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Chair

Mr. Merv Tweed

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Thursday, February 26, 2009

• (1530)

[English]

The Chair (Mr. Merv Tweed (Brandon—Souris, CPC)): Good afternoon, everyone. Welcome to the Standing Committee on Transport, Infrastructure and Communities, meeting number four. Pursuant to the order of reference of Friday, February 13, 2009, we are continuing our consideration of Bill C-9, An Act to amend the Transportation of Dangerous Goods Act, 1992.

Joining us today to make presentations and to take questions from the committee, from Teamsters Canada, we have Mr. Phil Benson, lobbyist; and Stéphane Lacroix, director of communications. From the Canadian Chemical Producers' Association, we have Louis Laferriere, director, technical affairs. And from the Canadian Trucking Alliance, we have Ron Lennox, vice-president, trade and security; and Barrie Montague, senior policy adviser.

We welcome you today and we appreciate your making the effort to be here and help us make good laws for Canadians.

I think we're prepared to go. Mr. Benson, if you are ready, I would ask you to start.

[Translation]

Mr. Stéphane Lacroix (Director of Communications, Teamsters Canada): Good afternoon. I am Stéphane Lacroix. I am the Director of Communications for Teamsters Canada.

Teamsters Canada is a labour organization with more than 125,000 members. It is affiliated with the International Brotherhood of Teamsters, which has 1,400,000 members across North America. We represent workers in most sectors of the economy: Transport (air, trucking, rail and shipping), retail, motion pictures, brewery and soft drinks, construction, dairy, graphic communications, warehousing and more.

As Canada's leading transportation union, Teamsters Canada participates in reviews and consultations, and the resulting legislation and regulatory proposals that result from those consultations. Teamsters Canada also participates in regulatory agency activities concerning transportation issues.

Teamsters Canada participated in the review process for Bill C-9. Teamsters Canada is also an observer to the Advisory Council to the Minister of Transportation on the Transportation of Dangerous Goods.

The advisory council is a collegial body where groups with many different viewpoints work together towards improving the safety and security of the transportation of dangerous goods.

Bill C-9 is the result of many hours of work by Transport Canada and the stakeholders in the industry.

[English]

Mr. Phil Benson (Lobbyist, Teamsters Canada): The bill deals broadly with two key areas, security and safety. Issues surrounding security have a wider context than would have been found several years ago. Canada has international responsibilities that demand that rigorous standards be established and met. Dealing with the requirements of our neighbour and largest trading partner, the United States, compounds the complexity of security requirements.

As a trading nation, we have no other option but to ensure that our transportation security is robust and accepted by our trading partners. As Canadians, we must also ensure that workers requiring security clearances are treated fairly and with sensitivity and that the regulatory framework respects that.

As for our charter rights and our collective bargaining and labour standards, we must also ensure that security clearances are universally applied with the same standards for all workers requiring security clearances. Teamsters Canada has fought for these principles for the past seven years. It has been a difficult fight, but we are starting to see light at the end of the tunnel.

Currently there are four main security clearance systems, either in place or proposed. The air model contains similar provisions to those contained in Bill C-9, without the express right of appeal if a clearance is rejected. The marine model is similar to that proposed in Bill C-9, though there have been concerns raised about that particular system as well. The air cargo security model leaves it to employers, and it is simply not robust enough for our trading partners and, in our opinion, violates charter and collective bargaining rights.

The free and secure trade card, better known as the FAST card, is part of a program designed to expedite handling of shipments between Canada and the United States. The FAST card leaves the security of Canadians in the hands of a foreign country and provides no appeal procedure; both factors violate Canadian charter and collective bargaining rights. For years the pretence was that it was voluntary, a similar claim to that of the air cargo security model. It is not voluntary if you lose your job for not complying. Forced consent is no consent.

The United States, however, recently demanded security clearance for truckers carrying dangerous goods—and the FAST card is the stop-gap. The FAST card is no longer voluntary. It appears that the government understands this issue and is dealing with it.

Bill C-9 deals with security clearance in a consistent manner and is consistent with Teamsters Canada's stated principles. It is our understanding that the transport security clearance will eventually be the model for all modes, that is, for all workers who require clearances.

We wish we could turn back the page of time to when such clearances were rarely needed. Given the harsh realities of our times, the best option is to have transport security clearances undertaken with sensitivity, and mindful of privacy rights, by a government agency with full review. If they do not fulfill that obligation, we are certain that redress will be swift by government and this House.

Safety is the main concern of Bill C-9, with the aim of avoiding problems and dealing with them when they occur. Teamsters Canada views this as both a public interest issue and one of the health and safety of workers. Truckers, locomotive engineers, maintenance of way employees, and warehouse workers are the first people impacted by the release of dangerous goods. They are the first responders.

Safety plans are meaningless without training. Response plans are meaningless without tracking of dangerous goods and planning for the inevitable accidents. Legislation and regulation are meaningless if they're not uniform in nature and are not enforced. Bill C-9 contains provisions that, if properly implemented, will make these amendments to the bill far from meaningless.

Teamsters Canada is also optimistic that we're finally turning the page on the so-called smart regulations built upon risk management, safety management, and the principle that government does not have to regulate or inspect because we can trust companies to do it right. The best example we found that shows where it has taken us is Mr. Greenspan's testimony before a Senate committee looking into the banking collapse in the U.S., where Mr. Greenspan pointed to his trust in robust risk management but did not fully account for the greed factor—oops.

The government has moved swiftly on the rail safety review. We recognize its willingness to place Teamsters Canada and other unions front and centre in the railway advisory council. Its commitment to rail safety was further evidenced by the action taken in the budget.

We hope that the government will deal with the issues and ongoing problems that have affected CN and CP for a great number of years, which could affect how first responders, locomotive engineers, and maintenance of way workers deal with railway

derailments. Our railway running trade members continue to complain about inaccurate train documentation related to the number of cars in their trains. Our members inform us that trains are still leaving terminals with missing or extra cars compared with those listed in the train journal, which is basically the train manifest. This could lead to a number of problems, the worst being a dangerous car leaking at a derailment site and train employees and emergency first responders not being aware of the existence of dangerous goods in a car.

● (1535)

Transport Canada is aware of this and could expand on this problem before the committee.

The government also ensured that there were provisions in the amendments to the Aeronautics Act—which the previous Parliament dealt with before the House—that responsibility for the safety of the sector rested with this government and Parliament.

Teamsters Canada suggests one amendment to the bill. It is the inclusion of a provision in the proposed amendments to the Aeronautics Act, which the transport committee dealt with last year, to allow this committee and the standing committee in the other House to review regulations made under the Transportation of Dangerous Goods Act. The final responsibility for the safety and security of the public and workers rests not with companies, industry, regulatory agencies, advisory councils, or bureaucrats; it rests with the government and our elected officials.

Thank you very much. We appreciate any questions you may ask us.

● (1540)

The Chair: Thank you.

We'll now go to Mr. Laferriere for seven minutes.

Mr. Louis Laferriere (Director, Technical Affairs, Canadian Chemical Producers' Association): I'd like to talk about who the CCPA is, our Responsible Care program, and why we support the proposed amendments.

CCPA represents over 50 chemical and resin manufacturing companies in Canada, as well as nine Responsible Care partners, with \$26 billion in revenues. Three-quarters of our production is shipped to the United States or offshore markets; therefore we need to rely upon safe and efficient transportation to get to those markets.

Since 1985, CCPA has made it a condition of membership that all members sign on to what is called Responsible Care. Responsible Care is our commitment to sustain ability for improved health, safety, environmental performance, and social responsibility. There's an ethic with six codes that apply against the total life cycle of chemical management. All of our companies and partners are verified against these codes by external parties.

Of particular interest is the transportation code of practice, where we ask all of our members to select the safest mode—road, rail, air, or marine—routes, and carriers; to have immediate emergency response capability; to ensure the security of their shipments; and to inform and train communities along those transportation corridors.

What's our legacy with the transportation of dangerous goods? In 1970 the CCPA established a national emergency telephone system that eventually led to the creation of CANUTEC, established by Transport Canada in 1982. In 1983, our second iteration of this program established an on-scene response program across Canada. This supported the then-developing ERAP concept under the TDG Act and regulations. In fact, CCPA's TEAP program was the first one ERP-approved in 1990. We are now going through our third iteration, based upon what we know and see in the future for transportation of dangerous goods regulations and other commodities.

All of our members belong to this. We require that we have 24-hour, seven-day-a-week technical advisers to attend incident scenes. We now cover not only dangerous goods but non-dangerous goods and environmentally sensitive materials. We assess and register all of our responders. We track on-scene performance, and we have cohorts in this endeavour. The Canadian Association of Chemical Distributors and the Railway Association of Canada are fully on board with us.

Why do we support Bill C-9? A few years back, the collective industry formally asked Transport Canada to have made-in-Canada TDG security legislation, as otherwise we were forced to follow the U.S.A. requirements. There was a letter sent from the TDG advisory council to the Minister of Transport at the time, requesting action in this regard. I've left copies of this letter with the clerk.

Transport Canada wanted to act, and we had no objection to using the ERAPs for security purposes, but unfortunately for industry we found out that security was not covered in the then TDG Act, and amendments would be required. We understood that and fully participated in all consultations. When the act was finally released for proposed amendments last May, we were relieved to see it, but then we were disappointed when Parliament prorogued for the election.

