this is a national effort. I made a point in my remarks to highlight the excellent work that is being done by provinces and territories right now because they are leading the charge. We need to salute their work. We, as federal MPs, collectively have a responsibility to support what they're doing; the federal government has to do its part. I also want to be very clear: This legislation is very important when it comes to internal trade and labour mobility. It is not the end of the process, and we all have a responsibility to keep going to support the provinces to have truly free internal trade.

Dan Albas: A previous Liberal prime minister used to talk about the dangers in being the “headwaiter to the provinces”, and it seems that all you guys want to talk about is provinces and territories. However, national interest, by its definition, has to reign over provincial interest. For example, the Prime Minister has said publicly that premiers have a veto. David Eby has said that he will not support a pipeline to the Pacific, even though it would be in our national interest to get our energy to other markets.

Minister, is there a national interest here, or are you only serving up for the provinces?

Hon. Chrystia Freeland: I am so happy that, right now, there is a moment of a degree of national unity and consensus around this effort of a kind I have never seen before.

That meeting in Saskatoon—in a province that, as we know, has a Conservative government—was a meeting with more unity around free interprovincial trade and getting major projects built than any meeting of provinces, territories and the federal government that I have been present at.

Mr. Albas, I see no benefit and a great deal of harm, at this moment when the provinces are all stepping up, in the federal government somehow saying, “We're going to push you guys around.” The fact is, we don't need to. The provinces are doing a great job.

Dan Albas: Minister, this is why we have a prime minister and a federal cabinet. It is to decide what the national interest is. That actually is your job.

Besides that, I would just go back. I'd like to go to Minister LeBlanc—

Hon. Chrystia Freeland: Our job in the national interest is to work collaboratively with provinces and territories where we can. You get—

Dan Albas: It's either a crisis or it's not, Minister. It's either an emergency or it's not.

Hon. Chrystia Freeland: Honey can be better than vinegar sometimes in building consensus—

• (1630)

Dan Albas: I would like to see a list, Minister, of federal initiatives coming from my federal government.

Thank you.

Hon. Chrystia Freeland: —and right now that's what's happening.

I believe even the Conservatives are voting for this legislation, and I'm happy about that, too.

The Chair: Thank you very much, Mr. Albas.

Thank you, Minister.

[Translation]

Mr. Lauzon, you have the floor for five minutes.

Stéphane Lauzon (Argenteuil—La Petite-Nation, Lib.): Thank you, Mr. Chair.

Thank you to all the witnesses who are here today for the review of Bill C-5, which is so important.

My first question is about the major projects office.

Minister Alty mentioned that one of the roles of the major projects office would be public consultation to ensure that work done on major projects is done properly.

Can you give us other examples of how the major projects office can help with work on major projects?

Also, what exactly will the office's role be in this context?

My question is for Mr. LeBlanc or Ms. Freeland.

Hon. Dominic LeBlanc: Thank you for your question, Mr. Lauzon.

You're right, the Privy Council Office's goal in setting up the major projects office is precisely to help those entities whose proposed projects are selected on the basis of national interest. The major projects office will save provincial and territorial governments, indigenous peoples and private entities submitting projects the trouble of going through an assessment and permitting process that could take five, six or even seven years. The idea is to create a kind of support service that will facilitate sending the project directly to all departments concerned, such as Environment and Climate Change Canada, Fisheries and Oceans Canada, Transport Canada or Crown-Indigenous Relations and Northern Affairs Canada. That way, assessments can be done at the same time, rather than one after the other, which takes longer.

We also want to work with proponents whose projects are designated as being of national interest to ensure that it takes no more than two years to establish the conditions under which they can obtain official approval from a legal standpoint.

Basically, we're trying to be more consistent and effective. We want to eliminate what has become, over the years, a deterrent for investors, provinces and territories. We're not creating another layer of bureaucracy. We're offering access to a small group of experts or scientists who might be, say, experts in Arctic infrastructure or supply chains, or who can advise on how best to integrate indigenous owners to ensure equitable participation and economic benefit. The idea is to bring numerous experts who are already part of the machinery of government together at PCO. There will be access to additional resources as needed, of course.

We want to be efficient and consistent. We want to make sure that, instead of evaluating whether or not a given project can go ahead, the process establishes from the outset that we want the

project in question to go ahead because it is in the national interest. At that point, it's a matter of figuring out if there's a way to do the project that is appropriate and consistent with our constitutional obligations and environmental standards, and to do it expeditiously. I hope this approach will get more projects off the ground.

Stéphane Lauzon: I would like Minister Alty to reassure indigenous people that not everything needs to be negotiated before Bill C-5 is passed, and consultations will continue.

You all mentioned that there would be a lot of work to do after the bill has been passed.

For the benefit of this committee, can you explain how the government will adhere to the processes for working with indigenous peoples to get these projects approved?

Hon. Rebecca Alty: Thank you for the question. I'm going to answer it in English, because I want to make sure I don't make any mistakes.

[English]

It is important that the indigenous advisory council will be providing guidance to the major projects office. The terms of reference will be drafted over the summer, with the council getting up and running in the fall. That will provide guidance and advice to the major projects office, but the consultation on which projects to add to schedule 1 and, then, once they get added, the conditions for each project would actually be done with the indigenous rights holders who may be more impacted by the project.

I know I got a question yesterday where somebody said that the indigenous advisory council would be consulted on whether to add a project to schedule 1, and I just want to be clear that it is with the indigenous rights holders who may be impacted by the project. It's a two-step consultation with a potential third consultation so that, if we were to remove a project from the law, again, the indigenous rights holders would be involved in that consultation and those accommodations.

● (1635)

[Translation]

The Chair: Thank you, Mr. Lauzon.

[English]

Thank you, Minister.

Colleagues, before we jump into the second hour of testimony, I want to bring to everyone's attention that the CPAC numbers for today's meeting are off the charts. I've heard that Canadians are tuning in in record numbers, and among them, according to my wife, are my two children, Anderson and Ellie.

I want to say hi from Papa.

Hon. Dominic LeBlanc: The evening political shows, Mr. Chair, will be very jealous.

The Chair: Thank you for allowing me to do that.

We'll begin our next round of questioning with Dr. Lewis.

Dr. Lewis, you have six minutes. The floor is yours, please.

Leslyn Lewis (Haldimand—Norfolk, CPC): Thank you, Chair.

Ministers, thank you for being here today, and thank you to all of the other members on the panel for being here today.

Clauses 21, 22 and 23 operate to allow any project to be exempt from this legislation. Mr. Barsalou-Duval suggested that this legislation was similar to the Emergencies Act. I'm seeking some clarity on your answer, Minister LeBlanc, because notwithstanding the validity of a law, clauses 21, 22 and 23 of Bill C-5 allow a project to be exempt from the legislation. We have seen sweeping powers in the notwithstanding clause in section 33 of the Constitution that allow the suspension of liberties, but there is a provision that protects citizens under section 1, which is the reasonable limits clause.

Where are the reasonable limits in this legislation? Where are the breaks in this legislation so that federal governments don't become bullies and sweep into municipal and provincial jurisdiction like they did with Bill C-69?

Hon. Dominic LeBlanc: The reason the government has put this bill before Parliament is precisely to enable large projects in the national interest to be built. In the context and the purpose of the legislation, there's part 1, which speaks about free trade within Canada. The part with respect to major projects focuses on enabling, and this is enabling legislation that creates a framework for these projects to be advanced.

People often refer to the clauses, Dr. Lewis, that you properly raised. Any exercise of authority in that context has to be done with respect to the purpose of the legislation. If the purpose of the legislation is to enable these large projects to be built, you can imagine a series of statutes that may form part of that evaluation, and then it's exercised by the Governor in Council, which is not an unusual process.

Leslyn Lewis: My question specifically, though, doesn't deal with the enabling aspect of the legislation. We know what the legislation is about. My question specifically is this: What do you, Minister, see as reasonable limits on these sweeping powers that allow the invalidation of laws pursuant to clauses 21, 22 and 23 of Bill C-5? Where are the reasonable limits? What do you see as reasonable limits, and why aren't they contained in this bill?

Hon. Dominic LeBlanc: I think it's important, first of all, to put it in context. These decisions will be exercised in consultation with provincial and territorial leaders. I'm encouraged by premiers working together to create, for example, energy corridors. The proponents in many cases may be sovereign provincial and territorial governments with indigenous partners. That is a limitation in and of itself. We'll be designating projects that have gone through the scrutiny of other orders of government, for example.

• (1640)

Leslyn Lewis: Minister, yesterday we heard concerns from a number of stakeholders and constitutional experts who confirmed that this bill is vague, has been hastily written and leaves much uncertainty with respect to projects of national interest. In fact, it was concluded that the determination would be solely a political deci-

sion, which, given these provisions in clauses 21 and 22, leaves room for political abuse.

I'm turning back to my question: Where are the brakes in this legislation? Why are there no reasonable limits put in this legislation so that this government can evoke the confidence of the people?

Hon. Chrystia Freeland: If I may, Dr. Lewis, seeking to understand the roots of your concern, I'd like to understand whether you are concerned that as a result of this legislation, we will build too much, and whether, as a result of this legislation, we will get too many major projects built.

Leslyn Lewis: No. Excuse me. I think that is actually a very pejorative way of characterizing my concern. Canadians are concerned. I don't want you to minimize Canadians' concern about building too much. That's very facetious and it's unnecessary. We're trying to help. We had witnesses yesterday who were very concerned about the liberties that will be suspended in this legislation, and you're making a joke out of it. It is not funny.

Hon. Chrystia Freeland: No, no, truly, I was in no way making a joke; I was being entirely serious. This legislation is being proposed by us, and I believe it is being supported by the Conservatives, because there is a national consensus, which I believe many Conservative MPs agree with, that we have come to a place in Canada where we have such a thicket of processes, rules and regulations at all levels of government that we are unable to build with the alacrity that this moment in time requires. This legislation addresses precisely that realization. That's why it creates a clear framework to consider and put forward projects of national interest. There will be great transparency in terms of which projects are being put forward. There is a specified list of the areas where the legislation may need to move with more alacrity.

I'm very sympathetic, as I believe my colleagues are, to concerns around protecting due process and protecting the rights of Canadians, absolutely, but I'm very confident that this legislation will in no way infringe on rights. It will do something that Canadians have a right to, which is to build Canada.

The Chair: Thank you very much, Minister.

Leslyn Lewis: Mr. Chair, I'd like the record to show that my question was not answered.

The Chair: Thank you, Dr. Lewis.

We'll turn the floor over to Ms. Gazan for five minutes.

The floor is yours.

Leah Gazan: Thank you so much, Chair.

Thanks to the committee for letting me ask questions.

My first question is for you, Minister Altj. Article 19 of UNDRIP provides that states need to seek and obtain free, prior and informed consent of indigenous peoples before adopting every legislative measure. Has the federal government upheld this obligation with Bill C-5, yes or no? I have very limited time. I'm an independent now.

Hon. Rebecca Altj: This process has been accelerated for the legislation. However, the key is—

Leah Gazan: I have five minutes. The answer is no. It's accelerated, so no, it hasn't.

I'm going to answer it for you because....

Hon. Rebecca Alty: The key, though, is that for the legislation, the consultation is happening on projects to be added to schedule 1 as well as on the projects.

Leah Gazan: I'm sorry, Minister. I'm talking about this legislation specifically because, as I'm sure you're aware, nations that have signed modern treaty agreements should have been consulted before the bill was tabled. That did not happen.

Do you believe the advisory circle fulfills the constitutional requirement to consult, accommodate and obtain the full consent of indigenous peoples? Answer yes or no.

• (1645)

Hon. Rebecca Alty: As mentioned before, the indigenous advisory council is providing guidance to the major national projects office. However, the consultation on projects to add to schedule 1, as well as whether a project's added.... The consultation on conditions has to be done with the indigenous rights holders, which isn't the indigenous advisory council.

Leah Gazan: You would agree that the advisory circle is not an indigenous rights holder.

Hon. Rebecca Alty: That's correct.

Leah Gazan: Okay. That's very good.

I think this question is for you, Minister LeBlanc. If Quebec says no to a pipeline, would you respect that? Answer yes or no.

Hon. Dominic LeBlanc: The Prime Minister has been clear that he does not see us using this legislation to impose a project over the objection of a province.

Leah Gazan: That's great. Thank you, Minister.

Moving to you, Minister Alty, if indigenous peoples say no to a pipeline, will that same principle apply? Answer yes or no.

Hon. Rebecca Alty: Yes, the key thing for this bill is that it's about looking for projects that are urgent.

Leah Gazan: Because I have follow-up questions, I want to be clear on this. If indigenous peoples say, "No, I don't want a pipeline", would the same principle apply? Answer yes or no.

Hon. Rebecca Alty: Yes, what I was going to explain is that for this bill, we're looking for projects with urgency as well as advancing—

Leah Gazan: Right, and you have explained that and it's already on the record.

Hon. Rebecca Alty: I haven't explained that part, though.

Leah Gazan: What is your understanding—

The Chair: Ms. Gazan, I promise to give you an extra 30 seconds to make sure that the minister can respond to your question.

Leah Gazan: Okay. Thank you. I just have five minutes.

Hon. Rebecca Alty: I think it's important that you take a look at the legislation. It is about evaluating projects that have a high likelihood of successful execution and advancing the interest of indigenous peoples. If projects are being brought forward that don't meet

those conditions, we're not going to be able to move with urgency as a federal government. We're looking for that high likelihood.

We're not looking for schedule 1 to have 500 projects, because the more projects we have.... We want that white-glove service.

Leah Gazan: Can I move on now?

You gave five criteria. I want to read this:

In deciding whether to make an order under subsection (1) or (4) in respect of a project, the Governor in Council may consider any factor

It reads, "the Governor in Council". The words are very important.

that the Governor in Council considers relevant

I want to speak specifically to (d), which reads, "advance the interests of Indigenous peoples".

Do you think it's appropriate that the Governor in Council makes the decision on behalf of indigenous people of what's advancing their interests, or do you think indigenous people should be making those decisions themselves?

It's very clear in here. This is a concern that's been brought up by many indigenous groups.

Hon. Rebecca Alty: The key is that consultation would involve the indigenous rights holders who may be impacted. The consultation and accommodation would be with the indigenous rights holders.

Leah Gazan: Would you agree that this probably needs some amendment?

The Chair: Thank you very much.

Hon. Rebecca Alty: It's actually in subclause 5(7).

Leah Gazan: While we're waiting—

The Chair: Ms. Gazan, the time is up. I'm going to let the minister look to respond. I just want to make sure that she has a moment to look that up and respond to your question.

Hon. Rebecca Alty: Subclause 5(7) is on consultation. It's on page 10.

The Chair: Thank you very much, Minister.

Thank you for joining us today, Ms. Gazan.

Next, we will go to Mr. Greaves.

The floor is yours. You have six minutes, sir.

Will Greaves (Victoria, Lib.): Thank you very much, Chair.

Thank you very much to the ministers for joining us today.

I'd like to pick up on a similar theme as my colleague, related to the five factors identified in the bill that would guide the decisions around projects in the national interest. This is probably for Minister LeBlanc, but I would welcome any of your comments.

Specifically on paragraph 5(6)(e), which specifies as a factor projects that would “contribute to clean growth and to meeting Canada’s objectives with respect to climate change”, could you speak, Minister, to how this factor would be considered in the identification of projects of national interest?

Would it mean that low-carbon projects, clean energy projects or projects that help to reduce emissions would be prioritized in the determination of projects under schedule 1?

Hon. Dominic LeBlanc: Mr. Chair, through you to Mr. Greaves, that is a very good question.

That particular paragraph of the legislation which you read, (e), is deliberately there because in a lot of the conversations we had with potential indigenous proponents and provinces and territories, there is a great deal of enthusiasm to put forward projects for designation and, hopefully, approval. There are wind energy projects, for example, and hydroelectric projects that the Conservative Premier of Nova Scotia is extremely excited about. There is a massive offshore wind project, and the corresponding interprovincial ties that could take that clean green energy to markets in Canada and to our neighbours to the south.

The Government of Quebec talked to us about a historic agreement it came to with the Province of Newfoundland and Labrador to further develop the Churchill River in Labrador. It's a project known as Gull Island. It's a massive green energy project similar to the Churchill River projects that Hydro-Québec and the Province of Newfoundland and Labrador have operated for decades.

Those are just two examples.

The Premier of Manitoba, Premier Kinew, talked to us about renewable energy projects and Arctic infrastructure that would help defend the sovereignty of the Canadian Arctic while bringing much-needed energy resources and hydroelectric links between his province and Nunavut, for example.

You can see the potential. Your question is a good one.

One of the things that's a bit distressing is that often, in public conversation about this legislation, people go to one particular sector of the economy or one particular type of project, when the premiers, including the territorial premiers, have brought a myriad of projects from clean energy to conventional energy projects, infrastructure and diversifying ports. Many of those are under Chrystia's responsibility. If you think of port projects, the port of Prince Rupert in British Columbia is a massive piece of infrastructure that's necessary for the effective diversification of the Canadian economy

You're absolutely right. Those are examples.

If the legislation is adopted, Canadians will be extremely reassured by the kinds of inspiring projects that proponents bring forward. If there's time, Mr. Chair, the deputy clerk said she has examples of projects that indigenous proponents are enthusiastic about submitting for the designation.

You can see the myriad of projects, Mr. Greaves, in that regard.

• (1650)

Will Greaves: Keeping in a similar vein about how this legislation would interact with environmental regulations and environ-

mental review processes, my colleagues opposite are sometimes a little forgetful when it comes to the number of projects that have been built in B.C. in recent years. We've seen a lot of change and a lot of investment in economic development, while maintaining a commitment to environmental protection and rigorous environmental review for the projects that have gone ahead in our province in recent years.

In that spirit, can you describe, Minister, how the new major federal project office would interact with the Impact Assessment Agency of Canada and the environmental review process, please?

Hon. Dominic LeBlanc: Mr. Chair, that's a great question. It's technical. I want to make sure that the committee benefits from the precise answer. The deputy clerk has done more work on this than we have. Perhaps she can offer a very specific answer to Mr. Greaves' question.

Christiane Fox: Thank you very much.

The most important principle here, and what we're trying to achieve, is to bring multiple decision points of several sorts of government departments in a streamlined way for proponents so we could advance projects. That still means there will be interaction with Environment Canada, with Fisheries and with Transport, but the major projects office would not recreate the good work that is happening in the departments.

It would bring together that service to proponents, working with the indigenous advisory committee and working with the minister and indigenous peoples across the country on the consultation element. Really, our system can be difficult to navigate. Through the major federal projects office, when a project is designated of “national interest”, we will work with all of the components of the system to bring people together in a streamlined way. That will allow for projects to meet a quicker time frame, and it gives certainty to a proponent at the front end of a project, which can help in a lot of ways.

Minister LeBlanc referenced the fact that we've been approached by indigenous proponents who say: "If we are listed under this legislation, we may attract more investment. It may allow our project to proceed." There have been a lot of questions around meeting that test of national interest. If a project is supported by an indigenous community, or an indigenous proponent, or by an equity stake, or if it is supported by a land claims organization and a territorial government, then you can start seeing how it would start hitting the mark of national interest: Arctic sovereignty and trade diversification through, potentially, Grays Bay Port.

These are examples of how we will assess. The major federal projects office will look at those project descriptions that come in, will assess their value and then will make recommendations to the minister, who will then consult his cabinet colleagues and provincial and territorial governments.

I would echo Minister Freeland's comment that there is a lot of unity around the types of projects that come in. That may mean that provincial and territorial governments may need to work together in proposing projects, but I think the major federal projects office's objective is to streamline the system and give good advice to government on projects of national interest.

• (1655)

The Chair: Thank you very much, Deputy Minister Fox, and thank you very much, Mr. Greaves.

[Translation]

Mr. Barsalou-Duval now has the floor for six minutes.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

I would like to come back to the minister's comments that what I said was nonsense. Those are his words: He said that I was talking nonsense. I suggest he read the press release issued by the Société nationale de l'Acadie du Nouveau-Brunswick in which it expresses concerns about the impact of Bill C-5 on the rights of Acadians.

Then, Minister, you can go and tell them that their concerns are nonsense.

What is actually nonsense, in my opinion, is the extreme powers you are trying to secure through this bill, which needs better safeguards and a thorough examination. The bill is not ready to be passed in its current form.

Earlier, I spoke to you about emergency measures. You said that it wasn't an emergency measures act in disguise. However, there is a sunset clause. In addition, you're trying to get this bill passed very quickly. Another feature of the bill is that it gives powers to the executive that normally belong to the legislative branch, which makes it possible to override the legislative branch.

Then why is there a sunset clause right now? How can you know that, in five years, the emergency will be over?

Hon. Dominic LeBlanc: We introduced the bill in the context of an economic emergency. My colleagues have clearly described our concern about diversifying the Canadian economy and the need to look at projects of national interest that can increase Canada's GDP. We are facing the threat of global instability, in the economic con-

text of the tariffs imposed by the United States. I understand that this is a separate topic, but it is related to the current emergency.

During the election campaign, Mr. Carney made it clear that our government and our partners in the provinces and territories had an obligation to work together to advance these projects.

Xavier Barsalou-Duval: It seems to me that you are granting yourselves excessive emergency powers. We'll see what the courts have to say about it in the future, because I'm sure your bill will be challenged in court.

Your bill also allows you to cherry-pick laws that will or won't apply to different projects. You can negotiate with each proponent which laws will or will not apply to a given project.

What guarantee does that give the public that this way of doing things will not raise the stench of corruption? I'm not saying that you're corrupt or that you're going to exempt major projects from the application of the Official Languages Act. What I'm telling you is that this bill opens the door to that, which is a serious problem.

Hon. Dominic LeBlanc: Obviously, Mr. Barsalou-Duval, I don't share the view that Bill C-5 opens the door to corruption. I wouldn't want to be associated with that idea.

However, you're right, we did determine that there was an economic emergency. That is an opinion shared by the premiers of the provinces and territories. We are therefore providing, for a limited period of time, a way for projects designated as being of national interest to move forward more consistently.

It shouldn't be implied either that the process will lack transparency. These projects will be designated in a very transparent way, and the conditions for their approval will be made public. That will be done by order in council.

You said that normally—

• (1700)

Xavier Barsalou-Duval: There's no requirement for transparency. There's almost no counterbalance there. You're going to tell us which projects will be in schedule 1 and which acts will be in schedule 2, but that's the only element of transparency. I don't think that provides a lot of accountability to the public. You can even use those powers when Parliament is not sitting.

Hon. Dominic LeBlanc: There is an obligation to be transparent in the proposed legislation.

In the preamble to your question, you said that this was normally a power reserved for the legislature. What we're saying is that all the analyses required under environmental standards legislation or the Fisheries Act, for example, will be done, but more consistently and on an accelerated timeline. Ultimately, the Governor in Council will make the decision whether or not to approve a project. It's no different from how a number of other laws currently apply.

Xavier Barsalou-Duval: I have one last question for you.

Ms. Freeland said that it provides greater certainty—in fact, total certainty—to the proponents whose projects will be included in schedule 1 of the bill.

Hon. Dominic LeBlanc: I don't think she said “total”.

Xavier Barsalou-Duval: Those are my words. It is decided in advance that projects will go ahead, so it is decided in advance that they will be authorized. Normally, departments have processes, safeguards and laws that apply, and various officials analyze the projects.

What do you think will go through the minds of public servants who have to analyze these projects knowing that they have already been approved? If a project is already designated as approved when it would not normally be approved under existing legislation, do you think public servants will be motivated to do a proper job when they analyze it?

Hon. Dominic LeBlanc: I think so.

Perhaps the public servant who holds the second-highest position in the Public Service of Canada after the Clerk of the Privy Council can answer that question more specifically.

Christiane Fox: Transport Canada, Natural Resources Canada and the other current departments will be gateways for the work to be done on major projects. In the case of a port, for example, we'll work with Transport Canada, we'll get project descriptions and an analysis will be done by market diversification experts. Once it has been determined that the project meets the criteria, it will be sent to the Major Projects Management Office.

Xavier Barsalou-Duval: What I'm saying is that if the conclusions of a scientific analysis are scripted in advance, it distorts the science. That is the reality.

Christiane Fox: Department scientists will work to ensure that the conditions set by the minister are valid.

The Chair: Thank you, Mr. Barsalou-Duval.

[English]

Thank you very much, Deputy Minister Fox.

Next we will go to Mr. Morin.

Mr. Morin, I believe the floor is yours. Correct me if I'm wrong.

Billy Morin (Edmonton Northwest, CPC): Ms. Stubbs is to go first.

The Chair: Ms. Stubbs, the floor is yours. You have five minutes, please.

Shannon Stubbs: Thank you, Mr. Chair. I appreciate that.

Minister Freeland, we Conservatives have been calling for fast-tracking, clarity and certainty on all of these pieces of legislation and these regulations that Bill C-5 allows to be circumvented.

We would agree with your comments here today that there is a thicket of legislation and regulations that means that big projects can't be built. That is why we, as Conservatives, are saying that those are your fundamentals to fix. Fix those laws instead of doing this workaround.

Further to the point that one of my colleagues was making earlier, Canadians have yet to hear from any of you how you are going to enforce federal jurisdiction on interprovincial pipelines, which are federal jurisdiction and which, of course, you've failed to do before.

I'm a person who comes from Treaty 6, and I'm proud to represent and work with five first nations and four Métis settlements in my area. All of them are involved in both traditional and clean energy, and they are the service suppliers and contractors to the oil sands. I am also a descendant of the Brokenhead Ojibway Nation in Manitoba. I, too, am concerned about this government's ability to fulfill its duty to consult, so far, through this legislation.

What's concerning, Minister, is that you talked about three different levels and layers of approval. That is, obviously, uncertain in itself. I'm glad to hear that Bill C-5 is promising capacity funding for the meaningful participation of indigenous communities through this process. I would note that this was also promised through Bill C-69. Every time I ask the indigenous leaders, workers, proponents and private-sector owners and operators—who, as you know, in Alberta for decades upon decades have been earning their own own-source revenue for energy development—they say that none of that funding ever flowed. I sure hope that you guys will keep your word this time.

I think that it really is incumbent upon you to clarify exactly how that duty to consult will be deployed by the actual decision-makers. The courts are clear that what's required is the two-way dynamic to mitigate adverse impacts on affected communities.

I particularly ask you this question in the context of yesterday's AFN national chief saying that Bill C-5 will be an open invitation to court challenges and go all the way to the Supreme Court. For all of us who want to get to “yes” in a good way, how will you actually make clear to Canadians that, for the first time, you will actually fulfill the duty to consult fully and completely and to make that happen, given the differences in views among the 600-plus indigenous communities in Canada?

• (1705)

Hon. Rebecca Alty: One of the challenges is having a single definition for indigenous consultation. Like you mentioned, there are 600 different first nations. Then there are the Inuit and the Métis. We want to make sure that it's meaningful and adequate. Having that single definition doesn't work. It's also important. It's very fact-specific and situation-specific.

For the projects contemplated under this bill, it would depend on the nature of the project, on which section 35 rights holders may be impacted and to what degree, and on the nature of the section 35 rights that may be adversely affected. There are a number of other variables.

These ones are affirmed by the Constitution. We have the Supreme Court.

This legislation, in particular—the proposed building Canada act—has references in the proposed preamble, subclause 5(7), subclause 7(2) and subclause 8(3). Those all require consultation with section 35 rights holders.

Shannon Stubbs: That's right—which has not been done to date, we learned yesterday.

The bill does set up the cabinet ministers as the decision-makers. Will cabinet ministers be at the table on those projects as you go through this specific, project-by-project, ad hoc, obviously inherent, uncertain consultation?

Minister, you mentioned the removal of projects from the national interest list. You can imagine that is deeply concerning, certainly to indigenous proponents of, for example, pipelines that were vetoed in the past that they were relying on or LNG projects that were killed in the past that they were relying on and had spent years negotiating with big companies in a good way to get benefits for their communities. How can Canadians and indigenous people who all want to get to “yes” in a good way on these big projects trust the claims here?

Hon. Rebecca Alty: That one is in subclause 8(3) on page 12 of the legislation. If a project is going to be removed, there's the requirement of consultation, the duty to consult, with indigenous rights holders who may be impacted.

Shannon Stubbs: Then you can imagine a project proponent—

The Chair: Thank you very much, Ms. Stubbs.

Shannon Stubbs: —getting all of the way through and then being told no.

Also, why don't we just start with all of the indigenous back projects in front of the regulators right now and fast-track them?

The Chair: Thank you very much, Minister.

Next, we'll go with Ms. Nguyen.

Ms. Nguyen, the floor is yours. You have five minutes, please.

Chi Nguyen: Thanks very much.

I want to ask a little bit about labour mobility because this is a huge part of why.... This is part of the economic growth piece, etc. We want to make sure that we're addressing the critical labour gaps, and we know that, as we get nation-building projects built more

quickly, there are going to be cascading benefits in terms of job creation.

There was a recent study by the Canadian Federation of Independent Businesses that shows that interprovincial barriers hold back productivity and limit access to qualified workers, especially in skill-dependent sectors.

Could you speak to the potential workforce and productivity impact that comes with strengthening labour mobility?

Hon. Chrystia Freeland: I sure can.

Before doing that, I just want to get two points quickly on the record. One is that, when it comes to pipelines, it is important to be very clear that it was a Liberal government and not a Conservative government that got TMX built. That pipeline is up and running at a time when we really need it, when we need to have a way to get our oil to market that does not just go through the United States. That pipeline is going to deliver \$1.25 billion in revenue directly to the federal government, so let's be clear—that is a reality.

Let's also be clear that we are on the brink of some huge LNG projects coming online, such as Kitimat, Cedar and Woodfibre, including major indigenous participation.

When it comes to indigenous consultation, the team members here—particularly our public servants—have been doing a great job. In the development of this legislation, 66 indigenous groups were consulted or worked with, and now they are up to 80. That is real work that has been done and is being done.

Labour mobility, which I love, is tremendously important. It's going to be one of the big contributors to those huge productivity gains in bringing down prices and to the huge overall GDP gains. As I said in my comments—I think, to Mr. Albas—the principal impediments to labour mobility are not at a federal level. They are at a provincial level, but I am hugely encouraged by the work the provinces are doing. This legislation is about the federal government doing our share so that we can say to our provincial colleagues, “Let's get this done.”

