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Tuesday, March 1, 2022

The Honourable GEORGE J. FUREY,
Speaker

This issue contains the latest listing of Senators,
Officers of the Senate and the Ministry.

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THE SENATE

Tuesday, March 1, 2022

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

INTERNATIONAL WOMEN'S DAY

Hon. Kim Pate: Honourable senators, March 8 is International Women's Day. This year's theme is #BreakTheBias.

In Canada we are celebrating Women Inspiring Women, and we encourage recognition of those who inspire and demonstrate leadership in social, economic, environmental, cultural and political spheres.

Imagine a Canada that is diverse, equitable and inclusive — where every young woman and girl is inspired to pursue and seize leadership, free of bias, stereotypes and discrimination.

In 2008, one in four women in federal prisons were Indigenous while Indigenous peoples represented only 4% of the general population. This rose to one in three by 2016, and in 2022 it is approaching one in two.

The injustices identified 30 years ago for criminalized and imprisoned Indigenous women persist. The majority attended residential schools or had a family member who attended. Many are part of the stolen generations. More than 9 in 10 have histories of physical and/or sexual victimization.

The issues that give rise to Indigenous women being disappeared and murdered are the same issues to render them homeless and the fastest growing prison population.

It is time for us to work collectively to redress systemic class biases, sexism and racism — 1 in 2 federally sentenced women are Indigenous and 1 in 10 is Black. Imagine if that was the proportion of women in leadership in business, education and government. Imagine how we all could benefit and be enriched by more inclusive and equal public spaces.

In Canada, imagine what actualizing this year's International Women's Day themes could mean if, in 2022, we act to grow and strengthen inclusive, equitable and accessible social, economic and health supports and systems. Imagine if we ensure that we pull people in versus pushing them to the fringes where they become attracted to or easier prey to anti-government, anti-democratic and anti-egalitarian ideas. Imagine if we

implement every call for justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls. And this year — there is one vacancy so far — we absolutely hope the next Supreme Court of Canada appointments are Indigenous and Black women.

Honourable senators, let's truly break the bias and inspire women's leadership in all spheres. *Meegwetch, d'akuju*, thank you.

UKRAINE—RUSSIA'S ACTIONS

Hon. Peter Harder: Honourable senators, here is a letter to Igor Shuvalov:

I am writing to you as a friend and former colleague to convey my strong opposition to the offensive actions undertaken by the Russian armed forces in Ukraine. Our work together in the mid-2000s seems far from the aggression, the violation of international law and the destruction visited on Ukraine in recent days. I recall fondly your work as the President's Personal Representative and lead Sherpa for the St. Petersburg summit of 2006. Our visits to various parts of Russia, our discussions of the important political and economic issues of the day were enriched by your perspectives and experience.

I remember vividly my visit to your office at the time. It had been the office of Leonid Brezhnev in the former building of the Soviet Communist Party. You took delight in showing me the electronic buttons on the side of your desk, a relic of Brezhnev's time. You pushed a button and the curtains on the side wall opened, another button pushed and down rolled a map of the USSR and a display of where the nuclear war heads of that time were located and then a third button and down rolled a map indicating where Soviet troops were stationed across the Warsaw Pact. We spoke of how this era of Cold War was passed and welcomed Russian participation in the G-8 and other multilateral institutions. You then took me down the hall, just a few steps from your office to a large, oak panelled boardroom with a mammoth rectangular table which could seat several dozen officials. On entering you stated that this was the room where the fateful decision was taken to invade Afghanistan in December of 1979. A decision we agreed, which significantly contributed to the demise of the old Soviet Union ten years later. The occupation not only led to the loss of many lives but imposed economic hardship which could not be justified or sustained. We also spoke of Ukraine. I told you how my parents left Ukraine in 1924 to come to Canada and as to my remaining relatives, Stalin had taken care of them. You spoke fondly of Ukraine and how they were your "cousins".

Igor, it seems so very long ago. The era of hope has gone. The Cold War tensions have returned. Russia's illegal invasion of Ukraine is underway. I don't know how the coming days will unfold, but I do know that this bloodshed isn't what one does to cousins.

This is not the time to argue about how we got to this state. There will be a time for that and I'm sure we could both agree that there have been missed opportunities for diplomacy.

What I do know though is that our successors will one day visit the Kremlin, as I did in 2006, and will be shown by then former President Putin's office and be told that this is where that fateful decision was taken to invade Ukraine with the terrible consequences that have unfolded since. That day may not be soon, but it will surely come.

While you are no longer the First Deputy Prime Minister, I know that your voice continues to be heard, especially on international economic issues. Now as Chairman of State Development Corporation, I urge you to raise your voice to put an end to this invasion of a sovereign country, especially one with the familial and historical relations we both share.

Our children and grandchildren deserve better of us.

Sincerely, Peter

[Translation]

AGE-RELATED MACULAR DEGENERATION AWARENESS MONTH

Hon. Pierrette Ringuette: Honourable senators, February is Age-related Macular Degeneration Awareness Month.

Age-related macular degeneration, or AMD, is an incurable disease that causes gradual loss of vision, blurred vision and distorted vision, and eventually dark spots in the vision and legal blindness. AMD causes the macula, the part of the retina responsible for detailed vision, to degrade.

AMD affects nearly 2 million Canadians and 196 million people around the world. It is the leading cause of loss of vision in adults over 50 and accounts for 90% of new cases of blindness in Canada. It is a serious problem that will only get worse as our population ages.

You very likely know someone with AMD, a disease that turns Canadians' lives upside down and reduces their quality of life in retirement. Over time, people with AMD become unable to drive a car, read a book, participate in all kinds of sports and activities, or enjoy the comfortable and independent retirement they deserve after working so hard all their lives. They can no longer live in their own homes and are forced to move to a place where they will be cared for. This is a life-altering diagnosis, mainly because there is no cure.

[Senator Harder]

• (1410)

Thanks to research being done in Canada, there is hope. A treatment is being developed, and clinical trials are encouraging. A new treatment is awaiting regulatory approval from Health Canada. It could have a significant positive impact on the millions of Canadians who suffer from AMD.

Please join me in raising awareness about AMD. Let's support our fellow Canadians in their struggle, and let's support the development and approval of treatments for this devastating disease.

Thank you.

[English]

UKRAINE—RUSSIA'S ACTIONS

Hon. Patti LaBoucane-Benson: Honourable senators, for the past six days, Canadians have watched the horrific, violent attack on Ukraine. We've witnessed war being waged on innocent Ukrainians, shocked by this assault on a free, proud and democratic country. There have been marches across Canada this weekend in support of Ukraine and in appreciation of the fear the hundreds of thousands of Ukrainian Canadians have for the safety of their families.

Although I am speaking today on the traditional land of the Algonquin and Anishinaabe, I live in the beautiful Treaty 6 territory, where we are all treaty people. Although the settlement of Canada is a history of colonization and disenfranchisement, there are also many stories of kindness, caring and working together for mutual benefit.

As Chief Billy Morin from the Enoch Cree Nation wrote:

Ukrainian Families were some of the 1st families to settle in Treaty 6 territory, before Alberta was even a Province. There are many instances of friendship between Indigenous & Ukrainian peoples that highlight the Spirit & Intent of Treaty 6.

I couldn't agree more. There were deep relationships between Ukrainian and Indigenous people. There still are today. I can assure you that I am not the only Métis Ukrainian in Alberta. Significantly, Indigenous and Ukrainian settler women forged important relationships. Both understood the experiences of trauma and oppression — whether it was here or in Ukraine — and they were trying to raise healthy children despite these hardships. Indigenous women shared knowledge of local plants and medicines to keep their families healthy. Ukrainian women shared recipes for food that could be made from the food grown on their farms: perogies, *holopchi*, *perishke*.

Ukrainian women also gifted Indigenous women the babushkas they wore on their heads. Indigenous women have worn these beautiful scarves in their day-to-day lives for years, and now these scarves can be found across Turtle Island, worn as fashion items or part of regalia at powwows. For almost a week, my social media feeds have been galvanized, not only in deep admiration of and support for the bravery of the Ukrainian

people, but also including Indigenous women posting pictures of themselves in beautiful floral scarves with the caption “wear your *kokum* scarf in solidarity with Ukraine.”

Colleagues, these scarves have become symbols of empathy, relationship, resilience and solidarity. They are symbols of trade and cooperation between Indigenous people and Ukrainian settlers. They are symbols of people sharing resources and wisdom, working together and caring for each other.

Senators, I wear this scarf today not only as a symbol of solidarity but also as a reminder of the trauma of war and pain the Ukrainian people will carry in the years to come. I sincerely hope our government will not only continue leading the effort to end this war, but that it will also be a leader in the effort to rebuild Ukraine and heal the Ukrainian people in the same spirit of friendship that has existed on Treaty 6 territory for many years.

Slava Ukraini. Glory to Ukraine. Hiy hiy.

JOHN MOLSON UNDERGRADUATE CASE COMPETITION

Hon. Tony Loffreda: Honourable senators, I rise today to bring your attention to the fourteenth edition of the John Molson Undergraduate Case Competition, or JMUCC, and pay tribute to my alma mater Concordia University.

From February 28 to March 5, Concordia University’s John Molson School of Business is hosting its annual undergraduate case competition. The week-long event gives teams of business students from around the globe a chance to compete and solve live business cases. Using their skills, knowledge and resourcefulness, teams present their analysis to a panel of judges consisting of industry specialists who must evaluate and rank their work. Once again, I am honoured to serve as lead judge for the finals on Saturday. In fact, I’ve been involved with the competition since its inception in 2009.

Year after year, I am struck by the business acumen and all-around brilliance of the students competing in the event. They showcase passion, spirit and dynamism — the three pillars at the heart of JMUCC’s mission statement. One thing is certain: our future business leaders and entrepreneurs are ready to take the world by storm. They have the brains and heart — the perfect one-two combination — that will certainly help them succeed in life. It’s truly impressive to see.

Over the years, I’ve witnessed firsthand how life-changing and formative this competition is for these students. They acquire some lifelong skills that will allow them to be better entrepreneurs and businesspeople but, above all, better global citizens. Some of these skills include strategic thinking, innovative problem solving and sound decision making.

Since its inception, JMUCC has grown into the largest international case competition with 28 universities from across the world competing each year. In total, 54 cases have been analyzed, and nearly 1,400 university students have competed. In my view, what makes JMUCC so popular and attractive to students is the fact that it is held in one of the most beautiful cities in the world and hosted by one of Canada’s great post-secondary institutions. Regretfully, for the second time in a row, the competition is being held virtually this year, which didn’t allow its competitors an opportunity to explore all the sights and sounds that Montreal has to offer.

Honourable senators, please join me in congratulating this year’s organizing committee for hosting another world-class event despite the challenges of the pandemic and wishing all participants an exciting and memorable competition.

ROUTINE PROCEEDINGS

OLD AGE SECURITY ACT

BILL TO AMEND—THIRD REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE PRESENTED

Hon. Ratna Omidvar, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Tuesday, March 1, 2022

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

THIRD REPORT

Your committee, to which was referred Bill C-12, An Act to amend the Old Age Security Act (Guaranteed Income Supplement), has, in obedience to the order of reference of February 24, 2022, examined the said bill and now reports the same without amendment.

Respectfully submitted,

RATNA OMIDVAR

Chair

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Cordy, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

THE ESTIMATES, 2022-23

NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY MAIN ESTIMATES

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Main Estimates for the fiscal year ending March 31, 2023; and

That, for the purpose of this study, the committee have the power to meet, even though the Senate may then be sitting or adjourned, and that rules 12-18(1) and 12-18(2) be suspended in relation thereto.

• (1420)

[*Translation*]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Pierrette Ringuette introduced Bill S-239, An Act to amend the Criminal Code (criminal interest rate).

(Bill read first time.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

(On motion of Senator Ringuette, bill placed on the Orders of the Day for second reading two days hence.)

[*English*]

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Tony Dean: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to rule 12-18(2), for the remainder of this session, the Standing Senate Committee on National Security and Defence be authorized to meet at their approved meeting time as determined by the third report of the Committee of Selection, adopted by the Senate on December 7, 2021, on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

QUESTION PERIOD

NATIONAL DEFENCE

ARCTIC SOVEREIGNTY

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my question today is again for the government leader in the Senate.