It's now back, and we fully support it because it provides Canadian-based security legislation and clarifies that the TDG Act and regulations are a federal government mandate. It provides the requested protection we need when we're directed to respond to a CBRN or TDG security-type incident, because currently our insurance policies do not cover acts of terrorism, war, or anything else. We would be left on our own, which is a pretty scary thought for some of our people, when we want to do the good and right thing.

We will be looking at this in the future with other trade associations.

I thank you for your time.

The Chair: Thank you very much.

Now we'll hear from the Canadian Trucking Alliance.

Mr. Montague.

• (1545)

Mr. Barrie Montague (Senior Policy Advisor, Canadian Trucking Alliance): Good afternoon. Thank you for the invitation to appear before the committee today.

My name is Barrie Montague, and I'm responsible for matters relating to the transportation of dangerous goods at the Canadian Trucking Alliance. With me is Ron Lennox, the CTA vice-president who has worked on security files at the alliance for a number of years.

At the outset I should tell you that the Canadian Trucking Alliance is a federation of Canada's provincial trucking associations. We have offices in Ottawa, Vancouver, Calgary, Regina, Winnipeg, Toronto, Montreal, and Moncton. The CTA represents the industry's viewpoint on national and international policy and regulatory and legislative issues that affect trucking. We represent a broad cross-section of the industry—some 4,500 carriers, owner-operators, and industry suppliers—and our industry employs about 150,000 Canadians.

The trucking industry is very much involved in the movement of dangerous goods, both within Canada and across the border. The majority of individual shipments of dangerous goods are moved by road, although more dangerous goods by weight are moved by the other modes—rail and pipeline. The transportation industry is ultimately responsible for ensuring that before any dangerous goods are shipped they are being shipped in accordance with the regulations.

The CTA understands that the existing Transportation of Dangerous Goods Act was written before the events of 9/11. It does not give Transport Canada the powers it feels it needs to be able to properly address the potential threats associated with the movement of dangerous goods.

From our perspective, some of the proposed amendments can be regarded as technical in providing clarification to the existing act, most of which will not directly affect the carriers—for example, clarifying the definition of an importer of dangerous goods, enabling an inspector to inspect any place where means of containment are being manufactured, allowing the emergency response assistance plan to respond to a terrorist threat, and ensuring that there is uniform application throughout Canada of the dangerous goods regulations. There have been instances where the application of the federal law has been questioned in some provinces.

However, there are two specific amendments that will have a direct impact on motor carriers: the need for transportation security clearances, as outlined in proposed section 5.2; and the requirements for security plans and security training as outlined in proposed section 7.3. The CTA is also interested in the regulation-making powers found in proposed section 27 to require the tracking of dangerous goods during transport.

While CTA supports security measures, particularly with respect to transporting dangerous goods, our overriding message is that the regulations in all three areas outlined above must not create further duplication, overlap, and cost for motor carriers that are already complying with security regulations adopted by various departments and agencies in both Canada and the U.S.

Let's first look at the security clearances. Somewhere in the order of 70,000 Canadian truck drivers have already been security screened under the free and secure trade program or, as it's commonly called, FAST. Others who are required to access secure areas within Canadian ports have undergone a Transport Canada-administered transportation security clearance. Canadian drivers who operate at U.S. ports are also required to obtain something called a transportation worker's identity credential, or TWIC. While we are not opposed in principle to background checks for drivers moving dangerous goods, at least those for which an emergency response assistance plan is required, we would strongly caution against the establishment of a separate and costly new process. Although 70,000 Canadian truckers have already obtained security clearance, there are many more who will now require such clearance, many of whom may be in remote parts of the country. It is, therefore, important that whatever clearance system is finally adopted, it must be readily accessible to all Canadians, not just those living near large communities or near the border.

In terms of introducing additional requirements for security plans and training, the information we require needs to be clearly laid out so there is no confusion as to what information carriers need to provide government. We've had experiences of it not being clear with the U.S. situation, with what is required in their regulation. The CTA is also mindful that security plans and training are already required under Canada's partners in protection program and the customs trade partnership against terrorism, commonly known as C-TPAT, in the U.S.

The U.S. is currently proposing to amend its regulations so that not all movement of dangerous goods will require a carrier to have a security plan. The CTA encourages Transport Canada to harmonize its requirements with those of the U.S. and to accept those plans that have already been approved under C-TPAT. New requirements are also coming out of Transport Canada's security plans and training for

carriers moving cargo that will be subsequently loaded onto passenger aircraft.

• (1550)

Again, CTA does not dispute the importance of advance security, but we do challenge the notion that the country will somehow be more secure if a carrier has two or three, or maybe even four, security plans instead of just one and that a driver needs to be trained multiple times depending on what particular commodity he's hauling or where he's going.

An amendment proposed in Bill C-9 contains another proposal that could have serious implication for carriers. The amendment allows for the introduction of regulations requiring that dangerous goods be tracked during transportation. Again, this was similar to a proposal that had been put forward in the U.S. many years ago and had been demonstrated to be completely unworkable, particularly if applied to the movement of all dangerous goods.

The regulations already contained in the TDG Act require that certain dangerous goods, when shipped in specific quantities, have to be accompanied by an emergency response assistance plan. CTA would recommend that any tracking requirements put forward should apply only to shipments that already require such a plan, in order to ensure that only the most vulnerable or potentially harmful shipments are tracked. We would also suggest that regulations not be prescriptive with respect to any technology that's developed. It should be left to the carriers to determine what works best for them from an operational standpoint.

We appreciate the opportunity to appear before the committee today and would be pleased to respond to any questions you may have.

The Chair: Thank you very much.

Mr. Dhaliwal.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Thank you, Mr. Chairman.

I would like to welcome and thank all the panel members who have come out to make these presentations.

My very first question to all of you is, were your organizations adequately consulted by the government in the design of Bill C-9?

I'll start with the teamsters.

Mr. Phil Benson: Would you repeat that, please, Mr. Dhaliwal?

Mr. Sukh Dhaliwal: Did the government adequately consult with you when they brought in the design of Bill C-9?

Mr. Phil Benson: As we said in our presentation, we participated fully through the entire consultation process. We're a member—basically a member-observer—at the advisory council to the minister on the Transportation of Dangerous Goods Act. Yes, we were fully consulted throughout.

Mr. Sukh Dhaliwal: And did you feel that you were consulted?

Mr. Barrie Montague: I agree. We're all on the same committee.

Mr. Sukh Dhaliwal: Okay.

Are the restrictions in Bill C-9 comparable with the approach that your peers work under in other countries? You were saying before that you had to go to a U.S.-type model. Are these pretty well comparable now?

Mr. Louis Laferriere: The model that the U.S. has is delineated with all the regulations about the security checks. We haven't seen that in the act yet, but overall, the enabling of the act is the same as what I've seen in the States.

As to the basis of requiring security clearances, yes, but we haven't seen the details yet in Canada.

Mr. Sukh Dhaliwal: Thank you.

Mr. Benson, what are the problems with the marine model of security clearance, and how can they be avoided in future systems?

Mr. Phil Benson: I don't like talking about security issues too much in a public forum, but basically, some of the questions they ask become perhaps a little intrusive. The model itself is fine and seems to work well, but some of the questions lacked some sensitivity and were a tad overbearing. It's more an issue of whether questions you ask of somebody who's giving up their privacy rights and their charter rights to participate, to go to work, are fully sensitive. We can talk about that perhaps at other times, but overall, the model is the one we prefer.

Mr. Sukh Dhaliwal: Again, to the teamsters, when your members go through the certification—the one you have to transport dangerous materials now—would the requirements to get security clearance be time-consuming or obstructive for them, or would they represent a substantial new cost when they go through the whole process?

Mr. Phil Benson: The employers are paying for the ones we've dealt with. I hate to relate it to something like a very enhanced passport application. People slam me for that, saying that's too simple, and it is. In one particular field, I think over 1,000 members ran through the program, with three kick-outs. At the end of the day, there were just two rejections.

Just so we understand, in the air world they've been doing this for years. Tens and tens of thousands of people in the air world have to go through security clearances now. At least they're dealt with in Canada. We have tens of thousands of truckers who have to give their information to the United States, to which our Privacy Act does not apply, to which our constitutional rights do not apply—to which a right of appeal applies.

We have much more faith in the Canadian government, in you as parliamentarians, to review those things than we do in the Homeland Security in the United States. I'm not slamming our good friends in America at all, but we have much more faith that you will deal with it in a much more appropriate light.

For instance, if there are sensitive questions raised, we know we can come here and talk to you about them, but we know we can't go and talk to Homeland Security and have any redress. We trust our courts better than we trust Homeland Security at the border.

•(1555)

Mr. Sukh Dhaliwal: In Bill C-9, new powers will be given to the minister, such as powers to issue interim orders. Are your organizations comfortable with those kinds of powers given to the minister?

Mr. Ron Lennox (Vice-President, Trade and Security, Canadian Trucking Alliance): We don't have any particular problem with that. I certainly read what's in the bill, and it seems to me that those would only be issued in what appears to me to be very urgent and sensitive situations, and there would be a review process. So that's not an overriding concern that we have with this particular bill.

Mr. Sukh Dhaliwal: Mr. Laferriere.

Mr. Louis Laferriere: I echo that. We don't have any concern there.

Mr. Sukh Dhaliwal: Mr. Benson.

Mr. Phil Benson: We have concerns, but part of that is because the Transportation of Dangerous Goods General Policy Advisory Council is, quite truthfully, superb in how it operates in a collegial manner. I do have a lot of faith in that body. I would expect intelligent regulations to come forward, and I would expect our opinion and everybody else's opinion to be heard before they come forward. I have confidence that it will be well done.

