

MR. ROGERS, EXAM. BY MR. HEBERT

1 Q. Fair enough. Would you agree with me that in this -
2 - in the Westray case that, notwithstanding the policy of
3 the Federal Government, it would have been possible to
4 put some oversight provisions in the contract documents?

5 A. No. It simply was inconsistent with the contractual
6 links, the contractual relationship that relate to loan
7 guarantees. We don't do that.

8 Q. But it --

9 COMMISSIONER That's about it, Mr. Hebert.

10 MR. HEBERT I just -- maybe two points, Mr.
11 Commissioner?

12 COMMISSIONER Quick ones.

13 MR. HEBERT Are you suggesting that the Federal
14 Government could not impose contractual obligations on
15 Westray to allow some supervision of the project?

16 A. You are trying to take this conversation in a
17 direction that is inappropriate. You're suggesting that
18 somehow the Federal Government sat there or was there as
19 sort of the guarantor of last resort on the adequacy of
20 everything that should have been done that wasn't done on
21 this project. And I reject that --

22 Q. I'm just asking --

23 A. -- out of hand.

24 Q. I'm just asking a question --

25 A. I would --