Leader, Canada stands in solidarity with Ukraine and its people. Russia's attack on Ukraine should serve as a warning about how unprepared the Trudeau government is to defend Canada's sovereignty and security, especially in the Arctic.

Last year, leader, Russian fighter aircraft flew over Canadian-claimed waters at the North Pole. The Government of Canada had no response. In 2017, this government issued a defence policy statement that promised a modernization of the North Warning System. That hasn't happened. It promised to conclude a competition to buy new fighter aircraft to replace our 40-year-old jets. That has not been concluded. It promised unmanned aerial vehicles to monitor Canadian waters. Nothing has happened.

Leader, what and when does the government plan to do anything in terms of these much-needed modernizations?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The Government of Canada is committed to defending the sovereignty of Canada, and the Arctic in particular. It is aware of the issues you raised, and is working to provide the necessary physical assets and collateral support to ensure that our sovereignty is not compromised.

Senator Plett: You repeated what I said, leader. I asked you a question. When? What? You say they're committed. I read that they're committed. I read what they promised to do. Leader, we need answers in this chamber, not a repeat of our questions.

I have other written questions, leader, on the Order Paper that your government has not answered about the state of Canada's defence and Coast Guard readiness. For example, what is the cost estimate to build two polar icebreakers? When will the construction of medium icebreakers begin? Why has the plan to upgrade our search and rescue helicopters been reportedly put on hold? When will the used Australian fighter jets the Trudeau government purchased in 2018 be fully operational?

Leader, why are there no answers other than that the government is committed? Is it the plan of the Trudeau government to continually delay making decisions instead of actually doing anything and then just telling us they're committed?

Senator Gold: The answer to your question is no. The questions you raise are important and legitimate. They have been transmitted to the government. This chamber should know that our office works hard to impress upon the government the importance of timely answers for the benefit of senators and, frankly, for the benefit of my office, which stands before you

representing the government, and we will continue to do so. I hope you can get your answers in a timely fashion. We are doing our best to make sure that happens.

[*Translation*]

FINANCE

FREEZING OF BANK ACCOUNTS

Hon. Claude Carignan: My question is for the Leader of the Government in the Senate.

On February 18, 2022, to justify the use of the Emergencies Act, the Minister of Foreign Affairs said, and I quote:

... we know that foreign interference is a reality, which is why we decided to go ahead.

That said, on the subject of funding, she also said, and I quote, "... where is this information campaign coming from? Where is its funding coming from?"

These were the grounds used to justify the seizure of bank accounts belonging to individuals who participated in the various demonstrations. In your opinion, did these grounds justify the violation of section 8? Were there sufficiently urgent, real and serious grounds to seize bank accounts without a warrant?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question.

As I explained many times last week, the government was convinced that all of the measures that were put in place and the invocation of the emergency measures were necessary to respond to the crisis.

Fortunately, the state of emergency is over, and the measures that were put in place are no longer in effect.

Senator Carignan: When the state of emergency was lifted, Minister of Finance Chrystia Freeland said, and I quote, "The accounts were frozen to convince people taking part in the occupation and illegal blockades to leave."

How can you justify seizing bank accounts without a warrant and without legal authorization when the only objective is to convince people to move vehicles parked on Wellington Street?

Senator Gold: Thank you for the question. Once again, the answer is clear. All of these measures were necessary to put an end to the occupation of Ottawa, which caused a lot of harm to Ottawa residents and in other parts of Canada.

• (1430)

CANADIAN HERITAGE

NEXT ACTION PLAN FOR OFFICIAL LANGUAGES

Hon. René Cormier: My question is for the Government Representative in the Senate.

[*English*]

First, I would like to acknowledge that it is Senator Griffin's last week in the Senate. I want to thank her very much for her work on behalf of all Canadians, and particularly citizens of the Maritimes. Thank you, Senator Griffin.

[*Translation*]

Senator Gold, since this is Francophonie Month and today will be remembered as the day Bill C-13 to modernize the Official Languages Act was introduced in the other place, I am pleased to announce the results of a recent public opinion survey. It was conducted last fall by Environics Research for the Office of the Commissioner of Official Languages and found that more than 87% of Canadians support official languages. The Commissioner of Official Languages, Raymond Th  berge, noted that the poll numbers should, and I quote, "help leaders draft the next Action Plan for Official Languages."

It goes without saying that the Action Plan for Official Languages that will be expiring in 2023 is a key positive measure for enhancing the vitality of official language minority communities.

My question is the following, Senator Gold. When does the government plan to start drafting the next action plan for official languages? How does it intend to consult official language minority communities and take their needs into consideration during the drafting process?

Hon. Marc Gold (Government Representative in the Senate): Thank you for raising this question.

As you mentioned, the current Action Plan for Official Languages is in effect until 2023. I am told that the government will be launching consultations on the next action plan shortly and that details should be announced in the coming months.

Senator Cormier: Senator Gold, according to the 2018-23 Action Plan for Official Languages, the government has committed \$2.5 million over five years to initiatives led by partners such as the City of Ottawa. We know that municipalities, especially those in a minority situation, have a crucial role to play in supporting the development and vitality of official language minority communities.

Senator Gold, given that municipalities fall under provincial jurisdiction, how will the federal government support their invaluable contribution to the development and vitality of linguistic communities? Will it be through a provision in the new version of the act, targeted measures in the next action plan for official languages, or some other means?

Senator Gold: Thank you for the question. Since coming to power in 2015, the government has made significant investments in official languages, strengthening the institutions and infrastructure that support official languages minority communities, or OLMCs. As part of these positive obligations under the Official Languages Act, the government encourages and supports governments in fostering the development of francophone and anglophone minorities by providing municipal services in both official languages and having them receive instructions in their own language.

I also note that the new version of the bill includes support for non-profit organizations that provide many support services to OLMCs.

[English]

IMMIGRATION, REFUGEES AND CITIZENSHIP

UKRAINIAN REFUGEES

Hon. Ratna Omidvar: Honourable senators, I, too, would like to congratulate Senator Griffin for an outstanding term in the Senate.

My question is for the representative of the government in the Senate. Senator Gold, just a few weeks ago Minister Fraser, the Minister of Immigration, announced an ambitious immigration plan. However, as we know, events overtake plans, and the events of the last week in Ukraine perhaps more than most.

Will the government make additional commitments on top of the stated levels to accommodate a wave of Ukrainian refugees without impinging on its commitments to Afghan and other refugees?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for the question. Let me also add my voice to congratulate Senator Griffin on her contributions over the years.

The situation where Ukrainians are seeking to leave, and Afghans and others, is a tragic one. I can't answer your question definitively. I'll make inquiries at each level, but I can tell you this: For over a month now, the government has been giving priority to processing applications from Ukraine and bolstering Canada's operational capacity in the region. Since January 19 the IRCC has approved nearly 2,000 applications from Ukrainian nationals and other peoples residing in Ukraine across various programs. The government has announced — I won't go down the list, colleagues — additional measures to support Ukrainian and Canadian citizens in the region, including establishing a dedicated service channel for Ukrainian inquiries and so on. As the situation unfolds, the government is preparing additional measures and will increase our efforts to welcome Ukrainians in Canada.

Senator Omidvar: I should remark that the sound quality is pretty bad, and I only heard a small portion of what Senator Gold said. I will read it in Hansard, but perhaps you would note this, Your Honour.

Senator Gold, Canada is incredibly fortunate to have the second-largest Ukrainian diaspora in the world. As we know, they're deeply connected to friends, families and communities and are deeply concerned about them because they are now living in unimaginable precariousness and danger.

Will the government announce new numbers for private sponsorship so that the energy and enthusiasm of Ukrainian Canadians can be a bridge to safety for vulnerable Ukrainians?

Senator Gold: Thank you, senator. I hope the sound quality was not a function of my voice. I hope you can hear me.

I will make inquiries with regard to your request. I should have added in answer to your earlier question that Canada is home not only to those Ukrainians who have settled here but also to many Ukrainians here not as citizens or permanent residents. I want the chamber to understand that Canada is taking steps to make sure Ukrainians currently in Canada don't have to leave, notably by extending temporary status, issuing open work permits, waiving fees for passports, permanent resident documents, proofs of citizenship, visas and permits.

NATIONAL DEFENCE

OPERATION UNIFIER

Hon. Terry M. Mercer: Honourable senators, I know we are all dismayed by the situation in Ukraine. Russia's actions by its brutal dictator are unacceptable, and we must continue to support the people of Ukraine in every way we can.

Senator Gold, Operation UNIFIER is the Canadian Armed Forces mission to support the training of security forces in Ukraine. We send a group of about 200 forces members to Ukraine every six months with the ability to deploy up to 400 members. According to National Defence, since 2015 Canadian troops have conducted more than 600 courses, training nearly 33,000 Ukrainian military and security personnel. On January 26, the minister announced additional funding of \$340 million for immediate support for Ukraine and for the extension and expansion of Operation UNIFIER. However, the troops were pulled out and are now in Poland, given the current security situation in Ukraine.

Will the government leader tell us when our forces will be redeployed to Ukraine to train additional, much-needed Ukrainian forces to fight against Russia's illegal war?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. As you pointed out, our mission in Ukraine is a training one, not a combat mission. A combat mission to Ukraine, colleagues, is not currently on the table. That is in line with what our NATO allies have stated. The NATO Secretary-General also said just that on February 24. We will continue to act in lockstep with our allies.

With regard to other aspects of your question, while I can confirm that the government has relocated some of our forces outside of Ukraine, the government will not disclose any specific details in order to maintain operational security. This does not signal the end of the mission, however. Canada remains committed to its capacity-building efforts and, of course, to the people of Ukraine.

• (1440)

Senator Mercer: Honourable senators, I grew up in Halifax in the shadow of the Royal Canadian Navy. The Royal Canadian Navy has a very proud history of protecting Canada, which continues to this day.

The Prime Minister recently announced additional support for NATO through Operation REASSURANCE — more troops, more artillery and the addition of HMCS *Halifax* to its operations. Is the government, in consultation with NATO and its allies, considering any further ramp-up of military personnel by land, sea or air to Ukraine in the wake of Putin's recent threats? I have neighbours who are members of the Royal Canadian Navy, and I want to make sure that they're safe.

Senator Gold: Senator Mercer, we all, of course, wish the same for all of our brave men and women who serve our country and are in harm's way.

Canada has taken a series of steps with its NATO allies to ramp up sanctions against Russia for its illegal acts. Even more were announced today, as you would know. Canada is in constant contact and in consultation with its NATO allies with regard to the lethal and non-lethal assets and supports we're providing to Ukraine and will continue to be so.

TREASURY BOARD SECRETARIAT

FEDERAL PUBLIC SERVICE JOBS

Hon. Percy E. Downe: Senator Gold, why has the government allowed the concentration of federal government employment in Ottawa and the National Capital Region to reach 47% of all federal employees, when the historical average was about one third in the Ottawa area and two thirds in the rest of Canada?

Hon. Marc Gold (Government Representative in the Senate): Well, thank you for the question and the underlying concern that these positions be distributed equitably so that citizens outside the capital region can serve their country and have the benefit of those. I'll make inquiries as to the reasons that might explain the change in percentage that you outline, and I'll be happy to report back when I get an answer.

Senator Downe: Thank you, Senator Gold. I appreciate that and look forward to hearing what you find out.

To appreciate the positive impact of decentralization of government departments and the jobs connected to them, we need to look no further than Charlottetown, where having over 1,600 employees of Veterans Affairs — still today the only

departmental national headquarters located outside the Ottawa area — adds \$122 million in payroll to the Prince Edward Island economy every year.

When will the Government of Canada start to provide similar benefits to other regions of Canada, particularly as the last two years have demonstrated the ability of many federal public servants to work from just about anywhere, not just office towers in downtown Ottawa? In other words, when will the rest of Canada be able to enjoy what Prince Edward Island and Ottawa are currently enjoying?

Some Hon. Senators: Hear, hear.