I want to emphasize two aspects. One is the idea of mutual recognition. It is incredibly powerful. This is how Australia created free trade within Australia—the principle that we should trust each other. If someone has a credential in one province, other provinces should say, “You know what? I trust the great people of Ontario”—Chi, where you and I are MPs—“to do a good job in deciding who can be a dental hygienist, and that dental hygienist should be good enough to work in Nova Scotia.” That is the core principle.

I want to add one other thing that is connected to labour mobility, and that is foreign credential recognition. If we can get to a space—and we are moving there—where we have mutual recognition of credentials across Canada, that will be very helpful in foreign credential recognition. Both those things will make our economy stronger and also make life better for people. I know all of us have constituents who are frustrated that they're not able to work. It takes too long when you move around Canada.

• (1710)

Chi Nguyen: Thank you, Minister. I'm going to ask one more question.

I know we've started to talk a lot about the examples and opportunities around energy corridors and clean growth. My kids are very worried about the transition to our future, and talk to me all the time about how we're mitigating against this. Can you tell me a little bit more about how we can use this bill to advance those really important nation-building goals?

Hon. Chrystia Freeland: Absolutely, and Minister LeBlanc has already detailed some of them in the five conditions. One of them is to contribute to clean growth and to meet Canada's objectives with respect to climate change.

We have heard already, in the meetings we've been in, a lot of enthusiasm around major clean energy projects. Wind energy in the east is Premier Houston's passion project, and it could make a huge difference to Canada.

I'm also going to mention critical minerals, which are hugely important. We need them to build a clean economy, but we need to get the projects built to get those critical minerals and to process them. We haven't really talked about nuclear and about SMRs. That is another set of projects that can be advanced through this legislation.

The Chair: Thank you very much, Minister, and thank you, Ms. Nguyen.

[Translation]

Mr. Barsalou-Duval, you have the floor for two and a half minutes.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

Yesterday, the committee heard from a constitutional expert by the name of David Robitaille. He said that the definition of “national interest” set out in this bill in no way corresponds to the one set out in Supreme Court rulings, including the one on carbon pricing.

It seems that when you designate something as being of national interest, that's a way of saying that it's in the interest of Canada as a whole.

Why did you not use the Supreme Court's definition instead of applying completely arbitrary criteria?

Hon. Dominic LeBlanc: Thank you for the question, Mr. Barsalou-Duval.

I don't think the criteria are arbitrary, given that they're in a bill that's before Parliament and that parliamentarians in the House and the Senate will vote on.

As I understand it, a Supreme Court ruling on another subject is a bit different from an economic emergency requiring governments to get projects approved more quickly. I say governments in the plural because, in the vast majority of cases, if not all of them, decisions will be made following consultation and co-operation with the provinces and territories.

There are possible scenarios for all kinds of projects. If the premiers of western Canada and the northern territories present a project that affects several jurisdictions, I would be perfectly comfortable saying that it is in the national interest. I'm inspired by the work of the governments of Quebec and Newfoundland and Labrador, for example.

• (1715)

Xavier Barsalou-Duval: I sort of understand your answer.

The concept of a project of national interest doesn't really have a definition. Here, it says that these are the projects listed in schedule 1. Don't you think that's a pretty arbitrary definition?

In fact, the only existing criteria are in subsection 5(6) of the building Canada act, and those are suggestions for the minister to consider. There is no obligation in the act, unless you propose an amendment to that effect to add to the amendments that will be proposed today. Do you think you would support that?

Hon. Dominic LeBlanc: I'm not in a position to judge the amendments you're going to propose. I have full confidence in your committee colleagues to discuss these amendments.

There is, in fact, a list of criteria that we will use to determine whether a project is of national interest. As my colleague told you, you're lucky to have had the five criteria read to you twice. I can do it a third time.

Xavier Barsalou-Duval: I am well aware of them, Minister. I even mentioned the number of the proposed subsection where they are found.

The Chair: Thank you very much, Mr. Barsalou-Duval.

[English]

Next, we have Mr. Morin.

Mr. Morin, the floor is yours. You have five minutes, please, sir.

Billy Morin: Thank you, Chair.

I want to congratulate Minister Alty on her appointment.

Minister, for many first nations, rights often get kind of.... It's hard for first nations to understand section 35 treaty rights and the umbrellas under that when it comes to how provinces have jurisdiction in certain areas. First nations' traditional inherent rights are mixed into Canadian law.

Treaty first nations have long held that the Natural Resources Transfer Acts violate treaty rights, particularly for Treaties 1 to 11. I'm wondering if the minister agrees with first nations rights holders in this regard.

Hon. Rebecca Alty: I'd have to look into that further.

Billy Morin: Does the minister agree that resource revenue sharing when it comes to major projects and natural resource extraction is a model to agree with, that model of resource revenue sharing from the federal government?

Hon. Rebecca Alty: I know that in the Northwest Territories that's an element, but I have to look into it further. As you mentioned, I'm new to the portfolio. I look forward to discussing this with you further.

Billy Morin: The government has cited \$40 million in consultation engagement for first nations.

Typically, we've seen a lot of spending on third party consultants: \$20 billion plus for consultants and the Liberals planning to spend \$1,400 per family.

For this particular instance, can the minister guarantee that the \$40 million will go directly to rights holders, to indigenous communities, rather than third party consultants?

Hon. Rebecca Alty: It is for indigenous rights holders. I know that in my territory some rights holders then go on to hire consultants. I wouldn't be in the position to say that rights holders have to hire somebody full time on their team. If they are going to hire a consultant to lead their work, that would be up to the rights holders.

Billy Morin: Thank you, Chair. I'd like to pass the rest of the time to Jamie Schmale.

Jamie Schmale (Haliburton—Kawartha Lakes, CPC): Thank you to my colleague, Billy Morin, for the time.

Congratulations, Minister, on your appointment. I look forward to working with you.

Minister, we've had a number of nations here in the capital raising awareness of the fact that they were not consulted on Bill C-5. In particular, the Anishinabek Nation's grand council chief has said she has not been consulted. We have a number of others who are saying the same thing.

First of all, did you have any involvement in the consultation? I believe some are saying they had been given seven days' notice on this. Were you involved in any of the consultation, especially with this nation, and is it the plan going forward that seven days' notice is adequate consultation?

Hon. Rebecca Alty: The project was led by another department, and there were a number of organizations, not only indigenous rights holders but also national indigenous organizations, that were engaged on the legislation. Moving forward, the legislation has two parts, or, I guess, three parts if a project were to be removed on the consultation. Listing a project in schedule 1 involves consultation with impacted indigenous rights holders.

For the second part, if a project were—

• (1720)

Jamie Schmale: Maybe I could just cut in there. In your answer to Ms. Stubbs, you talked about meaningful consultation that has to be adequate, but there were no definitions for that, and we're seeing nations here say seven days. Is that the definition of meaningful and adequate?

Hon. Rebecca Alty: As I mentioned, the meaningful and adequate consultation is fact- and situation-specific. Some of the work that our department has been doing over the past year has been working with indigenous rights holders as well as national organizations on developing protocol guidelines for the federal government. Outside of that, I do know first nations, Inuit and Métis also have protocols and consultation guidelines, so we'd be looking to engage with the impacted indigenous rights holders to make sure that we are—

Jamie Schmale: What about those who are in favour of projects? We have a number of indigenous communities that are in favour.

Hon. Rebecca Alty: Exactly. When we're consulting on whether to include a project in schedule 1, as well as the consultation once a project is added and the conditions, we'd be working with those indigenous rights holders. We have indigenous proponents who want to bring forward projects under this bill.

Jamie Schmale: Okay, that's good if they want to bring that forward, but how do you deal with the fact that Bill C-69 is still in place? I know this bill gives extraordinary powers to the government, but at the same time, you still have some pretty powerful impediments to development in place right now.

The Chair: Give us a very short response, please, Minister.

Hon. Rebecca Alty: The legislation for the one economy is listing a project in schedule 1, as well as putting in the conditions. We engage with indigenous rights holders in consultation and accommodation. Also, if we were removing a project, again, the consultation and accommodation would occur.

The Chair: Thank you very much, Minister.

Concluding our line of questioning for the panel of ministers and officials today is Mr. Kelloway.

Mr. Kelloway, the floor is yours. You have five minutes, sir.

Mike Kelloway: Thank you, Mr. Chair.

The first question is for Minister LeBlanc.

The Prime Minister has been very clear that this legislation will get us to "one project, one review". I'm wondering if you can explain to the committee what that means. For instance, if we have an agreement for "one project, one review" with, let's say, the Province of Quebec, would they still be required to do, for example, an environmental assessment under their own processes?

Hon. Dominic LeBlanc: Mr. Chair, our colleague raises a good question. If we conclude on this, it's an instructive moment.

One of the things that we've heard about projects is that they are big and small. This comes back to Mr. Barsalou-Duval's question around smaller projects that may have provincial or municipal approvals. The ability for the government to say that it has signed co-operation agreements with the provinces and territories to have one project and one review is not about lowering everybody's standards to the lowest common denominator. It's about eliminating duplication and overlap. Of course, nothing in this legislation affects the jurisdiction of provinces, but it would allow proponents to benefit, again, from a basic principle that makes economic sense. We think it can make environmental sense, as well, in terms of allowing them to have the certainty that when a project is submitted, there is a coherent and non-duplicative review process.

The Prime Minister's instructions to us have been clear. Within six months, he wants us to have co-operation agreements with all the provinces and territories and, frankly, to build on many of the best practices. The provinces and territories have been doing great work in this regard for a long time. If there's a way to ensure there are comparable federal standards to a province doing the work, or vice versa, what an opportunity to assist proponents in arriving at a more coherent and cost-effective process.

What's interesting is that improving that system will apply to projects big and small, so it's not only about a designated project in the national interest. Done properly, this will assist, we hope, many much smaller projects going through the appropriate scrutiny and review but in a way that's much more cost-effective and much more effective in terms of time.

• (1725)

Hon. Chrystia Freeland: Can I offer one concluding thought?

The Chair: There are two minutes left if you'd like to add some thoughts.

Hon. Chrystia Freeland: I'm going to be super quick.

Dominic and I both know what it's like to be on the opposition side of the House. We know the job of the opposition is to oppose, and that's how our democracy works. However, in concluding this, I would just like to offer a hope and a suggestion that this is actually legislation all of us can be proud to support. I haven't heard a single person oppose free internal trade in Canada, lifting barriers to labour mobility, or lifting barriers to trade in goods and services. We can all get behind that.

On the major projects, I truly believe this is a piece of legislation that brings together everything we as Canadians want. We all want to get big projects built. We know we have to do it. We all know that we need to respect the rights of indigenous people and indigenous rights holders, including their right to build major projects and participate in that prosperity. We all believe that we need to respect environmental rights.

[Translation]

I know that we all agree that provincial and territorial jurisdictions must be respected.

[English]

I really hope that at the end of this we can feel good about doing a good thing together for Canada.

Philip Lawrence: I have a point of order, Mr. Chair.

Just really quickly, if the minister would be willing to stay for one more minute—I was going to ask for four hours more—Ms. Gazan could ask her questions.

The Chair: Is there any objection from committee members?

Dan Albas: We're good for two minutes.

Leah Gazan: I'll take two minutes, please.

The Chair: Seeing no objection, I'll turn it back to Mr. Kelloway, who still had 50 seconds left.

Mike Kelloway: Minister Alty, one of the acts of Parliament listed in schedule 2 of the bill is the Indian Act.

Can you explain the reasoning behind including the Indian Act as one of the pieces of legislation that may need parts of it to be suspended for a specific project?

Hon. Rebecca Alty: We're moving forward with projects. Some communities are subject to archaic provisions under the Indian Act, so we will engage with first nations partners on projects. If we need to suspend some provisions of the act, like a financial clause or leases we've heard about, we will do so in a way that allows for development while respecting cultural practices and environmental standards.

We want to retain this option for where it makes sense to advance a project, but it's after consultations with first nations communities. Using this legislation on sections of the Indian Act may be beneficial, which is why it's included, but it would only be done in consultation with first nations.

The Chair: Thank you.

We'll turn the floor over to Ms. Gazan for one last question of the day.

The floor is yours.

Leah Gazan: Thank you so much.

Thank you to everybody who has come, to all the ministers who have come here today.

Minister Alty, you spoke about FPIC and about there being confusion. Because we've signed on to international law, I just want to point to the UN expert mechanism on the rights of indigenous peoples that we've agreed to uphold, this FPIC, so we shouldn't be confused at all.

Are you aware that the federal government spends between \$500 to \$1 billion per year fighting indigenous peoples in court? ITK, AFN and NAN have indicated that Bill C-5 is an ungracious invitation to the Supreme Court, meaning that the goal of this bill with regard to nation-building projects will actually be an economy-killing, job-killing bill because it's becoming very clear from constitutional experts that any projects going forward are going to end up in court. Are you aware of this?

Any one of you can answer the question.

Hon. Rebecca Alty: I would emphasize that the purpose of this bill is to get approval of good projects. We know that failing to meaningfully consult with impacted rights holders will not speed up the approvals and will actually lead to further delays in the courts. Again, this is why the preamble, proposed subclause 5(7), subclause 7(2) and subclause 8(3) all require the government to consult with section 35 rights holders in the selection of projects and in the process of approving them and adding conditions. As well, if it came to the case, the projects would have to be removed.

Leah Gazan: Organizations have indicated that they haven't been properly consulted and that this will be in the courts.

Thank you.

• (1730)

The Chair: Thank you very much, Ms. Gazan, for your question.

Leah Gazan: Thank you for the time.

The Chair: Well, it is exactly 5:30. Here at the transport and infrastructure committee, we pride ourselves on running a tight ship.

Thank you to Minister Alty, Minister LeBlanc, Minister Freeland and, of course, the officials. Thank you for your time today.

We will suspend for five minutes to allow the clerk to transition to the next round of witnesses.

The meeting is suspended.

• (1730)

(Pause)

• (1750)

The Chair: I call this meeting back to order.

I'd like to make a few comments for the benefit of our new witnesses and to welcome them here.

First, please wait until I recognize you by name before speaking. For those participating by video conference, please click on the microphone icon to activate your mic, and please mute yourself when you're not speaking. For those on Zoom, at the bottom of your screen, you can select the appropriate channel: floor, English or French. For those in the room, you can use the earpiece and select the desired channel. I remind you that all comments should be addressed through the chair.

Colleagues, I'd now like to welcome our witnesses for the next hour. From the Canadian Cancer Society, we have Helena Sonea, director of advocacy. Welcome to you. We also have Rob Cunningham, senior policy analyst. Welcome, sir.

From the David Suzuki Foundation, we have Sabaa Ahmad Khan, director general, Quebec and Atlantic Canada, by video conference. Welcome to you.

From the Manitoba Métis Federation, we have David Chartrand, president, national government of the Red River Métis, joining us by video conference. Welcome.

From Treaty 8 First Nations of Alberta, we have Grand Chief Trevor Mercredi. Welcome to you, Grand Chief.

We'll begin with opening remarks.

With that, I'll turn it over to the Canadian Cancer Society for three minutes, please.

Helena Sonea (Director, Advocacy, Canadian Cancer Society): Thank you very much.

Chair and committee members, on behalf of the Canadian Cancer Society, thank you for the opportunity to testify.

My name is Helena Sonea, director of advocacy, and with me today is Rob Cunningham, lawyer and senior policy analyst.

At the Canadian Cancer Society, we're proud to be the largest national charitable funder of cancer research in Canada. We also advocate to governments for policies that protect and improve the health of everyone in Canada. We've been at the forefront of historic advocacy wins like tobacco and asbestos, and the extension of Canada's EI sickness benefits. We also provide practical and compassionate support like lodging, transportation and more.

Regarding Bill C-5, our testimony will focus on part 1 regarding internal trade. While we understand the importance of strengthening the economy, our concern is that the health and environment standards will unintentionally be weakened.

I will turn things over to Rob.

Rob Cunningham (Senior Policy Analyst, Canadian Cancer Society): Thank you, Helena.

In terms of internal trade, the Bill C-5 provisions in part 1, clauses 7 to 9 are of tremendous concern. This part of Bill C-5 would override all other federal laws. Bill C-5 would allow a company to comply with a weaker provincial or territorial standard instead of a more stringent federal standard.

In the government's June 6 backgrounder, it gave an example of how a weaker provincial energy efficiency standard for washing machines would prevail over the federal standard. Here are a few examples from us. The first is asbestos, where the federal government bans asbestos in products while provinces have weaker restrictions, allowing asbestos up to a certain percentage. Bill C-5 would allow these weaker provincial restrictions to prevail. In another example, tobacco, federal regulations ban all menthol and flavour ingredients in cigarettes, whereas provinces have a less restrictive requirement allowing some flavours.

Health and environment exceptions are standard in international trade agreements, and several agreements also have an explicit exemption for tobacco control measures, given the long history of abuse by tobacco companies seeking to use trade agreements to block or to invalidate tobacco measures, and that's also in the Canadian Free Trade Agreement. Thus, Bill C-5 has unintended consequences.

The good news from our perspective is that there are ways to fix the problem. First, we recommend an amendment to include a general health and environment exception for the internal trade part of the bill, clauses 7 to 9 in part 1. We have provided proposed text for this to the committee. Alternatively, we urge the government to commit to regulations under the bill for an exception for health and environment for these clauses 7 to 9 in part 1, and there should also be a specific regulatory exception for tobacco.

If other free trade agreements can include exceptions for health and environment, and also specifically for tobacco, then so can Bill C-5 for internal trade within Canada.

We welcome your questions. Thank you.

The Chair: Thank you very much.

Next, we'll go to Sabaa Ahmad Khan from the David Suzuki Foundation.

The floor is yours. You have three minutes, please.

Sabaa Ahmad Khan (Director General, Québec and Atlantic Canada, David Suzuki Foundation): Thank you.

Members of the committee, at a time of global disruption, Canada's sovereignty and resilience must be protected and strengthened. This includes investments in nation-building efforts that reinforce our ability to act in the public interest. In this effort, environmental and health sovereignty cannot be dissociated from Canadian public values.

The committee has heard conflicting views over the last days on if and how these values are reflected in Bill C-5. This in itself reinforces the highly problematic nature of the rapid-fire study of a bill that has profound implications for Canadians and for the democratic rights of indigenous and provincial governments to protect public and environmental health.

Government representatives have stated that Bill C-5 is not intended to lower health, safety or environmental standards, but intentions are not law. In a country governed by the rule of law, public policy must be defined by clear statutory language, not verbal assurances. If the goal is truly to maintain or raise standards across

jurisdictions, that commitment must be explicitly written into the bill through critical amendments to both parts 1 and 2.

The David Suzuki Foundation shares concerns raised by Ecojustice and West Coast Environmental Law on part 2 of the bill in their Senate testimonies. Part 2 of the bill is an unprecedented threat to indigenous sovereignty and the constitutional balance between federal and provincial authority, and we have jointly submitted to the committee a list of priority amendments to the building Canada act.

Part 1 of the bill, the trade and mobility act, aims to facilitate internal trade by codifying automatic mutual recognition of goods, services and occupational credentials across provinces and territories. It is also problematic.

While Bill C-5's goal of administrative efficiency is understandable, it must not come at the sacrifice of public and environmental health. This is exactly the essence of both parts 1 and 2 of the bill. Currently, both parts not only undermine the implementation of national and provincial law and standards, they threaten the ability of indigenous nations, provinces and territories to uphold measures tailored to their unique public interest concerns. Without amendments, the bill jeopardizes federal, provincial and territorial authority to regulate in the public interest, especially on matters of environmental protection and health.

Canada already has an internal trade regime under the Canadian Free Trade Agreement. Chapter 2 of that agreement allows governments to maintain regulatory measures that pursue legitimate objectives, including health and environmental protection; however, those measures are subject to strict conditions. They must not be more trade-restrictive than necessary and must not create disguised barriers to trade. These standards can already be challenging for provinces to meet. Bill C-5 adds a new layer of risk. For example, by turning mutual recognition into a statutory obligation, the bill potentially elevates interprovincial trade access into a de facto right, one that companies could use to bypass or even challenge legitimate, democratically adopted local, provincial and federal protections.

While part 1 includes a commitment to protecting health, safety and the environment while removing federal barriers to trade, the reliance on undefined, comparable requirements between jurisdictions sets a weaker standard than equivalency. This vague, overly broad benchmark risks sidelining stronger federal, provincial and territorial protections in the name of trade facilitation.

Rather than mimic the United States' approach to ruling by decree, diminishing the rule of law and suppressing public debate, Bill C-5 should confront threats to Canadian sovereignty by reinforcing indigenous nations' inherent and treaty rights, constitutional provincial authority, democratic processes and the environmental rule of law, all of which underpin our federation.

The Treaty on the Functioning of the European Union provides a strong example of how high environmental protection can be a central component of removing barriers to trade and fostering a single market. Bill C-5 should be amended to explicitly exclude environmental health and safety standards from the mutual recognition framework. The bill should be amended to explicitly uphold the most protective requirements and allow for only federal recognition of equivalent provincial and territorial requirements.

Canada's federal model is built on shared sovereignty and regulatory pluralism. Bill C-5 in its current form threatens to override both. Economic mobility and interprovincial co-operation are worthy goals, but they must not come at the cost of environmental degradation, weakened public health safeguards or diminished indigenous jurisdiction.

Thank you. I'm happy to respond to any questions.

• (1755)

The Chair: Thank you very much.

Next we'll go to Mr. Chartrand.

The floor is yours for three minutes, please.

David Chartrand (President, National Government of the Red River Métis, Manitoba Métis Federation): Thank you, Mr. Chair.

I understand that the committee is burning the midnight oil and I thank you, of course, for all these late hours of work you're doing.

Thank you to the committee members for the invitation to present to the Transport, Infrastructure and Communities committee on Bill C-5 today.

On Monday, I spoke to the Senate committee of the whole on this important legislation, alongside leadership from the AFN and ITK. Today, my presentation will focus on the importance of consultation and the role of legitimate rights holders.

The MMF is the national government of the Red River Métis and represents our citizens' rights, claims and interests no matter where they live, both inside and outside Manitoba. The Red River Métis are Canada's negotiating partner in Confederation and founders of Manitoba. We're the only indigenous people to bring a province into Canada. The Red River Métis are section 35 rights holders. The MMF is the only Métis government with a modern-day treaty.

In 1870, in establishing Manitoba, the Red River Métis negotiated a unique treaty that included land for our families and children. Subsequently, we were not recognized by Canada as a people or nation, nor did we receive the land.

In its ruling on the unfulfilled Métis land grant section of the Manitoba Act, 1870, the Supreme Court of Canada held the following: "The ongoing rift in the national fabric that [section] 31 was

adopted to cure remains unremedied." It went on further to say: "The unfinished business of reconciliation of the Métis people with Canadian sovereignty is a matter of national and constitutional import."

The 2024 Canada—Red River Métis self-government recognition and implementation treaty is an important step towards reconciliation. However, the treaty will not come into force until implementation legislation is passed. We hope it will be soon. As Canada seeks to strengthen the federation, part of that effort should be devoted to remedying the "rift in the national fabric" and the unfinished business of reconciliation with our citizens by moving to settle our land claim and immediately passing our treaty implementation legislation.

As Canada's partner in Confederation, we have a unique relationship with Canada and a special interest in the ongoing success of the integrity of our country. We understand the importance of this legislation and support its intent to strengthen the economy and diversify markets. While this bill is not perfect, we see the opportunity this moment presents to build on the recent success of Canada's policy of forming a distinctions-based, government-to-government and nation-to-nation relationship with the Red River Métis.

The MMF is the sole representative of the constitutionally recognized Red River Métis collectivity. It is through our government that early participation and meaningful consultation must begin and end. In the past, the Crown has tried to work around our duly elected government by turning to individuals and NIOs to fulfill its duty to consult.

I want to emphasize that neither of these options will fulfill Canada's duty to consult with the Red River Métis. Our relationship with Canada is direct and cannot be ignored or worked around. In acting on this bill, Canada must work with legitimate indigenous rights holders and their governments. This also means that our governments must be respected. We must not be held at a lower regard than provinces or municipalities. We are no less than any other government in this country and we must be respected as such.

In our case, the MMF must be where Canada focuses its efforts. We expect the following: to be consulted early and often on projects to ensure we have an opportunity to meaningfully partner; to work with us to identify national interest projects and co-develop project criteria; and to be included via procurement equity participation and workforce participation. Further, we must be involved in the establishment of the indigenous advisory council. There should be a commitment from the government that it will work with legitimate indigenous governments in establishing this important council.

In closing, I want to clarify and state that we are ready to support this bill with the understanding that it will be implemented properly. To us, this means working with legitimate rights holders and governments during all the phases of the projects, from identification to selection to delivery. The timely implementation of this legislation is imperative. We face a great economic threat from the south, and a recession would disproportionately impact our people.

With this in mind, the MMF is prepared to stand with the Government of Canada on the timely passing and implementation of Bill C-5.

Thank you very much.

• (1800)

The Chair: Thank you very much, President Chartrand.

Next we have Grand Chief Trevor Mercredi.

[Translation]

Mr. Mercredi, you have the floor.

[English]

You have three minutes, sir.

Grand Chief Trevor Mercredi (Treaty 8 First Nations of Alberta): Good morning, Mr. Chair and members of the committee.

My name is Trevor Mercredi, grand chief of the Treaty 8 First Nations of Alberta. I speak today on behalf of the sovereign Treaty 8 First Nations of Alberta. Although I am here speaking, each sovereign nation has their own leadership, governance and priorities and retains their inherent right to speak for themselves.

We reject Bill C-5 as tabled. Its process is unconstitutional and its content is unacceptable. This bill is a clear attempt to fast-track infrastructure and resource projects by overriding rights holders under the banner of national interest. Canada gave us less than a week to respond to a non-substantive information sheet and did not share the full text of the bill before tabling it. It's a violation of the Crown's constitutional and treaty obligations.

Treaty No. 8 was entered into in 1899 with the imperial Crown, not Canada. It is not a domestic policy. It is a legally binding international agreement that remains in full legal force. Our inherent rights pre-exist treaty. They are not granted or defined by it. The treaty affirms our jurisdiction over our lands, decision-making and governance. The Supreme Court of Canada has confirmed that governments must consult with first nations before passing legislation that affects our inherent and treaty rights. Canada has ignored this direction with Bill C-5.

Canada did not consult with Treaty 8 first nations in the drafting of Bill C-5—not before, not during and not after. The bill effectively seeks first nations' consent before any impact assessment is conducted and before we understand how our treaty rights will be affected. This violates the principle of free, prior and informed consent as outlined in article 32.2 of the United Nations Declaration on the Rights of Indigenous Peoples act, UNDRIP.

Instead of a nation-to-nation approach, Canada opted for speed and secrecy, and inclusion by marginalizing our nations. We understand that the Government of Canada has consulted with indigenous organizations like the Assembly of First Nations and the First Nations Major Projects Coalition. I would like to inform this committee that the Treaty 8 First Nations of Alberta are not represented by the Assembly of First Nations or the First Nations Major Projects Coalition.

Bill C-5 gives sweeping power to federal officials to designate projects of national interest, bypassing our rights and institutions. There is no enforceable framework for assessing the cumulative impacts on our peoples and lands before authorizing such projects. This omission is a direct failure to uphold the Crown's duty to consult and accommodate, and places our communities at further risk of irreversible harm.

The bill facilitates development on our lands without our consent and without benefits for our communities. While Canada, the provinces and industry heavily profit from resource extraction, first nations do not see any profits. It erodes our rightful role as stewards and beneficiaries of our land and violates our fundamental and treaty-protected rights. No project should proceed without free, prior and informed consent.

We call on the Government of Canada to commit to a full rights-based consultation with the first nations of Treaty 8. Amend the bill with the following provisions: include explicit recognition of treaty and inherent rights; guarantee revenue sharing from appropriate projects under Bill C-5; include FPIC and UNDRIP explicitly; and establish a shared decision-making process with first nations.

We entered into treaty to live in peaceful coexistence, not to be legislated into silence while our lands are being developed without us. The rise in rare and serious illnesses linked to industrial activity cannot be dismissed. No project should proceed without fully understanding and addressing the long-term cumulative impacts on the health of our people.

If Canada wishes to be a global leader in indigenous rights, it must first uphold its legal and treaty commitments at home. It has a duty to uphold the honour of the Crown. We stand by, ready to partner.

Thank you.

• (1805)

The Chair: Thank you very much, Grand Chief.

We'll begin our line of questioning today with Mr. Morin.

Mr. Morin, the floor is yours. You have six minutes, sir.

Billy Morin: Thank you, Chair.

[Member spoke in Cree and provided the following text:]

Kitamskahtinawaw Niwahkamahkanak.

[English]

Greetings to all my relations and to all the witnesses that came here today. It's nice to see witnesses from different backgrounds, whether they be in cancer, environmental protection, Métis or first nations leadership. Thank you for being here.

Grand Chief Mercredi, you mentioned first nations entered into treaties for peace and friendship. Ultimately, that would be peace and friendship across economic aspects, across social aspects and across living in harmony as human beings aspects.

You also mentioned FPIC. We heard in the throne speech a specific reference to free, prior and informed consent, but you mentioned that in this legislation there is no specific mention of that. I get concerned sometimes when things are said by the government and then walked back.

Again, we've also heard from third party organizations, a quote being something similar to the speed of trust when working with first nations. Throughout the last couple of weeks since Bill C-5 was introduced, I've heard nothing but first nations raising the concern about the speed and that there is no trust in this process. You've referenced that also.

Could you elaborate even more on whether this process undertaken by the current government is continuing to erode trust? Do you feel as though FPIC has been flaunted out there as just words or is it being uplifted as some aspects of the government have claimed in the recent past?

• (1810)

Grand Chief Trevor Mercredi: When we received the letter from the PMO, it raised many alarms. First of all, the letter was sent to our organization. It was not sent to all of the chiefs; it was sent just to our organization. That was very concerning as we know that the nations are the rights holders, and they were very concerned that this letter was shared with the AFN and other PTOs such as the Treaty 8 First Nations of Alberta. We relayed the information immediately. It really set the course for the rest of the discussions around Bill C-5.

We feel like we've been pushed to the side, and the chiefs have really dug their heels in when it comes to this bill. It's a very con-

cerning bill. It's very open-ended. Our rights are mentioned, but they're not reinforced.

There have been projects in the past that have been deemed national interest projects. Those national interest projects, like BC Hydro, have been a severe detriment to our communities, and they totally bypassed the rights of our people. When we see legislation like this that removes a lot of the legislation in the past or bypasses the legislation in the past that set these protections in place, we are very concerned.