Mr. Sukh Dhaliwal: Also, there will be new inspection powers in Bill C-9. Are you comfortable with those?

Mr. Phil Benson: We very much support inspection powers. We also support prescribed regulations dealing with security and safety.

Mr. Sukh Dhaliwal: Do the other members echo that?

Mr. Louis Laferriere: Yes, we're fine with the inspection powers.

Mr. Barrie Montague: So are we.

Mr. Sukh Dhaliwal: Mr. Benson, would it be beneficial for workers to receive security training, and should it be provided?

Mr. Phil Benson: Absolutely. One of the most important features of security is that the first line of defence is a well-trained employee, so that employees are fully aware of it. The answer, quite simply, is yes, adequate training, good training, training supported through regulatory means—that is, requirements, rather than something off the back of an envelope.

[Translation]

The Chair: Mr. Gaudet, you have seven minutes.

Mr. Roger Gaudet (Montcalm, BQ): Thank you, Mr. Chairman.

Mr. Lacroix or Mr. Benson, I would like to know what you think about security clearance. Does it apply only to the United States or is it interprovincial? Do your employees think that if it is good for the United States, it is also good inside Canada?

[English]

Mr. Phil Benson: I'm sorry, Monsieur Gaudet, I missed the translation. Could you repeat the question?

[Translation]

Mr. Roger Gaudet: All right.

Will security clearance apply only to transportation toward the United States or will it also apply to every kind of transportation between the provinces and the territories all over Canada? What do your employees think about security clearance?

[English]

Mr. Phil Benson: If, for example, in Montreal you were a truck driver driving to an airport, you would require a transport security clearance. Our hope is that, over time, one transport security clearance would suffice, whether you hauled dangerous goods, whether you had to go to an airport, or a railway yard, or into a port, and hopefully, eventually, if we can get reciprocity with the United States, to cross the border.

I hope that answers your question.

• (1600)

[Translation]

Mr. Roger Gaudet: Yes, thank you.

[English]

The Chair: Thank you.

Mr. Montague.

Mr. Barrie Montague: I think our position is that if we've already received a clearance that allows us to cross the border, there has to be some process whereby Transport Canada is going to accept that as legitimate clearance. We don't need Transport Canada to repeat that process, because to obtain a FAST card, the security clearance was a joint event—both the U.S. and Canadian authorities cleared that individual. Now it is CBSA that would do that, but it's still a recognized government agency, and I don't see the necessity of Transport Canada repeating that process for those drivers. It has already cost the carriers or the individual truck drivers a fee to get that, and they're going to have to continue that fee if they want to go to the U.S., unless Transport Canada or the federal government is able to secure a proper reciprocal agreement so that whatever Canadian security clearance is carried would be recognized by the U.S. authorities.

Mr. Ron Lennox: If I could just add on to that, again, you asked the question about domestic clearances for truck drivers. For a driver who's going to be hauling goods domestically in Canada, I wouldn't suggest they subject themselves to the free and secure trade program security check, for the reasons that Mr. Benson raised. I don't see why a guy who doesn't cross the border should subject himself to a security clearance in another country. So there has to be another process available domestically for those guys who are not crossing the border under this program.

[Translation]

Mr. Roger Gaudet: Why would we need two kinds of training, one for inside Canada and the other one for outside? When Americans import hazardous goods into Canada, I hope that they have the same requirements as the others. I do not know why we

would need two kinds of training. I think that just one kind would be enough.

[English]

The Chair: Mr. Montague.

Mr. Barrie Montague: I don't think we should confuse training and the carrying of a security clearance card. They're not exactly the same issue here.

We have a different process, unfortunately, in Canada. In the U.S. the security clearance is stamped right on. When you're hauling hazardous materials it's included in the driver's licence. We do not have that process here because our system is different, so we don't have the ability to attach a security clearance to the driver's licence. That's one thing that's different between our two countries. An American coming to Canada already has evidence that he's been trained and has security clearance.

That's one answer; we don't really need to duplicate that process.

With regard to the security training, as I said, under the C-TPAT agreement our carriers that employ drivers who carry dangerous goods into the U.S. must have a security program for their employees, and they must be trained. Now, the issue is simply one of what's going to happen in the interim, unless we get complete reciprocity. Are we going to have acceptance of each other's system, or are we going to have to duplicate the situation? Will a driver who's hauling dangerous goods within Canada who also goes to the U.S. be required to have a clearance for hauling those goods within Canada and another clearance for hauling those goods into the U.S.? I think not. And no extra training should be required.

The programs that are already in existence should be allowed to continue to exist and act as surrogates for whatever is going to be the ultimate process in Canada.

[Translation]

Mr. Roger Gaudet: Mr. Benson, I would like to know your opinion.

[English]

Mr. Phil Benson: There's a difference between training and security. But to be clear, in the interest of security, we were stuck after 9/11, and we put things in place to facilitate trade. For over seven years now we have been dealing with the issue that workers' constitutional protection rights—to appeal, to due process, to privacy—under Canadian law have been violated under the guise of it being voluntary. But if you don't have the FAST card you can't work. We think that process is wrong.

Talk about duplication. We support one transport security clearance for everybody who needs it under the same rules: protection of the Constitution, protection of the Privacy Act, and protection of collective bargaining. I have dealt with the files of several Quebec members who were trying to get clearances through America, and I have gone to the American embassy—and we achieved clearances—over the simplest, silliest reasons for denial. I have much more confidence that I can deal with you, sir, people in this room, and the Canadian government on that. I know there are costs involved. If there's a scaled insecurity in costs versus peoples' rights, when you ask people to take away rights, the overall burden should not be what's good for business and what the costs are. I realize we can't have crazy, over-the-top costs, but we should balance it to ensure that peoples' rights are protected, and at least hit those key points with the model they're putting forward.

The other ones that are highlighted in the aviation world don't have appeal. The air-freight forwarding is not robust or appropriate. Under the FAST card, I have to give my information to an American government that can do anything with it.

So we want one system where the rights of workers are protected. It may cost money. In our country, with constitutional rights and this body's responsibility under the Constitution to pass laws that comply with the Constitution, when we're asking people to give up their privacy to help us in the fight against terrorism and for security, the least we can do is to ensure that their rights are protected as much as possible.

• (1605)

The Vice-Chair (Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ)): Mr. Bevington.

Mr. Dennis Bevington (Western Arctic, NDP): Thank you.

The trucking association mentioned a figure of 70,000 employees. What's the total employee base within the trucking association?

Mr. Ron Lennox: As an association we've estimated that the carriers within our group employ about 150,000 people. There are about 260,000 to 270,000 commercial truck drivers in Canada, and the industry as a whole employs about 400,000 people.

Mr. Barrie Montague: If I can add to that, many of those drivers of course don't haul hazardous materials. They include people delivering bread, plums, and all kinds of things. So they're not all handling dangerous goods.

Mr. Dennis Bevington: That would also include Wal-Mart delivery vans carrying lead acid batteries. They're considered hazardous goods.

Mr. Barrie Montague: That was my point. We should restrict this kind of regulatory oversight to those goods that pose a real threat to the health of society and the environment. I suspect many people in this room have no concept of what products are deemed to be dangerous; you would not deem them to be dangerous goods. We are saying those kinds of goods should be exempt from these kinds of regulations.

Mr. Dennis Bevington: The department told us there would be no additional cost to the government to initiate this business, and we're not going to see a larger inspection agency. Is this a likely scenario, or are we going to see that the inspectors, Transport Canada personnel who are engaged in all measures of protection around

dangerous goods, whether they be for security or enforcing the rules that are already in place to ensure that there are no spillages...? Is it likely that we'll be able to put this additional layer of security on many people and not see a larger inspection department, if we want to continue to do the kinds of things we need to do for dangerous goods?

The Vice-Chair (Mr. Mario Laframboise): You're next.

• (1610)

Mr. Ron Lennox: First of all, as I think one of us has mentioned already, any Canadian truck driver who is hauling dangerous goods into the United States right now is already security cleared—that would be tens of thousands of drivers who are already security cleared. But there are going to be drivers operating domestically who will have to be security cleared if this bill passes and we subsequently get regulations to put it into effect. I must admit I find it a little bit hard to believe that additional security clearances could be done at no cost.

Mr. Dennis Bevington: Well, there are not only additional security clearances, but there are also additional security plans, and a number of other—

Mr. Ron Lennox: Right, and those costs would be borne by the carriers and ultimately passed on through the supply chain.

Mr. Dennis Bevington: But at some time these—

The Vice-Chair (Mr. Mario Laframboise): Mr. Laferriere.

Mr. Louis Laferriere: There are a few things here to collectively say from a chemical manufacturer's point of view. We would want a single security plan. Whether it's domestic or cross-border doesn't matter to us, because we often make a shipment that today will go to the States and tomorrow will go to Quebec—who knows? It also should apply to the ERAPs—not the low level of dangerous goods—and those are the ones that are currently already regulated.

So in terms of answering your question directly, from my point of view I don't see any increased costs that would be significant. For Transport Canada, in terms of inspections, from what I've seen of the inspections, some of these being tightened up would help them get on with their job as opposed to belabouring some of the niggly-piggly points that show up.

Mr. Dennis Bevington: Is there anything further, Mr. Benson?

Mr. Phil Benson: The dangerous goods act is a fairly big beast, but it has all sorts of prescribed limits and prescribed sizes of materials. I would not envision a lot of the smaller, limited loads coming under the act simply because of the size—a lead acid battery, no; an entire tank of chlorine, perhaps, I'm pretty sure. I would say certainly.