Senator Gold: Senator, thank you for your question. I will make sure to add those points to my inquiries with the government.

[*Translation*]

NATURAL RESOURCES

EXPORT OF LIQUEFIED NATURAL GAS

Hon. Percy Mockler: I would be remiss if I didn't take this opportunity to thank Senator Griffin for the remarkable leadership she has shown in the Senate.

There is no doubt in my mind that we are all saddened by Russia's illegal invasion of Ukraine.

[*English*]

As was so well said by Senator Boehm last Thursday, "The world changed last night and not for the better."

Now, to the Leader of the Government in the Senate, Russia's illegal attack on Ukraine has highlighted the grave security threat posed by Europe's dependency on Russian natural gas. As one of the world's largest producers of natural gas, Canada could help our friends and allies in Europe diversify its energy supply away from Russia.

Honourable senators, great news. Last month, it was reported that Spanish company Repsol is considering converting its Saint John LNG import terminal into an export terminal. It has also been reported that the company has filed its development plans with the Impact Assessment Agency of Canada.

We have here an opportunity, leader. What is your government's response to this news? Would you see this as not only a way to support our own economy, but our security as well from coast to coast to coast?

[*Translation*]

Thank you, leader.

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, Senator Mockler.

[English]

The current situation in Ukraine, as you point out, and I think we all would understand, underscores the importance of energy security of our allies in Europe and, indeed, around the world. The news of companies interested in investing in Canada is, of course, welcome news. As we work with our European allies to address the geopolitical and socio-economic challenges that are presented by the Russian invasion of Ukraine, the government is considering all measures to preserve energy supply chains in Canada and, where possible, worldwide.

Canada is well positioned to become a major player in the global LNG industry. The government is taking action to become the world's cleanest producer of LNG. Now, on specific projects, such as the one that may emerge in Saint John, the government oversees and is committed to fair and thorough impact assessments grounded in science and traditional knowledge. The government remains committed to addressing the potential impacts of development, while ensuring that good projects go ahead.

Senator Mockler: Honourable senators, as we know, Canada will be stronger when all regions are strong. Leader, we remember how the current government moved the goalposts as Energy East went through the review process in 2017. Does your government commit today to giving Saint John LNG a fair hearing in order to help Europe and to continue to position Canada as a major player?

Senator Gold: The answer is yes. Colleagues, let's recall, in addition, that TMX, Line 3 pipeline, NOVA Gas Transmission line and LNG Canada are all projects that the Government of Canada has approved and are being built. Thousands of jobs were created. The government continues to work and will continue to work with our partners in the sector to attract investment and grow our economy in a responsible way.

FINANCE

DEBT MANAGEMENT REPORT

Hon. Elizabeth Marshall: Honourable senators, my question is also for Senator Gold, the Leader of the Government in the Senate.

Senator Gold, the government has not released its debt management report for the 2020-21 fiscal year — a year that ended 11 months ago. That year was also the first year of the pandemic, during which the government borrowed heavily, so that report is of great interest. The government has a statutory obligation to table that report within 30 sitting days of the release of the public accounts. By delaying the release of the public accounts to December 14, the government has been able to push back the deadline for the release of the 2020-21 debt management report to March 28. Since we're now studying Supplementary Estimates (C) and Bill C-8, which implements the fall fiscal update, when can we expect to see the debt management report?

Hon. Marc Gold (Government Representative in the Senate): Colleague, thank you for your question. As your question implies, there is a requirement that it be tabled before the end of March. I have every confidence that that will be the case, but I will certainly make every effort to get that confirmed. I will try to get an answer back to you and to this chamber as quickly as I can.

• (1450)

Senator Marshall: Thank you for that response, Senator Gold.

We're seeing a worrying trend: Government either withholds certain information while other information, such as the Public Accounts of Canada and the Departmental Results Reports, are being released very late. They're really not relevant by the time we get those reports; they are almost historical information.

The impression that's being given is that government is deliberately withholding certain information and reports. So is the government deliberately withholding and delaying the release of accountability information?

Senator Gold: Thank you for your question. I have no knowledge whatsoever of any such deliberate action. I will make inquiries as to why the public accounts were delayed, and I will report back to the chamber.

FOREIGN AFFAIRS

SPECIAL ECONOMIC MEASURES ACT

Hon. Brent Cotter: Honourable senators, my question is for Senator Gold. It concerns the illegal war being waged against the people of Ukraine, "a threat to each and every one of us," as Ambassador Rae said yesterday. This situation calls for Canada to do everything it can, even if those demands require commitments from each of us.

My question relates to the need for the imposition of sanctions on Russian businesses in Canada, not just freezing their bank accounts. That may involve some sacrifice from us. A specific example in my province is EVRAZ. EVRAZ is a Russian steel manufacturer with significant operations in Western Canada, and it is controlled by four Russian oligarchs close to Mr. Putin.

My question is this: Are we imposing constraints on companies like EVRAZ and doing so in ways that share the burden among all Canadians without punishing the good, hard-working employees of those companies who had no say in their companies coming under Russian control?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. I do not have information about what the government's plans may be with regard to additional sanctions. A day does not seem to pass by without more sanctions being announced. The government will continue, as it has been, to not only work with its allies but to exercise leadership with its allies to ensure that the illegal aggression of Russia in Ukraine is answered with real, significant sanctions.

Again, you don't need me to read the long list of sanctions directed at individuals and institutions operating worldwide. Those are a matter of public record. Out of respect for you and others who might have supplementary questions, I will simply say this: The government is continuing to work diligently to ensure that the sanctions are, and any additional sanctions will be, ones that have a real bite and impact upon the aggressor.

Senator Cotter: My second question is specifically about EVRAZ, coming from a different direction.

Canada operates the Canada Strategic Infrastructure Fund, which, over the last five years, has distributed \$5 billion to a hundred different projects, one of those in Saskatchewan. The fund contributed \$40 million to EVRAZ. Does EVRAZ need the money? EVRAZ last week reported profits in excess of \$3 billion and a whopping 60% of the share price paid out in dividends. Who are those shareholders? Four Russian oligarchs own two thirds of those shares.

I could go on at length with the question, but what has the Government of Canada done to get our \$40 million back?

An Hon. Senator: Hear, hear.

Senator Gold: I'll have to make inquiries and report back.

[Translation]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to the order adopted December 7, 2021, I would like to inform the Senate that Question Period with the Honourable Steven Guilbeault, P.C., M.P., Minister of Environment and Climate Change, will take place on Thursday, March 3, 2022, at 3 p.m.

BILL TO AMEND THE CRIMINAL CODE AND THE IDENTIFICATION OF CRIMINALS ACT AND TO MAKE RELATED AMENDMENTS TO OTHER ACTS (COVID-19 RESPONSE AND OTHER MEASURES)

SECOND READING—DEBATE ADJOURNED

Hon. Pierre J. D'Alphond moved second reading of Bill S-4, An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures).

He said: Esteemed colleagues, I rise today to start second reading of Bill S-4, whose title is a bit of a mouthful. It is called An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures).

As its long name suggests, this bill is connected to the COVID-19 pandemic, which exposed certain legal practices in the criminal justice system that were in need of modernization to avoid unnecessarily exposing stakeholders and other individuals to the virus. In addition, these changes would make the criminal justice system more efficient by taking advantage of available technologies. As the saying goes, necessity is the mother of invention.

This bill is, for all intents and purposes, identical to Bill C-23, which was introduced in the House of Commons on February 24, 2021, by the Honourable David Lametti, who was and still is the Minister of Justice and Attorney General of Canada. That bill did not make it through the other place before Parliament was dissolved last summer for the general election.

[English]

The content of Bill C-23 was the result of significant discussions among the federal, provincial and territorial governments. I understand that the Minister of Justice and Attorney General of Canada has met several times since the beginning of the pandemic with his provincial and territorial counterparts to discuss the impact the pandemic has had on the justice system and has taken careful note of their suggestions for possible legislative reform.

Similarly, Bill C-23 had been informed by the work of the Action Committee on Court Operations in Response to COVID-19, a committee co-chaired by the Right Honourable Chief Justice of the Supreme Court, Richard Wagner, and the Minister of Justice.

The pandemic has been a challenge for all Canadian courts. This bill, if adopted, will provide certainty and clarity for courts and litigants, and it will standardize the availability of modernized procedures across the country.

[Translation]

It makes sense for the government to reintroduce this bill, which will provide greater flexibility in the administration of criminal justice and free up judges to hear more cases. This will help ensure that the timelines set out by the Supreme Court of Canada in *Jordan* are respected.

This time, the government is reintroducing its initiative in the Senate for several reasons. First, this is not a money bill. Second, the bill reflects a broad consensus among justice system stakeholders who see these changes as likely to improve and simplify the administration of criminal justice. Third, introducing the bill in the Senate will maximize the parliamentary system's ability to study government bills.

In the case of this government bill, we will be acting not as a chamber of sober second thought, but as the instigating house, which can make amendments without seeking the consent of the House of Commons via message.

Nonetheless, we will have to undertake a careful study of the 37 pages describing the proposed amendments, as well as the 27 pages of explanatory notes. The Standing Senate Committee on Legal and Constitutional Affairs is the most appropriate venue for an in-depth study of these amendments, and I hope it will deal with the bill quickly.

For now, let me lay out the main provisions and explain what they would do.

• (1500)

[*English*]

First, the bill seeks to clarify and expand the current remote appearance regime that explicitly allows accused persons to appear by video conference or audio conference.

Colleagues, you may remember that in Bill C-75, that we adopted in 2019, we added six new provisions in Part XXII.01 called Remote Attendance by Certain Persons.

The general principle outlined in section 715.21 is that “. . . a person who appears at, participates in or presides at a proceeding shall do so personally.” The use of “. . . audioconference or videoconference, in accordance with the rules of court . . .” is permitted in certain circumstances once certain requirements are met. It’s not a general access.

Bill C-75 added provisions found at other parts of the Criminal Code to facilitate the administration of justice, including the possibility of a remote appearance by the prosecutor or the lawyer acting for the accused at the appearance stage of the criminal proceedings where the accused is asked to enter a guilty or not guilty plea. There have been varied interpretations of these provisions and their scope.

The bill will clarify the ability of accused persons to appear by video conference during preliminary inquiry hearings and trials for summary and indictable offences, including when witness evidence is being heard, except where evidence is being taken before a jury. In other words, jury trials will have to be in person.

However, it is important to mention that these trials and preliminary inquiries will be held only by consent. The accused has to be agreeable to proceed that way, and where the court is of the opinion that it is appropriate, with regard to all the circumstances, including listed factors, such as the suitability of the location from where the accused person will appear and the right to a fair and public hearing.

The bill will also permit an accused to appear by audio conference when pleading guilty or receiving a sentence, but only if video conferencing is not available, with the accused’s consent, and where the court is satisfied that despite not being able to see the accused, judges and lawyers are able to assess the conditions for accepting a guilty plea.

The bill includes some important safeguards for accused persons appearing remotely, whether by audio conference or video conference and regardless of the stage of the criminal process. For example, if an accused person appearing remotely is represented by counsel, such person would need to be given the opportunity to speak with counsel privately.

Moreover, if an accused person is appearing remotely and is not represented by a lawyer, the court would need to ensure that such a person is able to understand the proceedings and that any decisions he or she makes are voluntary.

Second, the bill would also increase the use of technology in the jury selection process, including permitting prospective jurors to participate by video conference, since the jury selection process often requires the physical presence of a large number of people at the courthouse or at another venue.

Bill S-4 will allow the remote participation of prospective jurors by video conference for the jury selection process but only under certain circumstances and with the consent of the parties and at the discretion of the court. This will provide courts with greater flexibility in allowing the jury selection process to take place in less-crowded locations.

In some provinces, sometimes 100 to 500 people are called for jury selection. That is a lot of people waiting in corridors and in large rooms, especially during a pandemic.

This will provide courts with greater flexibility in allowing the jury selection process to take place in a safer manner. It will ensure that a lack of access to technology does not hinder a person’s ability to participate in the process, and the option to appear in person will continue to be available where technology is not provided.