We are here for treaty issues, but we understand that this is much bigger than a treaty issue. We understand that the government would like to move in a particular direction. They use the term "economic reconciliation". As first nations people, we have to understand that when we talk about reconciliation, there is no such word in our vocabulary when it comes to what the federal government pushes forward. How can we reconcile something that was never there in the first place? It's really a play on words. We have an issue with the word "reconciliation". How do we move forward from this? We really need to sit down with the Prime Minister and the ministers. We need them to understand our issues.

Right now, at home, there are many treaty chiefs who are waiting to see the outcome of this legislation. How are we going to react, and how are we going to move forward with the federal government in these projects and industry? I'd say the trust isn't there. That's why we're asking for certain amendments to be made to this bill. We simply cannot trust the people who are introducing this bill. We've seen it time and time again where our people have been pushed aside. We need to see some substantive amendments to this bill for us to support it in a way that our nations can grow alongside Canada. It's a very troubling issue right now that we're facing, and we're looking for rectification of our issues.

Thank you.

Billy Morin: Thank you, Chief.

My next question is for Mr. Chartrand. I too share the notion of finding balance and also getting a stronger economy, as I'm sure everybody around the table has said, no matter what their partisan stripe is, for the ultimate good of the country and of the regions.

Mr. Chartrand, you mentioned you would be looking at the positive aspects of this bill. Your organization is headquartered in Manitoba, and I'm wondering if you can elaborate on the specific natural resource-based projects you would like to see around the region of Manitoba and maybe some of the cross-provincial aspects of those. As you mentioned, your organization represents those beyond just Manitoba's borders. Can you elaborate on the specific projects you would like to see in the best interests of the nation?

David Chartrand: Firstly, I'm not an organization of a government. There are two different philosophies of thinking on that issue, but let me be clear: I am pro Bill C-5 right now. I do agree there's some clarity that needs to be further enhanced and further developed to make it very clear. A lot is being asked of us to trust. Indigenous people are very trustworthy people. We always trust. The sad part about it is sometimes we get burned because we're so honest and we trust.

However, at this particular time, when we look at our government, the Red River government has no more boundaries. We removed those boundaries when we signed our treaty. Those boundaries no longer exist. We have thousands upon thousands of citizens who have gotten their citizenship cards from western Canada.

When we look at some of the projects that couldn't possibly happen in particular, you said Manitoba, but we look at western Canada and the Arctic Gateway Group in Churchill. We already know pipelines potentially will be blocked in British Columbia by the Premier of British Columbia. He said that they're clearly not coming through there. We don't know what the full position of the first nations will be when it hits that territory. Quebec has also said pipelines are not going that way either, unless you maybe go around to the James Bay Cree and ask their permission. If you start looking in Manitoba, Hudson Bay, of course, is still a future output that could really be a game-changer. We see there's a massive opportunity.

Also, for defence, this is not just about national projects. There's going to be a massive investment when it comes to defence. In the past, Churchill was a main port of large contingency of the defence and potentially could be again. Manitoba could definitely be one that will find a great opportunity, but there could also be the opportunity for individuals and indigenous people from all over Canada to come and work.

Thank you.

• (1815)

The Chair: Thank you very much, President Chartrand.

[Translation]

Mr. Lauzon, you now have the floor for six minutes.

Stéphane Lauzon: Thank you, Mr. Chair.

Thank you to the witnesses for being here this evening.

Chief Chartrand, we had officials and ministers here earlier today—

The Chair: Mr. Lauzon, I'm sorry to interrupt you. I've stopped the clock.

It seems that President Chartrand has no interpretation. Judging by his facial expression, I'm pretty sure he doesn't understand you.

[English]

President Chartrand, can you just confirm that you have translation before we continue?

David Chartrand: I don't have it right now. I do have, of course, one of my colleagues beside me who does speak French, but I don't; I speak *Saulteaux*.

The Chair: I'll have the clerk work with you.

[Translation]

Xavier Barsalou-Duval: Mr. Chair, on a point of order, I can't hear the interpretation either, and I don't know why. No one else seems to be having this problem.

[English]

The Chair: Colleagues, I will suspend for a couple minutes to make sure that we have proper translation.

The meeting is suspended.

• (1820)

(Pause)

• (1820)

The Chair: I call this meeting back to order.

We'll pick up where we left off.

[Translation]

Mr. Lauzon, you have the floor for six minutes.

Stéphane Lauzon: Thank you, Mr. Chair.

First and foremost, I would like to thank all today's witnesses for joining us this evening.

Chief Chartrand, we just heard from the ministers involved with Bill C-5, as well as their officials. They all told us that there was still a lot of work to be done. As you said, this bill isn't perfect and needs to be worked on.

Among the factors to consider, do you think that advancing the interests of indigenous peoples will promote respect for the rights of indigenous peoples as our projects are moved forward?

[English]

David Chartrand: Mr. Lauzon, I'm president, not chief, just in case there's a mix-up. Thank you very much.

Again, by recognizing that indigenous rights exist—first nations, Métis and Inuit rights—there is a purpose and a reason that section 35 was created in the Constitution of Canada. It makes it clear that these rights will be protected by the Constitution of this country, so I think it shouldn't be hard to attach a particular reference to ensuring that section 35 rights will be adhered to, respected and followed. I think that would be important.

The clarity that we are seeking is in the consultation section. I know that there are consultations. I read today that Dominic LeBlanc referenced there will be consultations throughout, I think, the summer and into the fall, so that's a process. It's going to be an extra few months, and, hopefully...but who's going to be consulted? That's going to be the key. We're governments. I'm a government. I speak on behalf of all my people, I'm elected democratically by my people, and so my government is also elected by my people. Clearly, at the end of the day, we need to make sure it's inclusive, with our governments at the table. There's going to be an indigenous advisory council. We don't know the role and authority of that advisory council. Is it there just for advice? Is it there to have authorities? Does it have any type of powers? Those are the key things we are looking at.

Here's the pressing point for me: As a leader, I don't just look at the problems my people face, I also look at the country of Canada. We were there in World War I, World War II and the Korean War. We were asked to come in massive numbers. We came. We came to fight for a country that didn't respect our rights. We still keep the fight for it, and so, at the end of the day, we're going to fight for this country.

There's an economic war happening, and we're taking it very seriously. I do not take Trump lightly—I'll tell you that right now. He can cause so much damage. This is what I look at. In my cabinet discussions when we're talking, we look at...right now we're in a deficit in this country. We're trying to fight over the common deficit. Imagine if a recession were to kick in. What's it going to look like? I tell you this, Mr. Lauzon, if there is a recession and cuts are going to start drastically happening in large percentages of dollars, I guarantee you that my people will be the first hit. I guarantee you that it's the poor and the lower-middle class who will be hit the hardest, so we have to defend and fight vigorously to make sure we prevent a recession.

I'm supporting Bill C-5 because we're at the point of an economic war and we have to come together. I know, as I said in my speech yesterday to the Senate, you're asking indigenous people, you're asking the Métis of Red River to trust the Government of Canada, to trust the politicians of Canada, that they will make sure section 35 rights will be protected and included. That's a big ask.

Now, are you going to give us something in return to make sure that we can trust you, that it's going to be real and that somebody's not going to burn us at the end of the day and say, "Sorry, we made a mistake and your people will suffer again for another 10 years"? Again, that's the issue, but we believe strongly in moving forward. I know this agenda: The Prime Minister wants to pass this by July 1, and he will get my support. It's not just because he's the new Prime Minister. If it were Poilievre doing it, I'd give him the same support because, at the end of the day, I think we're in a position right now where we have to fight for our country, Canada. That's what is driving me right now to stand behind this bill.

● (1825)

[Translation]

Stéphane Lauzon: Thank you, Mr. Chartrand.

Mr. Cunningham, you expressed your concerns about lower standards when it comes to interprovincial trade. That's legitimate, and

I understand the danger of lower standards. Health and safety is an issue that affects all Canadians.

Are you aware that Bill C-5 does not apply to tobacco, because there are no provincial regulations comparable to those of the federal government? It's hard to imagine how our relations with the provinces, territories and indigenous peoples would lead us to lower safety levels in order to move projects forward.

Rob Cunningham: When it comes to tobacco products, Minister Freeland testified at the Senate two days ago. I'm going to read you an excerpt from her testimony in English.

[English]

In the area of tobacco, for example, which is a really legitimate area of concern, federal regulations that apply to tobacco apply to the manufacturing, sale and promotion. There are no provincial regulations on these aspects of tobacco, and that's why this legislation would have no impact on it.

[Translation]

That's not true. The provinces have legislation on the sale and promotion of tobacco products that applies to manufacturers. In Quebec, the Act Respecting Tobacco Control mentions the word "manufacturer" or "manufactured" 48 times, at least in its English version. The provincial laws will be in direct conflict with that aspect.

Stéphane Lauzon: Thank you for that.

Mr. Chair, do I have any time left?

The Chair: You have 30 seconds.

Stéphane Lauzon: Okay.

Ms. Sabaa Ahmad Khan, I'd like to give you a chance to answer a question as well.

As you know, the David Suzuki Foundation is near and dear to many Canadians. Most of the solutions they come up with are nature-based. Could Bill C-5 be used to promote nature-friendly projects and to advance green energy projects that might be in line with your recommendations?

Sabaa Ahmad Khan: Yes, absolutely.

Bill C-5 has potential. The problem is that the legislation should constrain the forthcoming regulations as well as those that will follow.

Right now, the legislative wording is extremely vague. The dangers of vague legislative wording include inconsistent, unpredictable and politicized rule-making. Vague terms also make it more difficult for Parliament, courts and the public to hold regulators accountable for how they interpret and apply the law.

The way the bill is currently drafted, it is clear that we are referring to climate change when we talk about the factors that are considered to designate projects of national interest. I'm referring to paragraph 5(6)(e) in part 2 of the bill, which states that a project must "contribute to clean growth and to meeting Canada's objectives with respect to climate change." That's extremely vague, and it would really be more precise to talk about Canada's environmental obligations, as well as its climate change and biodiversity commitments.

• (1830)

The Chair: Thank you very much, Ms. Khan.

Next up is Mr. Bonin for six minutes.

Patrick Bonin (Repentigny, BQ): Thank you, Mr. Chair.

I'd like to thank the witnesses for being here this evening.

Ms. Kahn, you talked about the criteria for project designation. What I understand from what you're saying is that these criteria are not currently mandatory, that the government may not comply with them and that you would prefer that they be mandatory. Is that correct?

Sabaa Ahmad Khan: Yes. Not only must these criteria be mandatory, but they must also constitute a genuine test for projects of national interest. At the moment, there are no mandatory public consultations either.

We therefore want to propose another amendment to subsection 5(7) of the act proposed in part 2 of the bill. This amended subsection would read that before recommending the making of any order under subsection 5(1), 5(3) or 5(4), there would have to be meaningful consultations not only with any other relevant federal minister and indigenous peoples, but also with members of the public, including Canadian residents, provinces and non-governmental organizations. Public consultation is one of the very foundations of our democracy.

As currently drafted, the bill sets out a weak liability in this regard, which could also create judicial uncertainty. The courts may find it difficult to assess whether a regulation or project is truly consistent with the intentions of the act if those intentions are poorly defined. We're seeing that right now throughout the bill, in both part 1 and part 2.

Patrick Bonin: You mentioned that there is a concentration of power in the hands of the executive branch, which weakens parliamentary power. Can you clarify what you are proposing in this regard, that it would instead be Parliament and not an order in council that would lead to the designation of projects and conditions?

Sabaa Ahmad Khan: First of all, we think this process is too hasty. It's impossible to conduct a consultation in two years if it has to take five years.

Among the recommendations we are proposing, our first priority would be to delete sections 21 and 22 and paragraphs 23(a) and (b) of the act proposed in part 2 of Bill C-5.

Our second priority would be to clarify that the authorization document must meet the existing requirements of the responsible departments with respect to project approval and the exclusion of sections 73, 74 and 77 of the Species at Risk Act to ensure that the

project will not compromise the survival and recovery of an endangered species or that its effects will be mitigated.

Our third priority would be the introduction of public participation requirements by adding section 8.1 to the proposed act in part 2 of the bill. This new section would require the minister to ensure that the public has an opportunity to meaningfully participate in any decision made under subsections 5(1), 5(3), 7(1), 8(1) and 8(2) of the proposed act.

We also want the minister to be required to make available to the public all relevant information, including a detailed project description, any information received from a proponent and any other federal minister, any information received from a regulatory body referred to in clauses 9, 10, 11 and 15 of the proposed act in part 2 of the bill, any comments received from the public, and any knowledge or information received from indigenous peoples, to the extent that the person providing that knowledge or information did not stipulate that it was confidential.

All of our amendments are in the document we submitted in collaboration with Ecojustice on parts 1 and 2 of the bill.

Patrick Bonin: You also mentioned the tariff crisis that the government is currently using to justify this bill. We know that a free trade agreement will be negotiated and should probably be finalized by the end of 2026. Is the current five-year period set out in the bill much too long given this new agreement and the fact that the entire tariff crisis will be over by then? Should that period be reduced from five years to two years, for example?

• (1835)

Sabaa Ahmad Khan: I think the risk is real but, as I said in my comments, it is important not to endanger public health and the environment.

It would be more strategic not to focus on renegotiating the agreement with the United States and Mexico, but rather to diversify our relations with other countries. In that sense, we can see that the European Union has been an ally of Canada for a very long time. We have a free trade agreement with them. In addition, the European Union's domestic market incorporates the precautionary principle. Environmental protection is one of the objectives of that domestic market, and I think that's closer to the values of Canadians. It's also much more—

Patrick Bonin: I'm sorry to interrupt you, Ms. Khan, but I would like to clarify my question. Thank you for your explanation.

With regard to the current five-year designation period for projects, given that the tariff crisis will obviously be resolved by an agreement with the United States, it seems to me that you are proposing that the project designation period be reduced from five years to two years and, as a result, the deadline for reconsideration of this bill.

Sabaa Ahmad Khan: According to our reading of the bill, a decision, an authorization process that would normally take five years, will be made in two years. However, there are a lot of risks associated with shortening the timeline. The problem we foresee is that there won't be enough consultation. We've heard a lot of conflicting views on this bill. This shows that we really don't need to rush to pass this bill, but rather take the time to consult all the parties over the summer—

The Chair: Thank you very much, Ms. Khan.

[English]

Mr. Albas, the floor is yours. You have five minutes, sir.

Dan Albas: Thank you, Mr. Chair.

Witnesses, I want to thank all of you for coming and sharing your testimony here tonight. I'm not going to have time to ask everyone all the questions that I have, but I do appreciate your presence.

I'll start with the Canadian Cancer Society, but quickly, I just need to remind everyone that we do have an all-party cancer caucus where we talk a lot about these issues. If people would like to know more about that, I'd be happy to share about that.

I'll now go to the Canadian Cancer Society. Thanks for being here.

When you're talking about the changes in Bill C-5 that would allow for a provincial standard to be recognized in an area of federal.... For example, on a Canadian Armed Forces base, a first nations indigenous community or a national park, if a building were to be constructed and it had, under the federal rules, no asbestos in the use of certain materials, what you're saying is if this law were to pass, if a province allows a certain amount of asbestos in that building material, it could be used instead. Do I have that right?

Rob Cunningham: It doesn't apply just to places in federal jurisdiction, such as armed forces bases, a national park, RCMP or federal government property and so on. It applies generally the way the bill is currently drafted, so that's of concern to us.

The example directly given by the government is washing machines and energy efficiency standards. It's not just on places that are under federal responsibility, such as federal property or military bases, armed forces bases and so on. It would apply in general, provided there's interprovincial trade, and in a lot of product categories there's a lot of interprovincial trade, so that's where our concern arises.

Dan Albas: Can you give me a tangible product? What would be the difference, though, in a washing machine under a lesser standard, in your opinion, versus a higher one being held by the federal government?

Rob Cunningham: One example would be asbestos, where the federal government bans asbestos in products, in building materials, whereas provinces allow a certain percentage. Now, it's still a low percentage, but it's asbestos.

● (1840)

Dan Albas: Could you name which provinces have these standards?

Rob Cunningham: Ontario would be one. There are many provinces—

I can get back to the committee.

Dan Albas: If you wouldn't mind writing that, I do think that's important for people to know.

Rob Cunningham: Yes.

There are multiple provinces in this context, and they have different percentage standards.

The way the bill is currently written, the spirit is that if you comply with this provincial standard, if it's interprovincial trade, then the federal standard does not have to be complied with. It would be considered to be sufficient with the federal standard.

Dan Albas: It's much wider than just a federal building that could be built with a provincial standard of materials.

Rob Cunningham: Absolutely.

Another example is tobacco products, where there's both federal and provincial regulations. The federal government bans menthol and flavours in cigarettes. Provinces and territories, a good number of them, more than half of them, have their own provisions with respect to flavours in—

Dan Albas: Terms of sale, I think is what it's called. They get to set the terms of sale, what can be sold, what packaging, how it can be advertised, etc., within the store.

Rob Cunningham: Yes.

In terms of the flavours in cigarettes, the provincial restrictions are less than the federal. The way the bill is written, if there's interprovincial trade—for cigarettes, there are only a couple of factories in the country—then you could comply with the provincial standard and not the federal standard.

Dan Albas: What are the provinces that have a lesser standard than the federal one?

Rob Cunningham: You would have the four Atlantic provinces. You would have Ontario and Quebec, and you would have several of the territories that would be among those.

Dan Albas: Really, only western Canada, by the sound of it, is not.... They seem to have at least the same standards as the federal government. Is that correct?

Rob Cunningham: They don't have any standards, necessarily, so the federal one would prevail unless there's interprovincial trade.

It does say, if you are an Ontario company and you want to ship to B.C., which has no standard, then you could comply with the Ontario standard in B.C., the way the bill is written.

Dan Albas: I'm not a lawyer, but I do know that in the Comeau case heard in the Supreme Court, they did say that if provinces, for example, had a legitimate health and safety factor, not as a primary deterrent to stop interprovincial trade, but had those legitimate health and safety issues....

If this law does pass unamended, does that...? Again, it might be unfair because you may not have legal counsel to advise on this, but to me, it sounds like the federal government would have the same ability to say it's not accepting that lower standard, but then enforceability, I think, is the challenge here.

Rob Cunningham: I'm a lawyer, and I'm specialized and have done a lot of work in this area, especially because of the number of legal challenges to tobacco legislation. It's been recognized that health and tobacco are concurrent federal responsibilities. For provinces, when they've had legal challenges, they've been upheld. However, this bill would change things when there's a stronger federal standard. Depending on the facts, very often compliance with the weaker provincial standard would be sufficient. From our perspective, that's a problem.

The Chair: Thank you very much.

Next we'll go to Mr. Greaves.

The floor is yours. You have five minutes, sir.

Will Greaves: My question is for Grand Chief Mercredi. Thank you for being with us today, sir.

Before this group of witnesses, the committee heard from several of the cabinet ministers responsible for the implementation of this bill, including the Minister of Indigenous Services. The questions around consultation with first nations and other indigenous communities, around free, prior and informed consent, UNDRIP and section 35 were all raised and posed to the minister. She reassured the committee that those considerations remain fundamental to the government's approach to this legislation but also more broadly to the projects that would subsequently be introduced under this legislation.

I'm wondering if you could respond, sir, to the suggestion that because this bill doesn't actually authorize any projects, it creates a framework by which projects would be assessed, that the consultation that is required of the federal government under its treaty obligations, under its constitutional obligations to first nations and other indigenous peoples, would be met at the next stage once specific projects were put forward. Then the appropriate rights holders, the affected nations and communities would be identified, obviously, based on that project. It's at that stage that consultation and consent would be achieved with those nations. Perhaps you could respond to that, please.

Grand Chief Trevor Mercredi: It would be fair to say from our perspective that there's a very severe lack of trust with the federal government when it comes to treaties and the implementation of our rights. Right now, the bill doesn't reinforce our rights. If it's not in there, we'd have to make sure that it's in the bill to reinforce our rights—FPIC and also UNDRIP. We ask for that because we don't have that trust built between us and the federal government. One of the main reasons I'm here is to voice that opinion that we need to

have some substantive amendments in this bill to have our first nations and our first people accept it.

As mentioned before, the last thing we want to do is hold up industry and projects with court cases. This is exactly where it's headed. When we're not at the table at the beginning of the projects, it really undermines our responsibility to our people and to our nation. That's why, to move forward, we need the federal government to work with the indigenous nations, with the rights holders and with the treaty nations. A treaty is what allows Canada to exist. A treaty is what allows Alberta to exist. It's what allows you to be here. Saying that each and every person here in Canada is a treaty person is what allows them to be here. It's what allows you to be here.

We have to understand that resources in industries and economic reconciliation are very important to us. We have to understand that lots of times our nations are feeling the repercussions of industry in our area, but we receive no benefit. What would make this any different than any other piece of legislation that's been passed down in history when it comes to our people? How does the Government of Canada expect us to trust them when in the past it's been shown that we have no reason to trust the federal government? We will come in here, and we will put recommendations forward for the amendments. That way, there are placeholders we can use to say that we've been here and we've sat here and we've explained our issues. If it ends up in courts, lots of times these types of discussions would be used. We're here to put you on notice that these are serious issues that have to be rectified before we can move forward in a reasonable way.

● (1845)

Will Greaves: Thank you for that, Chief.

Building on the same general theme, one discussion that's come up a great deal is how, for the reasons you just outlined—the very clear failures of Canada to meet its treaty obligations to first nations over many years and many decades, and the need to ensure that indigenous peoples benefit from economic development and growth going forward—one of the potential benefits of this legislation would be to allow a greater role for indigenous peoples to benefit from projects they might put forward and that might be accelerated under this project of national interest framework.

I understand that at least one nation in northern Alberta, the Fort McKay First Nation, has actually submitted a proposal to this committee that includes a project it would like to see put forward.

I'm wondering if you could speak to whether meaningful indigenous consultation, and meaningful indigenous participation and benefit in those economic projects would be a step toward building the trust and building toward reconciliation, as you were describing.

Grand Chief Trevor Mercredi: Yes. On the point of Fort McKay First Nation, they have a very robust environmental policy built for their nation, which is recognized. They've done a lot for the community. They feel like they can move forward with this type of legislation because they're protected in certain ways. They've built themselves up to be very responsible within their nation and also within their traditional territory.

When we talk about the economics regarding our people and this new bill, we're talking about billions, possibly trillions, of dollars coming out of the natural resources of our territories. Today, there are billions and trillions of dollars coming out of our territories, when we talk about resources, and we don't receive a share of it. We don't receive a cent.

Why would that change today? What line item in this legislation protects our rights?

It's why we're here. We understand what the federal government is looking for. We understand what Canada needs. It's time that Canada looks at us, asks us what we need and comes to the table. It can't keep pushing us aside.

You know, our people have many grievances. Industry, politicians and cities reap benefits from our resources. We don't receive any benefits and that's today in 2025. The treaty has been in place for over 125 years. Canada, the provinces and industry have benefited, yet we're in poverty.

How is it that we can sit here today and talk about economic reconciliation and the economic ability of our nations when there is really no economic relationship between the federal government and the nations?

It's why our nations are starting to protect themselves. When we have nations like Fort McKay that do have a project they would like to move forward, we support it because it's on their terms. We support Fort McKay. We support all these nations that would like to have industry within their areas. We're not averse to industry. What we're adverse to is not being treated respectfully and responsibly within our own territories.

• (1850)

The Chair: Thank you, Grand Chief.

Thank you very much, Mr. Greaves.

[Translation]

Mr. Bonin, you have the floor for two and a half minutes.

Patrick Bonin: Thank you, Mr. Chair.

Ms. Khan, do you share the position of your colleagues at Ecojustice, who said that this bill would give the government super-powers never seen in modern environmental law history?

Sabaa Ahmad Khan: I couldn't agree more.

The bill creates a centralized process. So we will need only one federal authorization, which will replace all the other authorizations specified in democratically adopted laws and regulations. We have never seen such discretionary power.

Not only that, but the bill also omits provincial regulatory timelines. We feel that this bill is almost unconstitutional, not only because it does not respect the division of powers between the federal government and the provinces, but also because it violates the inherent and treaty rights of indigenous peoples, which have been mentioned several times today.

Patrick Bonin: Are you concerned about the fact that a minister can, by order, pre-approve projects before even knowing the conditions and repercussions, and before the environmental assessments have taken place? Do you think that gives too much power to the minister?

Sabaa Ahmad Khan: Absolutely.

As I said earlier, what the vague wording in Bill C-5 does is literally sweep aside all laws that protect the environment and human health.

We are in a climate and biodiversity crisis. We've seen a lot of progress in terms of enhancing our obligations and commitments with respect to the environment and species at risk. That helps to ensure their survival. As it is currently written, the bill moves away from all that progress.

The Chair: Thank you, Mr. Bonin.

[English]

Thank you very much, Ms. Khan.

Now we'll go to Mr. Muys.

Mr. Muys, the floor is yours. You have five minutes, sir.

Dan Muys (Flamborough—Glanbrook—Brant North, CPC): Thank you, Mr. Chair.

Thank you to the witnesses for taking the time to be with us today.

Let me pick up a little bit with Mr. Cunningham and Ms. Sonea.

You talked about one of the flaws in Bill C-5 being the overriding of various pieces of federal legislation. Obviously, there was some discussion about provincial legislation and which one trumps that. Are there any specific provincial acts that you would suggest should be flagged?

Rob Cunningham: First, with your permission, Chair, I would just like to recognize you and Mr. Albas for your work and leadership as co-chairs of the cancer caucus. Thank you.

I think it would be very helpful if the government provided a list as to which federal laws would be affected. Quite a lot of federal-provincial laws do have some effects in the same areas. We don't have that list. We've identified certain areas that we have worked on with respect to cancer in terms of tobacco and asbestos, but undoubtedly there's quite a substantial list. I think it would be helpful if that were provided. That would support further examination.

• (1855)

Dan Muys: You mentioned that you had a suggestion for an amendment. Could you elaborate on that?

Rob Cunningham: Yes. Many international free trade agreements contain exceptions for health and environment, whether it's the WTO, the trans-Pacific partnership or the Canada-U.S.-Mexico agreement. There could be one there. It's in the Canadian Free Trade Agreement as well. If we had just a very simple amendment to add to clause 7 a paragraph (c) that pertains to a matter other than health and the environment, that would deal with the problem.

It wouldn't affect other parts of the bill. It's simply with respect to this issue of internal trade and federal and provincial laws.

Dan Muys: Thank you.

I will echo your thanks to Mr. Albas and Mr. Schiefke in their chairmanship of the cancer caucus, which is all-party. We've all had a chance to benefit from that.

I'll turn now to President Chartrand.

You indicated that the bill is not perfect, but you perhaps saw opportunity in it if implemented well. What would it take for this bill to be improved to the point of the certainty you would need for your nation to invest in projects?

David Chartrand: First, let me say this. I echo my statements. I am worried about Canada right now. I'm worried as a leader and as a founder of Manitoba. Our people brought Manitoba and western Canada into Confederation. We paid an ultimate price for that and we still suffer over that. However, my issue here, when you look at it, is that we need to come together. I understand there are Conservatives and Liberals who will be supporting this. I commend both of you because, at the end of the day, we're in trouble in this country.

If you want to know who are the worst treated anywhere, it would be the Métis. We are never invited anywhere. We are rights-bearing, we're in the Constitution of this country, and we're looking through the windows all the time, seeing everybody else negotiate. We're at a stage now to finalize our treaty, which will, hopefully, change the 154 years of waiting.

Consultation is going to be fundamental. I'll give you a good example. I know Conservatives are in the economic engine world. When you look at the procurement system you have right now in Canada, there's a 5% set-aside already in place. When you talk about multi billions, it does make a massive impact with employment, jobs, opportunity and businesses. If you could expand that even better in the context of this agreement, how is big industry going to come in there?

Let's understand and let's be frank with each other here. When industry comes, there are shareholders behind this. A lot of people

are putting a lot of their money into these businesses, which come to invest in the multi billions. There is a risk factor for all of them. If they see something that potentially will be a risk, they won't want to put their money in there. They need the trust and responsibility—for us to give up our possession and that we will support it to the end—to make sure it's viable, workable and profit-making for everyone, including our country of Canada.

When we look at it in the long run, the consultation issue needs clarity. Who is the advisory council going to speak to? Who is it going to invite to sit at the table? What powers does it have? Is this for show? Will it have some authority? When we sit down with private industry, are we going to be assured that there is going to be a set-aside? Are we going to be assured that private industry does not look at the bottom purse only, but actually looks at what part of the indigenous relationship will be in there? Who will be in there and how much of that will be shared with them?

I support this country with all my heart. I want to make it very clear that I will support Bill C-5 on the premise that I have to make sure this country overcomes this economic war. Yes, five years is a long time. I know that in two years, we're trying to get a green light to go ahead with the project.... This is a five-year opportunity that exists for Canada, as a government, to do something right or wrong—hurt us or not hurt us—or really make us grow.

I thank you for that question, but there are areas in there that can easily be fixed. The Prime Minister can call a meeting so quickly, as he did with all the premiers and territorial leaders in this country. He can do the same for us and probably in two days we can have this thing debated, screamed out, yelled at and we can come to a conclusion of what we all believe would make us comfortable.

• (1900)

The Chair: Thank you very much, President Chartrand.

Finally, for this round of testimony, we have Mr. Kelloway.

You have five minutes, sir.

Mike Kelloway: Thank you, Mr. Chair.

I want to say thank you to all the witnesses here for providing some very important information and insight.

In particular, I'll start with the Cancer Society. I have a special place in my heart for you folks because my mom used to volunteer back in the 1970s and 1980s. She took a little Mike Kelloway with her door to door every April. She passed away last year from cancer, so I have a special place for the work you do.

I'm wondering if we could do it this way. We've heard a lot of great testimony from everyone here. From your testimony off the top—your opening statements—what are three things that you want us to leave with today or after the session? I want to capture it while it's fresh in our minds.

I'm going to come to you in a second.

My second question is for President Chartrand.

I appreciate and respect the importance of consultation. It is sacrosanct in going forward. I'm wondering if you can talk a little bit about what your nation envisions in terms of potential projects. However, I want to go deeper than that, Mr. Chartrand. I want to talk about how that impacts your nation in terms of jobs, economic development opportunity and moving forward united.