Just as background, we also sit on the trucking sector council. One of the issues that contractors raise in sourcing truck drivers, one of the biggest impediments, is finding truck drivers who can clear FAST card clearances. And one of the things we want to do with the transport security clearance is in fact have our more sensitive Canadian government deal with it. And I say it in a nice way; it's still very rigorous. The companies complain that they can't get enough drivers who can get FAST cards, and we're offering a solution to that, which is to use the transport security clearance.

Again, in terms of duplication, why should a driver have to have 16 types of security clearance—one for air freight forward, one for dangerous goods, one to go across the border, one to go to a port, and one to go to an airport? Once you have a transportation security clearance, it's done—no overlap.

In terms of cost, it's actually not that expensive, for the time claimed.

Mr. Dennis Bevington: Going away from your point a little bit, when we talk about transport security clearance, and we're talking about inter-border travel, there are a certain number of truckers now who are engaged in that. The scope of the act as it's laid out would permit the minister to apply a transport security clearance to virtually all aspects of the dangerous goods transportation industry.

Would you see that there's a requirement within Canada to match up to the kinds of transportation security clearances that are now under the FAST card? Are there examples within the country where you would promote this or where you would see this being something that would enhance the security of Canada?

How do you feel about that?

Mr. Barrie Montague: I would say that there are extremely hazardous dangerous goods being transported within this country, and at the moment there is no legitimate control other than that exercised by due diligence by the carriers to ensure that the drivers who are handling those things do not have other aspirations for the use of those goods. And I don't know how much that is, but we need to have some control over some of those products, because right now there is no control over them.

I'll use the example of chlorine, although that was wrong because you can't actually haul chlorine in tank trucks in Canada; it's forbidden. But you can haul chlorine, and with the way it's being handled now you wouldn't want it to be handled by anybody who has a criminal record or has had associations with undesirable elements. You just don't want that to happen.

• (1615)

[Translation]

The Vice-Chair (Mr. Mario Laframboise): Thank you.

Mr. Watson.

[English]

Mr. Jeff Watson (Essex, CPC): Welcome to our guests, of course, for appearing today. We appreciate your contributions, your testimony here, before the committee on Bill C-9, our bill to amend the Transportation of Dangerous Goods Act, 1992.

Since we're having a healthy discussion on security clearances, Mr. Montague, I just want to make sure I understand your position clearly. I'm not sure I'm entirely clear on it, so I'm going to ask a couple of questions to see if I can clarify this a little bit more.

Are you suggesting that the drivers who have already been awarded a FAST card should automatically receive a new transportation security card? Is that what you're suggesting to the committee, because these drivers have already been approved by FAST?

Mr. Ron Lennox: Yes, I would suggest that. Again, for drivers who operate domestically, I don't think they should have to apply. But if they have been screened by the federal government for security reasons already, I don't think putting them through a second process is a good use of the government's money, or carriers' money.

If I could give you an example, Mr. Montague mentioned in his remarks the transportation worker identity credential in the U.S. It's required of, among others, truck drivers, including Canadian truck drivers, who operate into U.S. ports. They have accepted the FAST card security clearance as equivalent, so they don't do a second check, but they still charge the individual \$105 for the card. So those are the situations we want to avoid.

Mr. Jeff Watson: [Inaudible—Editor]

Mr. Phil Benson: Thank you, Mr. Watson.

That actually highlights the issue. It is required in the United States, and it is therefore no longer voluntary. Therefore, a truck driver is complying with a requirement. It is required.

An ongoing violation of rights doesn't make it any nicer. In other words, if I have to do this, we can have reciprocal agreements with a TWIC card, hopefully, in the future with some kind of security clearance. If a worker is forced to give his information because of a requirement, and we have a way in Canada of ensuring that we can do this within our laws, within our sensitivities and our courts, it would seem to me that Parliament, and certainly the public, would expect it would be done.

As for grandfathering FAST cards, we haven't had an opinion on it, but FAST cards expire. When they expire, we prefer that people have a transport security clearance. They've already paid the price to keep the border open: they've given their information to a foreign national, and we do not know what they do with it. I would hope that in the long run we can find a way to make sure it's internalized back to our country.

Mr. Jeff Watson: Do you have a comment on my original question?

Mr. Barrie Montague: Can I add something?

We would support that particular position. However, it's outside of this committee's and our purview, in the sense that we need to obtain the agreement of the American government to accept that. So in the meantime, we can't put up barriers to trade. We must have the process in place, I agree; but we're still going to have to have the FAST card until the American government will accept that our security clearance process meets their objectives, whatever those may be, because they have the right, obviously, to determine who's going to handle and transport dangerous goods within the boundaries of the United States. We can't interfere with that particular right.

Mr. Jeff Watson: I wasn't anxious, Mr. Chair, to take the discussion down that route.

I wanted to clarify your original position with respect to those truckers who are already FAST approved. Should the government simply award them a new transport security clearance, without having to put them through a process? I understand that your answer to the question is essentially yes.

Okay, that's what I was interested in, Mr. Chair.

I'd like some more comment, though. The security clearances, or at least the mechanism that is proposed within the bill, I see as having some clear advantages—and I think some have perhaps touched on these a little bit—particularly with respect to an appeal process. My riding is right down next to Windsor, Ontario. I'm involved a lot with the members represented here and a number of trucking companies that either are having some real difficulties getting their FAST cards renewed or are having them taken away for any of variety of reasons, and then have no recourse. Of course, once that happens, then they have no job and no livelihood, and it's a particularly tough time for them.

Do you have any comments on how the existence of an appeal process affects your memberships specifically, and if there are any other advantages you see with respect to the security clearance provisions that we're talking about in this bill?

That's an open question for the panel, Mr. Chair. Anyone can answer that.

• (1620)

Mr. Ron Lennox: We have expressed concerns over the last number of years to U.S. Customs and Border Protection and the Canada Border Services Agency about the transparency of the review process on FAST cards. It's a very legitimate concern, and you're absolutely right to raise it. Unfortunately, it's a process that we're stuck with if we want to get our drivers into the U.S. today, tomorrow, and next week. So we've had to live with that one, and unfortunately there have been some situations where people do not feel that they've been treated appropriately.

The model that has been rolled out at Canadian ports, the transportation security clearance, which is administered by Transport Canada, in my mind, at least, is a far more transparent process in terms of actually laying out what the criteria are to qualify for the card. In addition to that, there's an actual appeal process, different steps, and it's all laid out. You can read the details on the Internet. From that point of view, that is certainly preferable to FAST, where it's a bit of a black hole.

Mr. Jeff Watson: I'd like to get some of the other panellists in, if they could answer. Perhaps in answering someone else's question they could take that up.

Thank you.

The Vice-Chair (Mr. Mario Laframboise): Do you want to answer, Mr. Benson?

Mr. Phil Benson: We worked for three years on the marine model. We're not new to it. We worked on the air model. The appeal is very, very important to our members.

On the reciprocity, if I may address that for a second, people fly planes into the United States with the transport security clearance. They're going to let truckers come.

Just so you know, we started four years ago working with our brothers in the United States, with the lobbyists in the United States, working on turning this into reciprocity. We will use all the means that we can to work with the government to try to ensure that happens, quickly if need be, and as smoothly as possible, rest assured.

[Translation]

Mr. Jeff Watson: Thank you, Mr. Chairman.

The Vice-Chair (Mr. Mario Laframboise): Thank you, Mr. Watson.

Ms. Fry, you have five minutes.

[English]

Hon. Hedy Fry (Vancouver Centre, Lib.): Thank you very much, Mr. Chair.

And thank you, gentlemen, for your presentation. Wouldn't it be nice one day to see a woman sitting there representing one of your organizations?

As you all know, this bill was the result of the 2003-04 consultations. You were obviously there. You obviously had a lot of input into it. My first question is an open question. I'll put my questions out, and then you can answer them.

First, do you believe your input and the suggestions and concerns that you had are addressed in this bill, all of them? Some of you have spoken to that.

I might say in passing that it's kind of interesting to see that the 2010 Olympic Games in my city seem to be the *raison d'être* for moving this thing quickly through. I fail to understand what that has to do with the Olympics, other than that it is obviously some sort of goad to make things happen quickly.

But you brought up issues of, obviously, the FAST card and the transportation security clearance. I know everyone says you have to have something in place before you can move forward; and while you're doing that, you're now partly pregnant, if you don't mind my saying so, on this issue.

So the question of our harmonization is an important one, because as you very rightly say, Mr. Benson, the whole idea of having a foreign country make decisions about you, with no appeal and possibly charter challenges that you cannot bring forward, is a really important one. Have you had any suggestion that there will be true harmonization? Do you believe there have been any negotiations going on? If not, why not? Isn't this a CBSA issue? That's the second thing about the transportation security clearance.

The third thing is the cost of security training. I've heard some people suggest that it can be very costly. Who is going to pay for this? Do you know who is? If there are further requirements needed, is someone going to foot that bill? I really would like to know that.

Finally, the Canadian Chemical Producers brought up the issue of insurance coverage for dismemberment, injury, or death when directed to respond to a TDG. We saw it happen with 9/11, when a whole lot of people responded, died or were maimed, and there was nothing there for them. Have you been reassured that this would be there for you?

Those are my four questions.

• (1625)

Mr. Phil Benson: Thank you, Ms. Fry. It's always a pleasure.