Bill S-4 will allow for the enhanced use of technology to draw the names of prospective jurors in the jury selection process. As you may know, the list is made up of 100 or more names and somebody has to draw by hand from the list one name at a time. That takes some time and involves some manipulation. So the bill will authorize the use of technology to draw names of prospective jurors in the jury selection process. It is a type of electronic bingo.

Currently, this part of jury selection is done manually. The bill will ensure electronic or automated technology is used to draw the cards at random. This is a change that should contribute to greater efficiency for jury trials across Canada. Incidentally, this was tried in British Columbia during the pandemic. They used an electronic device to randomly select the first 10 jurors to be called to the room in order to avoid people mingling.

Third, the bill will expand and update the existing telewarrant regime so that applications for a wider variety of search warrants, authorizations and orders can be made by telecommunication instead of a police liaison officer attending the office of a judge. When I say “attending the office of a judge,” it means attending in the corridor next to the office of the judge. The papers are presented to the judge, and they are returned signed, or not, by the judge.

Under the current telewarrant framework, the police can apply for a handful of search warrants and judicial authorizations to investigate only indictable offences where it is impracticable to appear personally to present the application to a specially designated justice or judge as the case may be. A parallel process also exists to obtain wiretap authorizations by telecommunication in very limited cases.

During the height of the pandemic, reduced in-person court operations have presented challenges to law enforcement officials in obtaining some search warrants and other judicial authorizations that cannot be applied for electronically.

The bill proposes to expand the telewarrant process to a wider range of search warrants and other judicial authorizations provided in the Criminal Code, such as tracking warrants and production orders. The amendments will also expand the availability of the telewarrant process by making it available in relation to any offence, not only an indictable offence.

This is a procedural change that I think will improve the situation and will unfortunately deprive, from time to time, a judge from having a brief conversation with a police officer.

This will not affect the legal threshold for obtaining a warrant. That will remain the same. The judge, from whom the authorization is sought, will have to ensure the legal threshold is complied with.

The bill will streamline the current telewarrant regime in a number of ways. First, it will permit applications to be presented by means of telecommunication, such as by email, without the need to show that it is impracticable for officers to appear personally before a justice. These changes will result in a more efficient use of police time and court resources while respecting social distancing guidelines when applicable.

The bill will maintain provisions that allow police to make oral applications when needed, but only in cases where a justice or a judge is satisfied that it is impracticable for the officer to present their application in written form via telecommunication. That could be the case for a very urgent application.

• (1510)

Furthermore, the bill would remove the limitations on who can access the telewarrant process and who can issue telewarrants. The new process will be available to any law enforcement entity — and not only to a peace officer — who may apply for such an authorization and any level of court that may issue such an authorization, order or warrant.

Four, the bill proposes to introduce some flexibility in the process of fingerprinting including when it could be done if it were not done at the first opportunity.

During the pandemic, officers have faced situations where obtaining fingerprints of people charged with committing a criminal offence in a timely way was causing some difficulties and even health risks for those involved. There will be, for example, that person who is charged and refuses to go to the police station so as not to be exposed to other people or just the danger of being too close to the police officers who do the fingerprinting.

The need to have fingerprints collected at the time of arrest has placed both law enforcement officials and accused persons at unnecessary risk on occasions. The ability of police to obtain fingerprints has been disrupted during the pandemic due to

physical distancing requirements, which has led to significant operational challenges. It's difficult to hold the thumb of somebody else and still be at a meter of distance.

Bill S-4 would allow fingerprinting of accused persons to occur at the bail stage or at later stages of the criminal justice process where previous attempts at fingerprinting were not possible due to exceptional circumstances, such as the risks posed by COVID-19. But I want to be clear. This bill would not change the rules in terms of who may be subject to identification procedures such as fingerprinting. It would simply allow for fingerprinting to occur at a later date without the police force losing the ability to collect the fingerprints.

[*Translation*]

Fifth, the bill contains a series of amendments that empower the courts to manage certain administrative and other matters more effectively.

The Criminal Code currently permits courts to adopt case management rules when accused persons are represented by counsel. However, when the accused is unrepresented, all administrative matters covered by rules of court must be dealt with in the courtroom before a judge, as is done for accused persons who are represented by counsel. In some cases, these matters could be dealt with by an officer of the court. Unfortunately, this judicial time is not being used effectively.

This bill proposes to expand the courts' ability to make these rules for unrepresented accused persons and to ensure they are enforced, allowing court personnel to deal, out of court, with administrative matters for those cases as well.

Sixth, certain amendments would harmonize the rules that apply to the execution and seized property reporting stages for all search warrants, whether they are sought in person or by electronic means.

Under the current system, a report must be prepared when a seizure takes place. The report is sent to different people depending on whether it is prepared under a regular warrant or a telewarrant. In addition, the system does not make it easy to locate a copy of the report for the person subject to the seizure. The bill would harmonize the process at this level, which would increase access to information on the execution of search warrants and the property seized during a search.

Finally, the bill also includes technical amendments arising mainly from the passage of Bill C-75 in 2019, as well as related amendments to other federal acts. It would seem that when we passed Bill C-75, certain changes to the numbering of sections and related administrative changes were not made. Let us correct this.

I invite you to read the bill at the time of day when you are most alert, because that will help. To all my colleagues on the Standing Senate Committee on Legal and Constitutional Affairs, I will say this: We will soon be meeting to examine the pages of amendments with the assistance of representatives of the Department of Justice, who will be able to clarify the meaning of the provisions.

In the meantime, I would be happy to respond to your questions and comments. Feel free to contact my office if you require further information.

(On motion of Senator Wells, debate adjourned.)

[*English*]

STRENGTHENING ENVIRONMENTAL PROTECTION FOR A HEALTHIER CANADA BILL

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Stan Kutcher moved second reading of Bill S-5, An Act to amend the Canadian Environmental Protection Act, 1999, to make related amendments to the Food and Drugs Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act.

He said: Honourable senators, before I speak, I just want to raise my voice to acknowledge our colleague Senator Griffin for her robust contribution here in the Senate and to personally thank her for her gracious and kind welcome when I showed up as a rookie at the Agriculture Committee.

You made me love agriculture, and I look forward to playing a round with you on the golf course this summer.

Honourable senators, I rise today as the sponsor of Bill S-5, An Act to amend the Canadian Environmental Protection Act, 1999, to make related amendments to the Food and Drugs Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act. That is quite a mouthful, so from now on I will just refer to it as Bill S-5.

It is one of the steps that the government is taking to strengthen the Canadian Environmental Protection Act, or CEPA. It is the first such amendment to that Act since 1999. Now, much has changed since 1999. Our scientific understanding of environmental risks to health has advanced. Sources, magnitude and types of pollution have also changed dramatically. And our understanding of what we need to do to better protect our environment, as we continue to modernize our economy while enhancing the health of all Canadians, has improved during these last twenty-three years.

Just to put this time scale into context. The top hit song in 1999 was “Believe” by Cher, and the top movie was “American Beauty.” Internationally, sadly, the war in Kosovo started, and the euro was launched. In Canada, Nunavut became a territory, and Beverley McLachlin became the first female justice of the Supreme Court of Canada. On August 11 of that year, the Honourable George Furey was appointed to the Senate of Canada.

[Senator Dalphond]

CEPA is an important part of Canada’s environment legislative framework, and the Government of Canada relies on it to frame many of the environmental and health protection programs administered by Environment and Climate Change Canada and Health Canada. It also provides the legislative and regulatory basis for the domestic implementation of Canada’s obligations under various international environmental agreements, such as the Stockholm Convention, the Minamata Convention and the London Convention. Under these agreements, Canada has joined international commitments to, amongst other things, reduce persistent organic pollutants and mercury.

Personally, I think that this bill is a good step forward. It is timely and necessary. It moves the yardsticks in the right direction. It is in the interests of all Canadians that we have a healthy environment and that our environment does not harm our health. In order to realize this, we must move forward to strengthen CEPA.

We can facilitate this process by moving Bill S-5 through the Senate. Our chamber is renowned for its committee work, and by moving this bill to committee as soon as possible, we will be able to give deep and critical consideration to the important issues it addresses.

• (1520)

I will share with you why I think improving CEPA is important and thus why this bill is important, not only for the health of Canadians and that of our communities now, but also for the health of our environment and into the future.

Many of you will remember some of the global horrific stories of environmental damage that put human health at risk. I was only five years old when Minamata disease was first reported. It was a terrible disfiguring, painful and deadly disease, affecting the central and peripheral nervous systems. It was caused by methylmercury which was released in industrial wastewater from a chemical factory into Minamata Bay and the Shiranui Sea. This highly toxic chemical bioaccumulated and was biomagnified in both shellfish and finned fish, which when eaten resulted in the mercury poisoning that was Minamata disease. The legacy of this chemical poisoning — while it led to significant improvements in environmental protection in Japan and alerted the world to the inter-relationship of the environment and health — is not a story that charts a positive legacy in the relationship between polluter, regulator and victim. Quite the opposite — the conflicts amongst those affected, the polluters and governments, continue still.

Unfortunately, Canada was not immune from a similar mercury poisoning event. In our situation, however, it was intertwined with a blatant disregard for Indigenous peoples, the environments in which they live and their right to health. I am sure that everyone in this chamber is familiar with the Grassy Narrows tragedy. Sadly, its long shadow on the health and mental health of the Asubpeeschoseewagong First Nation continues today, decades after the Reed Paper mill in Dryden, Ontario, dumped about 9,000 kilograms of mercury into the English and Wabigoon rivers.

Both of these tragic events may have either been prevented or appropriately remedied if a rights-based environmental approach had been in place. Such an approach is identified in the preamble of Bill S-5. Clause 2(1) reads: “. . . the Government of Canada recognizes that every individual in Canada has a right to a healthy environment as provided under this Act”

Honourable senators, this will be the first time that this right will be recognized in a federal statute in Canada.

This step forward aligns Canada with the United Nations member states' recognition of the importance of a rights-based approach to the environment. In 1972, the United Nations Conference on the Environment declared that people have a fundamental right to “an environment of a quality that permits a life of dignity and well-being.”

The UN Convention on the Rights of the Child obliges parties to take into consideration the dangers and risks of environmental pollution when promoting the right to health. In October 2021, the United Nations Human Rights Council passed a resolution recognizing that access to a healthy and sustainable environment is a universal right and invited the UN General Assembly to consider this matter.

Bill S-5 demands that an implementation framework, informed by this right, be developed within two years of its coming into force.

This will be done in consultation with Canadians and will elaborate on principles of environmental justice and non-regression, as well as balancing this right with relevant factors such as social, economic, health and scientific factors. It also improves transparency by stipulating that the minister must publish the framework and annually report on its implementation.

Furthermore, there will be a requirement to conduct research studies or monitoring activities to support the government in protecting that right. This provision would support work that is already in progress but needs to be enhanced, such as biomonitoring. It would also need to be supported by increasing national capacity for toxicogenomics research.

Bill S-5 addresses both substantive and procedural rights in several aspects, including clean water, clean air and the like.

It also improves public access to environmental decision making and enshrines the Government of Canada's duty to protect this right.

The bill underscores the government's commitment to implementing UNDRIP and additionally recognizes the importance of ensuring vulnerable populations are included in assessments of actual or potential toxicity of substances and products, and in the minimizing of risks of exposure to toxic substances and the cumulative effects of toxic substances. It also

stipulates that cumulative exposure and exposure to other substances that have the potential to cause cumulative effects need to be considered in risk assessment and risk management wherever possible.

I find these directives to be forward-looking, for they recognize the importance of understanding subgroup differences within populations in susceptibility to substances and do not just focus, as currently, on amount of exposure defined as a whole-of-population standard.

This modernizes CEPA in keeping with the emerging science in this area. Previously, risk assessment was applied to protect the general population. Now this is expanded to protect the needs of vulnerable populations and, as well, to add the impact of cumulative exposure to a combination of substances that can create risk because of this combination.

I know it sounds complicated — and it is — but basically it means that it's not just one substance that you can look at but multiple substances acting together in cumulation over time. It's a huge step.