We'll start with the Cancer Society and then we'll go to President Chartrand.

Thank you.

Rob Cunningham: Thank you, Mr. Kelloway, and thank you for all your family's contribution and sharing what you did. You gave us the opportunity to offer three take-aways. I'm going to offer one. The bill has an unintended consequence. Minister LeBlanc, before the Senate yesterday, was asked about asbestos, and whether there could be lesser standards for asbestos. His response was an outcome absolutely unacceptable to us.

There's a bit of a disconnect in terms of the current drafting of the bill and what is not expected. That's not the intent. That's an opportunity to fix it, either through an amendment to the bill or through regulations that are still to be adopted. That's a non-partisan thing. That would be our one take-away to leave with this committee.

Mike Kelloway: Thank you, Mr. Cunningham.

Mr. Chartrand, in terms of projects for your nation in your region, what are the impacts you would want to see? For example, in my neck of the woods in Atlantic Canada, the focus right now is on the electrification of the grid through offshore wind and hydro. We want to see—I want to see—the strongest connections economically or otherwise for the Mi'kmaq. I'm pretty much asking the same types of questions.

David Chartrand: Let me continue with your message there. I want to commend my premier, Wab Kinew, and the NDP in Manitoba. What they envisioned is now an inclusionary process of indigenous governments playing a role in the future of energy. In Manitoba right now, there are 600 megawatts put out for tender, but it's only for indigenous governments to bid on. They must always maintain 51% ownership. We are actually bidding right now with our government on 200-300 megawatts, and that's going to light up Ottawa. If you want to know how much power that is, it's a lot of power. When you start looking at it, that's a good example of how it can be done.

We're also looking at the future of the Port of Churchill. Again, there'll be a very big role for indigenous governments to be owners and participants. Industry has reversed the ideology of us knocking on the door and begging industry for a job. The wraparound now, the change, is that industry is now knocking on our door. We have 100% control. Only we can tender for this, and only we can own this. It's a different change maker, but it's a big one.

Enbridge is another example. We have a very good partnership with Enbridge. The president and I had a good relationship. Do you know what happens and the danger of that? That's why there are questions of what type of security we should have, and what kind

of protection we should have if we allow national interests and national companies, maybe not even from Canada, to come and bid on making pipelines, making mines or taking natural resources? They're going to be after us.

With Enbridge, for example, we had a bid from an American company. We partnered with an American company and we won the bid. Right after we won the bid, the American company came back to us and said, "Okay, now we're going to renegotiate your percentage." We said, "Whoa, wait a second. You won the bid based on our numbers and your numbers. You can't come back and change it." The company said, "Yes, we can." I met the president of Enbridge. He contacted the company and said that if it did not honour that bid, it would be out, it would be gone. Trust me, it honoured the bid immediately. It takes a good relationship for the president to take it seriously and call the component that was bidding on this, trying to, I would say, cheat us at the end of the day.

We have to be careful with big companies because, as I said, shareholders are their bosses, and that's who they report to. However, at the end of the day, we need to make sure there are guaranteed set-asides. We need to ensure there are guaranteed assurances that industry must—must and shall, and all the proper legal jargon you want to use—have no choice but to have us at the table on the inclusionary and the environmental side.

What does worry me is that if it's not government-to-government and nation-to-nation...That's what your government has been proposing now for quite a number of years. It's essential it stays that way. I have no disrespect to David Suzuki. I'm a very big fan of his. However, when people keep talking about indigenous people, they never ask me what my views are. They speak on us and about us. I'm not criticizing them, but I just don't like it when somebody speaks about my issues and my concerns.

• (1905)

Mike Kelloway: Thank you, Mr. Chartrand. I appreciate it.

The Chair: Thank you very much, Mr. Kelloway.

On behalf of all committee members, I would like to express my sincere gratitude to Grand Chief Mercredi, President Chartrand, Ms. Khan, as well as representatives from the Canadian Cancer Society, Ms. Sonea, as well as Mr. Cunningham. Thank you for being so flexible and for coming here on such short notice. I wish you a safe return home.

The meeting will suspend for a couple of minutes to allow the clerk to welcome the next round of witnesses.

• (1905)

(Pause)

• (1920)

The Chair: I call this meeting back to order.

I'd like to begin by welcoming our witness for the next hour and sharing a few comments for their benefit. First, please wait until I, as the chair, recognize you by name before speaking. For those participating by video conference, click on the microphone icon to activate your mic, and please mute yourself when you're not speaking. For those on Zoom, at the bottom of your screen, you can select the appropriate channel for interpretation, either "floor", "English" or "French". For those in the room, you can use the earpiece and select the desired channel.

I'd now like to welcome our witnesses, colleagues.

From the Carpenters' Regional Council, we have Finn Johnson, director of government relations and communications. Welcome to you, sir.

From the International Union of Operating Engineers, we have Steven Schumann, Canadian government affairs director. Welcome to you, sir.

From the Raven Indigenous Outcomes Fund, we have Jeff Cyr, founder and managing partner. Welcome to you.

And from Sturgeon Lake Cree Nation, we have Chief Sheldon Sunshine joining us by video conference. Sir, I welcome you to our committee today as well.

We're going to begin with our opening remarks, and for that, I will turn it over to Mr. Johnson.

You have three minutes, sir.

Finn Johnson (Director of Government Relations and Communications, Carpenters' Regional Council): Thank you, Chair, and thank you to the members of the committee for the opportunity to appear before you today.

My name is Finn Johnson, and I'm the director of government relations and communications for the Carpenters' Regional Council, an affiliate of the United Brotherhood of Carpenters and Joiners of America. The UBC represents nearly 75,000 members of the carpenters' union in Canada, working across a wide range of sectors within the skilled trades, including carpenters, drywallers, millwrights, scaffolders, concrete formworkers, pile drivers and many more professions within the construction industry. Our members are at the forefront of building and maintaining the critical infrastructure Canada relies on, including energy projects, hospitals, schools, mining projects, homes and more. Our union also prides itself on delivering industry-leading training at our 42 training centres across Canada.

Canada is at a critical juncture in our country's development. To meet our economic potential, we need to build. This is an area our members know more about than most. By fast-tracking these projects, we will be creating good jobs for working people. When unnecessary red tape holds up construction projects, our world-class workforce is underutilized, sitting on the out-of-work list with the inability to contribute their skills to what Canada needs—infrastructure development and housing.

Beyond tradespeople, nation-building projects have the potential to be mobilized to grow Canada's workforce, leading to career opportunities for workers that didn't exist previously in regions where

these projects are happening, including in rural and indigenous communities. As new projects begin, our union engages in targeted outreach within the communities where the work will take place, ensuring that the benefits of these developments are directly felt by local workers and apprentices. We have a proven track record of this, including partnering with Saugeen Ojibway Nation on our building futures program for work in Ontario's nuclear sector and through many other programs like it.

Canada is anticipated to face a severe labour shortage in construction over the next decade with 20% of the existing workforce retiring. Tackling this issue will require us to break down barriers for out-of-province workers to access this work. We're called journeypersons for a reason. Careers in our industry require us to travel for work.

Many people don't believe there is a labour mobility problem in construction, given the nationally recognized Red Seal standard. However, that only applies to those who have completed their apprenticeship and passed their Red Seal exam. This does not encompass those who are still completing their apprenticeships or aren't within a registered apprenticeship program.

Our union has already broken down interprovincial barriers for all the technical training we deliver at our 42 training centres, so if you're doing a scaffolding course, no matter where you are, it's the same curriculum. However, for safety training, each province still requires workers to meet its respective standards prior to beginning work after moving from another province, even when that individual has an up-to-date certification for the exact same training. This means lost wages while waiting for courses, paying third party training fees and repetition of existing knowledge.

One of our members, Craig, is a journeyperson carpenter from Ontario who moved to Fort McMurray for a project. Although he was fully certified to work in Ontario when he moved, and Ontario's safety certification standards are among the highest in the country, he was still required to complete four eight-hour courses before starting work in Alberta. These courses cost him hundreds of dollars in addition to the lost wages he incurred while waiting for certification over that one-week period.

The solution isn't simply adopting the lowest common denominator for safety training across provinces. This would create a race to the bottom, as some provinces don't actually mandate safety certifications to work on job sites. The requirements are entirely employer driven. We want a race to the top, with the national safety standard being the gold standard. A harmonized national health and safety framework will create a mobile, efficient and safe construction workforce.

We are in support of Bill C-5, and we look forward to continuing to be part of the conversation as Canada reduces barriers to labour mobility for construction workers and accelerates timelines for shovel-ready projects, which will create good jobs for our skilled trades workforce.

Thank you.

• (1925)

The Chair: Thank you very much, Mr. Johnson.

Next, we'll go to Mr. Schumann. You have three minutes, sir.

Steven Schumann (Canadian Government Affairs Director, International Union of Operating Engineers): Thank you.

On behalf of the International Union of Operating Engineers, I'm pleased to be speaking on Bill C-5. Our members build and maintain Canada's infrastructure. They help construct our nation's hydro dams, mines, nuclear plants, solar farms, wind turbines and pipelines. In short, we build it all.

Recently, our members have worked on the TMX, LNG Canada, Line 3, Churchill Falls, Bruce, the Darlington SMR, Site C and the Coastal GasLink.

Labour mobility is an essential part of building a stronger and more integrated economy, but it must not come at the cost of safety or the quality or value of skilled trades. Recognizing credentials across jurisdictions only works if standards are aligned and enforced. If we begin to recognize training and certifications that do not meet the same high standards, we risk a race to the bottom, so we must expand and promote the Red Seal trades. The credentials of a worker in one jurisdiction should be transferable to another only if the training and testing are equivalent in both scope and quality.

Bill C-5 must ensure that only the highest standards of skills and training are recognized when workers travel between provinces and territories. We support Bill C-5's goal of speeding up project delivery, but let's be clear: Faster is good only if the benefit flows to Canadians. If these changes make it easier for companies to bring in foreign labour or bypass Canadian suppliers, the result will be fewer good jobs and lost opportunities for the people who live here. This is not the way to build a stronger economy. Bill C-5 should be amended to include protection for Canadian jobs, safety and standards.

There is also the potential for Bill C-5, if amended, to open the door to meaningful careers in the skilled trades. There is a real opportunity to engage youth, women, indigenous people and other under-represented communities who are often overlooked or discouraged from entering the trades. That needs to change. With the right

investment and supports, this legislation can help a new generation of workers access stable, well-paying careers in the skilled trades.

To try to build an inclusive workforce, the federal government needs to include a requirement that all projects in the national interest, as outlined in Bill C-5, be subject to community benefit agreements or project labour agreements, especially if funded with federal dollars. British Columbia has already shown how this can work.

The B.C. infrastructure benefit model ensured that large-scale public projects prioritized local hiring, provided apprenticeship opportunities and included equity targets for indigenous people, women and others who were often left out of major builds. While the percentages of indigenous and female participants in construction in B.C. were at 6% and 5% respectively, under the BCIB model of community benefit agreements, the B.C. government was able to increase these participation levels to 14% and 8%. They also guarantee fair wages, benefits and safe working conditions for all workers on the project.

These agreements also provide certainty and accountability, and help strengthen Canada's workforce by making apprenticeship and training an integral part of every major project. Over the \$14.7 billion in projects covered by these agreements, 92% of the workers were B.C. residents and 31% were trainees and apprentices. Of these apprentices, 14% obtained their journeyman status while working on these projects.

We ask the committee to recognize the importance of protecting labour standards, supporting Canadian workers and opening the door wider for those who have historically been under-represented in the trades through project labour agreements or community benefit agreements. Bill C-5 can be a powerful tool in building an economy that works for everyone, but only if it is backed by clear requirements and a strong commitment to Canadian workers.

Thank you for this opportunity. I welcome your questions.

The Chair: Thank you very much Mr. Schumann.

Next, we'll have Mr. Cyr.

[Translation]

You have three minutes.

[English]

Jeffrey Cyr (Managing Partner, Raven Indigenous Outcomes Funds): Thank you, Mr. Chair and members of the committee, for the opportunity to appear before you today to discuss Bill C-5.

My name is Jeff Cyr. I'm the founder and managing partner of Raven Outcomes, an indigenous-led fund manager and private capital investor focused on investing in the well-being of indigenous communities by transforming how capital flows into meaningful initiatives and projects. We finance outcomes, not just programs, ensuring every dollar is tied to measurable results in areas such as housing, clean energy, health and employment.

Our model is grounded in accountability and self-determination. Indigenous communities lead every stage of the process: defining the problem, co-designing the solution and implementing the project. Funding is provided up front by private and philanthropic capital; governments only pay once independently verified results are achieved, like lower energy bills, better housing and improved employment. In essence, outcomes finance is a results-based investment strategy that empowers indigenous leadership and community-driven solutions.

Raven Outcomes was created in response to a clear message from communities. We know what works; we just need funding to respect our ways, and you've heard a bit of that today and in the previous panel.

As Canada's first and the world's only indigenous-led outcomes fund, we were built to address this need and are committed to consultation, partnership and the inherent right of self-determination. In considering Bill C-5, I echo the words of National Chief Woodhouse Nepinak, who stated Monday before the Senate committee of the whole that "Deep consultation involves a two-way exchange of information sharing accompanied by substantive dialogue."

Through our work at Raven Outcomes, we have seen first-hand how consultation and partnership with individual indigenous communities not only leads to better outcomes for these communities, like jobs and economic development, but can also ensure the government achieves its own goals, such as accelerating the development of major national projects. The government's duty to consult is essential. We firmly believe that better outcomes will be achieved when governments and project proponents engage with indigenous communities early in the process. By partnering from the outset in collaboratively developing community-driven outcomes, projects can align both local priorities and national goals. Meaningful engagement and community input into agreed-upon outcomes is absolutely critical.

Early involvement also enables work to begin at the community level while broader approvals are under way, ensuring time is used efficiently. We're not waiting for two years or five years; we are starting work now and demonstrating the government's immediate commitment to fulfilling its duty to consult. This approach can lead to the government meeting its goal to expedite national projects, a goal that we fully support, but this can only be done with deep and meaningful dialogue with impacted communities and agreed-upon outcomes to benefit each community.

The Carney government has stated that it is committed to advancing economic reconciliation through reforms that enable indigenous-led initiatives and address the long-standing inequities. Appropriate consultation and partnership, as in the outcomes finance model that we use, can ensure that indigenous communities see real economic and social benefits at the local level while being part of national efforts.

Through our work with indigenous nations such as Peguis First Nation, Brokenhead Ojibway Nation and others where we have done direct investments this year, we have seen that when communities are empowered to identify and address their priority issues and see real benefits, it creates positive ripple effects for all Canadians by driving greater investment in both the indigenous and broader Canadian economies. That's why we're working to scale a new model of investing through a proposed national indigenous outcomes fund—a smarter, more accountable way to deliver on national priorities in true partnership with indigenous communities.

Thank you for your time, and I'm happy to respond to questions.

● (1930)

The Chair: Thank you, Mr. Cyr.

Next, we'll go to Chief Sunshine.

You have the floor, sir, for three minutes, please.

Chief Sheldon Sunshine (Sturgeon Lake Cree Nation): Thank you. *Tansi.*

My name is Sheldon Sunshine. I'm chief of the Sturgeon Lake Cree Nation in Treaty 8 territory, in what is now northwestern Alberta. I'll limit my comments to part 2 of Bill C-5, the building Canada act.

Our ancestors entered into the treaty with the imperial Crown in 1899, before Alberta existed. The Crown guaranteed our ability to continue our way of life if we agreed to allow you into our territories and share our lands. Our ancestors would never have imagined these new levels of government, the impacts on our people and how Canada has implemented its side of this relationship.

The rate at which this legislation has gone through Parliament is unprecedented. The House has no studies, has not heard from experts and has not weighed evidence, and now we're in a fast-track committee. Crown obligations to first nations can't be fast-tracked. This is why, as drafted, this legislation will only cause delay, regulatory uncertainty and litigation.

The first issue with this bill is the absence of consultation. Canada is legally bound by the principle of free, prior and informed consent, FPIC. FPIC is more than an FYI, but we didn't receive even an FYI with this legislation. We received notice from a corporate entity while the Prime Minister met with premiers and industry executives. Now we learn, through the newspaper, that there is a plan for an advisory committee to manufacture consent and to again exclude the rights-holding first nations.

You then talk about economic reconciliation. If the government had wanted to work with first nations, they would have handled this legislation rollout better. We are afterthoughts. We still have not been informed of which projects are on the wish list. We suspect that for us it's more oil and gas pipelines, data centres, and coal and nuclear projects. All have devastating impacts on our rights.

The second issue with this legislation is that it will cause the federal Crown to breach its obligation to us in three important ways.

First, the federal government will unlawfully delegate power to exempt projects from federal laws, including the Indian Act. This usurps the House of Commons and the Senate, and breaches the federal Crown's obligation to us.

Second, this bill will create a situation where federal requirements are deemed to be met regardless of impacts. This is unconstitutional. The mention of consultation in this bill does not fix that. The consultation provisions give a minister discretion to decide if we must be consulted, and only if they decide we will be adversely affected. The bill does not mention the corresponding duty to accommodate. FPIC is MIA.

Third, the federal Crown is breaching its obligation by abandoning us to defend against Alberta's impotent regulators. Our land has already been heavily impacted by provincial green-lit development and the consequent climate change, to the point where we were almost wiped out by catastrophic fire in 2023, when we lost 39 buildings. We still have members who have yet to return home.

Our territory is more than 90% taken up by conventional oil and gas, forestry, agriculture, urban expansion and Crown landfills, all rammed through with little, if any, consultation from the province. In Alberta we're forced to deal with industry proponents when the province has an obligation to consult with us. The entire consultation regime is unconstitutional. It's unworkable. We receive hundreds of requests to consult on new projects every year. Alberta gives us \$110,000 for this work. This is deliberately inadequate to respond. We can't keep up.

Following this empty consultation, authorizations are already fast-tracked through Alberta regulators. We have a saying that Alberta has not seen a permit it doesn't like. The Alberta Energy Regulator is fully funded by the same industry it regulates. Industry in turn monitors itself. For this reason, it is called a captured regulator. For example, CST Coal spilled over 1.1 million litres of toxic tail-

ings into the Smoky River upstream from us and received a \$22,000 fine. Further north, Imperial Oil spilled 5.3 million litres of tailings into the Athabaska River basin and received a \$50,000 fine.

These grossly inadequate sanctions are just one form of inherent racism that we face. The breach of federal duties cannot be rectified through loan guarantees for us to buy into projects that will ultimately destroy our land and people. Is this your view of economic reconciliation, meaning that we must abide by Canada's economic project as willing investors instead of participating as treaty partners? This is the same troubling language that the Alberta premier uses. We expected more from this government.

To be clear, we reject this legislation in its entirety and the process that has been concocted to get us here. Simple amendments cannot solve the deep treaty and rights violations contained in this bill.

Thank you very much.

• (1935)

The Chair: Thank you very much, Chief Sunshine.

We'll begin our line of questioning today with Ms. Stubbs.

Ms. Stubbs, the floor is yours. You have six minutes, please.

Shannon Stubbs: Thank you, Chair.

Thank you to all the witnesses for being here today and for this testimony.

Mr. Cyr, I thought maybe I would start with some questions related to your business. I thought you might want to expand on the model that you do deploy to get through full consultation. I especially noted your comments on the importance of defining terms up front, defining your goals up front, and then early and ongoing engagement to ensure that objectives are met.

I wonder if you might expand on your own model and apply it to Bill C-5 for people who want to see successful outcomes and the construction of big major projects done in a good way.

Jeffrey Cyr: I will just start with a little bit on who we are.

I'm one of the founders of Raven Indigenous Capital Partners—private capital, venture capital, two or three funds, and investing in businesses. What I discovered in that process is that we weren't really addressing community need. It's a good model. It does certain things, and certain economic activity comes out of it. However, we were getting calls, particularly from communities saying that they had problems to address and that the capital was not showing up in the right way. That means that it's either government programs or grants, which is usually limited, puts you in a box, and doesn't really do the thing that you need it to do; or private capital, which is pretty extractive, especially on natural resource projects. You need a different way of approaching it.

What Raven Outcomes does is collect.... We pool private capital and some philanthropic, as well, if we need to do pre-development work. However, we go into the community; we build a relationship. Frankly, it's all about the relationship at the end of the day. In building the relationship, we hear about what the community's priorities are and what its needs are. We bring disparate actors together. We often have an indigenous solutions lab where we can problem-solve it. You also get to know what the community's assets and strengths are and where the real capacities need to be built. You're not guessing from the outside looking in; the community is telling you. Then, when you understand what their priorities are, you can understand how to construct projects around those, projects that, at the end of the day, you actually want them to lead. When a community owns a project, has the ownership of it—the deep, personal ownership of it—the successful execution is nearly guaranteed. When you run across problems, like once-in-a-century floods, which happened to us in one of our.... We were doing geothermal, on-reserve residential housing. It happened. We were able to adjust with them, to actually help them, because we had existing stock and supplies that we had purchased and put aside to put into other homes. We could be helpful. It was a relationship, and it was deep engagement.

My comment, in the context of Bill C-5, is that major national projects are great, but relationships start today, frankly. You need to build them from the ground up, like the chief indicated. You need to have deep conversations and actually build the path, the road map, where you then have multi-billion dollar projects that can be executed with local willing partners, and they actually help you adjust projects. Project planners are great, and engineers are great, but when you get into the reality of being inside the community, you might need to adjust how these things are executed. Our model is predicated on relationship first, money second.

• (1940)

Shannon Stubbs: Thank you for mapping that out. It seems completely understandable to me, then, that Canadians are raising concerns that there wasn't early consultation either in the construction of this bill or on the objective that it seeks to achieve, particularly with rights and title holders.

You have spoken about trust.

So have you, Chief Sunshine. Thank you for being here today. Given the many points that you have made, are you also concerned about the fact that there are no clear definitions of national interest? There are no definitions of criteria for either projects or communities. We have been told by the AFN National Chief that, so far, rights and title holders and treaty people—and the people in the

Treaty 6 whom I represent remind me all the time that we are all treaty people.... Can you expand on your concerns on the lack of consultation with rights and title holders? How can the government actually do that to get to the objective it says it wants to achieve?

Chief Sheldon Sunshine: You know, I haven't been in this position for very long; it's been three years. From what I've witnessed over the last three years and from what I've been watching from afar over my lifetime, we have this understanding of what treaty is as first nations people. I think that's where the disconnect is with the governments. They have a written text that they'd like to follow and not what was promised to us at the beginning of this treaty. When we take a look at some of these discussions that are happening provincially or nationally with regard to some of these major projects, we see that they're talking about the amount of revenue or the number of resources that these projects are going to utilize. When we're listening to this stuff, it's coming from a place where we're ownership. We should be included in some of these discussions. I think that's a missing piece here, whether it's a provincial government or the federal government. We have to get back to that understanding. Who was here when contact was made? Our people were here. I think we have to get back to the discussion on ownership and having a real partnership.

Shannon Stubbs: When you observe this bill, which has massive sweeping federal powers for the federal government, and for all kinds of legitimate reasons indigenous people in Canada are right to be skeptical and to question sweeping authoritarian decision-making powers by politicians, do you, at this point, in terms of Bill C-5, have trust that the government is going to accomplish what it is telling Canadians it wants to do, with consultation and consent among indigenous peoples, so that these major projects can be built in a good way?

• (1945)

Chief Sheldon Sunshine: I think the key word there is "trust". Over 125 years, or even before contact, we've always been trusting people, but we're losing that trust. I was on earlier, listening to the grand chief, and he mentioned that loss of trust. When we saw this legislation come in the manner that it did, it started actually eroding that trust. We thought we had something going, having discussions at different tables, but now we have this being pushed through. In the legislation they said they're going to work with first nations, yet this legislation is being pushed through without working with first nations.

I got this notification from our grand chief to respond within seven days. I actually got it a couple of days late because there was some issue with the email. When we see those types of things, we don't see that trust.

We're willing partners. We're not against business development as long as we're included in it. We see prosperity in our province and in our territory, yet we're not participating. Why is that? It's because things like this are getting pushed through.

The consultation process in Alberta is the same way. We're just there as a check mark to make sure that our hunting and trapping rights are protected, yet they're missing that piece of who owns the land. Who were the original inhabitants of this land? When I see these things...that's where I come from.

The Chair: Thank you very much, Chief Sunshine.

Thank you, Ms. Stubbs.

Next we go to Ms. Nguyen. The floor is yours.

Chi Nguyen: Thank you, Mr. Chair.

Thank you to the witnesses for joining us this evening. I know it was short notice to be here. It's a really important conversation and opportunity to build forward for the country, and, of course, your perspectives are really helpful for our reflections this evening.

Mr. Cyr, I recognize the innovation and leadership work that has come through your approach. You talked about the role that consultation and partnership play for those positive outcomes. Can you expand a bit further, in terms of the community benefits and all of the other pieces that are at play, when it's not just money on the table and that relationship piece is at the core of how you're approaching community challenges?

Jeffrey Cyr: Sure. I'll do my best to describe it. I can probably provide a hard example. Maybe that would be helpful.

We recently moved forward on an investment in the Brokenhead Ojibway Nation, which is in the central Manitoba area, close to the lake, to do 100 geothermal installations in residential homes and to retrofit the homes at the same time. It is probably the most complicated area to work in: on-reserve residential housing, which is community owned.

As we started to engage with the community and unpack what they wanted to do—it represented an investment of about \$7.5 million on our part—the community stepped forward and said, “With this, we would actually like to build the social enterprise where we can be a clean energy installer, hire our own people and build the company.” They have a very good development core, so they have some experience with it, and we would provide our expertise to help them build the social enterprise, along with the capital to do the actual work. They are marketing their services not only to their own nation, but to other nations.

The other thing that's happening is that you're hiring your own people. You're taking them off social assistance. There are all kinds of government savings in the long run, to be honest. You're also creating a velocity in the local economy, which is what happens underneath major projects. There's this big thick middle, where economic activity really happens with SMEs. It's a way to generate change.

The other thing that's happening is that the community is prioritizing their elders' homes. They're making a cultural choice, which is spectacular. They're also making a choice about homes or multi-

residential dwellings that they own, because if they own them and they get the long-term energy savings, they're saving on their block funding from government. They're turning around and putting that into health care, training and education—you name it. The community-wide benefits, when you can unpack and work with them on the things they want to do, are not only in the long-term resiliency of the housing stock, which we're all very concerned about in Canada.

There's a way, when you deeply embed with communities, in which you can find different angles. What we are able to do is to actually bring in more Province of Manitoba funding on doing business start-up, because that's a new business as well. We struck a deal with Efficiency Manitoba to do 1,000 more units across the province, which represents \$80 million to \$100 million or somewhere in there. It creates this financial momentum—the investment momentum behind it—and it's exciting in that way.

● (1950)

Chi Nguyen: It sounds like there's both: capacity-building in communities and you're able to catalyze. Would this be something that indigenous proponents might be interested in doing as nation-building work in the future? How do we scale this so that we get more of these community benefits?

Jeffrey Cyr: I've probably talked to 50 or 60 nations over the last 12 months about different projects. They're all interested in that. They're all interested in helping their people with better jobs, with keeping the jobs in the community so there's some stickiness to the labour and with taking that expertise and bringing it to other nations.

When they look at larger projects, they want to do exactly that with us. I think ownership is great, but there's a flurry of economic activity that happens under an IBA or under an ownership agreement, where you can really catalyze economic activity that you don't want to be missed in the process of national projects. It's good to look deeper and engage the community. What does that mean to look deeper into it?

Chi Nguyen: Thanks.

I wanted to ask our union friends this. If this bill is passed, could you talk a bit about measures you'd like to see taken to protect Canadian unions and labour to maximize the benefit to Canadian workers and, of course, in the context of your membership as well?

Steven Schumann: I'll quickly start and then flip it to Finn.

I think there are a couple of things. The promotion and expansion of the Red Seal standard will help facilitate labour mobility. It's a joint agreement between the provinces and the feds. It's a national standard, but it's regulated by the provinces.

Not all provinces are a part of it. For example, one of our trades—heavy equipment operators—is a Red Seal trade, but it's only recognized in eastern Canada. It's not recognized in western Canada. If a heavy equipment operator from Alberta wanted to come to Ontario, they would not meet the Ontario standards because they're not Red Seal.

If you want to make sure that Canadians are working on these projects, and to have indigenous people working on the projects, and also women and youth, have project labour agreements or community benefit agreements, especially on anything that's federally funded. Make sure that the government will get a bang for its buck. Also, with those things, there's an outcomes-based result: You see it.

I'll throw it over to Finn if he wants to add anything.

Finn Johnson: I think these projects present an incredible opportunity for the federal government to take leadership in building the workforce of our future. We know the labour shortage is going to cause an acute strain on our industry in the next 10 years, as the baby boom generation ages out of the workforce. This is a great opportunity for the federal government to embed apprenticeship minimum requirements into these nation-building projects so that we can establish a strong pipeline for the next generation to enter the workforce.

When employers call the hiring hall at the union and say they want five workers for their project, they're asking for journeypersons, because they are the ones who have completed their apprenticeship. They have the training, experience and expertise. However, if you have apprentices who are sitting at home and not able to get that experience, when those journeypersons retire, the next generation is not ready to work on those projects. They don't have the skills they need, and we need to invest in them. To build in 10% to 15% partnership minimum requirements on these nation-building projects, just as the Biden administration did in the United States under the Infrastructure Investment and Jobs Act and the CHIPS and Science Act, is a step in the right direction, I think, for the federal government on these projects.

I think it goes off my friend Mr. Schumann's point here on working in partnership with the unions, potentially through memorandums of understanding or even just building prevailing wage provisions into these agreements.

It's something the federal government did in 2024 under the clean economy investment tax credits, and I think that model should be replicated here.

• (1955)

The Chair: Thank you very much.

[Translation]

Mr. Lemire, you may go ahead for six minutes.

Sébastien Lemire (Abitibi—Témiscamingue, BQ): Thank you, Mr. Chair.

Mr. Cyr, what first nations community do you belong to?

[English]

Jeffrey Cyr: I actually belong to the Métis Nation, the Red River Nation of Manitoba, where David Chartrand is my president.

My home territory is in southern Manitoba, but I live in Mont-Tremblant, Quebec.

[Translation]

Sébastien Lemire: Very good. I think it's important to ensure that indigenous investment funds are available to indigenous people, Métis people and Inuit who belong to a community. Often, there is a desire to take advantage of first nations.