First, on this whole issue, we actually started on this with Mr. Coderre, I'm not sure when, but it seems like forever. We started with our stated principles that we were looking for and were, quite bluntly, getting nowhere. It took an awful long time.

We're pleased that we're moving forward. Hopefully, we can. Mr. Grégoire, the ADM and an excellent gentleman, was saying, we're never moving fast enough for the Teamsters on this issue.

So we'd like this to move faster. The air world needs an appeal. On the entire issue of the air freight forwarders, we have to.... One at a time, we can do this.

On the harmonization issue, again, the Teamsters started working on this four years ago. I was down in the United States, and our chief lobbyist, Mr. McLuckie, was up in Canada and met Minister Lapierre and talked about this extensively with him. To be blunt, I guess we maybe led a bit, pushing this forward since 2001 or 2002.

We've been pushing the harmonization issue as well. I think it's critical to the success of our industries. We talk about costs, ensuring there is one type of system, with the proper appeals, with the sensitivity. I'll come to talk to you about some of these sensitive questions, and I'm sure you'd be interested in them.

But on cost of training, there's a great deal of training already undertaken, if you look at our rail industries, in which we're heavily involved, and certainly in the trucking and courier industries and all sorts of areas. You're right, it'll be one more cost. But again, it's part of our cost of doing business. And with our international partners in the air world—air freight forwarders—this is being driven by our requirements under international agreements. With the dangerous goods, again, it's partly with the international...and partly with America. To put it bluntly, we have no choice. We wish we didn't—

Hon. Hedy Fry: What about the impact on small trucking associations, small truckers groups, who may not be able to bear it?

Mr. Phil Benson: That's a difficult question, and they may be able to answer that better.

Again, my understanding is that there's always an issue. How do we deal with the cost to a person who is denied a card or whose privacy has been invaded? How do we balance this? If we have a requirement to do it though international trading, there are going to be costs. And yes, business or government will have to bear these.

Our question is always, why have our members and workers, up to this point, had to bear the invasion of their privacy without their rights of appeal and due process being assured? I think the costs we've borne have been tremendous, far more than the dollar monetary costs.

So yes, there will be costs. There are costs every time we do something. If we want a secure world or a secure country, and it's a requirement that's needed, then somehow we'll have to work through it.

The Chair: I'm going to let you complete your answers, and then we'll go to Monsieur Laframboise.

Please go ahead, either of you.

Mr. Louis Laferriere: I'll address the issue of your first question, along with the CCPA question in a moment. I'll start with the 2010 Olympic Games.

Whatever triggers this to move along, I don't really care, whether it's the 2010 Games or anything. The plea from the CCPA is that this is good enough for us to get going with it; we've waited long enough. I could also say that we have concerns, as we've seen in the States, where they shut down all shipments. And perhaps this will occur, etc., but a reasonable approach under security would help improve concerns about the 2010 Games.

In terms of harmonization, through Transport Canada we have received ongoing updates on the negotiations with the U.S. DOT and DHS regarding the acceptability of Transport Canada's thoughts on security plans and clearances. In fact, I don't see much difference with what is currently required by the UN anyways in this regard. So I'm not terribly concerned about harmonization of security plans and clearances between us and the States.

• (1630)

Hon. Hedy Fry: And what about appeal?

Mr. Louis Laferriere: Well, they don't have an appeal in the States, but we do here. As I said, we support that. We have no problem with that at all.

On the cost of training and security, I guess I could say the day the Canada Revenue Agency helps me pay my taxes will be the day I expect Transport Canada to help me put in security plans. You know, we would bear that as our own cost.

As with anything, we expect proper guidance and to know what the expectations are, but for industry—that is, for us—part of our job is to conduct training. If new training comes along, we just want to make sure we're following it properly. But again, I don't have any concerns, based on the history of our working with Transport Canada. We'd be fairly effective. And I don't anticipate that being a significant cost for us anyways, seeing how it's already part of our business now. It would just give us a better target and a clearer direction and less variation, which is supportive.

The last item is the issue that you brought up. There were three major issues that the CCPA saw for our ERAP holders responding to an incident where we are directed to respond. One was personal liability coverage, or pollution protection you might say. We think that's well covered. The other one is compensation for charges and expenses, and things like that. We do think that's well covered in the proposed act.

Where I'm not comfortable is that I don't see something that talks about compensation or coverage for dismemberment, injury, or death as clearly as for the other two. It just doesn't jump out at me like the other two do. Now, I'm told that'll be dealt with in the regulations, but I would prefer it be clear in the bill so that it is dealt with in the regulations.

The Chair: Mr. Montague.

Mr. Barrie Montague: I have one comment to make to you. For the very first time in the history of the Ontario Trucking Association, we have a lady chairman.

On our experience in dealing with the U.S. government, it is a very difficult and awkward process to get them to agree on reciprocity—just as an observation. I'm not engaged in any of those kinds of discussions, but I've had some experience with issues. We've been trying to get reciprocity, and it seems to take forever.

The Chair: Mr. Laframboise.

[Translation]

Mr. Mario Laframboise: Thank you, Mr. Chairman.

Mr. Montague, in your presentation, you spoke of training. You said that you wished it were clearer. Could you explain what it is that you want to be clarified?

[English]

Mr. Barrie Montague: That's a difficult question for me to answer. It was based on my experiences trying to comply with the contents of the security plan you are required to have in place in order to qualify for the C-TPAT program. It just wasn't clear. We could have made it clearer, but that would have been a result of the negotiations between the industry and Transport Canada. We don't want regulations that say, "You will make sure the premises are secure". That's a pretty open-ended statement.

So when the carrier has an order, he has everything in place, but he's still not quite sure whether he's going to pass. There's always this lingering fear that he spent a lot of money incorrectly. So that's something we need to work out. I'm not prepared to give you a list here of the things we want to see in the regulations, but they need to be clearer, that's all.

[Translation]

Mr. Mario Laframboise: It would be good if you could provide us with that list. If we have to table amendments, it would be important for us to know them. We can help you to clarify the situation. We are coming near to the end, and if you have any recommendations for us in order to clarify the issue, we will take that opportunity to help you to clarify the issue. It would help us as much as it would help you.

I presume that the same applies to the definition of the import of hazardous goods. You wanted a clearer definition of that term, did you not?

[English]

Mr. Barrie Montague: That is not an issue for us.

[Translation]

Mr. Mario Laframboise: All right, I misunderstood you.

• (1635)

[English]

Mr. Barrie Montague: We are only deemed to be the importer in one very special situation: on shipments coming from offshore that are being transported through Canada into the U.S. We have additional responsibilities because none of the people engaged in that movement reside in Canada. There's a man in Taiwan and a man in Chicago. Transport Canada can only address the carrier.

[Translation]

Mr. Mario Laframboise: My second question is for Mr. Benson and it is about security clearances.

I put the question to Transport Canada. According to section 5.2, security clearance would be needed for every kind of transportation of dangerous goods, whether it be to the United States or anywhere inside Canada. Transport Canada told us that this measure would not be applied immediately, but only later on for interprovincial transportation or inside Canada. In other words, at a certain point in time, the members whom you represent will have to be accredited or obtain their clearance.

Could there be a problem with getting clearance for all of your members who transport hazardous goods?

[English]

Mr. Phil Benson: Thank you for the question. Again, I would probably defer; I was not privy to the Transport briefing.

A great number of people are getting swept up in a whole bunch of security provisions. In fact, a courier who works in Laval will be swept up in an air cargo security world, a freight forwarder. Another member who drives jet fuel into an airport, or a cleaner, would require one because he's going into an airport. Then he'd probably require one because it's a dangerous good, and if he were carrying a Purolator package that was going on a plane he'd need a third one, because that's air forwarding and you'd need something else.

A whole bunch of people are going to get entrapped. Driving into the port of Montreal, you're going to require a security clearance. At the end of the day, there are only so many truckers doing so many things. Eventually, at the end of the day, it will be a great number of them. If it's required and there are valid security reasons—for example, as Mr. Montague was talking about, for explosives, or for various types of dangerous products—then they may want to have people covered by regulation. If there is a valid security reason that is justifiable, and if we have a good process in place that will protect their privacy, their various rights....

Will all our members be happy with it? I assure you, no member of any organization is always happy. This was the best situation we could come up with, given being caught between the rock and the hard place. We wish, in a different world, that this were not needed, but this is the very best that we can get up to this point with a very difficult situation.

The Chair: Mr. Mayes.

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Thank you, Mr. Chair.

I'd like to address my question to Mr. Montague.

We're trying to provide good public policy and we need to address the purpose of this bill. I think we've covered that; it does address the purpose. In terms of the practicality, we've talked a little more about it here today. I also agree with Mr. Laframboise that we should have a list of suggestions to make it as practical as possible.

I'd like to talk about enforcement of the act, because it doesn't matter what those regulations are, you need the ability to enforce them. It was shocking for me to hear about the incorrect manifest for the rail, that type of thing. Do you see the need for more adequate enforcement of these types of regulations? Knowing that truckers are of a pretty independent spirit—I was one myself—I wondered how it was going to be received by associations.

Mr. Barrie Montague: You will probably be surprised by my answer, because the enforcement of the dangerous goods regulations is a federal and now provincial matter. Fundamentally, the transportation of goods on the highway is a provincial enforcement; it is not a federal enforcement. The federal government, Transport Canada, enforces the manufacture of the containers in which dangerous goods are transported. They enforce against shippers who may incorrectly classify products or incorrectly make out the shipping papers that are required. But in terms of what happens on the highway, that's where the enforcement is. You'll be stopped at a truck inspection station, and the inspector will look at the paperwork, open up the vehicle, make sure that all the documents are correct, that the driver has a dangerous goods certificate with him, etc. That's where the enforcement is.