This improvement is in keeping with the emerging scientific discipline of toxicogenomics defined as “the study of the relationship between the structure and activity of the genome (the cellular component of genes) and the adverse biological effects of exogenous agents.” Simply put, the science is evolving to be able to better identify toxic impacts of substances in populations. Some groups may be at greater risk for negative impacts of substances than other groups. Combinations of substances may create toxic impacts not found in each substance separately, and cumulative effects are important to understanding toxicity. Bill S-5 not only recognizes this but also supports the scientific work needed to address this reality. This is new thinking about the health impacts of the environment, and as a physician, scientist and concerned citizen, I appreciate this approach.

Through its amendments, Bill S-5 supports the need for improving biomonitoring activities that will help identify environmentally derived health risks in vulnerable populations. As some colleagues in this chamber know, Canada conducts a human biomonitoring component in the Canadian Health Measures Survey. Over the last decade, this activity has measured some 250 different chemicals in about 35,000 people. This work will now need to be enhanced, increasing the sample size, over-sampling in vulnerable sub-populations and increasing the number, size, duration, scope and breadth of longitudinal studies such as the Maternal-Infant Research on Environmental Chemicals Study currently underway. For Bill S-5 to deliver on its promise of environmental justice, the research needed to support our ability to identify who is most at risk, when and where, will need to be enhanced. Simply put, we can't move a better wagon without having the horses needed to pull it.

The second set of amendments proposed in this bill relates to improving the management of substances and products in Canada.

Chemicals make up every part of our lives — we're a bunch of chemicals ourselves. They are both essential for life and potentially damaging to all living things. We know that it is necessary for us to identify those substances that create risk to our health and our environment, and to manage that risk appropriately, effectively and transparently.

Canadians increasingly expect that our governments will act to protect our health and the health of our environment, regardless if we live in an urban area, a rural location or a remote community. Industry also requires a clear, stable and predictable regulatory environment to be able to produce what we need in a manner consistent with those goals.

And that is what Bill S-5 aims to deliver.

For example, let's consider the work previously done on lead exposure and its negative health impacts and how that was mitigated. Plumbism, the technical name for lead poisoning, can arise from exposure to lead in many different products, such as paint, gasoline, ammunition, foods or in different environments, such as soil, air, water or dust. It is the cumulative impact of exposure that counts, and a sub-population is more at risk for negative health impacts — young children. The actions that have limited the prevalence of this disease have included bans on the use of lead in many different products, as well as environmental monitoring and workplace occupational health and safety measures. This is an example of science, civil society, industry and government working together to address a significant environmental health risk.

• (1530)

But our challenges are now much more complex than simply single substances such as lead. One increasing concern that I have as a physician is about the multiplex environmental and health risks that emerge when substances that we know have cumulative effects may interact with similar substances and affect specific populations: for example, endocrine disruptors. Some of these include bisphenol A, phthalates and polychlorinated biphenyls. These substances can interfere with endocrine systems, cause tumours, birth defects and other disorders. They are found in small amounts in many everyday products, including some plastic bottles, metal liners in food cans, detergents, foods, cosmetics and pesticides. While their interactions and cumulative impacts are becoming known, substantial work remains to be done to understand their impacts on human endocrine and reproductive systems, their environmental persistence and their potential risk to human health. I, for one, was pleased to see that Bill S-5 has specifically identified this class of substances as a focus for action.

The Canadian Environmental Protection Act, or CEPA, provides the legislative framework for risk assessment and management with the Chemicals Management Plan, which was launched in 2006. It has achieved some significant results. For example, Canada was the first country in the world to take action

to limit exposure to bisphenol A in baby bottles and sippy cups in 2010. Mercury emissions into air and water have decreased by about two thirds. Yet, much more needs to be done.

Three parliamentary reviews, including the sixth report of the Standing Senate Committee on Energy, the Environment and Natural Resources tabled on March 4, 2008, identified a number of areas where improvements to CEPA were needed to provide Canadians with better environmental and health protection.

In 2006, about 4,300 substances already in Canadian commerce were identified as needing risk assessment and, more recently, about 1,200 substances were newly added. Additionally, some substances previously assessed may need re-evaluation because of new uses, new scientific information or greater exposures than were the case at the time of the original evaluation. Bill S-5 is responding to that need. It will create a new plan of chemical management priorities to give Canadians a predictable, multi-year, integrated plan for the assessment of substances as well as the activities that support substances management, such as information gathering, risk management, risk communication, research and monitoring.

It will also implement a new and improved regime that will prioritize the prohibition of activities in relation to toxic substances of the highest risk. It will enhance previous criteria for toxicity. The previous criteria used persistence and bioaccumulation. It will also add carcinogenicity, mutagenicity and reproductive toxicity. These are really important areas.

However, I understand that it can currently take up to three years from the time a substance is deemed to be highly toxic to when a decision is made about whether it should be prohibited or restricted. To me, that sounds like a very long time during which environmental and health risks can continue. Bill S-5 currently does not address this issue. Perhaps it should.

In developing and implementing this new plan, the government will welcome public participation and consider the risk situation of vulnerable populations, including issues of exposure and susceptibility, as well as the cumulative and interactive characteristics of substances. As such, Bill S-5 can provide greater protection for Indigenous peoples, racialized communities and populations physically located in areas of greatest environmental health risk.

However, I would like to once again underscore that these necessary improvements require a substantially greater investment in, and an improvement of, Canada's biomonitoring and toxicogenomics research capacity. In order to be able to better use science and the technology that supports it, we must make the necessary investments in infrastructure and the skilled human resources that we need to do the science. We must both improve our national capabilities and enhance our international collaborations to do so. We can't build a better house without providing it with a solid foundation.

Bill S-5 also creates a watch list that will identify substances or products of potential concern so that consumers will be better informed and industry may use that watch list to choose better substances than the ones they were planning to use. This should nudge innovation towards the creation, manufacture and use of greener and safer substances. An additional positive approach to protecting the environment and human health is where Bill S-5 adds “product” to substance. Not only will substances that are detrimental to human health be covered in the amended CEPA, but products that emit or discharge those substances will also be regulated. This is another step forward.

Bill S-5 also adds greater transparency to risk assessment and management of substances and products. The first plan of chemical management priorities must be published within two years from the date of Royal Assent. In addition to welcoming public input during the creation of the plan, Bill S-5 legislates that any person may request that a substance be assessed to determine whether it is toxic or capable of becoming toxic, and it provides a timeline of 90 days during which the request shall be considered. The person who filed the request will be informed as to how their request will be dealt with and why. This is a positive step.

Bill S-5 also amends the Food and Drugs Act to ensure that the regulatory framework under the FDA considers environment as well as health risks — for example, if a therapeutic product may present a serious risk to the environment — thus reducing duplication, since new drug submissions are currently assessed under both the FDA and CEPA. The Minister of Health will be authorized to act, using one or more of a number of remedies such as product recall, sending the product to a place and labelling or packaging changes. Additionally, CEPA will be amended to require holders of therapeutic products to inform the minister of any serious risks to the environment that they become aware of, regardless of where or from whom that information was received. Together these amendments will improve the environmental scrutiny of therapeutic products and help create a more streamlined regulatory approach for drug assessment in Canada, as well as improve coordination across government in substance risk assessment.

Overall, honourable senators, I find this bill to be a good step forward. In the areas it addresses, it has improved CEPA considerably. However, there may be some tweaks that could be made to further improve it, and I have already mentioned a number that came to my mind in this speech. I am sure that others will want to consider additional items. According to communications from the Government of Canada, the government is open to strengthening certain parts of the bill via amendments during the parliamentary process. Thus, I am hopeful that this bill will be sent without delay to committee where additional, thoughtful consideration of its many complexities can be conducted, and that this good step forward can be potentially improved upon. Thank you, *wela'liog* and *d'akuju*.

(On motion of Senator Wells, debate adjourned.)

BILL RESPECTING CERTAIN MEASURES RELATED TO COVID-19

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson, for the second reading of Bill C-10, An Act respecting certain measures related to COVID-19.

Hon. Elizabeth Marshall: Honourable senators, I rise to speak to Bill C-10, An Act respecting certain measures relating to COVID-19, and specifically the financial implications of the bill. This bill is requesting \$2.5 billion in relation to COVID tests. It also provides the Minister of Health with authority to transfer COVID tests and related instruments to the provinces and territories and to bodies and persons in Canada.

• (1540)

Bill C-10 was introduced in the House of Commons on January 31, and received first reading in the Senate on February 21. Honourable senators may recall that during Question Period on February 9 in this chamber, I had asked the Minister of Health why this Bill C-10 did not provide any information on how the money will be spent. The bill is a mere eight lines and does not provide any details on how the \$2.5 billion will be spent and does not impose any accountability requirements.

The issue of transparency and accountability of the \$2.5 billion was also raised in the House of Commons on February 14 during Committee of the Whole. At that time, the Minister of Health committed to providing a report every six months on the dollar amount spent, the number of tests acquired and their use in the following months. As stated by the Minister, he said that “. . . this will be a way of ensuring that there is significant and necessary accountability on the part of the government”

If the minister were truly interested in accountability, this commitment should have been included in the bill.

Honourable senators may recall that I have previously indicated that requests by government for money cannot be considered in isolation of one bill. And this is also true of Bill C-10. The government's December 17 fiscal update also proposed to provide \$1.7 billion for the procurement of rapid test kits. So in addition to the \$2.5 billion being requested in this Bill C-10, another \$1.7 billion is being requested in Bill C-8, which is presently before the House of Commons. Specifically, Part 6 of Bill C-8 is requesting \$1.7 billion, “in relation to . . . (COVID-19) tests.”

Supplementary Estimates (C) was tabled in the House of Commons on February 19 and will be studied by the Standing Senate Committee on National Finance. Supplementary Estimates (C) for the Department of Health discloses a third funding request of \$3.2 billion for rapid tests, and another

funding request by the Public Health Agency of Canada for \$750 million — also for rapid tests. So that is \$4 billion being requested in Supplementary Estimates (C).

Yesterday, the Parliamentary Budget Officer released his report on Supplementary Estimates (C). He said that the proposed spending of \$4 billion in Supplementary Estimates (C) is a duplication of spending being sought through Bill C-8 and Bill C-10. So why is the government requesting money for the same initiative twice? This is very concerning. If Parliament approves the same funding twice, there will be \$4 billion available to the government to be spent on some other project. Government can simply transfer the funding to other operating expenses and spend it on other projects.

In closing, I will summarize my financial concerns about Bill C-10. First, the bill does not provide sufficient information on how the money will be spent. Second, there is no accountability mechanism included in the legislation. While the minister did indicate verbally in the other place that he would provide an accountability report, there is no commitment in the bill itself. Third, the same \$2.5 billion in Bill C-10 and the same \$1.7 billion in Bill C-8 are being requested in Supplementary Estimates (C). Why is there a duplicate funding request in Supplementary Estimates (C)?

Honourable senators, these issues should be addressed by this chamber before Bill C-10 is approved. Thank you.

Hon. Judith G. Seidman: Honourable Senators, I rise today to speak to Bill C-10, An Act respecting certain measures related to COVID-19.

The objective of Bill C-10 is twofold. It authorizes the Minister of Health to make payments of up to \$2.5 billion out of the Consolidated Revenue Fund in relation to COVID-19 tests. This amount is in addition to the \$1.7 billion that was announced in the 2021 Economic and Fiscal Update, which is currently provided for in Bill C-8. This means that the total sum of money to be spent on the procurement of COVID-19 tests adds up to \$4.2 billion.

Bill C-10 also authorizes the Minister of Health to transfer the COVID-19 tests to the provinces and territories and other establishments.

Diagnostic testing remains a critical tool in our response to the COVID-19 pandemic. It enables early detection and isolation of infectious individuals, which helps to prevent the spread of the virus. It allows Canadians to take measures to not only protect themselves, but also those around them.

There are two types of diagnostic tests that are commonly used to detect the presence of SARS-CoV-2: molecular and antigen tests. There are clear differences between the two tests, and each serves its own unique purpose.