Do you think Bill C-5 has enough protections to ensure that the rights and most fundamental values of first nations are upheld?

[English]

Jeffrey Cyr: I think that's an ongoing question for the country of Canada—whether you have sufficient rights protection, as you call it, inside different pieces of legislation. I'm probably not best placed to judge whether that is the case.

I think I would put it this way. If you want to make Canada work effectively, and you want investors like us to invest in indigenous areas—and you need indigenous partners most of the time on almost all national projects—then you need to engage thoughtfully and early, and to have real dialogue and conversations. There's a phrase that's often used—lots of times consultation is that I'm pushing information at you. It's unidirectional. That's not really engagement. There has to be a back and forth, bidirectional. I would say there's a learning journey.

I'm positive on Bill C-5, mostly because I think there's an economic imperative for Canada to look at how its economy is structured and what needs to happen. We need to reframe economic institutions in Canada, which I think, frankly, are based on the colonial ideas that are 400 or 500 years old; the economic structures that most of the western world is working with. In there, if you really want to get work done, you need a business climate where people feel confident that they're going to move projects forward. In order to do that, they want to know that you've engaged. That doesn't really mean just in Canada with indigenous people—that's anywhere. If you want to do work in a municipality, you better engage the municipality in dialogue and action.

I can't speak to the rights protection, but I can speak about getting business done well and investing well. That requires talking to people frequently and deeply.

By the way, you get better, more resilient investments out of it as a result.

[Translation]

Sébastien Lemire: You're absolutely right. Either the bill was poorly drafted or it shows a malicious stance on first nations consultation. A number of indigenous leaders have criticized the bill. I want to highlight the strong condemnation that came from the Ontario chiefs yesterday, not to mention what Grand Chief Woodhouse Nepinak said.

As things stand, do you feel that an investment fund like yours can come out ahead under Bill C-5 in relation to major projects of national interest? We know that the government is reserving the right to shirk its responsibilities under the Indian Act, but that represents a huge risk. At the end of the day, do you see more risks or more benefits when it comes to allowing first nations to be responsible for their own economies?

I just want to point out something I find deeply offensive in the rhetoric around Bill C-5. The government is saying that it wants to go from 13 Canadian economies to one Canadian economy. However, the reference to one Canadian economy does not take into account the fact that first nations have separate economies. It can't be said that there is a single first nations economy. The proof is that the economy of Métis people, the economy of each first nation and the economy of Inuit should be taken into account.

If the government can ultimately usurp first nations' rights to major investments, does Bill C-5 pose more risks?

• (2000)

[English]

Jeffrey Cyr: I'm not a rights lawyer, so I wouldn't pretend to comment on that part of the bill and how rights are protected. I think the chief can speak to it from his perspective.

I think the bill represents, perhaps, an opportunity to really engage, to hear from indigenous peoples, my peoples, other indigenous peoples, and to engage if you want projects done. There's a follow-on opportunity to the legislation, which is a framework or a frame for doing things, where I think it would be well-thought-through to construct a way that conversations can happen in a meaningful way on projects that are of interest. That's what I believe should be done and can be done.

[Translation]

Sébastien Lemire: Do you not feel, as a member of the Métis community, that you are giving the government carte blanche at this stage, especially since it can shirk its obligations under the Indian Act—though I realize they don't necessarily concern the Métis community? Currently, there is no assurance that you will be taken into account.

[English]

Jeffrey Cyr: No, I don't think so. I'll take it from an economist's perspective and a business person's perspective as opposed to a rights perspective on this.

All projects, even national projects, happen locally. You build locally; you do things locally. You use local tradespeople; it's a local thing. You need to get a series of approvals in place, both for those who are rights holders to the land and for other businesses in the area. Municipalities and provincial governments need to work to-

gether. There is opportunity in that space around national projects to look out for those things. I hear what all my indigenous sisters and brothers are saying, that there are things we don't see in this bill. I think they should come forward and say this is the thing that we want to see to make us comfortable, or say that following the bill, here's the process that we need the government to put in place.

From an economics perspective—and you want some degree of certainty—you won't move projects unless you have people on board at a local level.

[Translation]

Sébastien Lemire: Thank you.

[English]

The Chair: Thank you very much.

Next, we'll go to Dr. Lewis.

Dr. Lewis, the floor is yours. You have five minutes, please.

Leslyn Lewis: Thank you, Chair.

Thank you to the witnesses for your testimony here today.

Mr. Johnson, you talked about the Red Seal and mentioned that it only applies to those who meet the apprenticeship requirements. You also highlighted the fact that each province requires workers to meet different standards. You spoke about Craig and the fact that he had to take extra courses to work in Alberta.

I would like to hear a bit more about the harmonization framework. Has your organization been consulted by the government on what could possibly be a harmonization framework in this bill?

Finn Johnson: As far as working towards harmonization of safety standards across the country is concerned, it's not a new issue in our industry. This is an issue that's persisted in our industry for a very long time. It's a unique consideration because, obviously, we have the Red Seal, which is nationally recognized, and I think it's easy to assume that would cover all tradespeople. Unfortunately, when you look at this, carpentry is similar to many of the construction trades in that it's a non-compulsory trade, so we, as carpenters, do not need to be in a registered apprenticeship program to work in the trade. Other trades are different, but that is the case in carpentry.

In an industry where you have to be in an apprenticeship program and you would eventually end up graduating with your Red Seal, some individuals can work in carpentry their entire careers and never be in an apprenticeship program, never get their Red Seal and never become a journeyman. That's just the way it is.

Safety training needs to have a larger focus than it does now, because it's really unfair to people like Craig. I know you mentioned those comments. I think it's really important that we don't put the burden of the red tape that exists right now in our industry and safety standards that vary between provinces on the workers, because they're the ones who have to pay the price, whether it be lost wages while they wait to have their accreditations recognized or the price of actually paying a third party provider for training.

As this bill moves forward, we would like to see more considerations for how we actually implement this labour mobility piece across the country. The devil's in the details in that area. We can't simply adopt the lowest common denominator across provinces. As an industry, we take pride in the fact that we have really high standards for workers and safety. As a country, we take pride in that, and we need to make sure those standards are maintained.

● (2005)

Leslyn Lewis: I have a similar question for you, Mr. Schumann.

The government claims that the bill will fast-track national building projects, but we've seen in the last 10 years how red tape and political interference can stall the process. From your members' perspective, is there anything in Bill C-5 that actually provides certainty to your industry and guarantees or gives some assurance that projects will actually get built quickly without political backtracking or interference?

Steven Schumann: This is a framework, and within frameworks, there's never a certainty. We don't even know what the projects are going to be yet. We know certain provinces have talked about certain projects. We've heard B.C. is talking about Site D and Site E and Site H with Alberta. We don't know if that's going to come forward. I've also heard that Toronto wants to bring forward the subway line. We don't know how that process is going to work.

If the projects come online, I will take this government on its word that they will get the process done in two years. That's all our members want to know. They want to know that work's coming and that they are going to be able to work on it. Our members work themselves out of a job. In any given year, they'll work on anywhere between five to 15 projects for five to 10 different companies. They move. They just want to build things. For example, we represent the pipeline trade. My members don't care what's in the pipe. It could be oil, gas or hydrogen, or it could be wires. We don't care. My members just want to build, so they want to know that there are projects down the road that they can actually build and those projects will come online quickly.

We've seen what's happened with Energy East and how it got killed. Kitimat had issues. That's where the frustration is: where someone says a project is going to be built and then it doesn't come forward. There's skepticism, but there's also hope.

The Chair: Thank you very much.

Next we'll go to Mr. Lauzon.

[Translation]

Mr. Lauzon, you may go ahead. You have five minutes.

Stéphane Lauzon: Thank you, Mr. Chair.

Thank you to the witnesses for being with us.

What Mr. Johnson and Mr. Schumann had to say was music to my ears.

I was a teacher in the trades, specializing in professional and technical training. I also worked on pipeline and cogeneration plant projects at TransAlta Corporation, in Ontario, and I can tell you that labour mobility was indeed a problem in the skilled trades for decades.

Mr. Schumann, you gave the example of the red seal program. I am very familiar with the red seal endorsement, which was created to address the labour shortage in the trades, allowing the provinces to lend one another workers. Nevertheless, I don't know whether my fellow members around the table are familiar with the red seal program, so could you explain what it is, so they can better understand how it relates to Bill C-5?

[English]

Steven Schumann: The Red Seal is an endorsement that facilitates labour mobility by providing a nationally recognized standard that employers can trust. In fact, if you get a Red Seal on tower cranes, you can work anywhere in the world; the Red Seal is recognized worldwide. That's how impressive it is. That's how high the Red Seal standards are.

There is a Canadian Council of Directors of Apprenticeship, who are directors from every province. They sit on the council, and they talk about the Red Seals and review the Red Seals.

I forget how many total Red Seals there are. For our trade, there are three or four. I don't know if you break it down, but every province is responsible to implement a Red Seal program or support Red Seal. Crane operators are recognized in every province by a Red Seal. Heavy equipment is recognized in eastern Canada, not western Canada, and there are a few other trades like that. We also have concrete pump, which is a highly sought-after career that's not recognized in other provinces but is provincially certified. There are some challenges there. To get a Red Seal program, you need four provinces to be part of the Red Seal.

● (2010)

Stéphane Lauzon: You have to create your own Red Seal to share with the other provinces.

Steven Schumann: There will be four, and then the council will agree, and they try to expand it.

Finn, do you have anything else to add?

Finn Johnson: I don't have anything else to add to that.

[Translation]

Stéphane Lauzon: It's important for the committee to have a clear understanding of all the steps. For there to be a united Canada, the barriers have to come down.

Mr. Schumann, you know what a complex process it is to obtain red seal endorsement, since you had a hand in developing and implementing the rules.

How do you think Bill C-5 can help, knowing that we've been trying to address the labour shortage for decades now? What comparison can be drawn between red seal endorsement and Bill C-5, in terms of making it easier for projects to move forward?

[English]

Steven Schumann: Apparently, the government has said that there's going to be one deal with the provinces. If there is, I would say that's where you have an opportunity to expand and promote the Red Seal and say, "If you want to be part of this, you all have to agree with the Red Seal", which would then solve labour mobility, because it is the higher standard. If you're a Red Seal crane operator, you can work anywhere in Canada or work anywhere in the world, right? If you're a heavy equipment operator in Alberta, you can't work in Ontario because you don't have a Red Seal; you're not going to meet the standard. That way you force them to create the Red Seal program. It's beneficial. It drives more people into the industry. If you have a Red Seal, you can work anywhere in Canada or the world, because it's recognized. As someone once said, "It's the golden ticket".

Stéphane Lauzon: Can the Red Seal be a solution for the implementation of this legislation?

Steven Schumann: For the labour and mobility part, I would say yes.

[Translation]

Stéphane Lauzon: Mr. Johnson, I have one last question for you.

Creating all those trades and having access to the workers we need requires schools and training. The problem affects all provinces, because some provinces have specialty trades that others don't. That makes it very hard to get your training in one province and then work in another.

Do you think this openness will fill vocational training centres with students? We are talking about centres that provide specialty training and millions of pieces of equipment.

[English]

Finn Johnson: I think that we certainly will be able to fill our training centres, especially with the specialty trades. We know that, as building technology grows more complex, we do need a more skilled, better trained workforce. Many of our training centres already have waiting lists as we need to grow our capacity for more skilled tradespeople. We still hear that we have this impending labour shortage over the next 10 years. We as a country need to be growing our training capacity. We cannot rest on our laurels, take

what we have now and assume that it will work for us at the capacity that exists over the next few years.

I think we need to expand the availability of training. I know that many of our training centres in Ontario, for example, have been granted the ability to offer full apprenticeship programs for carpentry, drywall and floor covering in-house. We would love to see that expanded to all of our 42 training centres across the country.

The Chair: Thank you very much, Mr. Johnson.

I'm sorry to cut you off, but we were going a little bit over.

[Translation]

It is now back to Mr. Lemire for two and a half minutes.

Sébastien Lemire: Thank you, Mr. Chair.

Thank you for being here, Chief Sunshine. *Meegwetch.*

The government can shirk almost all of its obligations, whether they have to do with the environment or first nations. Once a national interest project has the green light to proceed, who is responsible for monitoring the project and making sure that it doesn't have an impact on water or your resources, for instance? You've raised that concern already. You are in favour of major projects, provided that they don't harm mother earth's fundamental resources.

• (2015)

[English]

Chief Sheldon Sunshine: Could I just get some clarity on the question?

Was it, if we support these types of projects, what kind of consultation is required?

[Translation]

Sébastien Lemire: Do you feel that the federal government has given you protections? If not, are first nations assuming all of the risk in this situation? Basically, anyone in charge of a project deemed to be in the national interest can do what they want on first nation lands.

[English]

Chief Sheldon Sunshine: I don't feel comfortable, as it is today, for any project, unless we get the full information on the project. We're facing a lot of things in our communities. When I talk about the consultation piece in Alberta and some of the issues that we're facing, it's affecting our lives every day. We have spills and those types of things that are going to affect our lives long term.

There was a report here out of Alberta. The AHS had a report where life expectancy for our people is 19 years less than for the average Albertan. A lot of things contribute to that. It's opioids and all of those things. It's also the environment.

We're unable to practise our treaty every day, yet there are impacts on our lands, whether it's oil and gas development or water, being affected by these things.

I don't feel comfortable at this point to say that I'd agree with anything, unless all of those items were cleared first.

The Chair: Thank you very much, Chief Sunshine.

[Translation]

Thank you, Mr. Lemire.

[English]

Next, we have Mr. Muys.

The floor is yours. You have five minutes, sir.

Dan Muys: Thank you, Mr. Chair, and thank you to the witnesses.

This is for the carpenters and the operating engineers.

Obviously, the projects that your members work on are the projects we need for Canada's economic future, particularly with the challenges we're facing.

Just to raise it up to the 30,000-foot level, what do you see in Bill C-5 that's going to help get major projects done?

Finn Johnson: I think it goes back to my friend, Mr. Schumann's, earlier point. Our members would like to know that projects are coming down the pipeline.

There's been a lot of uncertainty as of late in the residential sector—in the GTA, for example, and in residential markets across the country—as the market slowed down. Our members don't always know when the next project is coming. We hate to see such well-trained individuals, who have skills that we need to contribute to our economy, sitting at home waiting for the call to get back on the project when financing comes through or the market has an upturn.

With this legislation, we have a clear idea of when we'll be able to see these projects come to life. Given the large size of these projects and, I would say, their nation-building nature, we know that the work on these projects will create millions of work hours for our members and for tradespeople across the country, and provide work opportunities for 10, 15 and 20 years, in many cases. You could work your entire apprenticeship and most of your career on a single project. That's what tradespeople want to see.

Steven Schumann: The only thing I would add is that it's helpful optimism, especially for those younger in their career, if they know the projects are going to be built within two years. If you're an apprentice or close to it, you're going to stick it out because you know there's the career, the benefit and the pension, but if there's no work.... You have bills to pay, right?

In the bill, this hope for the two years is, I think, the big thing.

Dan Muys: Certainly, one of our criticisms is that there's a lot of symbolism, "We're going to build big projects in Canada," and not necessarily a lot of substance in the bill. I think the comment was made that the devil is in the details.

What would you identify as impediments in the bill, and what are suggested amendments that you would have to bring some of that

specificity that is going to create that certainty of those jobs in the future?

Steven Schumann: I think I'll throw it back on the provinces and the projects. I don't want this to become political or just a giant "Here's everything we want built, and here's the list," right? It's not a criticism, but one thing I've heard is, I think the Province of Alberta is talking about schools, which are necessary, but those aren't the big projects that I think we've envisioned, like the dams and opening up mines in the northern regions are, right? We work at Baffinland; there's a big project, the best iron ore.

I want the projects to be listed, and let's not have politics around the projects. Have every province list a couple, "Here are the big ones. Let's get going." If we know what's being built, we also can help plan with our training schools and get our workers to the right province, the right job at the right time, and help make sure there is no shortage. It's a made-in-Canada solution with Canadian workers, and there's no need to bring in foreign workers or anything like that.

● (2020)

Finn Johnson: I would add that as we get increased clarity on what the projects are, we're better able to create the conditions that allow the local workforce to thrive. We want to make sure that projects that are happening in your community, you as a tradesperson have the opportunity to work on them. You have the opportunity to say in your retirement to your kids and grandkids, "I worked on that project. That's a nation-building project that I built with my hands." We want the opportunity for the local workers to create jobs in their communities and see those communities thrive.

Dan Muys: Other than the Red Seal discussion, are there any other specific amendments you would suggest?

Steven Schumann: One thing is we are the largest trainers out there. Other than the universities and colleges, we are the greatest trainers of students out there in Canada. I think there could be more support, not so much in this legislation, but as we mentioned, we are at capacity in a lot of our schools. The government has a fund under UTIP. Let's get the bricks and mortar, like the province of Ontario. Premier Ford has bricks and mortar support in there. Let's get more of that so we can expand our training schools to allow more people. There are 42 carpentry schools.

If you can expand it, we can do more training, and we can do more remote training with technology as well. Give us more money to train, and we can go to communities in the north and other areas to train.

The Chair: Thank you very much.

Next we'll go to Mr. Greaves.

Mr. Greaves, the floor is yours. You have five minutes to conclude the testimony today.

Will Greaves: I'm standing between everybody and the end of this round, Mr. Chair, but thank you for the opportunity.

Thank you to all the witnesses, and to you, Chief Sunshine, on the call. I appreciate your time this evening.

I'd like to start with you, Mr. Schumann, if I may.

At the outset, in your opening remarks you highlighted many of the large-scale projects that your members have worked on in my province of British Columbia and drew attention to the scale of development and the scale of major projects that we've been seeing in the west over recent years, so thanks to you and your members for your hard work in bringing those projects to fruition.

In that vein, the second part of Bill C-5, the building Canada act, identifies different factors that would be used to guide the determination of projects that would be listed in schedule 1, one of which is contributing to clean growth and meeting Canada's objectives with respect to climate change.

I wonder if, in your view, that commitment to try to support cleaner, more sustainable kinds of economic projects would be a useful way of helping to facilitate some of your members' transition into the clean energy economy and out of some of the more traditional, conventional energy projects that they may have worked on in the past.

Steven Schumann: We build it all. The example I'll give you is in southern Alberta, where they're developing wind power. Our crane operators were getting paid as much as they were working up in Fort McMurray, so there's opportunity out there. There's expansion out there. Again, pipeliners don't care what's in the pipe. If it's hydrogen, copper wiring, they don't care. They like that type of work. That's what they want to do. Yes, it is a great transition. Our members just want to work. They want to work in the trades. They want to work with their hands. They don't care if it's a conventional high-carbon project or low carbon. They just want to build and construct things.

Will Greaves: You brought up southern Alberta in that response. I can't help but think that some of the uncertainty around investment in the clean energy sector in southern Alberta has come about because of decisions by the Alberta government that have actually interfered with investments that might otherwise have been flowing into that province. Would the proposed changes in this regulatory framework help to create greater investor confidence in the clean energy sector going forward in a way that might make a higher level of confidence that those jobs would be available for your members in the future?

Steven Schumann: The gentleman to my left is an investor. I'm not.

What I would say is that if you start building things, investments will come. I was at the energy forum in Alberta. There was hopeful optimism that if you start building things, the money will come back. We have to show that we can build something, build it on time and build it within a framework, and then I think you will get those investments. However, I can't speak on that. I'm not an investor. Our focus is just to build things.

I will say this, though. We have pension plans that invest in these projects, and we invest in a lot of these projects, so we would like to see things being built because we would like to invest in them as well.

Will Greaves: Thank you.

I'll turn to Mr. Cyr, if I may, to pick up on that exact theme.

In your comments, sir, you said that investors obviously have to have confidence in order to be willing to place their money on the table. You also clearly indicated that you support this bill.

Is it fair to say that, in your view, this bill would not undermine investor confidence in these kinds of major nation-building projects in the future?

● (2025)

Jeffrey Cyr: You asked it in the negative, but I'll put it in the positive.

If the government is serious and gets behind doing major projects.... I'm going to need to make a distinction here between major projects and a whole bunch of other economic activity that can happen at the exact same time. They can be myopically focused on the major project, but there's a lot of other economic activity that can go on.

Investors will come to the table and bring capital to the table. My experience right now in raising capital globally is that it's looking for a home in things that are of particular interest and can provide the return, but have the confidence of governments at various levels and indigenous peoples that they're moving forward in lockstep together. Capital will then come forward.

First of all, I don't ever invest if the indigenous community is not on board from the beginning. Fundamentally, the way that capital works is it's going to drive toward things that it likes. Canada hasn't had a lot of really big, major national projects in a while and got behind them with a head of steam. I think Bill C-5 provides—I'm not putting words in Steve's mouth—momentum in the economy to move things forward. That's part one. The short answer is yes.

The second part of it is that there are a whole bunch of other projects that aren't building \$200-billion major energy. There are the \$10-million and the \$5-million projects. They scale horizontally. If you're doing 20 of these, you're kind of there. These are also major projects, but there are a bunch of little ones that are put together. I don't think we should lose sight of how the government can, while it's looking for two- or three-year approvals, or whatever, be doing a lot of work on the ground that employs tradesfolk at the local level and indigenous folks—we use those folks in our projects—and builds the momentum.

I think we can walk and chew gum at the same time. We can do big projects and medium projects at the same time as we move forward. Investors will come forward on them.

Will Greaves: Thank you, gentlemen.

The Chair: Thank you very much.

On behalf of all committee members, I would like to thank our witnesses for appearing on such short notice and for sharing their testimony with us on this very important piece of legislation.

Colleagues, we're going to suspend once again for five minutes to allow for our current witnesses to leave and the new round of witnesses to take their place.

With that, this meeting is temporarily suspended.

● (2025) _____ (Pause) _____

● (2045)

The Chair: I call this meeting to order.

I'd like to welcome our witnesses for the next hour and make a few comments for their benefit.

Witnesses, please wait until I recognize you by name before speaking.

For those participating by video conference, click on the microphone icon to activate your mic, and please mute yourself when you're not speaking. For those on Zoom, at the bottom of your screen you can select the appropriate channel for interpretation, "floor", "English" or "French". For those in the room, please use the earpiece and select the desired channel. A reminder that all comments should be addressed through the chair.

I'd now like to welcome our witnesses.

From the Canadian Credit Union Association, we have Michael Hatch, vice president, government relations.

From the Canadian Meat Council, we have Lauren Martin, senior director, public affairs and corporate counsel, joining us by video conference.

From the Kebaowek First Nation, we have Chief Lance Haymond, joining us by video conference.

From the Macdonald-Laurier Institute, we have Dr. Heather Exner-Pirot, director, energy, natural resources and environment, joining us by video conference.

Welcome to all of you.

We're going to begin with our opening remarks, and for that I'm going to turn it over to you, Mr. Hatch, for three minutes.

The floor is yours.

● (2050)

Michael Hatch (Vice President, Government Relations, Canadian Credit Union Association): *Merci beaucoup.* Thank you, Mr. Chair.

Canada's credit unions and caisses populaires manage almost \$702 billion worth of assets and serve over 11 million Canadians and more than 20% of our country's small businesses. With over 2,000 credit union locations, we are the only financial institution with a physical presence in around 350 communities. Credit unions and regional centrals employ over 30,000 Canadians and provide full service financial solutions, while being fully Canadian owned.

Removing barriers to interprovincial trade has been on the agenda in Ottawa and in the provinces for decades. It's encouraging to finally see concrete progress on this issue, which has been a major irritant and barrier to economic growth for so long. To the extent that the problem lies with federal policy, this bill will address many barriers inhibiting increased trade and mobility between the provinces and regions of the country.

As we all know, though, much of the work will have to take place at the provincial level, where we are also seeing good progress which we hope continues.

I would like to address an issue of concern for the credit union and broader financial sector that is not in the bill. It is regarding continued barriers facing provincially regulated financial institutions, like credit unions, looking to conduct business outside of their home province. As it stands, most credit unions are confined to their province of origin and are regulated by their respective provinces, not OSFI here in Ottawa. As such, they face major restrictions on growing assets, deposits and membership outside of their provinces. The option to go federal has existed since 2012, but in those 13 years, only three credit unions have successfully completed the process. Another has gone through the process and is awaiting final approval from OSFI and the Finance Minister, which we hope happens this year.

The reason so few have taken this route is due to the extreme complexity, uncertainty of the process, and the amount of time and human and financial resources that it consumes. Today, it takes up to six to eight years for a provincially regulated credit union to become federal and thus regulated by OSFI, during which time the credit union seeking to go federal is effectively prevented from pursuing other avenues of growth. As a result, at the moment, the option to be regulated federally is not attractive or, frankly, accessible to most credit unions.

To make this option more accessible to credit unions seeking to operate outside of their provincial borders, we urge the government to introduce other options for federal credit union growth, including asset transactions between federally and provincially regulated credit unions, and to ensure that OSFI's guidance for credit unions wishing to pursue the federal option, which is now over a decade old, is updated.

The limitations on credit union operations beyond provincial borders represent not just a brake on the growth of our sector, but also a barrier to further trade and mobility between the provinces. As provincial credit unions cannot operate outside their home province, if an individual or small business wants to move or expand operations across provincial lines, they need to go through the process of setting up a new relationship, in most cases with a large bank. This not only is a barrier to interprovincial trade but also acts as a major barrier to greater competition in financial services for all Canadians and is a force for further market consolidation among the large six banks.

In conclusion, we have been in discussions with OSFI and the Department of Finance about this problem. We had hoped to see some language in this bill that at least acknowledges the problem and commits the Department of Finance and OSFI to shortening the path for provincial credit unions looking to go federal.

We hope this committee will consider this as it studies Bill C-5 and contemplates further legislation in this Parliament.

Thank you, Mr. Chair, and I look forward to your questions.

The Chair: Thank you very much, Mr. Hatch.

Next, we'll go Ms. Martin for three minutes, please.

Lauren Martin (Senior Director, Public Affairs & Corporate Counsel, Canadian Meat Council): Thank you very much. It's a pleasure to be with you this evening.

I'm pleased to provide comments on behalf of the Canadian Meat Council, which is the voice of Canada's federally inspected meat industry, representing the entire value chain of red meat production and distribution in Canada, including all beef and pork sold internationally. We are the largest component of Canada's food-processing sector, with annual sales surpassing \$32 billion, exports of \$9.5 billion and a workforce of almost 70,000 people nationwide.

We applaud the spirit and intent of Bill C-5 as it pertains to the removal of interprovincial trade barriers. However, Bill C-5 purports to recognize provincially inspected meat-processing facilities as equivalent to federally inspected facilities, when they are not. We are concerned that the legislation in its current form would harm the meat-processing sector by limiting market access, affecting consumer confidence and, more broadly, introducing greater food risk safety and exposing the federal government to liability.

We recommend that the regulations intended to accompany this framework either exclude red meat interprovincial trade or ensure that provincially inspected facilities meet equivalent food safety standards as federally licensed establishments.

To provide a little bit of context, I would like to briefly describe Canada's meat inspection system. It's not something everyone knows. There are two levels of inspection.

The first is the provincial inspection. Provincially licensed abattoirs can only sell meat within a province. Provincially inspected facilities tend to be smaller and often serve local areas or specialty markets. Provincially inspected meat only accounts for 5% of Canada's red meat supply. Every province has different legislation, and inspection oversight varies from province to province.

By contrast, only facilities that are federally licensed can export meat to other provinces and countries. Federally licensed facilities process 95% of the total volume, meaning that most of the meat processed in Canada can be traded interprovincially right now. Federal facilities are usually larger, designed for higher volumes, but there are also small and medium-sized federal facilities that supply local product.

Just to reiterate, the lion's share of meat processed in Canada currently is traded interprovincially. While Bill C-5 purports to unlock the last 5%, we have concerns with the proposed wording of clause 8, which deems provincial requirements as equivalent to federal requirements.

The first and chief area of concern is food safety. A 2022 report commissioned by the Canadian Agri-Food Policy Institute found sharp variances between provincial and federal standards and inspections. In 2017, the World Organization for Animal Health evaluated Canada's inspection system and also noted the same variability. Pathogens such as *E. coli*, salmonella and listeria have different levels of protection in provincial plants, which is a major risk to consumers.

The federal government could expose itself and the industry to legal liability in the event of a food safety incident traced to a provincially inspected facility that doesn't have the same level of food safety standards. The legal implications of deemed equivalency would increase liability for government and industry.

In addition, there's also the control of foreign animal disease within provincial plants, which varies and could contribute to the spread of foreign animal disease or to a public health risk for consumption of products coming from sick animals.

The second risk that I want to mention is to our international trade relationships.

Canada's federal food inspection system is based on international standards, and it is among the top five inspection systems in the world. This is one of the key reasons why Canadian products are highly sought after. The federal inspection system was developed and has been evolving within the context of the international trading system, while the provincial system has not needed to.

There are many instances of this. By way of illustration, I will describe just one example. Countries that wish to import Canadian red meat will come to Canada and audit pre-selected facilities, thereby recognizing the whole of Canada as approved. This is called systems-wide approval. We jeopardize the systems approval model by deeming provincial inspection systems as equivalent to federal.

The federal government, particularly the federal regulating body—the Canadian Food Inspection Agency—is aware of the risks facing industry in a multi-tiered inspection regime. It has worked with CMC and other stakeholders to remove interprovincial trade barriers without elevating the concerns of food safety, international relationships and sector-wide competitiveness.

• (2055)

In conclusion, we support the spirit and intent of Bill C-5, which is to increase trade within Canada and to make goods and services more accessible to Canadians, and we reiterate that, for red meat, we have interprovincial trade for 95% of the supply. If the federal government wishes to go further, this must be done in a way that recognizes the integrity of Canada's federally inspected meat-processing system to protect Canadians and enhance the sector overall. A regulatory approach that ensures provincial establishments meet federal standards would be most practical for provinces that already have near-federal standards or inspections.

• (2100)

The Chair: Thank you very much, Ms. Martin.

Next we go to Chief Haymond.

You have three minutes, please.

Chief Lance Haymond (Kebaowek First Nation): Thank you, Mr. Chair.

Good evening, everyone.

I'm coming to you from the traditional territory of the Huron-Wendat people here in Quebec City, where the chiefs of Quebec are gathered in assembly, and one of the topics we're talking about is Bill C-5.

