

Northern Pipeline

commenced today in the Federal Court in Vancouver, brought by the Yukon Conservation Society as plaintiff. That action has been joined by the Council of Yukon Indians. Counsel for CYI was generous enough to send me a copy of the pleadings in that action. I have examined them very carefully with respect to the possibility that they might prevent this debate from proceeding. I have satisfied myself that those proceedings are confined to the question of the jurisdiction of the National Energy Board, namely, whether it was *intra vires* its powers to require Foothills to submit an application to build the Dempster lateral by next July. Since the pleadings are confined to that issue, I am satisfied it does not offend the sub judice rule with respect to the construction of an Alaska pipeline, which is the subject matter of this bill.

● (1622)

The hon. Leader of the New Democratic Party has labelled the bill a betrayal of Canadians. We put no such label on this bill. The bill has its weaknesses. There are several which I will speak about, as will other hon. members in their areas of speciality and responsibility. We do not believe we have been negotiated down the tube by the Deputy Prime Minister and President of Privy Council. Perhaps he was the minister with the least knowledge who was conducting negotiations with our friends across the border. We speculate as to why that was and why the Minister of Energy, Mines and Resources (Mr. Gillespie) seemed to have his nose pushed out of joint in the conduct of these negotiations. At times the Minister of Energy, Mines and Resources seems to be more knowledgeable in these matters than the Deputy Prime Minister and President of Privy Council.

The Deputy Prime Minister and President of Privy Council quoted the hon. member for Nanaimo-Cowichan-The Islands (Mr. Douglas) as having said, "We bought a pig in a poke". I think that was the expression he used. For those familiar with pipeline parlance, perhaps it could be described as buying a pig in a pipeline. My comment does not make the Deputy Prime Minister and President of Privy Council smile. Perhaps he does not know what a pig in a pipeline is. By way of explanation to him, it is a device for cleaning out the pipe.

Members of my party cannot advance amendments which will cause irreparable harm to the viability of this project, nor can any amendments be advanced which would go beyond the provisions of the international agreement that has been negotiated. Amendments are possible, and we will attempt to assist the government in a constructive and positive manner to clean up a very badly drawn bill.

I want to be critical of the government in regard to the manner in which it has treated the opposition. The statement of President Carter, made in the decision and report to Congress on the Alaska natural gas transportation system, reads in part as follows:

Unnecessary delay would greatly increase the total cost of the pipeline system. I urge the Congress to act expeditiously to approve this important project.

That statement was dated September 22, 1977. The Congress acted quickly. I fault our government for its serious delay and foot-dragging. After my perusal of this bill, there seems to be no earthly reason why it could not have been before the House prior to Christmas, instead of giving hon. members so little time to consider its provisions with experts in the field. Opposition members have been deprived of a fair opportunity to examine the provisions of the bill. Indeed, it was not until late last Friday that hon. members were privileged to have the minister's press package release. Both the bill and the press package release were in the Yukon before I received them in Ottawa. I do not know whether hon. members have that press package release as yet.

Some hon. Members: No.

Some hon. Members: It came this morning.

Mr. Nielsen: I hear some hon. members indicating that they received the press package release this morning. Certainly that type of action does not engender any good will in terms of support from the opposition with respect to the minister's plea for quick passage.

The hon. Leader of the NDP and the hon. member for Nanaimo-Cowichan-The Islands are taking a wholly impractical position when they indicate that guarantees, with respect to Canadian labour content and industrial content, must be written into the bill. I agree with the minister in his assessment of that. If that position were taken, the agreement would have to be renegotiated. In itself that is a reason for it being an impractical suggestion. In addition to that, it would be subject to many problems in connection with GATT, as the minister has pointed out, and in connection with the financing of this major undertaking. That would probably cause Foothills to abandon the project.

At committee stage we will suggest that a quarterly monitoring process can be embodied in the bill in order to ensure that the intentions, which are spelled out in the appendices to the bill with respect to Canadian content, are adhered to. There is no parliamentary input provided in a continuing way during the construction of this project. We feel that is essential.

Can the minister ever forget his own shame for the vacuum which was his contribution to the debate in August? On August 4, 1977, the hon. Leader of the Opposition (Mr. Clark) indicated that we are confronted with a government which is running the north like a colony, and has known, for at least a decade, that the society and the economy of that region were bound to be profoundly affected by a pipeline possibility. I will say it is a probability. The hon. Leader of the Opposition continued by indicating that despite that warning, and despite Ottawa's absolute jurisdiction, we have to make the decision as to whether there should be a pipeline in principle, without a northern energy policy, without a national energy policy, without a northern development policy, and without any clear or consistent approach to native rights or northern ecology.