First, the polymerase chain reaction test is commonly referred to as a PCR test. This molecular test uses a specimen collected from an individual's upper respiratory system to detect the presence of specific genetic material belonging to the virus. PCR

technology is highly sensitive and specific. It is for this reason that a PCR test is often referred to as the gold standard for diagnosis.

However, the prompt analysis of a PCR test result depends on several factors: efficient transportation, laboratory capacity, complex equipment and highly skilled and trained personnel.

In addition, due to its high sensitivity to virus fragments of genetic material, PCR tests often continue to provide positive test results for weeks or months, even when an individual is no longer infectious. The use of PCR tests is neither always effective nor practical.

The second is the rapid antigen test, which uses a sample collected from a nasal swab to detect the presence of viral particles known as antigens. The value of the rapid antigen test is that it tells you if you are infectious with the virus now — on the day it is taken. A key feature of this test is its ability to produce a rapid result, often within 15 minutes.

The additional appeal of a rapid antigen test is in its practicality: they are more affordable than PCR tests and they use less health care resources because they can be self-administered at any preferred location.

At the onset of the pandemic, many health experts advocated for the use of rapid antigen tests in a variety of community settings, including long-term care homes, hospitals and classrooms.

In an opinion piece published in *TIME* magazine on November 17, 2020, Harvard epidemiologist and physician Dr. Michael Mina urged recognition of the fact that rapid antigen testing is an important tool, a tool that could lead us out of the pandemic. He wrote:

The point is to use these tests frequently so people are likely to know their status early, before they transmit to others. It is frequency and speed to get results, and not absolute sensitivity of the test that should take center stage in a public health screening program to stop outbreaks.

A question that is frequently asked is whether rapid antigen tests are effective.

From August to December 2020, the U.K. COVID-19 Lateral Flow Oversight Team analyzed the sensitivity and specificity of 64 antigen tests. Results from their experiment, which were published in May of 2021, showed that antigen tests “. . . have promising performance characteristics for mass population testing and can be used to identify infectious positive individuals.”

Data collected from seven of the most popular and reliable antigen tests showed that the likelihood that an infectious individual tests positive ranged from 96% to 99%, with one of the tests at 94%. The probability of a false positive result was less than 1%.

• (1550)

Even more importantly, the probability that an infectious person gets a false negative result ranges from 1% to 4%, with one — and only one — of the tests at 6%.

It is evident that rapid antigen tests are an effective and important public health tool which, used early and frequently, are highly reliable in detecting individuals who are infectious at the time the test is taken.

However, nearly two years into the pandemic, the understanding of the use and value of rapid antigen tests has been minimal. Their rollout across Canada, in comparison to other nations, has been slow. Their value as a public health screening tool to lower the risk of community outbreaks has not been adequately utilized.

Honourable senators, over the course of this pandemic I have repeatedly and persistently raised the issue of rapid antigen testing in this chamber, particularly during Question Period. At the beginning of October 2020, I inquired about the distribution process of rapid antigen tests across Canada. Just a few weeks later, I asked about the numbers of rapid antigen tests that had been allotted to long-term care settings.

As Canadians continue to confront the challenges of the COVID-19 pandemic, access to rapid antigen tests remains limited. Canadians have been forced to scout various locations in search of test kits. Many have waited in long lines from dawn to dusk, only to be turned away empty-handed.

Some provinces have creative and effective distribution mechanisms in place. Rapid antigen tests can be readily found in a number of locations, such as public libraries, family resource centres, grocery stores, gas stations and COVID-19 testing sites; whereas, in other provinces, rapid antigen tests have been scarce and difficult — if not impossible — to find.

While the distribution and deployment of rapid antigen tests do fall under the jurisdiction of the provinces and territories, this does not absolve the federal government of their responsibility to show leadership on this matter. The shortage of rapid antigen tests across Canada is a direct result of the federal government's reluctance to approve them at the beginning of the pandemic. It demonstrates a lack of communication about their importance and value.

It is important to note that these challenges are not new. The federal government has struggled to communicate clearly and effectively on matters concerning public health for years.

In June of 2010, former Minister of Health Leona Aglukkaq asked the Standing Senate Committee on Social Affairs, Science and Technology to review and report on Canada's response to the 2009 H1N1 influenza pandemic. At the time, I was a member of this committee and had the opportunity to participate in this study.

Over the course of 10 meetings, my Senate colleagues and I heard witness testimony from representatives of the federal government, several provincial and territorial governments, and representatives of health care professions, First Nations and Inuit organizations and the research community.

In December of 2010, our committee tabled a report entitled *Canada's Response to the 2009 H1N1 Influenza Pandemic*, which summarized our findings and provided 17 recommendations to strengthen Canada's future pandemic preparedness plan. Our committee heard considerable testimony that expressed concern about the lack of effective and clear communication and messaging.

The report found that:

Despite the fact that communications was handled much better than it was during SARS and that our CPHO was complimented on his performance by many witnesses, communications and messaging were the most frequently criticized issues during the study. This issue is vast and includes the federal government's communication and messaging to the Canadian public, their communication with the P/T governments, their role, if any, in the messaging available to Canadians via different media, and the responsibility for two-way communications, whether possible or helpful.

The report also highlighted the distinct roles and responsibilities of the federal, provincial and territorial governments in public health.

While there was an indication that the federal government took a leadership role in several areas such as disease surveillance, antiviral and vaccine programs, infection prevention measures, collection of clinical care guidelines, public health communication, research and laboratory testing during the H1N1 pandemic, some witnesses stated that:

... the federal government should have been more emphatic about its leadership role. That is, some front-line workers felt that the shared responsibility for public health should come under explicit federal leadership.

Witnesses proposed different mechanisms by which a uniform national approach could be achieved. These ranged from:

... further nurturing the current approach of consulting with provinces and territories, to establishing mutual agreements among the jurisdictions, to harmonizing legislation between the provinces and territories, to utilizing the peace, order, and good government head of power granted under the Constitution.

To that end, it was agreed, "... the goal of a pandemic response should be to have a uniform national response."

Honourable senators, I recognize and fully support the need to increase the supply of rapid antigen tests in Canada. However, an initial analysis of Bill C-10 leaves me with a number of concerns.

The first concern pertains to the language used in Bill C-10. The bill states that the authorized payments of up to \$2.5 billion are in relation to the COVID-19 tests. The bill, however, does not specify the type of COVID-19 tests that will be purchased.

Yet, in a news release recently published on January 31, 2022, the federal government explained that Bill C-10 authorizes Health Canada, “. . . to purchase and distribute across the country up to \$2.5 billion worth of COVID-19 rapid tests.”

The difference in the language used in Bill C-10 and the federal government’s news release creates confusion and leads me to ask why Bill C-10 omits the specification of the type of COVID-19 tests that will be purchased.

The second concern pertains to the equitable distribution of COVID-19 tests across the provinces and territories. According to the federal government’s Economic and Fiscal Update 2021, as of November 26, 2021, Canada has purchased 95 million rapid antigen tests and distributed 86 million of them to provinces, territories and Indigenous communities.

At the beginning of January of this year, the federal government promised an additional delivery of 140 million rapid antigen tests to the provinces and territories. However, a number of provinces have reported that they have not yet received the full amount of rapid antigen tests allocated for January.

According to an article published by the *Toronto Star* on February 9, 2022, a spokesperson for the Ontario Minister of Health said:

. . . the province has received 36.4 million rapid antigen tests from Ottawa, and expects the remaining 17.93 million tests to be delivered this month.

In fact, on February 9, 2022, the Government of Ontario announced that they, themselves, procured 44 million rapid tests to be distributed to Ontarians over the course of eight weeks. Each week Ontario will distribute 5.5 million tests to participating grocery and pharmacy locations. Every household will be eligible to receive one box, containing five rapid tests, per visit.

Moreover, the Government of Quebec reported that they have received 24.2 million tests in January, noting that they are waiting for an additional shipment of 5.8 million tests. In lieu of the absent tests, the Government of Quebec has taken the initiative and ordered 100 million tests on their own.

Honourable colleagues, it is evident that we cannot continue to spend money on the procurement of rapid antigen tests without clear leadership and a plan to ensure their equitable distribution across the provinces and territories.

• (1600)

According to the federal government’s website on COVID-19 testing, as of February 18, 2022, a total of 327 million COVID-19 rapid tests have been shipped to Canada. Of this number, a total of 296 million tests have been shipped to the provinces and territories. However, data specifying the number of rapid antigen tests that have been distributed to their final

point-of-care settings and administered to patients is not clear. As the website indicates, this data has not been updated since December 31, 2021, and much of it remains missing.

Given the lack of data shared by the provinces and territories, how can we be sure that the total number of rapid antigen tests that have been distributed to the provinces and territories have reached their final destinations?

It is important to note that there is no provision in Bill C-10 for parliamentary oversight. Indeed, the Minister of Health has made a commitment in the other place to provide a report to Parliament every six months on the procurement, distribution and use of rapid antigen tests. However, this commitment was merely a verbal one; there is no guarantee that these reports will be published.

The federal government’s press release from January 31, 2022, stated that the funding authorized by Bill C-10 would allow the government to:

. . . put in place critical contracts in a highly competitive global market, to purchase sufficient quantities of rapid tests to meet the continued demand across the country.

According to the federal government’s website on Canada’s procurement of COVID-19 rapid tests, Canada has established agreements with 16 suppliers of rapid tests. In an attempt to learn how many of these rapid antigen tests are manufactured by Canadian companies, I found incomplete and confusing data. As best as I could decipher, of the 16 approved rapid tests, fewer than half are manufactured by Canadian companies. The rest are foreign-made.

This leads me to ask: Can we not produce these tests at home? And why are we not supporting critical innovation and investment in Canadian companies?

There is a striking pattern in the way that the federal government has chosen to respond to the COVID-19 pandemic. I will remind my colleagues that at the outset of the pandemic, the federal government failed to secure domestic production and supply of a COVID-19 vaccine.

The federal government’s neglect of Canadian-led industries and reliance on foreign-made medical supplies such as vaccines and rapid antigen tests has undermined our ability to effectively respond to the COVID-19 pandemic. It has become evident that the discrepancy in the availability of rapid antigen tests across Canada necessitates urgent leadership from the federal government.

Perhaps it is time for the federal government to reshape their strategy and find new and creative ways to distribute rapid antigen tests to Canadians. As an example, Canada can look to the United States, whose new government website allows every American household to order up to four free rapid antigen COVID tests to be delivered by the United States Postal Service.

Honourable senators, it is imperative that we continue to invest in tools that will allow us to mitigate the effects of the COVID-19 pandemic.

Many may question the need for rapid antigen tests at this phase of the pandemic. I remind my colleagues that the value in these tests lies in their ability to detect the virus at the peak of infectiousness of an individual. They have great importance as a public health screening device to prevent community spread.

With time, the COVID-19 virus will inevitably transition from a pandemic state to an endemic one. We will continue to find that the power of rapid antigen tests as a public health tool is in their effectiveness to manage community and workplace outbreaks by identifying cases at the time they are infectious. Ultimately, this will ensure our safe return to a new “normal” way of life. Thank you.

Hon. Dennis Glen Patterson: Would the senator take a question, please?

Senator Seidman: Yes, certainly.

Senator Patterson: I’m weary of important bills being rushed through the Senate by government fiat, no matter their merits. You’ve just described the important role that a committee can play — and has played — in dealing with an issue like this, and you’ve thoughtfully expressed some concerns.

I know you’re the critic, but could you tell me what is the anticipated time frame for committee study and consideration of this bill? And do you agree that the committee should have adequate time to do its job properly?

Senator Seidman: Thank you, Senator Patterson, for your question. I am afraid I cannot tell you what the committee timeline is. I am not certain of that. I do know that as soon as this bill is referred to committee, which hopefully is today, the committee will be seized with it; they will, of course, determine the witnesses they want to hear from and the role they feel they need to play.

Hon. Frances Lankin: Will the senator take another question, please?

Senator Seidman: Yes.

Senator Lankin: I want to thank you for your contribution to our understanding of this bill, Senator Seidman, and I’d like to thank Senator Marshall as well. Both of you have such deep expertise that you bring to the consideration of a bill like this. It is helpful, and you play an important role as critics.