In this case I don't know how they would do it, but right now anybody hauling dangerous goods has to be trained and has to carry a certificate of training, so it's the same kind of situation. That is issued by the employer, so the employer might issue whatever they're going to have. Right now the Ministry of Transportation in Ontario, for example, would say, "You're hauling dangerous goods. Could I look at your FAST card." That's the end of the enforcement.

I think that's all I can say there. It's not really a federal government issue. It's not going to drive up the federal government's cost.

• (1640)

Mr. Phil Benson: *[Inaudible—Editor]*...slow down the transport security clearance card, but that's all right. Just so you know we're being consistent everywhere we go, we're pushing to get that card put onto drivers' licences.

The truth of the matter... Yes, he says we are.

Mr. Barrie Montague: I agree with that.

Mr. Phil Benson: We are. In fact, we have been pushing to attach it to drivers' licences.

The truth of the matter is—and I will scare you more—the provinces are lax in enforcing any rules in trucking, from hours of service to just checking trucks to make sure they're okay, never mind Canadian trucks; but for foreign trucks, nothing. There is a huge lack of enforcement.

The dangerous goods are generally—and I think you might agree from the trucking side—transported by larger companies or rail companies. A lot of faith rests upon them doing their jobs. I think the record has been that they've done a pretty good job. The enforcement is lax. It's lax on hours of service, lax on safety, lax on everything.

I agree that it's a provincial matter. They just do not put a lot of money into it. Perhaps something the federal government could help out on is to give the provinces some more money to enforce some of the rules. I'm not putting that forward; it's just off the cuff. But we'd certainly like to see more enforcement.

Mr. Louis Laferriere: With regard to your question about enforcement, CCPA sees enforcement from two points of view. One is the absolute: you've been speeding, here's your ticket, that's it, end of story. The other looks at it from a management or a systems management point of view.

I think Transport Canada would benefit by expanding their concept of management systems in recognition of those, and that those that are self-correcting be given more leeway than those needing the absolute hammer—perhaps a rejig of enforcement to recognize those who don't need the emphasis as much as those who have to be sat upon.

Mr. Colin Mayes: One thing I would really like to see here is that we come up with an act that you can endorse. Truckers are very independent spirited, and they don't like a lot of regulations. They just want to motor on down the highway. I think that's fair to say.

Do you feel that if we make these amendments and forward this bill you would be willing to sell it to your membership, to say, "This is a good thing for us," so that when it's received by the truckers, they don't come back to you asking, "Why do we have to do this", and you saying, "Oh, it's just the government again making another law"? I'd prefer you to say, "We endorse this because it's addressing some of the safety issues that we need to address."

Mr. Barrie Montague: We have two issues here, of course.

One is the act, which, as it sits, will have no impact. That impact would be with the accompanying regulations. As with all of transportation, the devil is in the detail. If you've seen the dangerous goods regulations, the act is 25 pages and the dangerous goods regulations are a thick book. What will transpire through the regulatory process is what is critical for us. That's where I think our selling and our detailed involvement in the development of those regulations takes place.

• (1645)

Mr. Phil Benson: Again, the devil is in the detail. I did talk in my presentation about the so-called smart regulations—which leads us to safety management, which leads us to oops.

In terms of safety management systems or best business practices, you don't require a government agency plan to do that. Basically, it's deregulation because business knows best. That's why I like the use of safety plans.

One example, because it came up the other day, was brother Bernardino. On August 26, 2003, two million pounds of frozen food fell on him in VersaCold. I went down a couple of years ago to tour the plant. The HR director showed me all the stuff he was doing, way above anything required by regulation. I was astounded. I asked why. He said somebody had died on his watch and it wasn't going to happen again. He wanted to see if we could get the government to enact or “prescribe” regulations, which was a bad word. Nobody wants to do it.

The last question I asked him was, “How much does it cost?” He said, “Cost? It saves us a fortune.” He said every time he goes to the board of directors they say to him, “Do more safety; it's really good.”

At the end of the day, when you talk about safety management systems, which is something we have universally been attacking, why I like safety plans is that they are something that companies can do without regulation. They don't require it. But really, it comes to Mr. Greenspan's oops.

When it comes to security and to safety, at some benchmark level we believe it's up to you to make sure that it's there. That's why the one amendment we asked for in the bill was the same amendment we had in Bill C-7, to allow the two transport committees to review regulations made under safety.

The answer is yes, we'll have to sell this bill, and we will.

The Chair: Mr. Kennedy.

Mr. Gerard Kennedy (Parkdale—High Park, Lib.): There is a bit of an error in saying this is an exercise. I understand it, but I guess it's just hard to define how we're going to be helpful in shaping this.

You have some enabling permissions here to deliver some regulations. You have some experience with regulations in the United States. Did we learn anything from the experience in the United States on that front, in terms of what level of control there should be?

Because discretion, off the leash...I mean, you'd love to think you can shape it and the minister will be reasonable and so on, but you're wise to get it to come back to committee. I think that's a smart manoeuvre. I was talking on a different matter today, and

implementation really matters. Government can't just spin out rough ideas and then hope they'll all land. So bringing it back somewhere is important.

So one question is on the lessons learned.

And then you've intrigued me on the whole idea of enforcement. If part of why we're doing this is that there's somewhat of a larger concern on the other side of the border—although hopefully we're not being slack in any way with our own risks and concerns—is the enforcement that much better there?

I see a silent response already.

I'd like to at least get an understanding of what we're dealing with. In my view, this should not be an exercise—not on your members, not on disqualifying people for quirky reasons, not on people trying to do business. I wish we could cut a little more to the heart. Maybe we're ahead of that. Maybe the overlying security concerns still require us to do an exercise.

So first, on my specific question, are there any lessons learned from the Americans on what makes for better oversight of regulations. Is there anything they do that you'd like to see here? You've already been given a chance to say what you wanted different, but it's just from that specific point of view.

Then on the enforcement, are there any answers different from the silent one I got?

Mr. Phil Benson: I'll be honest with you, it was a Liberal government that brought it in, but I'll be fair to everybody. It was not really meant to be what happened, but an entire industry evolved around how we can just avoid making a—the dirty word is “prescriptive”—rule. We can just trust companies. If we've learned something from the United States, considering the millions of people who are going to lose their jobs, I'd say that pendulum has swung, and it should swing.

At the same time, I don't think Teamsters Canada wants to go back to the old days of complete regulation. That's why we brought forward that one amendment last time, and we sure hope you look at it again.

The backrooms understand that there is going to be a public view of the regulation, that it just doesn't go into the *Canada Gazette* part II and disappear into space. For example, with the hours of service, we found that when the public and politicians looked at it, the backrooms were a lot more careful with what they did.

I will tell you I have more faith in the TDG regulations because of the collegial model that we have. I think Louis is still the chair—and I'm not saying it's because he's the chair, but we're friends—and it's a much more collegial manner. We have also brought up suggestions in more areas, as in security. Also, in our paper we congratulated the government on the rail advisory council, where they ensured that the Teamsters and other unions were full participants.

The one lesson I have from the TDGA is that if this were applied to other areas, where more players were in the room and less parochial interests were looked at, we'd have better rules.

• (1650)

Mr. Gerard Kennedy: Mr. Chair, I just have a quick clarification point.

Are there any other signal lessons about the oversight in legislation—because that's what we have in front of us—to make for better regulatory powers or exercise of those powers by the discretionary authority, in this case the minister and the ministry? I got the visibility part, I think. Is there anything else?

Mr. Phil Benson: If it's going to come back to this committee or any committee, I would suggest—and this is our policy now—that any time there is prescribed legislation, at least in areas we're concerned about, we're going to ask for that particular amendment. We believe the security and safety of the public rests with all of you in the House and the Senate. It doesn't rest with advisory councils, teamsters, trucking companies, and everybody else. We might have great ideas in the backrooms, they might seem like good ideas, but I think at the end of the day you have to have the right to take a look at it.

The Chair: Mr. Laferriere.

Mr. Louis Laferriere: I don't have any answer for you on the enforcement question. I don't have any experience in the United States in that regard. I'm sorry, I can't help you there.

I do have an answer for you on the lessons learned. One lesson clearly learned in Canada a long time ago, which we've put in place and has benefited us, is the ERAP lesson. I'm proud of that on a Canadian basis. In the States when they started to look at legislating security, the question came up, what goods? The answer was everything. In Canada we've already done that homework. It's already been split out as to what should be regulated in security—the ERAPs—and what are lower levels that wouldn't necessarily see a benefit from that.

So I think the lesson learned, at least in some cases, is that Canada is ahead of the game. We didn't have that struggle with a long list.

Mr. Barrie Montague: I can't really answer your question, either, from an enforcement perspective. In general terms, I suspect there is more on-road enforcement in the U.S.

Is it more effective? I can't answer that question. All I know is what my members might say to me, which is that they're going to

comply with the U.S. law, because if they don't, who knows what might happen. So they are more fearful, I think, of the U.S. enforcement agency. But is it any more effective? I don't know.

In this particular area, I think they're over-regulated. I really will say that: I think they're over-regulated. I think there are some dangerous goods they do not need to regulate from a security perspective. Those goods need to be regulated from a danger to health, danger to environment perspective, but they don't need to be regulated from a security perspective.