I'm here today to express my firm and unequivocal opposition to Bill C-5, a bill that, under the guise of cutting red tape and building the nation, threatens the very foundations of Canada's constitutional order, the rights of first nations and our shared path towards reconciliation. Let me be clear: Bill C-5 proposes to reduce federal regulatory burdens and accelerate major infrastructure projects, but in doing so, it casts aside essential constitutional obligations. The duty to consult and accommodate first nations is not a procedural hurdle or a box to be checked; it is a constitutional imperative recognized and guaranteed in section 35 of the Constitution Act, 1982, upheld time and again by the Supreme Court and reaffirmed in Canada's

commitments under the UN Declaration on the Rights of Indigenous Peoples.

The bill does not represent legislative reconciliation; it represents legislative recklessness. Prime Minister Carney says he wants to "Build, baby, build." I ask, "Build what, and at what cost, in a country that sidelines the rights of its first peoples, that chooses speed over justice, discretion over duty and litigation over dialogue?" The process that led to Bill C-5 is a case study in how to not engage with indigenous nations: no draft bill; no meaningful engagement; no recognition of the complexity of our rights, title and interests; and no possibility of legislative co-development. Some may argue that Bill C-5 reaffirms the government's obligations under section 35 and UNDRIP, but I say that words in a bill mean nothing if the process is hollow, if free, prior, and informed consent is disregarded and if discretion trumps rights in practice, no pun intended.

Let me point to a recent decision that lays bare the gap between promise and reality. Earlier this year, in *Kebaowek First Nation v. Canadian Nuclear Laboratories*, the Federal Court ruled that the Crown failed in its constitutional duty to consult when it approved a nuclear waste facility near the Ottawa River without properly applying UNDRIP. The court found that free, prior and informed consent requires more than a box-checking exercise. It demands a meaningful process that respects indigenous laws, knowledge and governance, aimed at achieving mutual agreement.

This is the risk we face with Bill C-5, a future in which UNDRIP becomes another hollow promise on the long road to reconciliation. Let's be honest about what this bill represents: It represents a choice between two paths. The first path is legislative reconciliation, and that means implementing the UNDRIP Act in good faith; harmonizing federal laws to respect indigenous rights, title and treaties; and working with first nations to build a sustainable and just future for us all. The second path is litigation, the path that this government seems determined to follow. However, let me remind you that first nations have defended our rights in court. For decades we have won, and we will continue to win. Governments that ignore their constitutional obligations invite legal challenges and delays, and deepen division.

Bill C-5 does not address climate targets, protect biodiversity and respect the rights of first nations. Instead, it sets the stage for another wave of conflict, protest, court battles and public outcry. The conditions for an Idle No More 2.0 uprising are being written into the law as we speak.

This is about which country we want to build: a country where economic development is pursued at any cost, or a country where growth is balanced with justice, partnership and respect for the land and its original stewards. We must reject Bill C-5. We must call on the government to start over, engage first nations as true partners and co-develop the legislation that aligns economic ambitions with constitutional duty, environmental protection and indigenous sovereignty. The clock may be ticking for the government's deadline, but our rights are not on their schedule. Our future is not for sale.

In closing, I urge this chamber and all Canadians to recognize that Bill C-5 is not a blueprint for progress. It is a blueprint for division at a time when our country needs to be more united than ever. Let's choose a better path, one that honours our Constitution, our commitments under UNDRIP and our shared future on this land.

• (2105)

Meegwetch.

The Chair: *Meegwetch.* Thank you, Chief Haymond.

Next we will go to Ms. Exner-Pirot.

You have three minutes for your opening remarks. The floor is yours.

Heather Exner-Pirot (Director, Energy, Natural Resources and Environment, Macdonald-Laurier Institute): Thank you, Chair and committee members, for the opportunity to speak to you today. I join you from beautiful Inuvik, Northwest Territories, which has the midnight sun this time of year.

Bill C-5 is a very imperfect bill. It's not where I would start if I was looking to unleash Canadian resources and make Canada into an energy superpower, but I won't make the perfect the enemy of the good. Bill C-5 responds to the urgency of Canada's situation. If implemented well, it could position Canada to grow our economy, diversify our trade and improve our market access. I do not oppose this bill.

Let me start with the good. I am grateful that this government has made building major projects a focus of its first sitting and a hallmark bill. It matters. It signifies a change of priorities and an enthusiasm for building instead of blocking major projects. For 10 years much of the resource sector in the country has been in fight-or-flight mode, but in the past few weeks, I've been hearing optimism and bullishness from prairie premiers and energy CEOs. They believe this government may actually intend to build some infrastructure and position Canada to be an energy superpower. It is refreshing, and it is a relief.

I am grateful Conservatives are working with Liberals to pass this. Eighty-five per cent of Canadians voted for your parties with the expectation that you would meet the moment and turn our economy around and leverage our natural resources to increase Canada's power and prosperity in a time when we badly need both. I am glad

Canadian politics have moved back towards the centre, but let me be clear that Bill C-5 is a shortcut and it cannot replace the hard work that will need to be done to fully restore investor confidence, improve regulatory processes and get projects built in this country.

Bill C-5 lets government pick winners and losers. For a handful of projects decided on in collaboration with provinces and territories, this is tolerable, but it's no way to run an economy in the long term. There are hundreds of projects advanced by private proponents in various stages of regulatory processes. Many are languishing. If Bill C-5 gives some projects an easier ride than others, it will disadvantage competitors unfairly.

If regulatory resources are concentrated on a handful of high-profile projects at the expense of the other ones already in line, it will exacerbate our reputation as a hard place to do business. If projects are chosen based on a political calculus rather than our economic returns, we may actually get poorer, not richer, by misallocating capital and effort. The bill is rife with potential for abuse.

It does do a service by highlighting in schedule 2 many of the acts and regulations that make it too difficult to build here in Canada. They must be reformed for all projects and for all proponents, not just a select few. Many more regulations and laws, many of which are likely unconstitutional, remain on the books. That will mute much of what Bill C-5 is trying to accomplish.

What good is a pipeline if the emissions cap means you can't fill it? What good is a railway if the Impact Assessment Act means you can't mine products to ship on it? The business community has not been coy about what needs to be done to really unleash our energy and resource sectors and it goes far beyond Bill C-5.

I will conclude with a short comment on indigenous rights and consultation on resource projects, a topic I care and think deeply about. The duty to consult and accommodate is very well defined in Canadian law, and aboriginal and treaty rights are constitutionally protected. I don't see anything in Bill C-5 that would reduce that obligation of the Crown or proponents to engage meaningfully with indigenous rights holders on projects that impact their rights.

Thank you for your attention. I look forward to questions.

The Chair: Thank you very much, Ms. Exner-Pirot.

We'll begin our line of questioning today with Mr. Albas.

Mr. Albas, the floor is yours. You have six minutes, sir.

Dan Albas: Thank you, Mr. Chair, and thank you to all of our witnesses for being here today.

I'm going to start with Mr. Hatch at the Canadian Credit Union Association.

Mr. Hatch, although Bill C-5 doesn't seem to address the issue you're talking about, maybe we can briefly mention the transition rules that were first brought in under the Harper government. Jim Flaherty introduced them. It really was looked at as a potential game-changer for many small credit unions that could link together, create their back office as one and be able to have a wider footprint, but I would imagine that for some credit unions, it's like flying across the country and then being asked to do a holding pattern at the destination, like over Pearson, where they're circling and circling.

Maybe you could explain the costs that go along with being under the federal rules, under the Office of the Superintendent of Financial Institutions, and the provincial regulator at the same time and why that is such a difficult situation for a credit union if it goes on for an indefinite amount of time.

• (2110)

Michael Hatch: It is very burdensome. Just to be clear, we're not asking for the regulatory regime at the federal level or the provincial level to be lessened. Credit unions have existed for decades, or over a century, in a lot of cases. They're well capitalized and well regulated at the provincial level, in most cases.

What we're asking for is for a shorter and more reasonable path for those that are considering expanding outside of their own province. It's never going to happen overnight. A lot of things have to take place.

I would credit previous governments for the foresight to legislate that process. It was thought, at the time, to be a game-changer, as you said. However, the game hasn't changed as much as we would have perhaps hoped a decade ago because of the length of time that it takes.

You know, six, seven or eight years is not something that anybody, frankly, is willing to take on. If it was closer to 12 or 24 months, then I could tell you that a lot more institutions would actively consider going down that road, which would ultimately result in more competition for consumers and more choice in financial services because you'd have more institutions competing at the national level.

Dan Albas: Can you give us an example right now of any credit unions that are going through that process and have been more than, let's say, 36 months?

Michael Hatch: It is a matter of public record. There is one in your province of B.C. It's First West Credit Union. It is going through the process.

Three have completed the process: one in B.C., one in Saskatchewan and one in New Brunswick. That's three out of nearly 200 institutions. That's a pretty small percentage of the overall market.

I don't necessarily want to comment on any individual cases. I can tell you that in the case in B.C. right now, they are in constant contact with OSFI and with officials here in Ottawa and are doing their due diligence in order to complete that process.

That's just one example. We want to take the learnings from that and the other processes we've seen over the last few years and just make the case that it has to be made easier and less time consuming, frankly.

Dan Albas: If a road map was agreed to with certain time limits and it was honoured by both federal and provincial regulators, everyone would be better off. Is that what you're saying?

Michael Hatch: Absolutely.

Ultimately, it's about the consumer. It's about competition. It's about having more institutions competing nationally in financial services.

It's about mobility between the provinces as well. If you're a small business and you want to expand from one province to another, if you bank with a credit union, all of a sudden you have to go to a new financial institution. That is not necessarily debilitating from the business's point of view—it's certainly possible to do—but, like I said in my opening comments, it serves as a vehicle for further concentration amongst the big banks.

Dan Albas: I guess it must be frustrating because the big banks can capitalize by issuing more stock or by putting out bonds, but credit unions are limited by their provincial regulator as to how much debt they can hold, which may be different from the Office of the Superintendent of Financial Institutions. To kind of be holding that back-and-forth method while you're still waiting to see who's going to be your regulator that year, I'm sure could be difficult.

I will just quickly go to the Meat Council.

Thank you very much for raising the issue today.

Have you had any conversation with either the Minister of Agriculture or the Minister of Health? Obviously, the Minister of Health is the minister responsible for CFIA.

Lauren Martin: Yes, absolutely. I think both entities have been aware for quite a long time as to the differences between inspection systems at the federal level and then at various provincial levels.

Dan Albas: We saw a lot of our small abattoirs close in the early 2000s because of the requirement by the province that everyone had to be CFIA qualified so that they could send their products both interprovincially and federally. We really saw these small markets dry up.

I'm concerned, being a local member of Parliament for B.C., that these small abattoirs might suddenly, under this rule, actually start to face competition from other provinces that may or may not have the same rules.

Is that possible?

Lauren Martin: I think that's a real possibility. I appreciate you raising it. It's a tricky balance to walk.

At this point in time, all provincial facilities could come up to the federal standards if they so chose. It would be a business decision on their part to do so. The fact that they haven't suggests to us, and should to all of you, that there's a business reason for why they choose not to be federally inspected at this point.

• (2115)

Dan Albas: That's fair enough.

My last question will be really brief.

Have you raised the concerns around Bill C-5 to the CFIA directly, or to the Minister of Health or the Minister of Agriculture?

What was their response?

Lauren Martin: Yes, we have, directly, and they are supportive.

What we also understand is that once Bill C-5 goes through its legislative process, there will be a regulatory process that is undertaken in which we can unpack some of these exceptions, potentially, in greater detail.

The Chair: Thank you very much.

Next, we'll go with Ms. Nguyen.

Ms. Nguyen, the floor is yours. You have six minutes, please.

Chi Nguyen: Thanks very much.

It's been some hours, folks. Thank you, everyone, for joining us this evening for the discussion of this very important piece of legislation.

I'm someone who likes to give out gold stars and recognize when there are some positive things.

Lauren, I'm curious about this. You said there are some pieces in the legislation or in the framing that you feel comfortable with. Could you tell us a bit more about where you think there might be some good opportunities for us to be building and growing the economy if we move forward with this legislation?

Lauren Martin: Certainly. I would point to two examples where you, as a committee, and the regulators might take better learning.

The Canadian Food Inspection Agency developed a domestic comparability assessment tool, which is used by provincial establishments to self-assess their safety systems against the federal standards. That helps to identify commonalities and gaps, and then that turns into discussions as to how to elevate, if they so choose.

There was also a domestic trade journey that was organized by Agriculture and Agri-Food Canada, which identified provincial meat processors that are interested in federal licensing.

To the extent that we can support those provincial facilities that are interested in becoming federal, I think that's a space that government can play a role in, and that would benefit us all.

Chi Nguyen: Thanks.

It sounds like you see that there might be some opening around the regulatory process to make sure that we get this right.

Lauren Martin: Yes.

Chi Nguyen: Great.

Mr. Hatch, I want to ask you about the opportunities you see. You talked about the challenges in terms of your particular sector around credit unions and moving into a broader frame and the pieces there. I wonder if you could frame up some of the things here that you see are potential advantages in the legislation, especially how we could use it to make sure that we're supporting young workers and families.

Michael Hatch: As I mentioned in my opening remarks, we had hoped to see some language in the bill that would address the issue that I brought up, which is what we feel to be the unnecessarily burdensome process for credit unions to grow beyond their provincial borders and to operate at the national level.

The Department of Finance is well aware of our concerns in this area, and so is OSFI. We have been very candid with them, and we will continue to be. They have, to their credit, been open to this idea.

It's not necessarily a legislative fix, although there are some technical pieces of legislation or components of legislation that I think could address some of the components that make that process so very difficult, but it's more of a cultural resource allocation question within OSFI, perhaps, and also the treatment of capital.

Without getting too much into the weeds, credit unions are co-operatives. They're financial institutions that are organized along co-operative lines, as opposed to the large, shareholder-owned, primarily for profit, publicly traded financial institutions that can go out and raise capital, in the billions of dollars, in capital markets at the drop of a hat.

The way that credit unions raise capital is largely through retained earnings—their profits year over year—which is pretty much by definition a much slower, more difficult and time-consuming way to raise capital.

There are ways that OSFI can change the way it looks at things like that to make it easier. Again, they're open to it, and we hope to continue that conversation for the duration of this Parliament and beyond.

• (2120)

The Chair: Thank you very much, Ms. Nguyen.

[Translation]

You have six minutes, Mr. Lemire. Go ahead.

Sébastien Lemire: Chief Haymond, *kitchi meegwetch* for so clearly expressing your thoughts and ideas about a bill whose risks and consequences have not been properly measured, especially as they relate to first nations.

In the past few days, we've heard a number of chiefs express their opposition to Bill C-5. They have highlighted contradictions and elements that could be very detrimental to the future, rights and resources first nations want to protect. There seems to be quite a clear consensus on that point, one that is shared by the national chief of the Assembly of First Nations, Cindy Woodhouse Nepinak, the Ontario chiefs and many others.

You were with the Assembly of First Nations Quebec–Labrador today. You said there was a discussion on the matter. Did you get the sense that there was unanimous opposition to Bill C-5 among Quebec's and Labrador's indigenous chiefs?

[English]

Chief Lance Haymond: Quite simply, I believe that most first nations will oppose this bill because of the fact that we have not had an opportunity to discuss the potential impacts. I hear witnesses talk about “our resources” and “our opportunities”, but what people tend to forget is that, look, I'm Algonquin Anishinabe, and you're sitting in Ottawa on unceded Anishinabe territory.

The definition of “unceded” is that we did not give up the rights or make a deal with the colonial government. These territories that everybody wants and talk about developing belong to first nations and we deserve an opportunity to have a robust consultation process. That is the judgment that was rendered by Judge Blackhawk in *Kebaowek v. CNL*.

We're not opposed to development, but we want a clear opportunity to make sure we understand the impacts of the project and whether or not those impacts can be mitigated, and then be in a position to move forward. We have two examples of where it works and where it doesn't. In the case of the nuclear project, again, the consultation process did not work. We—for 10 years—told Canada and the Canadian Nuclear Laboratories that calling us and sending us letters was simply not consultation, and that it required a deeper consultation, a framework and a robust process. They disagreed. We took them to court. We won. The court said that the consultation process wasn't adequate.

We have a second project where we have worked with PSPC on a bridge replacement project in our traditional territory. Through this process with PSPC and the Impact Assessment Agency, we came up with a process that allowed for us to have our say in terms of the environmental impact statement. We were able to develop a process to engage our people and talk to them about the options, the impacts and the mitigation strategies that needed to take place for us to support the project. Next week, we will be meeting with the Impact Assessment Agency and PSPC, and we will be giving them our consent to our preferred option of the three that were presented to us for this bridge replacement.

There's a good way to consult us, and there's a bad way. Bill C-5 is probably the worst I've ever seen.

[Translation]

Sébastien Lemire: Chief Haymond, I hear you loud and clear with respect to reconciliation, which is hugely important for first nations. Dialogue and discussion are fundamental, and the government failed on that front as far as Bill C-5 goes.

• (2125)

It is our parliamentary committee's job to consider how the bill can be amended to reach out to first nations and, as many members of first nations have pointed out, avoid decades of litigation before the courts.

Currently, in schedule 2, the government has listed 13 acts and seven regulations that project proponents will not have to adhere to if the bill is passed, including the Indian Act. Let's say the committee were to remove that act from schedule 2. Would that be a first step towards bringing first nations onside with Bill C-5, a step that might help to avoid a national crisis?

[English]

Chief Lance Haymond: Of course it will lead to a crisis. When you overstep and override our rights, and you take away any of the fundamental protections that we have, even as bad as the Indian Act is, then, yes, it's going to cause a crisis.

I know that there will be challenges ahead. We're already seeing it in our province of Quebec with Bill 97 and the changes to the forestry regime.

[Translation]

Sébastien Lemire: Would you be in favour of removing the Indian Act from schedule 2 of Bill C-5?

[English]

Chief Lance Haymond: Yes. Absolutely.

[Translation]

Sébastien Lemire: *Kitchi meegwetch*.

The Chair: Thank you, Mr. Lemire.

[English]

Thank you very much, Chief Haymond.

Ms. Stubbs, the floor is yours. You have five minutes, please.

Shannon Stubbs: Thank you, Chair.

Thank you to all the witnesses for being here.

To the credit union, I hope the government listens to you. I am a rural resident of a rural community in Alberta. Credit unions are necessary for the daily lives of the people there. I also hope all the concerns we heard about the impacts on Canadian meat processing get addressed.

I too, Chief, hope that the decision-makers, who are the Prime Minister and the cabinet, actually listen to what they're being told so that they can fully deploy their duty to consult and mitigate adverse impacts on impacted communities so that everybody who wants to see big projects get built for the prosperity of all people, and especially for indigenous Canadians, can get to "yes" in a good way.

Dr. Exner-Pirot, thank you for being here. I agree with you: We find ourselves in an odd position where we have a government doing a short-term workaround, with sort of baby steps and bread-crumbs, rather than a big breaking through of barriers they themselves created over the last 10 years.

I'm wondering if in general you have concerns with the fact that in Bill C-5, the two-year timeline, which they keep claiming, isn't actually in the bill. Neither is there any timeline on which a final decision should be made. How does that give certainty to proponents or to investors?

Heather Exner-Pirot: It's a good question. Two years would obviously be ideal. I could see in some cases—for example, where there's a duty to consult and it wasn't possible to achieve all that consultation and accommodation within two years—that it's hard to legislate strict timelines. But certainly at least two years should be the goal. Proponents would like to see that. I can see legally, especially on the indigenous rights side, why it's maybe hard to mandate that. I have to remind everyone that a working group of cabinet members in 2024 already had some timelines that they put onto major projects. We haven't come close to achieving that.

Just saying that a timeline is going to be achieved isn't good enough anyways. I guess it's a great aspiration. Hopefully, we can get closer to it.

Shannon Stubbs: Yes. I think it's safe to say that what's in the law is really what matters.

What are your views on the fact that there are these vague concepts that would constitute the national interest, but one could make an argument on almost every single factor in every single way about any project that might be under consideration? Do you have any comments on the uncertainty around that sort of ad hoc, project-by-project, case-by-case adjudication rather than what I think you were probably leaning towards in your opening comments instead—that is, actually fixing and creating attractive and competitive investment and fiscal and regulatory conditions to at-

tract private sector investment and a government with the will to back proponents to build on the back end?

Heather Exner-Pirot: Yes. Certainly the way it's been described lends itself to a boondoggle list. I've heard that 90 projects have been submitted from the provinces and territories. Many of those don't have proponents. Many of those don't have a business case and would probably rely on extensive government funding. In contrast, you do have, like I say, probably hundreds of projects in various regulatory stages with the provinces, the territories and the federal government that have been moved by private proponents. I would argue that any project that improves our productivity, increases our GDP and diversifies our trade is a project in the national interest.

So yes, it is, like I say, rife for abuse to let the government pick a few. Again, there's a honeymoon period, and people are quite pleased that we're focusing on building some projects, so there's quite a lot of leeway, but there are certainly ways you can see that this legislation could go sideways.

• (2130)

Shannon Stubbs: There are, of course, dozens of projects stuck in various forms of federal review or a duplicate of federal review right now, including 28 nuclear, oil and gas, mining and LNG projects, all real projects with real proponents spending real money and losing real time trying to get approval. Does that seem like a sensible place to start?

Then, with the government, as you say, a G7 country whose economy is really dependent on responsible resource development, wouldn't that be a good place to start? Shouldn't the government be spending all of this time removing or fixing the barriers in all of those 13 pieces of legislation and five regulations that they clearly say are stopping things from being built?

Heather Exner-Pirot: I think that would be the preference of proponents now that we've identified what some of the issues are. It's not about having a lower standard; it's about getting rid of some, frankly, Orwellian processes that we have in place, permitting that has no relationship to the cost and the benefit to society and really just adds time and money and pain and frustration. Everyone wants world-class standards; no one wants to get rid of them. We just want some efficiency and proficiency in the system.

Like I say, this is a shortcut Bill C-5. I appreciate the desire to get some projects moving quickly. We do need to see that, but it's not a substitute for doing the hard work in the coming year of reforming some of that legislation.

The Chair: Thank you very much.

Next we have Mr. Kelloway.

Mr. Kelloway, the floor is yours. You have five minutes, please.

Mike Kelloway: Thank you, Mr. Chair.

My questions will be to Ms. Exner-Pirot.

First I just want to reflect on the afternoon, evening and night with respect to the testimony. It's been very important to hear every side of the equation. The one thing I think about—I think everyone around this table or those watching at home or here in attendance are thinking about—is the real threat, the ongoing threat of these tariffs. Trump loves tariffs. He's talked about it ad nauseam, but when Trump decides to leave, Trumpism will probably continue, and the focus on tariffs will continue.

I think of energy. I think of how energy security is national security, Ms. Exner-Pirot. When I think of new technologies like carbon capture, hydrogen or small nuclear reactors that could potentially benefit the Canadian economy and decarbonized oil that goes through pipelines, whatever the projects are that are deemed important by the provinces, first nations and the private sector, I'm wondering if you look at some of these items like electricity transmission lines, for example. At the Macdonald-Laurier Institute—and I've asked this question of some other people as well—have you done any type of analysis in terms of the new energy projects that could be on the horizon and how they secure us from an energy perspective but also from a national security perspective?

Heather Exner-Pirot: We've done some work on the cost of some of the renewable goals that some of the provinces have had. As you know, electricity is generally a provincial remit, and we focus on federal policy, but I do have a paper coming out this week that does look at the emissions intensity lowering that we've seen in the Canadian oil and gas sector, in particular, in the oil sands. There are certainly ways that the sector has been successful, and there's certainly impetus from industry itself to want to lower its emissions intensity per barrel and get that decarbonized oil through, as we're talking about. There is enthusiasm for some kind of grand bargain, where again, we work harder towards reducing emissions to the extent we can, and that allows that social licence to get more product to export away from the United States and to other markets.

Mike Kelloway: I would like to go a little deeper in terms of the work you've done or even in the paper that you're going to present later on this week or next week. If you take an example of the projects that you've referenced in terms of jobs or in terms of economic benefit, can you share a little bit of your paper with us? Can you give us a little foreshadowing of what might be in your paper that might give some sunlight to this?

• (2135)

Heather Exner-Pirot: It's not very related to Bill C-5, but basically the emissions cap comes at a very high cost on a carbon tax basis. We might want to rethink different ways, such as the Pathways Alliance, which the Prime Minister has indicated some enthusiasm for. It would certainly be a positive way of working with industry and maybe a major project that could be considered as part of Bill C-5.

Mike Kelloway: Do you have major projects that the Macdonald-Laurier Institute would highlight as important to national security vis-à-vis energy security?

Heather Exner-Pirot: Yes, I have a list.

I would say Northern Gateway and Ksi Lisims LNG with Prince Rupert gas transmission; a final investment decision on LNG Canada, phase two, which isn't for the federal government to do but can create some conditions for success there; and the expansion of the Trans Mountain pipeline because it's quickly filling up—it's at 90% utilization. Those would be at the top of my list to expand our energy security. Those would also probably be the biggest GDP boosters that we have available to us.

Mike Kelloway: Okay. Thank you for providing those examples.

Is there anything on the east coast? When I say, "east coast", for those watching, I mean Atlantic Canada, not downtown Toronto.

Heather Exner-Pirot: Yes, absolutely.

I'm a big proponent of Atlantic oil and gas development. They had a great conference last week that showed some of the potential there. I think that, rather than doing an Energy East pipeline, we're better off using Atlantic oil and gas potential and Quebec potential to serve them there. If we want to reduce dependence on the United States on the east side of Canada, then we could use some eastern oil and gas to actually do it. In terms of supplying our allies in Europe with LNG, I think it's better that it come from the east coast as well.

The Chair: Thank you.

[Translation]

Mr. Lemire, you may go ahead. You have two and a half minutes.

Sébastien Lemire: *Meegwetch.*

Chief Haymond, I'd like to hear your views on the risks involved.

Who will face the risks? If some of the most important laws no longer have to be upheld, if proponents of major projects do not have to adhere to them, if a disaster or catastrophe happens—which is possible, foreseeable even in many cases—who will pay the price? Who will bear the responsibility if the project impacts wildlife, the environment, water or even humans?

[English]

Chief Lance Haymond: That's a good question and one that fundamentally concerns us. The fact that there will be nobody responsible means that we will be left with the mess if a project goes horribly wrong.

I think about the nuclear waste facility at Chalk River as an example. The technology they're proposing to use is supposed to protect this site for 300 years, but many of the radionuclides that they're going to be putting in there have half-lives that are in the thousands and millions of years. Therefore, the technology is not going to support the long-term safety of the watershed. At the end of the day, the government will be responsible because it allowed for the permitting of this project to happen. I can't see a proponent having enough liability insurance to cover the fact that this project risks the drinking water supply of nine million people living in the provinces of Ontario and Quebec.

It's a very good question. When push comes to shove, at the end of the day when there's nobody to be held liable, that pressure will again be put on the government of the day.

[Translation]

Sébastien Lemire: *Kitchi meegwetch.*

The Chair: Thank you, Mr. Lemire.

[English]

Next we have Mr. Muys.

Mr. Muys, the floor is yours. You have five minutes, please.

Dan Muys: Thank you, Mr. Chair.

Thank you to the witnesses.

Dr. Exner-Pirot, I hear you that we can't let perfection be the enemy of the good.

I want to pick up on Ms. Stubbs' line of questioning. Our criticism of Bill C-5 is that there are a lot of good intentions and a lot of symbols and signals but that there's a lot of substance that's lacking.

You started to talk a little bit about some of the shortcomings, and maybe you can continue to elaborate on those. What are some of the things to watch out for? What are some of the potential pitfalls? As we look down the road, are there milestones or measurables as to how this is being implemented and that it's successful?

• (2140)

Heather Exner-Pirot: That's a great question.

It could be implemented well, if humans were perfect, and governments were perfect. We shouldn't expect our governments to be perfect. We should have safeguards for that.

It's in the choosing of what projects are in the national interest. The governments are choosing that in the first place, but there is a role, certainly, for the government to build infrastructure and to provide support for nation-building infrastructure. We wouldn't have railways and highways, and those kinds of things that we have, like the St. Lawrence Seaway, if we didn't have government intervening. We wouldn't have the oil sands if government hadn't provided some support in that respect.

Again, we need to put in some safeguards regarding some level of proponent interest or some level of private sector interest in some of these projects that aren't fully or majority funded by the federal government. Some are probably already at an advanced stage. They are already in a process, and they've already been sub-

mitted to a regulatory body for review, so they are not starting from scratch, kind of out of a politician's dream. Those are the ones.

In the legislation, and using the Henry VIII clauses, there are laws it does tend to omit. It isn't to ride roughshod over environmental protection or rights, but it is really to just surpass some of the bottlenecking that sometimes is caused by our regulatory process.

Again, a hummingbird is an example of a species of least concern. It doesn't stop construction somewhere for four months because of the Migratory Birds Convention Act, at a cost of about \$100 million to the Canadian taxpayer. Allowing to have a relief valve for some of those very difficult permitting issues but, again, not usurping the kinds of rights that Canadians expect....

Dan Muys: It's interesting that the examples you cited of what would be the biggest GDP boosters were predominantly energy infrastructure projects. When it comes to choosing projects that are in the national interest that you mentioned, that's perhaps where the rubber is going to hit the road, or where the greatest risk lies.

How important is it to prioritize that as our biggest economic opportunity.

Heather Exner-Pirot: The Prime Minister has spoken about wanting to make Canada an energy superpower in conventional and clean energy. From a foreign policy perspective, what makes one a superpower tends to be from oil and to a lesser extent natural gas and sometimes critical minerals. In terms of the super power that comes with it, the influence, that is obviously going to come from some of these more politically sensitive commodities, and we're seeing that in global markets today.

When Trans Mountain comes online, you will actually see it in the Canadian GDP. There aren't many projects that you can see and measure, and that the Bank of Canada can measure as a portion of GDP. It's nothing like what a bitumen pipeline will do in this country, but an LNG terminal like LNG Canada comes pretty close.

Dan Muys: Thank you, I agree.

There's not much time left, so just a comment, perhaps. There was an OECD report, not that long ago, a few years ago, that Canada had the lowest private sector investment in our economy in the OECD. It stated that was an impediment for this decade and some decades to come. Taxes and regulation, obviously, have a big impact on that.

How important is it that nation-building projects have that emphasis on private sector potential?