With regard to the concerns you raised, could you parse for me which ones you would want to move forward as amendments to this bill and which ones you think are the sorts of things that we might append in observations, for example?

My understanding is that there were discussions, though not necessarily agreement, that this might move quickly through committee.

Could you help us by telling us, from your own understanding, what you think could be accomplished through observations versus what would be a critical amendment to this bill? Thank you very much.

Senator Seidman: I would say that probably there are observations that could be appended. I would suggest that perhaps one of the most important amendments we could make has to do with the accountability issue. Given the fact that very little data is posted on the government’s website and some of the data is as long ago as December, I would think that the minister should report, and it should be in the bill so that we’re certain of reporting as opposed to just his word given in the other place.

I would like to see perhaps an amendment that builds in accountability and reporting so that we have more information about how the tests are distributed and exactly what the distribution process has been.

I will say, Senator Lankin, that one of the biggest issues has been the lack of coherent and consistent reporting from the provinces to the federal government, which inhibits our ability to understand whether these tests actually arrive at point-of-care services.

My concern still would be in terms of accountability. The rest of the issues can probably be dealt with in observations.

Senator Lankin: Thank you, senator. Those are issues that we can explore at committee when officials and, hopefully, the minister appear; and I undertake that I — and others, I’m sure — will. I have no supplementary. Thank you.

• (1610)

Hon. Stan Kutcher: First of all, I want to thank you for the master class in the discussion on the testing. Outstanding. Thank you so much for that.

I completely agree with the accountability issue that you raised. I’ve been struggling with that, and I wonder if you could think more loudly about it. We have accountability for the federal government with exactly where the tests came from and the accountability of what the provinces are doing with the tests when they go to the provinces. Some provinces sat on them for months and months. Then there’s the accountability from the province to the citizens. Are the citizens getting the tests they need? I happen to live in Nova Scotia. We’ve actually done a really darn good job at rapid testing. If we can do it, other provinces should probably be able to do it as well.

How would you address it? I’m with you on that accountability thing. How do we address that?

Senator Seidman: That’s a really good question because it’s an age-old issue in terms of data collection and different provincial and federal jurisdictions. So it’s challenging. There is no question. We all know that in so many ways we don’t get consistent data from the provinces to the federal government. That’s the problem they have, and I empathize with them on that score.

However in this case, I think, the federal government can be better at their data collection and transparency on their website. It was very evident that a lot of the data hadn’t been updated since December, and that makes it very challenging to get a better idea of equitable distribution in the provinces, for example.

I think it's interesting to note that the U.S. government has decided to take responsibility for ensuring that these rapid test kits are distributed to all the citizens in the country. All you have to do is go on the U.S. national health website and order your kits, and they're delivered by the postal service.

That's another approach to accountability.

[*Translation*]

Hon. Renée Dupuis: Would Senator Seidman agree to answer another question?

Senator Seidman: Certainly.

Senator Dupuis: Thank you, Senator Seidman.

I'm listening to you and taking notes, but I have a lot of blank spaces because your presentation was so complete that some of the information escaped me.

My first question is on the test specifications that were not included or were not specified. Could you come back to the explanation you provided? Do you think that these specifications should be subject to observation or that the bill should be amended?

[*English*]

Senator Seidman: No, I don't think this bill can deal with sensitivity and specificity issues. Those are the characteristics and features of the tests that are being used in North America and probably all over the world. In fact, the tests are very highly sensitive and very specific. I did give you the data of the most common tests. Seven of them are being used most commonly in this country, and their sensitivity and specificity are pretty impressive.

I'm going to now go back to my notes, if you want the absolute numbers. These numbers were determined from the U.K. COVID-19 lateral flow oversight team. They analyzed 64 antigen tests. They published May 2021, and they showed that these tests really had very promising performance characteristics. As I said, these are the characteristics of the tests, so there's nothing you can do to change that. It is what it is. But the most popular — the best seven and most reliable — showed, and here are the numbers for you, that the likelihood that an infectious individual tests positive ranged from 96% to 99%. For one of the tests — one of the seven — the likelihood was 94%. The probability of a false positive result was less than 1%, so you understand that it's highly unlikely you get a false positive result.

Even more important is that the probability of an infectious person getting a false negative result is very low — 1% to 4%. That means, again, that the tests are sensitive and the tests are specific.

I hope that answers your question.

[*Translation*]

Senator Dupuis: I have a supplementary question, if Senator Seidman agrees to answer it.

[*Senator Seidman*]

Senator Seidman: Of course.

Senator Dupuis: Senator Seidman, you spoke about the need for accountability on the part of the federal government, and you said that perhaps there were observations that could be appended or amendments that could be made. Can we agree that that is something we want to look into? What we want to know is how many tests the federal government distributed, how fast it distributed them and to which provinces and territories.

In other words, we don't want to get caught up in the problem that you very clearly described, namely, the fact that we don't know what the provinces themselves did with these tests and we have no way of verifying what the provinces did once they received the tests.

Do we agree that the only accountability we care about here is what the federal government did, how it did it and how fast?

[*English*]

Senator Seidman: To some extent, I think you're right that we are concerned about the ability of the federal government to procure the tests — that is to get the tests from the manufacturers — and then distribute them to the provinces. However, it is clear that they do have a website — and I'm just looking now so I can be really clear — that specifies the number of rapid antigen tests that have been distributed to their final point-of-care settings and administered to patients. The unfortunate part is that aspect of their website hasn't been updated since December 31.

There is clearly a way they have to track the final arrival of these tests at point-of-care settings in the provinces. If they do, they can be transparent and accountable for that.

[*Translation*]

Hon. Rosa Galvez: Would Senator Seidman take a question?

Senator Seidman: Yes, of course.

[*English*]

Senator Galvez: Thank you so much Senators Seidman and Marshall for all this information. What you are raising is very concerning — being very ineffective to double monies and this amount — we're talking about billions of dollars. It worries.

We know that these antigen tests have not stayed static. They are evolving, and they are becoming more and more precise. If we compare with the early ones that had greater failure rates, we know that this has been improved today.

• (1620)

I see that there are two issues here, Senator Seidman. On one hand, there's the money we're paying for tests that evolve over time, and we don't know exactly which type they are and how they are getting to the population. On the other hand, is this a duplication of money and tests? It's a problem of effectiveness.

I can tell you that when I was in Glasgow during COP26, these tests were being distributed at the pharmacies, the train stations and the metro stations. In my province of Quebec, there were moments in which my colleagues and friends were trying to get these tests at the pharmacy, and they were simply not available. Now, they are available, but there are very few and they come at a cost.

We know that the provinces bought these tests, and they are distributing them in a way. We have both provincial and federal ways of getting these tests.

I want to ask you: At which level do you want to see accountability? Should we be asking what type of tests are being ordered, what the performance of these tests are and how they are getting to the people? Because I'm on the National Finance Committee, and you said you're not, so we're going to discuss this. I'm wondering for which level you will be interested in having this information given. Thank you.

Senator Seidman: Thank you, Senator Galvez.

It's clear that the provinces — and I did talk specifically about the Government of Ontario and the Government of Quebec, who desperately wanted these rapid antigen tests — had some millions delivered by the federal government, but they didn't get the tests they were promised. Ontario went out and purchased, independently of the federal government, an additional 44 million rapid tests. Quebec also took the initiative and ordered 100 million rapid antigen tests. I presume these come out of the provincial budget. The provinces don't come back and try to bill the federal government for those tests. If the federal government is procuring rapid tests worth more than \$4 billion, they need to be accountable for where these tests end up.

As far as the type of tests that are used — and Senator Galvez, you're right. They've evolved over time. There is no question — the ones being used now are far more sensitive and specific than they were originally.

You will note in my presentation I was quite disappointed that we haven't encouraged more Canadian companies to develop and manufacture these tests here at home, because that would give us more control over our ability to procure and distribute them. I do have a list here of the manufacturing companies and suppliers. There are two Canadian companies authorized by Health Canada to sell and produce them, one in Ontario and one in British Columbia. Then, there are Canadian companies that supply foreign-made rapid antigen tests. That means only two Canadian companies are actually manufacturing, producing and, obviously, sending tests to the Canadian government.

The Canadian government is procuring them from these two companies. Though, there are three companies, as I said, that get these tests from outside the country but then distribute them here.

There are seven international companies manufacturing COVID-19 rapid tests, and Canada is procuring tests from the seven companies in the United States. Then, there are four international companies outside the United States in other places that we are also procuring tests from and having delivered to this country.

That gives you an idea of the vast number of tests. When it comes down to it, there is no question that we should be looking at the tests that are the most sensitive and the most specific and that give us the best certainty that we're getting the information we want.

As I said — and I think it's ultimately the most important thing to remember about these tests — their value as a public health screening tool is enormous, because a rapid antigen test tells you whether or not you're infectious today. That isn't the case with the PCR tests. That's why we need to understand the value of the rapid antigen tests and that they should be available right across the country.

The Hon. the Speaker pro tempore: Are senators ready for the question? Senator Wallin, do you have a question?

Hon. Pamela Wallin: I do if we have another couple of minutes.

The Hon. the Speaker pro tempore: We have three minutes.

Senator Wallin: Quickly, I have the two points. First, do we need to be spending this amount, the billion dollars in spending, given that the provinces have already purchased these tests on their own and we have duplication with two bills with an equivalent amount of spending? Do we need all that money at this point if the provinces are doing it? Second, in terms of these tests, is the data collection you referred to as poor when it comes to other issues, like impacts of the vaccine, impacts of the disease, et cetera?

Senator Seidman: I'll be quick. As far as the finance part of it, I'll leave that to my colleagues who are much better skilled at understanding those numbers and have that expertise.

I would suggest that we can't forget the importance of rapid antigen tests. I do think that's the key thing here going into the future. We need them.

What was your second question? I'm sorry.

Senator Wallin: About data collection and its —

Senator Seidman: I will say we're terrible at data collection and a whole lot of other areas.

The Hon. the Speaker pro tempore: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker pro tempore: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Gold, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

THE SENATE

MOTION TO RESOLVE THAT AN AMENDMENT TO THE CONSTITUTION (SASKATCHEWAN ACT) BE AUTHORIZED TO BE MADE BY PROCLAMATION ISSUED BY THE GOVERNOR GENERAL—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator Cotter:

Whereas on October 21, 1880, the Government of Canada entered into a contract with the Canadian Pacific Railway Syndicate for the construction of the Canadian Pacific Railway;

Whereas, by clause 16 of the 1880 Canadian Pacific Railway contract, the federal government agreed to give a tax exemption to the Canadian Pacific Railway Company;

Whereas, in 1905, the Parliament of Canada passed the *Saskatchewan Act*, which created the Province of Saskatchewan;

Whereas section 24 of the *Saskatchewan Act* refers to clause 16 of the 1880 Canadian Pacific Railway Contract;

Whereas the Canadian Pacific Railway was completed on November 6, 1885, with the Last Spike at Craigellachie, and has been operating as a going concern for 136 years;

Whereas, the Canadian Pacific Railway Company has paid applicable taxes to the Government of Saskatchewan since the Province was established in 1905;

Whereas it would be unfair to the residents of Saskatchewan if a major corporation were exempt from certain provincial taxes, casting that tax burden onto the residents of Saskatchewan;

Whereas it would be unfair to other businesses operating in Saskatchewan, including small businesses, if a major corporation were exempt from certain provincial taxes, giving that corporation a significant competitive advantage over those other businesses, to the detriment of farmers, consumers and producers in the Province;

Whereas it would not be consistent with Saskatchewan's position as an equal partner in Confederation if there were restrictions on its taxing powers that do not apply to other provinces;

Whereas on August 29, 1966, the then President of the Canadian Pacific Railway Company, Ian D. Sinclair, advised the then federal Minister of Transport, Jack Pickersgill, that the Board of the Canadian Pacific Railway Company had no objection to constitutional amendments to eliminate the tax exemption;

Whereas section 43 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

Whereas the Legislative Assembly of Saskatchewan, on November 29, 2021, adopted a resolution authorizing an amendment to the Constitution of Canada;

Now, therefore, the Senate resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the annexed schedule.