But as you know, all of these regulations were developed in the cauldron of 9/11, without very much sober second thought, I'm afraid I have to say.

The Chair: Ms. Brown.

Ms. Lois Brown (Newmarket—Aurora, CPC): Thank you, Mr. Chair.

We've touched on some of this from a number of different aspects. This question is more, I think, for Mr. Montague and Mr. Benson.

Mr. Benson, you have talked a little bit about this.

For many years, I've been involved in my own company. We do disability management and have actually worked with both the Teamsters and the truckers association in Ontario, and we have used some of your facilities for training, and so I'm well acquainted with a lot of the issues you face. So I'm coming at this more from the safety side of things than the security side, obviously.

Mr. Benson, you were talking about some of the issues that arose when that accident happened and there was that fatality on-site and how that affected the person who was in charge. My question is, what are the safety issues that your membership are facing now, and how will the amendments we're bringing forward in this bill change those issues for your membership?

That's really my only question, Mr. Chair, so if someone else has other time....

• (1655)

Mr. Phil Benson: Thank you very much, Ms. Brown.

Again, I think this is an enhancement. And the committee has to understand that an awful lot of work has gone into this through our relationships with this committee and other committees. It makes it stronger; it makes it better.

The issue at CN and CP, as I understand it—and I'm sure my brother in the back of the room may give me some heck for this—just has to do with.... As an example, if the first responder is our member, then they have to make sure and know what was being transported and where it is. For trains, it's simply a case that if the train is supposed to have 130 cars and there are 135, what is on the other five cars? Where are they? What are they carrying? There are plans in place to ensure that with trains, they know what they're carrying and what they're supposed to do. But when a truck driver is trained, he's supposed to know what's there and what shows up. When the firemen and the police show up, they have to be able to tell them. But also for the safety of our members, they also have to know when they have to run like heck.

So again, when an accident or derailment or anything happens, the press talks about how bad it is for the public, how bad it is for everybody, but it's perhaps one of our members who is running for their life.

So as we said in our submission to you, anything in this bill that makes this stronger—more enforcement, better training, to make things safer for our members—is greatly appreciated, and we do appreciate it.

Mr. Barrie Montague: I would endorse that. However, I would say that the number of road accidents involving dangerous goods that resulted in injury to truck drivers as a direct result of the dangerous goods, as opposed to the vehicle accident itself, is very, very small. It's very, very small, and that's a direct result of the regulations in place. So when there is an accident, the means of containment for those dangerous goods will withstand the trauma of the event. We have load security rules that will stop the containers from bouncing about, and those kind of things. So in general terms, they don't really get hurt by the dangerous goods. So this isn't really going to have a great deal of effect on that aspect of the transportation of dangerous goods.

Ms. Lois Brown: This may not be directly applicable to the act, but how many of your members would be sole contractors, and how many of them would be working for larger organizations? There are a lot of big trucking companies, and we could all name several of them, but a lot of the truck drivers are contractors, are they not?

Mr. Barrie Montague: I'll try to answer that. This gives me an opportunity to explain something.

This is a popular misconception about the transportation industry. Many of the independent contractors are independent in that sense, but they're contracted to trucking companies. That's how it works. So we have to distinguish between an independent contractor working for a trucking company and a small, one-truck trucking company.

Ms. Lois Brown: Who's probably not carrying dangerous goods.

Mr. Barrie Montague: He could be, but it's unlikely, if only because of the insurance requirements. That's how that normally operates. But the bigger companies all haul dangerous goods. They can't avoid it, because many of the things we use in society are classified as dangerous goods.

Ms. Lois Brown: The second part of my question is whether you feel the amendments we're bringing in are definitely going to bring in the safety assurances for your membership.

Mr. Phil Benson: I know that for unions, one always thinks big companies, but we have independent contractors who are teamsters. We have individual truckers who are teamsters. This is a bigger issue for our tank-haul division. The tank-hauler, the people who...well, theoretically, it could be milk. I don't know if that's a dangerous good, our dairy division. But there's butane, jet fuel, chlorine—and the biggest one for this, of course, is rail.

We have more members in rail, and it's a huge issue for our Teamsters Canada Rail Conference locomotive engineers. Partly for insurance reasons and partly because of the way the rules are written, they're not likely to choose somebody who's smaller to carry the really dangerous stuff. It's not going to be an issue.

As for the containment, I agree, most of the containment.... A few years ago we had a trucker fall asleep in Toronto, I think, and he almost took a bridge out with the fuel that went up—and God bless him. But chances are, if we're going to have real spillage and problems, it's usually with rail, not with trucks.

Again, the regulations are solid. I think this bill will help make it even better.

• (1700)

Ms. Lois Brown: Thank you, Mr. Chair.

The Chair: Thank you.

As we traditionally do, we'll go around again and just see if there are any follow-ups that people might have.

Mr. Dhaliwal, and then we'll move around the table.

Mr. Sukh Dhaliwal: Thank you, Mr. Chair.

I had to excuse myself to speak on a wonderful motion, which was brought by my colleague and friend Mr. Kennedy, on infrastructure, and I'm certain this is also going to help the associates that are here today.

These questions may have been answered already, but I'm going to ask, as maybe they've not been covered yet.

When we talk about the security clearance, do you fellows believe there should be several levels of security clearance, or should there simply be one?

Mr. Phil Benson: Our position is that if you want a security clearance, there should be one.

Mr. Barrie Montague: We would say the same thing. The administrative nightmares associated with cross-checking this guy's security clearance with what's in that truck to make sure he's in compliance with the law.... It would be unnecessarily complicated on the side of the road.

Mr. Sukh Dhaliwal: We constantly have dialogue with Phil Benson, and from time to time he comes to us and informs us of difficulties they face and of situations that we must be aware of. I certainly appreciate the other members' coming out today as well.

I have questions, again, on the security training. Should it be provided privately or by the government? If privately, how should it be controlled?

Mr. Louis Laferriere: It did come up earlier. I'll just repeat for your benefit what I had to say.

What we expect is that Transport Canada will provide us with their expectations and their guidelines, and then after that, industry will take over and provide it. We have such strong working relations with Transport Canada. You used the term "private". It's not really private, it's together; we work together on this. So you would say it's joint, as opposed to private. We would expect joint efforts in this regard.

Mr. Barrie Montague: In the current training requirements in the dangerous goods regulations, what the carriers are required to ensure is that their employees have knowledge. That's as far as it goes. They lay down some fundamental principles. We believe these should be done the same way.

Mr. Ron Lennox: Certainly for other security programs that have been rolled out post-9/11, the expectation is always that the employer, the carrier in this case, provides that training to its employees. Again, our issue is not that there would be a requirement for training, but rather that if an employee is already trained, he or she not be subject to a second or third set of training requirements.

Mr. Sukh Dhaliwal: There has been a lot of talk about harmonization today. How much benefit would there be in harmonizing Canadian security clearances? How often do your individual members move between security regimes? Do truckers get marine clearance or air clearance; and if so, is there a significant share of your membership that goes through those transitions?

Mr. Phil Benson: Thank you, Mr. Dhaliwal.

Clearly, that would probably be the teamsters more than any other group. It is easily foreseeable that one of our members could have to go to the airport in the morning, the port in the afternoon, and potentially cross a border in the evening, whether it's a dangerous good or something else.

It is simpler and easier for everybody in the long haul to have a one-stop shop on the security clearance. Another reason is that if I have to go to five committees, 14 hearings, and 14 different people to talk about a security model, fighting each one individually, it becomes both time-consuming for me and rather silly. It would seem much better to me if we had a model that we could all agree on, and then if we tweak a model, we tweak all the models. It might take time to tweak them, but we can tweak them all. If we're chasing four or five different models, that's not possible. As Mr. Kennedy raised,

it's pretty hard for Parliament to oversee five or six different models, but I know you can oversee one.

• (1705)

Mr. Sukh Dhaliwal: Thank you.

The Chair: Mr. Laframboise.

[Translation]

Mr. Mario Laframboise: Mr. Benson, earlier you made a comment about the enforcement of the regulations. You said that the provinces did not necessarily all apply the regulations in a fair way everywhere in Canada and that the government should think of helping out some provinces. I agree with you. The municipalities made the same observation, as did the mayors of the large cities. Actually, all the cities, or the mayors of the cities that have police forces tell us that the federal government adopts legislation or amends the Criminal Code and gives them extra responsibility without ever giving them any extra money. The situation is the same.

My question is simple. Would it be of any advantage if the government helped the provinces or the territories to improve their inspection service or to create their own inspection service for dangerous goods?

[English]

Mr. Phil Benson: Being shy, I'm always reluctant to tell governments how to spend money. As I talked about earlier, what we want is enforcement. We want safety standards met. We want equality across the country, and hopefully with reciprocity with the United States. How that's funded and how it's dealt with is for all of you to eventually deal with. For me, it was an off-the-cuff statement.

Our goal is to have the enforcement, to have the proper training, to have the proper stuff. It's probably a point that the first ministers can argue about, as they seem to always do. What's important is, if we do want safety, at the end of the day somebody has to pay for it. How the governments, among themselves, deal with that is between them, but at the end of the day, we would rather see enforcement. As we said in our presentation, we need to have rules and regulations. If they're not enforced, it makes it meaningless. Hopefully this will make sure it's not meaningless.

[Translation]

Mr. Mario Laframboise: My final question is for Mr. Montague. Is your industry ready to defray all the costs and expenses for training? Mr. Laferriere, it seems fairly clear on your side. Does the same thing apply to the trucking industry?