Heather Exner-Pirot: Yes, it's a lot. That's why I'm not opposed to the bill; the private sector has been quite enthused about it. It is a very good signal to them that this government does intend to do some business and to build some projects. Again, it's the first step. It is certainly not the last step of what we actually need to see in this country to bring that foreign investment back and to really have investor confidence. People are willing to give the benefit of the doubt for now, but that won't last forever either.

The Chair: Thank you very much.

Finally, for today, we have Mr. Lauzon.

[Translation]

You may go ahead for five minutes.

Stéphane Lauzon: Thank you, Mr. Chair.

Ms. Exner-Pirot, do you think the bill could improve Canada's ability to compete with countries that have streamlined approvals for major energy projects of strategic importance?

You got me thinking earlier, so I want to draw on your experience. I see in your bio that you were a special adviser to the Business Council of Canada and a research adviser to the Indigenous Resource Network. You may have done international work. Can you talk a bit about that?

• (2145)

[English]

Heather Exner-Pirot: Yes. I think Goldy Hyder has been testifying—to the Senate, I believe—on this issue too. I certainly provide advice, but I don't want to pretend to speak for him today. He has his own thoughts and position.

Certainly—and I do know this to be true—many of the members of the Business Council of Canada are very supportive of this bill. It is giving them optimism and it is giving them hope, and this is what I think many Canadians don't appreciate: It hasn't been evident in the last 10 years.

When they're allocating funds, they can allocate them anywhere, and they're going to allocate them on behalf of their shareholders to the jurisdiction where they get the best return and the fastest return. For so many of them, for the last 10 years, that has not been Canada. They are seeing some hope with this bill that there is a change in the tone and there is a government that does want to help them build things and does want to be a partner for them, not an adversary. There is optimism with this bill.

Yes, a lot of our capital competes in the United States, and the United States has been excellent at attracting capital in the last 10 years.

This at least recalibrates when the Trump administration is making things much easier, probably too easy. It's probably going to be subject to some legislation or some legal action, but this at least allows Canada to compete for that capital and earn a similar or competitive rate of return.

[Translation]

Stéphane Lauzon: Thank you.

It's important to bear in mind the situation we're facing with the United States right now. If we were in the same situation we were in during Donald Trump's first term, or even the same situation we were in two or three years ago, would we be saying more or less the same thing? Would we be having the same discussion today, in your view? Would we have to pass legislation like Bill C-5?

[English]

Heather Exner-Pirot: There are so many ways we could have done things differently. I don't think that many businesses think the Trump administration is a model. Actually, a lot of his actions have caused turbulence and volatility, and it's not attractive for investment.

In fact, there's a real opportunity for Canada now, including with this bill, to say that we're a stable jurisdiction but we're also open for business. Many things have happened in the last 10 years with many different governments, and I guess that, going forward, all we can do is try to be the most competitive country and try to be that leader in the G7 nations that everyone wants us to be.

[Translation]

Stéphane Lauzon: Thank you.

Ms. Martin, you talked a lot about the food inspection system. You explained the difference between provincial and federal inspections. You said that only 5% of food inspections were conducted by the provinces. What's more, only federally inspected products can be sold in other provinces and other parts of the country.

You think Bill C-5 could remove the barriers for that 5%. Can you elaborate on what needs to be done to remove those barriers?

[English]

Lauren Martin: Sure, and please redirect me if I did not understand the question. I understood it as being about how to remove the barriers on the last 5%.

Stéphane Lauzon: Yes.

Lauren Martin: To that, I say that I think we need to look at the learnings of the journey-mapping exercise of Agriculture and Agri-Food Canada and also the domestic comparability assessment tool led by the CFIA. There are opportunities to unlock that last 5%. I think the easiest starting place for the federal government would be those provincial facilities that are looking to become federal and determining what supports they particularly need—perhaps in cost—to get up to the federal standard.

[Translation]

Stéphane Lauzon: Thank you.

Is my time up already, Mr. Chair?

The Chair: Yes, that's it, Mr. Lauzon.

Stéphane Lauzon: Five minutes goes fast.

The Chair: That's true, but they were good questions.

[English]

On behalf of all committee members, I want to express my sincere gratitude to each and every one of you for being so flexible, for joining us at the last minute and for being here with us late into the evening, wherever you are across the country. It's greatly appreciated. You're contributing to the betterment of this piece of legislation, and we greatly appreciate it.

With that, colleagues, I'm going to suspend for 15 minutes. When we resume, we'll begin consideration of the clause-by-clause.

This meeting is suspended.

• (2150) _____ (Pause) _____

• (2215)

The Chair: I call this meeting back to order.

I'd like to begin by reminding committee members that pursuant to the order adopted by the House on Monday, June 16, all amendments had to be submitted to the clerk of the committee by noon today. As a result, the chair will only allow amendments submitted before that deadline to be moved and debated. In other words, only amendments contained in the distributed package of amendments will be considered.

When no further members wish to intervene, the amendment will be voted on. The amendments will be considered in the order in which they appear in the package each member received from the clerk.

I just want to confirm that everybody's received that package.

During the debate on an amendment, members are permitted to move subamendments. Subamendments must be provided in writing. These subamendments do not require the approval of the mover of the amendment.

Only the subamendment may be considered. One may be considered at a time, and that subamendment cannot be amended. When a subamendment to an amendment is moved, it is voted on first, and then another subamendment may be moved or the committee may consider the main amendment and vote on it.

Amendments have been given a number in the top right corner to indicate which party submitted them. There's no need for a second to move an amendment. Once moved, you will need unanimous consent to withdraw it.

Finally, pursuant to the order adopted by the House, if the committee has not completed the clause-by-clause consideration of the bill by 11:59 p.m., all remaining amendments submitted to the committee shall be deemed moved and the chair shall put the question, forthwith and successfully, without further debate, on all remaining clauses and amendments submitted to the committee, as well as each and every question necessary to dispose of the clause-by-clause consideration of the bill, and the committee shall not adjourn the meeting until it has disposed of the bill.

Pursuant to Standing Order 75(1), consideration of clause 1, the short title, is postponed.

(On clause 2)

The Chair: The chair calls clause 2, which brings us to NDP-1.

Before we begin, I believe Mr. Barsalou-Duval has something he wants to move.

• (2220)

[Translation]

Xavier Barsalou-Duval: Thank you, Mr. Chair.

I believe there is agreement among all committee members to skip consideration of the preambles to the acts proposed in the bill and come back to them later. That said, before we proceed to clause-by-clause, I would like the committee to immediately consider a subamendment I want to propose. As you mentioned, for procedural reasons, we have until midnight to propose subamendments. After that, the committee will no longer be able to discuss my subamendment. It relates to CPC-11.

The Chair: Thank you, Mr. Barsalou-Duval.

Go ahead, Mr. Lauzon.

Stéphane Lauzon: Personally, Mr. Chair, I recommend starting with the first amendment, with all due respect to Mr. Barsalou-Duval. If we keep an eye on the time, we should be able to gauge whether we'll have time to deal with his subamendment a bit later. That's why I recommend that we go in order, starting with the first amendment. I'm not dismissing Mr. Barsalou-Duval's request, but I think we'll be able to consider his motion later, before midnight.

The Chair: Mr. Barsalou-Duval, can you keep track of the time and let us know if we haven't dealt with your subamendment by the time we get to the last 15 minutes?

We have to have faith in our fellow members.

Stéphane Lauzon: I have faith in Mr. Barsalou-Duval's ability to keep track of the time.

Xavier Barsalou-Duval: I'm fine with that if the member can assure me that there won't be any lengthy debates and that 15 minutes will be enough time for me to move my subamendment and for the committee to vote.

The Chair: Mr. Barsalou-Duval, you need the unanimous consent of the committee to move your subamendment now.

Do I have consent for Mr. Barsalou-Duval to move his subamendment immediately?

Some hon. members: No.

[English]

The Chair: It doesn't look like we have unanimous consent. I guess we'll have to do it when the time comes.

Colleagues, we'll start with NDP-1. As a note, NDP-1 is deemed moved pursuant to the order adopted by the House on Monday, June 16. This applies to all NDP amendments. There will be no movers. They're just deemed moved.

Shall NDP-1 carry?

Go ahead, Mr. Kelloway.

Mike Kelloway: I'll be quick. We oppose it. I'll give a very quick rationale because it's late at night.

The preamble language refers to the efforts through the Canadian Free Trade Agreement. Since indigenous governing bodies are not signatories to the free trade agreement, are not regulators and do not place any barriers to provincial trade, we believe this amendment isn't applicable to the act. Therefore, we're going to oppose this amendment.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Shall NDP-2 carry?

Please go ahead, Mr. Kelloway.

• (2225)

Mike Kelloway: From our perspective, the amendment is outside of the scope of the act, so we'll be opposed.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: On NDP-3, Mr. Kelloway has the floor.

Mike Kelloway: While I agree with the intent of the amendment, again, on this side we have some serious concerns. The subsection paraphrases sections of the UNDA. It creates uncertainty by creating some inconsistent provisions. Furthermore, there is no need to add this subsection because it is already implemented under UNDRIP and covered under the interpretation of the act. Therefore, we are opposing this amendment.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: On NDP-4, Mr. Kelloway has the floor.

Mike Kelloway: I think given that NDP-1 was defeated, this amendment is not necessary. We oppose.

The Chair: Shall NDP-4 carry?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: I have a quick note to the legislative clerks as well as to the clerk. If you need any of us to slow down to be able to count the votes properly, etc., please do let me know.

We are now discussing NDP-5.

Mr. Kelloway, please go ahead.

Mike Kelloway: Good. Given the last amendments that have been defeated, we believe that there's no justification for the amendment. We oppose it for the same reasons we opposed the last amendment.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Next is NDP-6.

Mike Kelloway: We oppose the amendment based on the rationale for the last amendment.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: I'm just going to ask Liberal colleagues to raise your hand if you are opposed because we do have abstentions, so I want to make sure that the vote is being carried out properly.

On NDP-7, are there questions, comments or concerns?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Would anyone like to speak to NDP-8?

Mike Kelloway: We oppose this amendment. It says that exceptions because of health and safety would be made through the regulations process. The federal regulators have the experience to determine the instances where this may be the case. This is not needed, and therefore we oppose this amendment.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: On NDP-9, we have Mr. Kelloway.

Mike Kelloway: Thank you, Mr. Chair.

We oppose this amendment because we've voted against all other related amendments and because indigenous governing bodies have no regulatory role when it comes to interprovincial trade.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: On NDP-10, please go ahead, Mr. Kelloway.

Mike Kelloway: Very briefly, we oppose this because the act has safeguards built into it, therefore it doesn't add a lot to the legislation.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Next is NDP-11.

Please go ahead, Mr. Kelloway.

• (2230)

Mike Kelloway: Thank you, Mr. Chair.

While the internal trade legislation is not expected to impact the rights and interests of indigenous people given its scope, section 35 rights supersede all other laws. Therefore, this amendment adds nothing new to the legislation.

Furthermore, there will be an opportunity for additional consultation specific to the legislation during the development of the regulatory framework through the Canada Gazette.

For these reasons, we oppose it.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: On NDP-12, go ahead, Mr. Kelloway.

Mike Kelloway: Very briefly, while I recognize the spirit of this amendment, Mr. Chair, this is the language used in all legislative review portions of bills, and this would be included. Therefore, we'll be opposing this amendment.

(Amendment negated [*See Minutes of Proceedings*])

(Clause 2 agreed to)

(Clause 3 agreed to)

(On clause 4)

The Chair: Clause 4 brings us to NDP-13. NDP-13 seeks to introduce a new concept that is also related to NDP-18. I wanted to read that out. It's important.

Mr. Lawrence, go ahead.

Philip Lawrence: Conservatives believe strongly in the importance of unionized jobs, so we will be supporting NDP-13.

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

The Chair: On NDP-14, are there questions, comments or concerns?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: On NDP-15, if NDP-15 is adopted, colleagues, NDP-16 cannot be moved due to a line conflict.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Shall NDP-16 carry?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: On NDP-17, are there any questions, comments, concerns?

(Amendment negated [*See Minutes of Proceedings*])

• (2235)

[*Translation*]

The Chair: We now go to BQ-1.

You don't have to speak to it, Mr. Barsalou-Duval, but would you like to move it?

Xavier Barsalou-Duval: Yes, I move amendment BQ-1.

The Chair: Does anyone wish to comment?

Shall BQ-1 carry?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We now go to BQ-2.

For everyone's information, amendment BQ-2 introduces a new concept that also appears in amendment BQ-40.

Would you like to move the amendment, Mr. Barsalou-Duval?

Xavier Barsalou-Duval: I move amendment BQ-2, Mr. Chair.

The Chair: Thank you.

Are there any questions or comments on the amendment?

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

The Chair: That brings us to BQ-3.

Xavier Barsalou-Duval: I move amendment BQ-3.

The Chair: Thank you.

If BQ-3 is adopted, NDP-18 cannot be moved due to a line conflict.

Are there any questions or comments on BQ-3?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We are moving on to NDP-18.

[*English*]

On NDP-18, are there questions, comments or concerns, colleagues?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: PV-1 is deemed moved; therefore, NDP-19 cannot be debated, as they are identical.

Shall PV-1 carry?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: This brings us to CPC-1. First, somebody has to move it.

Shannon Stubbs: I so move to ensure transparency and fairness for proponents and to report to Parliament.

The Chair: Are there any other questions or comments?

Monsieur Barsalou-Duval, go ahead.

[*Translation*]

Xavier Barsalou-Duval: I have a quick comment.

I just want to say that what's being proposed gives the government considerable leeway to determine whether a project is in the national interest. This, too, is an example of governance by order, meaning that the government decides how the legislation will be implemented.

It is with great disappointment that I will be voting in favour of the amendment, given that it nevertheless mitigates some of the shortcomings in the current bill.

The Chair: Thank you, Mr. Barsalou-Duval.

[*English*]

Mr. Kelloway, go ahead.

Mike Kelloway: On this side of the table, we think this is enabling legislation. There's more to do in the implementation to address concerns like this, but we believe that this is not the right place, so we'll be voting no.

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

The Chair: Shall PV-2 carry?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We will now jump to NDP-20. Are there questions or comments?

Seeing none, shall NDP-20 carry?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We will now go to PV-3. Are there questions, comments or concerns?

Seeing none, shall PV-3 carry?

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

The Chair: We will now go to BQ-4.

• (2240)

[*Translation*]

Xavier Barsalou-Duval: Mr. Chair, I move amendment BQ-4.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any questions or comments? Does anyone need any clarification?

Go ahead, Mr. Kelloway.

[*English*]

Mike Kelloway: The conditions document will indicate the conditions, so it can't go on the schedule. We'll be opposing it primarily based on that.

The Chair: Are there any other questions, comments or clarifications, colleagues?

Seeing none, all those in favour of BQ-4, raise your hand.

Elizabeth May (Saanich—Gulf Islands, GP): Excuse me. I have an opportunity to speak my amendment, don't I?

The Chair: I'm sorry, Ms. May. You are 100% right. However, right now we are dealing with BQ-4.

Elizabeth May: But PV-2 was called when I was here, and I wasn't given an opportunity to speak to it.

The Chair: Our apologies. You should have been given an opportunity to speak to PV-2. We want to give you that opportunity to speak to PV-2. Very shortly, we will be dealing with PV-4. We just adopted PV-3.

Ms. May, the floor is yours to speak briefly to PV-2, please.

Elizabeth May: Thank you.

Well, you can see that they are all connected right through to PV-5. They relate to increasing in this bill an actual obligation, on the responsibility of the minister, to meaningfully consult with the public and to create opportunities for advance consultation in the process of the national interest projects being selected by cabinet.

That, I think, is all I have time to say about PV-2, according to the rules.

I'd be very grateful for support from members of the committee to improve the legislation with this amendment.

The Chair: Thank you very much, Ms. May.

Please do stick around, because we have PV-4 coming up.

An hon. member: Or not.

The Chair: Or not; we'll see.

Elizabeth May: I have interesting logistics here, but I won't leave, Mr. Chair.

The Chair: Colleagues, we will now go to BQ-4.

Go ahead, Mr. Kelloway.

• (2245)

Mike Kelloway: Mr. Chair, I think this is a point of order, but those more versed in it could tell me.

I know that Jeannine has been here for some time. She was here for clause 2 only. I think her part is done.

I think it would be gracious if we allowed her to go, if she so chooses.

The Chair: That would be Madame Ritchot.

[*Translation*]

Thank you for your time this evening, Ms. Ritchot.

[*English*]

Mike Kelloway: I mean, if you would like to stay, that's a different story.

Jeannine Ritchot (Assistant Deputy Minister, Intergovernmental Affairs, Privy Council Office): Who wouldn't?

Voices: Oh, oh!

The Chair: Thank you for your support and your service today. I wish you a wonderful evening. Thank you.

Colleagues, are we good to jump to BQ-4?

[*Translation*]

Mr. Barsalou-Duval, the floor is yours with respect to BQ-4.

Xavier Barsalou-Duval: Very good. I move that we adopt BQ-4.

The Chair: Thank you very much.

Are there any questions or comments? Does anyone need any clarification on BQ-4?

Go ahead, Mr. Kelloway.

[*English*]

Mike Kelloway: We'll be opposing. The conditions document will indicate the conditions.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Just for clarification, the CPC has no hands raised. You're abstaining.

On BQ-5, we have Monsieur Barsalou-Duval.

[Translation]

Xavier Barsalou-Duval: Thank you, Mr. Chair.

This amendment calls for 30 days' advance notice to be given before a national interest project is added to schedule 1.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any questions or comments? Does anyone need any clarification?

Go ahead, Mr. Greaves.

[English]

Will Greaves: Thank you, Mr. Chair.

As it has already been discussed extensively, this legislation would be subject to the government's obligations under section 35 of the Constitution and the UN Declaration on the Rights of Indigenous Peoples, so in our view, the minister already has this responsibility in addition to consulting with the provinces and territories. We'll be voting against this amendment.

The Chair: Thank you.

[Translation]

We are voting on BQ-5.

(Amendment agreed to [See Minutes of Proceedings])

The Chair: We now go BQ-6.

Over to you, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

The amendment merely seeks to ensure that projects are compliant with existing provincial legislation.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any questions or comments? Does anyone need any clarification?

Go ahead, Mr. Lauzon.

Stéphane Lauzon: What the amendment proposes with respect to provincial legislation already applies, so we will be voting against it.

The Chair: Thank you, Mr. Lauzon.

Are there any questions or comments? Does anyone need any clarification?

(Amendment negated [See Minutes of Proceedings])

[English]

The Chair: On CPC-2, we have Ms. Stubbs.

Shannon Stubbs: Thank you, Chair. I so move.

This is an effort to meet the government's claims that this bill will adhere to timelines by embedding timelines right into the bill. This would enforce a 90-day deadline for a final decision after a ministerial recommendation with mandatory reporting on delays to ensure timely decisions and prevent indefinite political limbo for major projects.

Of course, we campaigned on review processes. We were shooting for a maximum one-year cap with a six-month target, so that is what we propose in this amendment. However, since the government has not even included the two-year timeline it keeps claiming is in this law, if we don't have support for the one-year timeline amendment, we would certainly accept from the Liberals the two-year timeline to at least codify their stated goal right in the law.

(Amendment negated [See Minutes of Proceedings])

The Chair: Before I turn the floor over to Ms. May for PV-4, I just want to read that if PV-4 is adopted, BQ-7 and BQ-9 cannot be moved due to a line conflict. Also, PV-4 is identical to NDP-21 and BQ-8.

With that, I'd like to turn the floor over to Ms. May to move the motion.

Ms. May, the floor is yours.

• (2250)

Elizabeth May: Thank you, Mr. Chair.

I would like to address for a moment the honourable member Mike Kelloway and let him know I speak to him from his riding. This may explain some of the Internet issues.

PV-4 is widely supported, as you mentioned, Mr. Chair. It's identical to NDP-21 and BQ-8. It is also in the testimony supported by West Coast Environmental Law, Ecojustice, the Canadian Environmental Law Association and numerous other organizations, as well as, I think, some other parliamentarians.

This changes one line only in clause 4—line 18 on page 9—which currently says that this act ceases to have effect five years from the date on which it enters into force. This amendment would shorten that time to two years. It would read “order under subsection (1), after the second anniversary of”.

Again, this is supported by a staff lawyer from West Coast Environmental Law, Anna Johnston, who I think put it well. If the bill is truly about dealing with our current trade crisis, it should be constrained to a more reasonable timeline.

With that, I submit the amendment for your consideration, and hope it will carry.

The Chair: Thank you very much, Ms. May.

[Translation]

Are there any questions or comments?

We will hear from Mr. Lauzon first, followed by Mr. Barsalou-Duval.

Stéphane Lauzon: Thank you, Mr. Chair.

I would like to propose a subamendment to PV-4.

Where it says “second anniversary”, I propose that “second” be replaced with “fourth”.

The Chair: Now that a subamendment has been moved, do you still wish to comment, Mr. Barsalou-Duval?

[English]

Should I turn it over to Ms. May to allow her to speak to Mr. Lauzon's subamendment?

Ms. May, did you hear the subamendment proposed by Mr. Lauzon?

Elizabeth May: Yes, I did. I wouldn't consider it a friendly amendment. The purpose of the two-year sunset clause is to keep the lifeline of this bill to a more reasonable time limit. Four years is not substantially different from the existing five years under the bill. Two years is more reasonable.

[Translation]

I respect the work the Bloc Québécois has done, but in this case, I do not agree with the subamendment to change the wording in my amendment from “second anniversary” to “fourth anniversary”. I think keeping “second anniversary” is essential.

The Chair: Thank you, Ms. May.

Mr. Barsalou-Duval, would you like to speak to the subamendment? If not, I will put it to a vote.

Xavier Barsalou-Duval: I would perhaps like to add something.

Actually, I wanted to apologize to Ms. May. I think the amendment she proposed is very good. That said, even though I recognize once again that the subamendment would address the weaknesses of the current bill, I will unfortunately have to vote against that subamendment and against Ms. May's amendment, since I think the committee is more likely to pass BQ-7.

The Chair: Thank you, Mr. Barsalou-Duval.

Mr. Lauzon, please go ahead.

Stéphane Lauzon: I have nothing further to add.

The Chair: Perfect.

We will now vote on Mr. Lauzon's subamendment.

(Subamendment negated [See Minutes of Proceedings])

[English]

The Chair: Are there questions or comments on PV-4 before we go to a vote on PV-4?

(Amendment negated [See Minutes of Proceedings])

The Chair: We will now go to BQ-7.

[Translation]

You have the floor, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

The objective of BQ-7 is actually to ensure that, in the event of the prorogation or dissolution of Parliament, the powers conferred in the proposed subsection 5(1) cannot be used. We believe that

would ensure better parliamentary oversight of this exceptional power.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any further questions, comments or clarifications?

(Amendment agreed to [See Minutes of Proceedings])

• (2255)

The Chair: We will now move on to BQ-9, I believe.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: I believe BQ-9 was deemed inadmissible.

As to BQ-8, I no longer wish to propose it to the committee.

The Chair: That's fine. So you wish to abstain from moving BQ-8, is that correct?

Xavier Barsalou-Duval: Exactly.

The Chair: Perfect, thank you very much.

[English]

BQ-9 has not been moved.

[Translation]

We are now at NDP-22.

Are there any questions, comments or clarifications?

(Amendment negated [See Minutes of Proceedings])

The Chair: We are now at BQ-10.

You have the floor, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

The purpose of BQ-10 is to prevent the minister from changing the name or description of a project of national interest that would change its nature. If the changes the minister wishes to make are superficial or minor, there is no problem. If the changes are fundamental, on the other hand, he could not make them. We want to prevent the excessive use of this type of change.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any further questions, comments or clarifications?

(Amendment negated [See Minutes of Proceedings])

The Chair: Let us move on to BQ-11.

Before I give Mr. Barsalou-Duval the floor, I want to point out that BQ-11 introduces a new concept, which is also in BQ-12 and BQ-17.

Furthermore, if BQ-11 is adopted, CPC-3 cannot be moved because the lines in question will have been amended.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

BQ-11 provides that, should the House of Commons at some point decide that a project designated as being in the national interest no longer is, the House would have the power to delete it from Schedule 1.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any questions, comments or clarifications?

(Amendment negated [*See Minutes of Proceedings*])

[*English*]

The Chair: Before I turn the floor over to Mr. Lawrence or Ms. Stubbs, if CPC-3 is adopted then PV-5, BQ-17, BQ-18, BQ-19, BQ-20 and PV-8 cannot be debated due to a line conflict.

Also, the vote on CPC-3 applies to CPC-15 as they are consequential.

I'll turn the floor over to you, Ms. Stubbs, or you, Mr. Lawrence.

Shannon Stubbs: Thank you, Chair.

In Conservatives' efforts to help improve this bill with certainty, transparency and clarity for all Canadians, proponents and provinces and territories, this is another measure to attempt to give certainty on criteria and timelines.

We think it's pretty obvious that in order to give certainty for proponents, we must remove the power and the ability to eliminate projects from the national list after they've already been deemed as being in the national interest. That would clearly create uncertainty for investors all the way through the process.

That is the purpose of this amendment. It is to remove the minister's power to unilaterally delete projects from the national interest list.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We'll now go to CPC-4.

I'll see Mr. Lawrence or Ms. Stubbs on CPC-4.

Shannon Stubbs: Thank you, Chair.

As Conservatives, we're helping to improve this bill with our ultimate goal of seeing decisions being made in the right way to get things built.

We want to ensure that the emphasis is on encouraging private sector investment, not saddling taxpayers with big major projects. This amendment ensures that fiscal responsibility is a key factor in designating national interest projects by requiring consideration of private sector or public-private funding, and it helps protect taxpayers by prioritizing projects with a reduced financial burden on the public purse.

• (2300)

Mike Kelloway: On a point of order, we think this is out of scope.

This is legislation about accelerating the regulatory approvals for major projects. Nothing else in the legislation addresses the financing of projects. Should we be seeking to have it ruled out of order? That would be the primary objective of the point of order.

The Chair: Thank you very much, Mr. Kelloway.

Go ahead, Mr. Albas.

Dan Albas: Simply, Mr. Chair, I think if you let her move it without informing her that it is out of order, then it is in order.

The Chair: I've received no guidance from the legislative clerks saying CPC-4 is out of order, so we will go to a vote on it.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We're on PV-5. Before I turn it over to Ms. May, who's joining us by video conference, I want to read out that if PV-5 is adopted, NDP-23, NDP-24, PV-6, BQ-12, BQ-13, and BQ-14 cannot be moved due to a line conflict. Also, PV-5 introduces a concept that is also referenced in PV-8.

With that, Ms. May, I turn the floor over to you.

Elizabeth May: Thank you, Mr. Chair.

This is a critical amendment, and as I think all members of Parliament are aware, there's been extensive criticism of the claims that government has made, that the various factors that are referenced in the first reading version of this bill are referenced often in press releases, as if they would be requirements under the act, as opposed to what they are, which are factors that might be considered or might not be considered.

This amendment expands those factors to be more meaningful, for instance, including explicitly free, prior and informed consent for the rights of indigenous people to protect constitutionally protected interests and to be consistent with UNDRIP. It expands some of the other considerations that are currently listed as factors that may, or may not, be considered and instead creates an actual enforceable set of provisions that the Governor in Council may only make an order in respect of a project after considering the results of the governmental, indigenous and public consultations required under clause 7, and only if the Governor in Council determines that carrying out the project will.... and then there's a list of factors. You have the amendment before you. This would give the bill a legal framework that is reviewable, that would hold the cabinet to the same standard. As you know, the bill has been widely critiqued as creating unprecedented levels of purely political discretion in deciding what project is a project in the national interest and what isn't.

This is an essential amendment to ensure that Bill C-5 doesn't go down in history as the bill that, for the first time ever, created an unfettered discretion in cabinet to do things that have never been contemplated by any previous government. It's quite critical. It would go a long way towards public acceptance of the bill. Again, the purposes of the bill, I think, have widespread support across Canada, but the notions of expanded political discretion and increased power in the hands of PMO and cabinet has attracted widespread concern.

It's my hope to assist Bill C-5's passage in a way that builds public support as opposed to increased outrage. This bill needs this amendment. I beg you all to consider how much more good we can do here as parliamentarians by amending the bill with PV-5.

Thank you.

The Chair: Thank you very much, Ms. May.

Are there any other questions, comments, clarifications, colleagues?

Seeing none, we will go to a vote on PV-5.

(Amendment negated [*See Minutes of Proceedings*])

• (2305)

The Chair: We will now go to BQ-12.

[*Translation*]

BQ-12 could not have been moved if PV-5 had been adopted, which it was not. BQ-12 is therefore admissible.

Mr. Barsalou-Duval, you may speak to BQ-12.

Xavier Barsalou-Duval: With this amendment, we are simply inviting the government to respect constitutional laws and provincial areas of jurisdiction.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any further comments, questions or clarifications?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We will now move on to BQ-13.

I wish to inform the committee that, if BQ-13 is adopted, BQ-14 and NDP-23 cannot be moved, since they pertain to some of the same lines of the bill.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

If I remember correctly, BQ-13 provides that, more than simply considering the rights of indigenous peoples, those rights must be upheld. The proposed wording strengthens the meaning.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any further comments, questions or clarifications?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Mr. Barsalou-Duval, you may speak to BQ-14.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

Actually, you may go ahead and put it to a vote.

The Chair: Are there any questions, comments or clarifications regarding BQ-14?

(Amendment negated [*See Minutes of Proceedings*])

[*English*]

The Chair: We are on NDP-23, colleagues.

Are there questions, comments or concerns?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Shall NDP-24 carry, colleagues?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We are on PV-6.

Ms. May, would you like to speak to PV-6?

Elizabeth May: Yes. It's a very minor amendment, Mr. Chair.

I'm more discouraged after the last few votes for more substantive amendments, but this would improve things somewhat. It's asking, in the consideration of factors, to simply add to the existing line in the legislation around climate change: to add biodiversity to climate change. That's the explanation for Parti vert. Obviously, I think the reasons for it don't need to be further explained. Canada has taken international commitments in relation to climate change and biodiversity, and there's no reference to biodiversity in the existing Bill C-5.

Thank you.

The Chair: Thank you, Ms. May.

Are there questions, comments or clarifications?

(Amendment negated [*See Minutes of Proceedings*])

[*Translation*]

The Chair: We will now move on to BQ-15.

Mr. Barsalou-Duval, you have the floor.

Xavier Barsalou-Duval: Mr. Chair, I would like to drop BQ-15.

The Chair: Thank you. BQ-15 will therefore not be moved.

Let us move on to BQ-16.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

This amendment is simply to specify that projects must respect provincial and territorial rights.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any questions, comments or clarifications?

(Amendment negated [*See Minutes of Proceedings*])

[*English*]

The Chair: On PV-7, Ms. May, please go ahead.

• (2310)

Elizabeth May: Thank you, Mr. Chair.

Again, it's another attempt to improve the way in which the bill has been redacted and to add conditions that we believe will improve Bill C-5 overall. To the specifics of it, I'm afraid I'm deep in the amendments package.

I apologize, Mr. Chair. I've opened up the package at the wrong tab, but I will find it in a moment to make sure that I give the best possible explanation of why I brought forward PV-7. For people who are watching and are wondering if I don't know my amendments, they get numbered after I send them in.

Will Greaves: Mr. Chair, perhaps we could suspend for a moment while Ms. May collects her notes.

The Chair: Ms. May, I'm actually going to see if we can skip forward if that's what we're allowed to do as far as regulations are concerned.

Colleagues, do we have unanimous consent to move on until such time as Ms. May indicates that she's ready?

Some hon. members: Agreed.

Mike Kelloway: May we have just a very quick moment to suspend, just to go over some things here?

The Chair: We're going to suspend for two minutes.

The meeting is suspended.

• (2310)

(Pause)

• (2315)

The Chair: I call this meeting back to order.

Colleagues, I would like to turn the floor over now to Ms. May to speak to PV-7.

Ms. May, the floor is yours.

Elizabeth May: Thank you, Chair.

I now understand, of course, the extent of what my confusion was, and I apologize for that. Thank you for your indulgence.

Parti vert provides a definition to a term that was needed, had one of my earlier amendments, PV-5, carried. I sort of pulled it out of my pile when the earlier amendment didn't carry, because PV-7 provides a definition for the term "clean growth" for the criteria that I had hoped would be added by my amendment PV-5.

At this point, after checking with the clerk, as a non-member of the committee whose motions and amendments are deemed to have been moved by others, I don't think I'm allowed to remove this, but it would no longer make sense, because my earlier amendment was defeated, so we'd be providing a definition for a term that's not currently used.

If somebody wants to add the term "clean growth" to the bill, I think the definition that I had prepared for PV-7 would be a good definition, but the term "clean growth" doesn't currently appear in the bill.

Thank you.

The Chair: Do members want to go to a vote?

Dan Albas: I'll just say, Mr. Chair, that I believe nuclear power is clean energy.

Elizabeth May: I'll let Dan know that we might disagree on that, and that will surprise you down to your toes, but thank you very much.

The Chair: Thank you very much, Ms. May.

Are there any questions, comments or concerns? If not, we'll go to a vote on PV-7.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Colleagues, we're making great progress. Do you want to keep this pace up?

Some hon. members: Agreed.

The Chair: On NDP-25, colleagues, are there any questions, comments or clarifications? I see none.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We are on CPC-5.

I'll turn the floor over to Ms. Stubbs.

Shannon Stubbs: Thank you, Chair.

Thank you to my colleagues.

On behalf of all Canadians, we want to help improve Bill C-5. Of course there have been many concerns and very good reason to be worried about a bill that may provide exemptions to the Conflict of Interest Act and screens, especially in this case with so many decisions being made behind closed doors with so much of the criteria and many of the details to be determined through policy and regulation after the fact. It's obviously imperative for this legislation to ensure screens for conflicts of interest to ensure that Canadians can trust this process and the decisions that are being made and have confidence and certainty in our country.

Therefore, this amendment ensures that integrity by requiring that project proponents and public officials involved in decision-making are free from conflicts of interest. It protects the public trust by preventing politically connected or ethically compromised individuals from influencing national interest designations.

We as Conservatives believe very strongly that the application of the Conflict of Interest Act should be embedded into Bill C-5 to screen for politically connected and politically determined decision-making.

• (2320)

The Chair: Thank you very much, Ms. Stubbs.

Are there any questions or comments?

Mr. Kelloway, go ahead.

Mike Kelloway: Thanks, Mr. Chair.

I just have a point of clarification for MP May. That used to be my riding, but it's no longer my riding. I will talk to the MP in question with respect to cell coverage.

We're going to be opposed to this. The project proponents are not public office holders, Mr. Chair. If a proponent is a public office holder, they would have already been subject, so we think it's redundant. That's the rationale for why we will be opposing it.

The Chair: Thank you very much, Mr. Kelloway.

Yes, Ms. Stubbs, go ahead.

Shannon Stubbs: The amendment says, “every reporting public office holder, as defined in section 2 of that Act, who could be in a conflict of interest in relation to the proponent of the project has re-cused themselves under that Act to avoid the conflict.” It's not just about proponents. I take the member's point on that, but it is actually quite deliberately to screen for public officials and political decision-makers, especially given that that's going to be the Prime Minister and cabinet. We believe that the Conflict of Interest Act, and, importantly, screening for political connections and politically motivated and determined decision-making are imperative for Canadians to have confidence in this bill and, therefore, to ensure that we can all reach what I trust is our mutual goal that big projects can get built in this country.

The Chair: Thank you very much, Ms. Stubbs.

Mr. Kelloway, go ahead.

Mike Kelloway: I'm wondering if the Conservatives would be open to a friendly amendment on this one.

The Chair: I'll just suspend for one minute or so to give them time to confer.

The meeting is suspended.

• (2320) _____ (Pause) _____

• (2320)

The Chair: I call the meeting back to order.

Philip Lawrence: Sorry, but with respect, we have just 36 minutes, so let's call the vote, Mr. Chair.

The Chair: Go ahead, Mr. Kelloway.

Mike Kelloway: In terms of the terminology, “private proponents,” we're just looking at that. Can you unpack that for us in terms of the definition?

Shannon Stubbs: It says, “the proponent of the project, or any director, officer or significant shareholder of the proponent”, then the second part deals with public office holders. I dearly hope I don't need to explain that to the members of this committee.

Mike Kelloway: No, I have a pretty good idea who public office holders are.

Shannon Stubbs: You're one of them.

We want to make sure that Canadians can trust the integrity of Bill C-5, that the Conflict of Interest Act applies and there is screening for politically motivated and connected decision-making, which is what happens in—

Mike Kelloway: I love to be educated. I'm a public office holder.

Okay, thank you very much.

The Chair: Are there any other questions, comments or clarifications on CPC-5?

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

[*Translation*]

The Chair: Let us move on then to BQ-17.

If BQ-17 is adopted, amendments BQ-18, BQ-19, BQ-20, NDP-26 and PV-8 cannot be moved or debated since they pertain to some of the same lines.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: I would like to drop BQ-17, Mr. Chair.

The Chair: Okay, that's easy. Thank you, Mr. Barsalou-Duval.

Let us move on then to BQ-18.

If BQ-18 is adopted, PV-8, BQ-19, BQ-20 and NDP-26 cannot be moved or debated since they pertain to some of the same lines.

Go ahead, Mr. Barsalou-Duval.

• (2325)

Xavier Barsalou-Duval: Thank you, Mr. Chair.

The objective of this amendment is to ensure that, before the governor in council or minister exercises the special powers conferred on them in the bill, they obtain the support of the province concerned by the project.

The Chair: Thank you very much.

Are there any questions, comments or clarifications?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Let us move on to PV-8.

[*English*]

Ms. May, go ahead on PV-8. The floor is yours.

Elizabeth May: Thank you, Mr. Chair.

This is another case where the government has said in press releases that projects won't go forward unless there's consensus. Obviously, it isn't referenced anywhere in Bill C-5 that there would be consensus and consensus isn't defined. The only consultation the ministers must offer is to other federal ministers. There is a requirement to talk to other federal ministers.

My amendment would expand that to say that meaningful consultation must also occur with the public. Meaningful consultation should occur with provincial ministers and territorial ministers who are also affected by a proposed designation of a project of national interest.

Specifically, in subsections (b) and (c) of my proposed amendment is a very specific requirement for indigenous peoples with rights under section 35 who may be adversely affected by the project, as well as members of the public.

I think the important thing to stress here is meaningful consultation, not just checking a box and saying that they've consulted with them and moving on. It's a critical way of ensuring that the intent, as expressed by numerous ministers, is about finding a national consensus to ensure that there's been meaningful consultation with the public, with other orders of government and specifically with indigenous peoples and nations with rights under section 35, as well as under the United Nations Declaration on the Rights of Indigenous Peoples.

The Chair: Thank you, Ms. May.

Colleagues, if PV-8 is adopted, NDP-26, BQ-19 and BQ-20 cannot be moved due to a line conflict. That is fine.

Are there any questions, comments or clarifications regarding PV-8?

(Amendment negated [*See Minutes of Proceedings*])

[*Translation*]

The Chair: Let us move on to BQ-19.

I wish to point out that if BQ-19 is adopted, BQ-20 and NDP-26 cannot be moved or debated since there is a line conflict.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

The objective of BQ-19 is similar to that of BQ-18. It essentially seeks to put into writing what the prime minister verbally committed to, that is, not to impose a project on a province that does not want one. We want that promise to be kept. That is what we are seeking with this amendment.

The Chair: Thank you, Mr. Barsalou-Duval.

Let us now vote on BQ-19.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Let us now vote on BQ-20.

I wish to point out that, if BQ-20 is adopted, NDP-26 cannot be moved or debated since there is a line conflict.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: BQ-20 has the same objective. We can therefore vote on it.

The Chair: Thank you, Mr. Barsalou-Duval.

Mr. Lauzon, you have the floor.

Stéphane Lauzon: The objective of this amendment is indeed similar to that of BQ-19 and other previously moved amendments. We do not intend to designate a project to be of national interest without the support of the provinces concerned. That is obvious.

Why do we want to leave some openness in the text? That is because the proposed wording in the amendment suggests that a single province could block a project of national interest.

That is why we will vote against BQ-20, Mr. Chair.

The Chair: Thank you, Mr. Lauzon.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Before we vote, I just want to say for the record that BQ-20 would give all the provinces and territories the power to accept or refuse a project within their borders. It is not only Quebec that would have that power. The other provinces and territories would also have it.

• (2330)

The Chair: Thank you, Mr. Barsalou-Duval.

[*English*]

We'll go to a vote, colleagues.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We have NDP-26. There's a line conflict with PV-8, BQ-19 and BQ-20.

Are there questions, comments or clarification on NDP-26?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We are now on NDP-27.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We'll go now to—

[*Translation*]

Xavier Barsalou-Duval: Pardon me, Mr. Chair, but I thought we were voting on NDP-26.

The Chair: No, it was on NDP-27.

Xavier Barsalou-Duval: In that case, I vote in favour of the amendment.

[*English*]

The Chair: Do we have unanimous consent to allow Mr. Barsalou-Duval to change his vote on NDP-27?

Some hon. members: Agreed.

The Chair: We are now on CPC-6.

Ms. Stubbs, go ahead.

Shannon Stubbs: Thank you, Chair.

Again, given the lack of transparent decision-making and the wide scope and scale of political decision-making that this bill allows, Conservatives are attempting—and hoping the Liberals will accept—to provide transparency to the project list. This amendment would strengthen that transparency by requiring all national interest projects to be published in an online public registry with clear details, costs and timelines. That, we believe, would ensure that Canadians and proponents could hold the government accountable, understand why each project qualifies and be confident in the process. We propose this, mainly, on the principle of transparency and accountability.

The Chair: Thank you very much, Ms. Stubbs.

Mr. Kelloway, go ahead.

Mike Kelloway: Thank you Mr. Chair.

We have a subamendment. I can read it into the record.

I move that proposed paragraph 5.1(2)(c) be deleted, and that proposed paragraph 5.1(2)(d) be renumbered as proposed paragraph 5.1(2)(c). It's removing proposed paragraph 5.1(2)(c) because the cost estimates could include market-moving information.

The Chair: Thank you very much, Mr. Kelloway. We need that in writing, sir.

Mike Kelloway: Yes, I think that's being circulated or being sent, one or the other.

The Chair: The subamendment to CPC-6 is being distributed to all members in both official languages.

It looks like members are ready to vote on the subamendment proposed by Mr. Kelloway.

(Subamendment negated)

The Chair: We go back to CPC-6. Are there any other questions or comments?

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

The Chair: On CPC-7, we turn it over to you, Ms. Stubbs, once again.

Shannon Stubbs: Mr. Chair and all colleagues, this amendment, again, would give concrete timelines for approval. We think that this is particularly important for national interest projects and proponents. Of course, since the government has not included the two-year timeline that they keep talking about within the legislation, we're putting forward this amendment.

• (2335)

The Chair: Thank you very much, Ms. Stubbs.

Are there any questions or comments? I see none.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Now I turn it over to Ms. May for a brief introduction to PV-9.

Elizabeth May: Thank you, Mr. Chair.

Again, this is an attempt to create greater certainty and to ensure that, as the ministers make their decisions, they don't undermine other commitments the Government of Canada has taken.

As a previously defeated amendment attempted to insert the concept of protecting biodiversity, this amendment, PV-9, seeks to amend Bill C-5, such that the minister is required to be satisfied that the project will not undermine Canada's global biodiversity goals. In putting the project under consideration in schedule 1, they must first be satisfied that biodiversity goals undertaken internationally by Canada will not be undermined.

Thank you, Mr. Chair.

I don't know if it's still your riding or not, Mike, but it's still God's country. I'm sorry, but I just have to say it.

Mike Kelloway: A thousand per cent.

The Chair: Thank you very much, Ms. May.

Are there any questions, comments or clarification? Seeing none, we'll go to a vote on PV-9.

(Amendment negated [*See Minutes of Proceedings*])

Elizabeth May: Even with that blatant attempt to curry favour...

Voices: Oh, oh!

The Chair: We all try our best, Ms. May—well done.

All right, we're going to go to BQ-21.

[*Translation*]

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

The objective of BQ-21 is similar to what we saw in BQ-17, BQ-18, BQ-19 and BQ-20. I hope everyone is convinced of the importance of respecting the wishes of Quebec and the provinces this time.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any questions or comments?

(Amendment negated [*See Minutes of Proceedings*])

[*English*]

The Chair: Now we have CPC-8.

I'll turn the floor over to you, Ms. Stubbs.

Shannon Stubbs: Thank you, Mr. Chair.

Given that we all now—and we're happy to see the Liberals suddenly join us in this regard—appreciate the importance of energy security and national security; that they are inextricably linked; that we have to protect Canadian businesses, supply chains and value chains; and that that's our duty as public representatives, my amendment seeks to ensure that foreign or state-owned investments from adversaries or hostile countries to Canada will face an automatic national security review. Of course, that's necessary to protect Canada's national interests, to safeguard Canada's critical infrastructure and major national interest projects from foreign interference. We do believe that this would reinforce Canadians' public confidence and also investor confidence in national interest projects.

The Chair: Thank you very much, Ms. Stubbs.

Are there any questions or comments? I see none.

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

The Chair: Next is NDP-28, colleagues.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Now we have PV-10.

I will turn the floor back over to Ms. May if we still have her joining us online from the riding of Jaime Battiste.

Elizabeth May: I'm honoured to be on the traditional territory of the Mi'kmaq, Maliseet and Passamaquoddy peoples.

Wela'lin.

I'm now very much looking at ways to achieve greater transparency. In the same spirit, this would require that “the Minister...make available to the public all information...relevant to the project and that can...be publicly [reviewed and] disclosed, including a detailed description..., any information received” and so on so that the public can be informed. As well, of course...that indigenous peoples know that the information and knowledge that is described that could be considered confidential as it is gleaned from indigenous knowledge holders....

Again, it is important that this bill have additional work in addition to the Conservative amendment on greater transparency. This would make information far more widely available to the Canadian public. Certainly, anything “that can reasonably be publicly disclosed”—obviously, not confidential business information or, as I mentioned earlier, indigenous knowledge that is not to be publicly shared.... However, certainly the Canadian public is entitled to a lot more information than that which is currently described: the name of the project, its location and minimal other information.

Thank you, Mr. Chair.

• (2340)

The Chair: Thank you very much, Ms. May.

Are there questions or comments, colleagues? Seeing none, I'll go to a vote.

(Amendment negated [*See Minutes of Proceedings*])

[*Translation*]

The Chair: Moving on to BQ-22 now.

Mr. Barsalou-Duval, you have the floor.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

The objective of the amendment is to ensure that, when the minister sets the conditions for designating a project of national interest, he considers biodiversity and ensures that every effort is made to protect it.

The Chair: Thank you, Mr. Barsalou-Duval.

Are there any questions or comments?

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Let us now move on the BQ-23.

Go ahead, Mr. Barsalou-Duval.

Xavier Barsalou-Duval: I think I will be forced not to move BQ-23, Mr. Chair.

The Chair: Thank you very much.

[*English*]

Amendment BQ-23 has been withdrawn.

We'll now go to CPC-9.

For that, I'll turn it back over to Ms. Stubbs.

Shannon Stubbs: Thank you, Chair.

It's a bit related to the amendment that the Liberals just defeated—bizarrely, they're not wanting to ensure that there are national security reviews of investments in resources and major projects by potentially hostile state-owned regimes and adversaries to Canada—so maybe they'll accept this amendment.

We sure do hope they will, given all of the news about foreign intervention from hostile regimes in all kinds of areas in Canada. At the very least, we hope that they will support this amendment, which would at least ensure the following:

the Minister must be satisfied that, with regard to any foreign investments in the project, all necessary measures have been taken to protect national security interests.

I hope that is an amendment the Liberals can support.

(Amendment agreed to)

The Chair: We find common ground in this committee, Ms. Stubbs.

We're on NDP-29, colleagues.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We'll now go to CPC-10.

[Translation]

Xavier Barsalou-Duval: Mr. Chair, at the start of the meeting, the member for Argenteuil—La Petite-Nation suggested that, if a subamendment was to be moved, that be indicated to the chair 15 minutes before the end of the meeting to give the committee the time to debate and vote on it before midnight. We are now 15 minutes before the end of the meeting, so I would like the committee's consent to move the subamendment that I wanted to move.

[English]

Philip Lawrence: Conservatives are in agreement.

[Translation]

The Chair: If I recall correctly, Mr. Barsalou-Duval, your subamendment pertained to CPC-11.

[English]

Do we have unanimous consent to move to CPC-11 to allow for Mr. Barsalou-Duval to submit his subamendment before the time expires?

Some hon. members: Agreed.

The Chair: We'll turn it over to you, Mr. Lawrence.

Before you do that, I'm just going to read that there is a line conflict with NDP-37 and BQ-31.

Mr. Lawrence, the floor is yours.

• (2345)

Philip Lawrence: Thank you very much.

As was apparent in my questioning of Minister LeBlanc, the operation of clauses 21, 22 and 23 gives the government the unfettered ability to exempt any national project from any legislation passed since 1867.

Conservatives believe that there should be a restriction on that. While we admit candidly that our solution is not perfect because this legislation is not perfect, we very much believe that this is an important limitation.

We would ask for all members to consider supporting this very common-sense control on the ability of a minister to exempt a national project from literally any legislation.

The Chair: Thank you very much, Mr. Lawrence.

[Translation]

You now have the floor, Mr. Barsalou-Duval, to propose your subamendment.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

The objective of my subamendment is to add laws to those listed in CPC-11. My subamendment would therefore add paragraphs h), i) and j). Paragraph h) would mention the Official Languages Act; paragraph i) would mention the Use of French in Federally Regulated Private Businesses Act; and paragraph j) would mention the Indian Act.

The Chair: Thank you, Mr. Barsalou-Duval.

Have all the committee members received a copy of Mr. Barsalou-Duval's subamendment in both official languages?

[English]

Philip Lawrence: I have a point of order. I'm not exactly sure how to do this, but I'd like to do it efficiently. The Conservatives would also like to add four or five different acts as well.

Dan Albas: I think we have to do this first.

The Chair: Why don't we dispose of this first, and then I'll turn it back over to you.

Mr. Kelloway, do you want to speak to the subamendment?

Mike Kelloway: I could barely hear what Mr. Lawrence was saying, but I just want clarification. Are there more things to be added?

A voice: Not on the subamendment.

The Chair: So far, Mr. Barsalou-Duval has read his subamendment into the record. I believe it has been circulated, but I wanted confirmation from members that they do indeed have that subamendment. Do I have confirmation from members that you do have it?

A voice: We haven't distributed it.

The Chair: It hasn't been distributed yet. That's what I wanted confirmation on.

Stéphane Lauzon: Mr. Chair, can we suspend for a second to make sure that we have the subamendment?

The Chair: The clerks are going to ensure that everybody has a copy of the subamendment as proposed by Mr. Barsalou-Duval in both official languages. We're going to try and get that out as soon as humanly possible, because we are looking at a clock that is ticking quite quickly.

Stéphane Lauzon: I need to read it in French.

The Chair: I will suspend, and we'll get that to you very quickly, colleagues.

• (2345)

(Pause)

• (2350)

The Chair: I call this meeting back to order.

Colleagues, you should have all received the subamendment proposed by Mr. Barsalou-Duval in both official languages. I don't see any other debate on this, so we will go to a vote.

(Subamendment agreed to [See Minutes of Proceedings])

The Chair: Now we will go to CPC-11, as amended.

Philip Lawrence: We have a subamendment as well. We wanted to add—and because we've got new letters here, this won't be accurate—the Auditor General Act, the Extractive Sector Transparency Measures Act, the Railway Safety Act, the Trade Unions Act, the Explosives Act and the Hazardous Products Act.

The Chair: I'm being asked by the legislative clerk to suspend to see if it's procedurally valid. We'll try and get this done, colleagues, before 11:59, because if it is not submitted by then, we won't be able to do it.

The meeting is suspended.

• (2345) _____ (Pause) _____

• (2350)

• (2355)

The Chair: I call this meeting back to order.

The legislative clerks have informed me that it is procedurally valid. That's the first point.

We do not have—correct me if I'm wrong—an official translation yet.

There was an issue with the subamendment that was moved by Mr. Barsalou-Duval and adopted. The legislative clerk wants me to read into the record “Use of French in Federally Regulated Private Businesses Act”. That's been read into the record. Thank you.

Colleagues, are we prepared to speak to Mr. Lawrence's subamendment?

Philip Lawrence: Just call the vote.

The Chair: We'll go to a vote on Mr. Lawrence's subamendment.

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

The Chair: Now we will go to a vote on CPC-11 as amended.

(Amendment as amended agreed to [*See Minutes of Proceedings*])

The Chair: Now we're going to go back to CPC-10, colleagues, and according to the motion that was adopted by the House, it is now 11:59, and we've reached the point where there will no longer be any debate on any of the motions that we will be voting on. We will just go directly to a vote with no subamendments either.

Colleagues, we will now be voting on CPC-10.

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

The Chair: Next we have PV-11. If PV-11 is adopted, NDP-30 and BQ-24 cannot be moved due to a line conflict.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We will vote on NDP-30. If NDP-30 is adopted, BQ-24 cannot be moved due to a line conflict.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: BQ-24 has a line conflict with PV-11 and NDP-30.

• (2400)

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We're on NDP-31, colleagues.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We have PV-12.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We have NDP-32.

(Amendment negated [*See Minutes of Proceedings*])

[*Translation*]

The Chair: We will now move on to BQ-25.

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

The Chair: We will now move on to BQ-26.

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

[*English*]

The Chair: We have NDP-33.

(Amendment negated [*See Minutes of Proceedings*])

[*Translation*]

The Chair: The next vote is on BQ-27.

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

[*English*]

The Chair: We will vote on NDP-34.

(Amendment negated [*See Minutes of Proceedings*])

[*Translation*]

The Chair: We will now vote on BQ-28.

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

[*English*]

The Chair: We are on BQ-29.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: The next vote is NDP-35.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: We will vote on BQ-30.

(Amendment negated [*See Minutes of Proceedings*])

The Chair: Colleagues, we have reached NDP-36. I have to read the following decision: Bill C-5 seeks to enact the building Canada act. The amendment attempts to establish an indigenous advisory council, which would trigger additional expenses. *House of Commons Procedure and Practice*, third edition, states on page 772, “Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.”

In the opinion of the chair, the amendment proposes a new scheme that imposes an additional charge on the public treasury. Therefore, I rule the amendment inadmissible.

Colleagues, we'll jump to BQ-32.

• (2405)

[Translation]

NDP-37 and BQ-31 conflict with BQ-32 since they pertain to the same line.

We shall vote on BQ-32.

(Amendment negated [See Minutes of Proceedings])

[English]

The Chair: We will vote on NDP-38.

(Amendment negated [See Minutes of Proceedings])

[Translation]

The Chair: We will now vote on BQ-33.

(Amendment agreed to [See Minutes of Proceedings])

[English]

The Chair: Colleagues, if NDP-39 is adopted, BQ-34 cannot be moved due to a line conflict.

Shall NDP-39 pass?

(Amendment negated [See Minutes of Proceedings])

The Chair: Now we will go to BQ-34.

[Translation]

NDP-39 conflicts with BQ-34 since it pertains to the same lines of the bill.

We will now vote on BQ-34.

(Amendment negated [See Minutes of Proceedings])

The Chair: We will now vote on BQ-35.

(Amendment agreed to [See Minutes of Proceedings])

[English]

The Chair: We'll now go to BQ-36.

[Translation]

If BQ-36 is adopted, CPC-12 and BQ-37 cannot be moved since there is a line conflict.

We will now vote on BQ-36.

(Amendment negated [See Minutes of Proceedings])

The Chair: We will now vote on BQ-37.

If BQ-37 is adopted, CPC-12 cannot be moved since it pertains to the same lines.

We will now vote on BQ-37.

(Amendment agreed to [See Minutes of Proceedings])

[English]

The Chair: We are now on BQ-38.

(Amendment agreed to [See Minutes of Proceedings])

The Chair: We'll now go to CPC-13, colleagues.

(Amendment agreed to [See Minutes of Proceedings])

[Translation]

The Chair: We will now vote on BQ-39.

(Amendment negated [See Minutes of Proceedings])

[English]

The Chair: We'll now go to PV-13.

If PV-13 is adopted, NDP-40, BQ-41 and BQ-40 cannot be moved due to a line conflict.

(Amendment negated [See Minutes of Proceedings])

The Chair: We're on NDP-40.

If NDP-40 is adopted, BQ-40 and BQ-41 cannot be moved due to a line conflict.

Dan Albas: I think BQ-40 is different from NDP-40.

The Chair: It is, yes. That's very astute of you.

Colleagues, the legislative clerk has asked me to read this for the knowledge of all members.

• (2410)

[Translation]

The committee has already adopted BQ-2, which introduces a concept that occurs only in BQ-40. In the interest of consistency, it would make sense to adopt it, but that is up to the committee.

So we will now vote on BQ-40.

(Amendment agreed to [See Minutes of Proceedings])

The Chair: BQ-41 can therefore no longer be moved.

[English]

Shall clause 4 as amended carry, colleagues? We amended a portion of it. I need an official vote.

Yes, it's adopted unanimously.

No? No, it's not adopted unanimously.

(Clause 4 as amended agreed to on division [See Minutes of Proceedings])

The Chair: We'll now go to CPC-14, colleagues.

Philip Lawrence: I'm going to challenge the chair.

The Chair: Of course you are.

Colleagues, I need to read the following:

Bill C-5 enacts the free trade and labour mobility in Canada act and the building Canada act. The amendment seeks to amend the Greenhouse Gas Pollution Pricing Act. As *House of Commons Procedure and Practice*, third edition, states on page 770, and we all know this because we've obviously read the book from start to finish:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair, the amendment is beyond the scope of the bill. Therefore, I rule the amendment inadmissible.

Philip Lawrence: I challenge the chair, because I believe this Liberal government should get rid of the entire carbon tax.

The Chair: Thank you very much, Mr. Lawrence.

Mr. Lawrence has challenged the chair, so we will be voting to sustain the ruling of the chair.

If you vote yes, you are sustaining the ruling of the chair. If you vote no, you are voting against the ruling of the chair.

Shall the ruling of the chair be sustained?

(Ruling of the chair sustained)

The Chair: We're now on BQ-42, colleagues.

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

The Chair: Colleagues, we're now at the end.

Shall schedule 1 carry, as amended?

(Schedule 1 as amended agreed to)

The Chair: Shall the short title carry?

Some hon. members: Agreed.

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Shall the chair report the bill as amended to the House?

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Some hon. members: Agreed.

The Chair: We have one who is very against that happening.

Colleagues, I'm going to confer with the clerks to make sure that we've dotted all of our i's and crossed our t's here.

Nobody leave yet. I have two housekeeping things, please, colleagues, if you'll indulge me.

The first one, colleagues, is that I need all members to vote to adopt the budget for this study, which was circulated.

All those in favour of the budget that was circulated for the Bill C-5 study?

• (2415)

Dan Albas: I have to say, Mr. Chair, I've made many interventions in the House, and this isn't the budget I was looking for.

The Chair: Thank you, Mr. Albas. That's duly noted.

All those in favour, please raise your hand.

(Motion agreed to)

The Chair: The next one's quite important, and it's just a house-keeping thing. I need to read it out to make sure that we get everything in order here.

The four motions moved by Mr. Muys and adopted by the committee on Monday, June 16, specify that four reports and all appended supplementary and dissenting opinions to those reports from the 44th Parliament, first session, be readopted by the committee. Three of the four reports in question contain supplementary opinions submitted by the NDP. These three reports are "Towards Accessible Air Transportation in Canada", "Issues and Opportunities: High Frequency Rail in the Toronto to Quebec City Corridor" and "The Role of McKinsey & Company in the Creation and the Beginnings of the Canada Infrastructure Bank".

I understand that there is an agreement of the committee to rescind the three motions adopted by the committee on Monday, June 16, about the three reports containing supplementary opinions submitted by the NDP.

Is there unanimous consent to rescind these three motions?

Some hon. members: Agreed.

The Chair: I understand that there's also agreement of the committee to readopt the three aforementioned reports, including only the supplementary and dissenting opinions submitted in the 44th Parliament, first session, from those parties that are recognized parties in the current session.

Is there unanimous consent to readopt the three reports without the supplementary opinions submitted by the NDP?

Some hon. members: Agreed.

The Chair: Thank you very much, colleagues.

I just want to add a special thanks to the clerks, the support team, the translation team we have in the corner there, and, of course, our wonderful support staff who support us into the wee hours of the morning.

Thank you all very much, colleagues. I think we did good work today.

This meeting is adjourned.

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