[English]

Mr. Barrie Montague: I'm not sure we're willing to assume, but I suspect that's what's going to happen. We had no choice with the current security training as required by C-TPAT. The industry had to absorb it.

Our industry has had to absorb every cost associated with cross-border transportation as a result of 9/11. Our industry has borne every cost. Delays at the border, cost of FAST cards, cost of training, cost of this, cost of that—we've borne everything. We've not been able to recover a penny from the shipping community, not one penny. So we're absorbing it all. Under the current economic climate, I suspect we'll be continuing to absorb it even if we don't want to do so.

The Chair: Mr. Bevington.

Mr. Dennis Bevington: Thanks.

I have a comment on costing. If you're adding a security blanket to the industry and the responsibility of Transport Canada is now not only for ensuring that you're following the safety procedures with hazardous goods but for ensuring that you're following the security procedures with hazardous goods, that is going to add burden to the transportation department as well if it's to continue to keep up the job it has to do. It's not a burden on you; I'm considering the burden on the transportation department to make sure everything is followed under the act as laid out.

The question I have, though, speaks to our having had witnesses in here, saying that in regard to the transportation security clearance—this is coming from our government officials—the discussions are on right now within the SPP process to come up with the regulations that are going to be enforced in Canada.

So, Mr. Benson, your suggestion that you're totally confident that the Canadian regulators will come up with decisions about the civil rights of Canadians, the privacy rights of Canadians, is actually not quite correct, because what we're doing is negotiating with another country to put standards of security clearance on our own people, and those standards have to meet what the Americans want. What they are asking us to do may not fit with what we would normally do for our citizens, so one transportation certificate or one security clearance certificate that requires putting an undue burden on somebody crossing the border, should that be applied to a Canadian within this country, would have an impact on his civil rights and liberties. Your suggestion of a single transportation security clearance doesn't seem to follow under that.

• (1710)

Mr. Phil Benson: If you'll please let me clarify that, first of all, I have confidence, at the end of the day, in the Supreme Court of Canada, through an appeal route through the Federal Court. I have some confidence in our courts. As an officer of the court, I have to have some confidence in the courts, and I hope that all Canadians do. I have much greater confidence in that than I do in the Department of Homeland Security.

And I'm not being disrespectful to the Department of Homeland Security. They're doing a wonderful job protecting their country and their interests.

As to the SPP, these transport security clearances are not new. Tens of thousands of Canadians carry one or a different form of those today. We have run thousands of members through them, with a very small rejection rate—less than 0.011%.

As to some issue that this is dealing with the SPP, we're tied up with ICAO; we're tied up with the UN on dangerous goods; we're

tied up with everybody in the world. We have trading partners. We're in a global economy. After 9/11, the world has changed.

We wish we did not need these. When we are told point-blank—

Mr. Dennis Bevington: That's not the question.

Mr. Phil Benson: I'm getting to the question.

Mr. Dennis Bevington: Is a single security clearance that may infringe upon workers' rights of privacy appropriate in this country?

Mr. Phil Benson: Yes, and I'll get to the point.

Mr. Dennis Bevington: Well, I have only three minutes.

Mr. Phil Benson: I'll be really brief.

You see somebody as local. They're a Teamster UPS driver, picking up air cargo. They're snared by the international agreement on air cargo security. Somebody who is going across the border is snared there. If they're going to a port, we have agreements internationally in Canada in terms of ports. If they're going to an airport, there's ICAO and others. In other words, yes, some of the rules that we have will be extraterritorially enforced upon us. At the end of the day, in terms of the security issues, the questions, how we answer them, what we do, and the court of appeal that we go through, through your protection, sir, through an amendment that we're suggesting, I have much more confidence in that.

If we are forced to do it, I have to have confidence in you, sir. I have to have confidence in the court. I have to have confidence in Mr. Jean and all the Conservatives, and the Bloc members, and the Liberals here, and the New Democrats besides you. I have to have confidence in you. If not, what's the point?

At least this system allows us to have some confidence. The other ones don't.

The Chair: With that, I'll go to Ms. Fry.

You have a couple of minutes.

Hon. Hedy Fry: Oh, thank you, that's great. It's a present.

Actually, my question was for Mr. Benson.

I know you've just delved into this, but I still have concerns. I agree with you that the world has changed since 9/11. I agree with you very much that we have to have and accept certain extraterritorial rules. However, my concern is this. Shouldn't those be negotiated at the beginning of this, in case we find we don't end up agreeing to certain extraterritorial rules and regulations on which we don't have a means of appeal and that infringe our charter and constitutional rights as Canadians? Obviously that is something that should have been negotiated by Canadian border security, and I'm not hearing anything about it. I want to be assured it is important.

Once you've smeared or accused someone so that they cannot get security clearance, you can never erase that in today's world. So I have a real concern about this, while accepting that we have to do, or agree to, certain things. But I still have concerns.

Mr. Phil Benson: I agree with you, Ms. Fry. We have concerns, too. We have concerns that the necessity of trade means that with the FAST card, it is illegal in Canada—it is unconstitutional—for people to voluntarily pee in a jar for a drug test, unless you're a driver that goes to the States, under voluntary rules. Nobody's worried about that. Nobody's worried about all the different processes that don't have appeals. For years this has been going on. Workers' rights have been violated. Our constitutional rights have been violated. At the end of the day, this is the only thing we have seen that we can at least say is going to give some kind of redress.

I also think members of Parliament should be looking at the questions they ask. You should ask for a security briefing, look at the questions they ask, and ask yourself whether or not those questions.... Again, I can't discuss it, because it's a security issue. We've gone over it inside doors, and we're not supposed to talk about it in public, and I won't because I respect the security process. Ask the security experts to give you a briefing to explain why they ask all of those questions, and decide whether you think they're okay too.

I agree with you. Politicians and people should be standing up and looking at these issues and finding out whether or not they are absolutely required or not, and what we can do about them.

As for people agreeing with us, pilots have transport security clearances. They fly to Ronald Reagan Airport. They fly to Berlin. They fly to Heathrow. They fly all over the world. It's a similar process, a similar piece of paper. If it's good enough to fly a plane, I don't think they're going to give you a hard time driving a tank-haul of chlorine across the border.

But I do think this is quite serious. It was a very good question; I'm glad you posed it. It's something that parliamentarians should be looking at, and I do thank you for it.

• (1715)

Hon. Hedy Fry: I also want to know what the ILO is doing about harmonizing some of this stuff.

Mr. Phil Benson: I also sit on committees there.

Security has been a horrible concern around the world. Some governments have actually resolved the problem by having unions do security clearance, as in European models. It is a constant problem. It's a problem to our Teamster brothers and sisters in the United States. It is raised at meetings I've attended. The only thing we know for sure is that it's getting worse, and the only thing we're confident about is that it will continue to be applied.

And if I may, if we could talk about the caprices under the FAST card—and I say this for my friends in the Bloc—I remember one file that I worked on, where the person was denied a FAST card because he hadn't paid a speeding ticket, but he had paid for it and had documentation for it. To be very clear, the issue was the French language.

We went in and got his card for him. But this type of event would not happen in Canada. And we should never have any Canadian having to go through that. It's just wrong.

The Chair: Mr. Kennedy.

Mr. Gerard Kennedy: One of the things we learned in the discussions with ministry officials was their confirmation that there's a cross-departmental working group trying to get rid of duplicative security clearance standards, and I wonder if you guys are fully involved in that. It sounded like it's internal across the government, but I've run across it in other entities. We haven't talked about it, and I don't want to draw you into it, but what the heck are we really getting at here in terms of security clearances? There shouldn't be 1,100 different kinds, so there's the idea that they are supposed to be meeting, at least, the same thing, basic security levels in each government department, with the involvement of CSIS and RCMP on a consistent level.

I'm just making sure you're aware of it and that you're involved in some of that, whether it has reached you guys or not.

Mr. Ron Lennox: We're certainly aware, Mr. Kennedy, that those discussions are taking place. They have been taking place for a number of years now.

Mr. Gerard Kennedy: So that's not a new development.

Mr. Ron Lennox: No, but despite that fact we still have multiple different types of clearances out there. I support them in doing that. We'd love to come up with a simpler system, but I'm not aware of any major leap forward that would get us to where we want to be.

Mr. Gerard Kennedy: It was presented as a new initiative with some kind of timetable.

Mr. Phil Benson: We participated. As Canada's leading transportation union, we're the only body sitting on every single panel dealing with every single security system that was reviewed a few years ago.

We're not privy to those discussions and we wouldn't be. They keep those things to themselves that they want to move forward. But from personal, private conversations with various bureaucrats and government officials, I know there's clearly a move to try to have them all harmonized. Unfortunately, thanks to the way you enable legislation, a lot of them are limited to five years, because it's five years down the pipe. Our argument has been strong, and it's basically that in their world there's no appeal. There has to be appeal. You don't have to wait five years. I think they are looking at it. We've heard some positive things in some regards, and again we're not always fully happy.

• (1720)

The Chair: We thank our guests for appearing today. Obviously we have a lot of things to think about in the near future.

For committee members, on Tuesday, March 3, we have Nav Canada coming before us on their airport traffic services, which was agreed upon by the subcommittee. On Thursday we have more witnesses to come forward. If there are amendments that you're preparing or thinking about, we would like to get them in so we can

run them through the legal services and make sure they're all in order.

Have a good weekend. Thank you, everyone.

The meeting is adjourned.

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