SCHEDULE

AMENDMENT TO THE CONSTITUTION OF CANADA

1. Section 24 of the *Saskatchewan Act* is repealed.
2. The repeal of section 24 is deemed to have been made on August 29, 1966, and is retroactive to that date.

CITATION

3. This Amendment may be cited as the *Constitution Amendment, [year of proclamation] (Saskatchewan Act)*.

Hon. Scott Tannas: I'm happy to rise to speak on Motion No. 14. I've listened to the speeches that were made and some of the questions. For me, they raised a number of questions, and the following questions are just a sample.

I wonder: Are governments really this enthusiastic about unilaterally and retroactively taking away the rights of an organization that negotiated these rights in good faith and shouldered the risk and the obligations that were detailed on a contract that exists? That was the first question I had as I listened to the speeches. Are we really going to take away some kind of a legal, negotiated, executed right and make it retroactive for 50 years?

• (1630)

I thought maybe I misunderstood, but no, that's what we're talking about here, or at least I think we are.

One of the comments or some of the implications were somehow that in 1966, Canadian Pacific gave away or agreed to give away their provincial tax exemption. We must realize that we're talking about a very small exemption. It applies only to the running of the railroad through the province. It doesn't apply to any of the other activities that in 1966 Canadian Pacific had. Remember, Canadian Pacific in 1966 had ships, an airline, a chain of hotels, a huge oil and gas company, an enormous real estate company, a coal company and a railway in Canada only.

Did they really, in 1966, give that away? Did it get thrown in with the request around property taxes? If they didn't, then why are we going back to 1966 in this motion? What is the magic of 1966 if it's clear somewhere else, possibly clear in a court decision, that they did not give up provincial taxes? I don't understand it. It's a question that I think we should try to find an answer to.

The other one was that, as I was listening to the speakers, Senator Gold, Senator Cotter and Senator Arnot, they all mentioned in their speeches that we needed to deal with this quickly, with alacrity; it should be passed quickly, and I wondered why. Why was there a rush after 150-some years? Why suddenly did this have to happen quickly?

If you go back and look at Hansard, "quickly" and "with alacrity" were mentioned multiple times with no explanation as to why. So what was that about?

I wanted to know how much due diligence had been done in the other places. I haven't done much due diligence, but it was interesting to know that the Saskatchewan legislature debated this for four minutes and 30 seconds. The House of Commons had an opposition day on it with some kind of listless debate that appeared like there was uncomfortableness but it was a foregone conclusion. I don't believe it went to committee but I'm not sure. I didn't get a good feeling, when I took a cursory look at the due diligence path behind us, that there was a lot of transparent due diligence by legislators.

I also wondered about precedence and what precedents we might be setting with this particular motion, as I understand it, and I'm not 100% clear that I do understand it. I do know that Canadian Pacific has a similar set of rights and obligations in the province of Alberta and in the province of Manitoba. So I suspect that whatever it is we do here, if we pass this, I think we will be obligated when Alberta comes and Manitoba comes to do the same thing.

An Hon. Senator: Hear, hear.

Senator Tannas: This could be exactly what we need to do. I'm not saying it isn't. But there is more to this than meets the eye, in my view.

This issue of precedent is interesting. So if we do what I think we're going to do with this motion, we can expect Alberta and Manitoba here in relatively short order. If we somehow discover that we didn't do our due diligence and we made a mistake by waving this through, we will get to repeat that mistake twice more because we will have made it now.

There is also the issue of — there was a little bit of this in some of the speeches — the precedent that what if this were an organization that was a little bit more virtuous than Canadian Pacific? What if it were a minority group that was about to win a \$50-billion award in a province that the province couldn't afford or didn't want to pay or there was public — are we actually 100% clear on all of these questions such that we can just do it with a few words here in the chamber, like has been done in other chambers, and whistle it through? Is that why we are the last guys, because we should just follow along? I don't think that's what our job is. I don't believe it's what our job is.

So these were my questions. I did a little bit of research. I'm not a great researcher and I did it myself. But I would say, colleagues, that I am absolutely convinced that before we do something, we should do a little bit more due diligence ourselves. I don't know that it will change the outcome. I don't think that's the point.

I think that we should do our homework here, though. I really believe that. And we should have all of us, all senators, make the decision on this particular motion with our eyes wide open and understanding exactly what it is we are doing and why.

MOTION TO REFER TO COMMITTEE—DEBATE

Hon. Scott Tannas moved:

That, pursuant to rule 5-7(b), the question under debate be referred to the Standing Senate Committee on Legal and Constitutional Affairs for examination and report; and

That the committee submit its final report no later than March 31, 2022.

The Hon. the Speaker pro tempore: Senator Tannas, we have a few senators that are in line to ask you some questions. Will you accept questions?

Senator Tannas: I will, any and all.

Hon. Paula Simons: Senator Tannas, I, like you, am from Alberta. And I, like you, am still learning about this situation. I met with CP, who told me that their lawsuit against Alberta would be for what is now about \$95 million in taxes that they feel they have paid unfairly.

I'm just wondering, as Albertans, do we have an obligation as Alberta senators to do more investigation about what the implications are of this proposed constitutional amendment for the people and the taxpayers of Alberta?

Senator Tannas: Yes, for the reasons I just said, that's a great question. Whatever we do here, particularly if we pass this motion, I'm convinced that we will be asked to pass the same motion from Manitoba and from Alberta. We will have, I think, morally foreclosed our ability to look critically at those requests when we've waved the first one through. So I think it's equally important that we have a look at this.

Let me just say that I think we need to do it — I'm going to join the chorus. We need to do it quickly. This is not a stalling tactic. I think we need to do our homework quickly and efficiently and get to the bottom of it and have the facts presented to senators, continue our good debate and then make a decision. Thank you.

Senator Simons: I was blaming myself for not knowing about this lawsuit against Alberta. Just today, I have gone through the archives of the *Calgary Herald* and the *Edmonton Journal*, and I can find no story that was done by either of Alberta's leading newspapers about CPR's suit against Alberta. We have checked with the library at the Legislative Assembly of Alberta, and they have no record of this.

• (1640)

What do you say to the people of Alberta who have just found out that CPR sued us for this much money back when Ed Stelmach was premier?

Senator Tannas: I feel lucky that I don't have to answer for the Government of Alberta.

This has been a really interesting piece of news. I didn't realize that this existed — that there was a perpetual tax break for Canadian Pacific as it relates to the operation of their railroad in Manitoba, Alberta and Saskatchewan, which were not provinces at the time the deal was struck. I think that's why they were stuck with this.

So I can't say why it hasn't been more of a news story. It was news to me, and I thought it was interesting news.

Hon. Marc Gold (Government Representative in the Senate): Will the senator take a question?

Senator Tannas: Yes.

Senator Gold: Senator Tannas, you know I don't dispute the authority of this chamber to review and study any matter that comes before us, but, in this case, when our concurrence is necessary for Saskatchewan to amend its own laws, and since nearly 400 — I believe the number is 399 — elected officials both in Saskatchewan and here in Ottawa have already approved the motion, are you not concerned that having the committee review the motion — and the time that it will take, especially as we approach a break week — might send the wrong message to Saskatchewan? After all, this is an example of cooperative federalism at its best. I wonder if we could have your thoughts on that.

Senator Tannas: No, I'm not bothered by it. We have a job to do. We could pass everything that came here unanimously or that came through other legislatures, with our apologies for being in the way, if that's what you think we ought to do.

We need to do our due diligence. Quite frankly, this has turned into something that is a little more complicated than was presented to us. I would also say the unanimity, and the lack of debate and research in the other legislatures, create a flashing red light — not a green light for us to do the same. It should be encouragement for us to actually perform sober second thought rather than wave it through. Therefore, no, I'm not at all troubled by us taking the time.

There are two elements to your question. One is whether we would be showing disrespect to the House of Commons or the Legislative Assembly of Saskatchewan by holding committee meetings and trying to get to the facts so we can have an informed vote. I don't think that's the case.

Regarding the time issue, my motion is for March 31. In that time frame, I believe there are three weeks of sitting time for study by the Legal Committee, which I don't think is seized with any legislation right now; I could be wrong. That should be plenty of time to get to the facts. I think they can be garnered with a relatively small number of witnesses.

As far as timing goes, the fact is that the rush about this, as I've come to understand — and I might be wrong — is that Saskatchewan and Canadian Pacific have their final arguments in court set for sometime in May and that we're being asked to do this because there is some calculation that Saskatchewan will lose this lawsuit, so we must take the legal rights away from Canadian Pacific before the judge rules.

So now that we all know that — or at least I think I know that; maybe the committee will tell me that's wrong — and if those are the facts in the case, I think we have time to go to March 31 and do the deed if it needs to be done in April. That would be well ahead of final arguments and a decision by the judge.

Hon. Denise Batters: Thank you, Senator Tannas.

First, I don't think Saskatchewan should be punished, because Saskatchewan took some proactive steps to get a sizable amount of money they believe is justifiably ours. To this point, Alberta and Manitoba have not taken those particular steps.

My question to you is about the House of Commons. You described it as a "listless debate," to quote you. However, I just wondered if you knew that that was an entire opposition day motion that the official opposition Conservatives brought forward and debated. An opposition day motion takes about six hours of debate, so a substantial length of time was devoted to that debate in the House of Commons. Then it was unanimously passed in the House of Commons, including by the federal justice minister. I wanted to get your opinion on that.

Senator Tannas: When I said "listless," I think there were members from different sides who were talking about their hesitation on this.

There is a political element to this that I think we need to recognize in the unanimous motions that went through both houses. That's not supposed to influence us here. So to me, again, it begs us to do our homework even more than if they had done in-depth studies and made those decisions.

You raised another good point, though. How did Saskatchewan, Alberta and Manitoba get hung with this bill? How did they come to shoulder the burden for tax exemptions for the CPR? What role did the federal government play in this?

The Canadian Pacific Railway line from coast to coast is a benefit to all Canadians. Why are those three provinces the only ones where this right exists?

Is there some obligation or role that might rightly be put to the federal government? That's an interesting question for our committee to delve into as well. It might not get answers, and we're certainly not going to bind the Canadian government to anything.

Again, there are so many questions that deserve an answer before we have a vote.

Hon. Pierre J. Dalfond: Honourable senators, I understand from the questions asked of Senator Tannas, and from the answers he gave, that it is suggested that we focus on this issue sooner rather than later. I would like to point out, for those who say it has been adopted unanimously by the House of Commons and the legislature and suggest that the Senate should maybe not carry out due diligence, that section 47(1) of the Constitution Act provides that if we have not adopted the motion “within one hundred and eighty days,” then the House of Commons can vote again on that motion and the Senate will not be able to say anything about it.

So what you’re proposing is that we send it to committee, look at it, report and decide within six months following the date that the House of Commons adopted the motion.

Senator Tannas: Actually, I’ll put a date a little sooner than that, just because I think there is an intention to pull the rights of Canadian Pacific away before this court case happens. I don’t see any other explanation for it than that.

If that’s what we’re being asked to do, we should not foreclose that by saying we’re going to wait six months. We should deal with it in a forthright and expeditious manner and get the facts before us here so we can make the decision.

• (1650)

Hon. Brent Cotter: Senator Tannas, I have two or three questions. As you know, I’m not in opposition to the matter being considered in a timely way, and I want to state that publicly and on the record.

I would invite you to offer your thoughts on this dimension of it. In the lawsuit that was brought against the federal government, the judge found that large exemption in relation to federal taxes had been — which was also to run for a very long time — taken away by federal legislation over the years. Are you offended by that happening in the way in which you’ve just described this seeming to be unfair to a corporation that made a contract a long time ago? I guess I’m saying that the Government of Canada made the same contract with respect to itself but then took away CP’s rights over the decades.

I have another question after this, but I would be interested in your thoughts.

Senator Tannas: I agree. That is an interesting twist to all of this; that the initial lawsuit that CP put forward to try and assert what they believed were their rights with respect to federal taxes, they lost. Part of that decision where they lost has given rise to the fact that that court, as I see it, provided a lot of light for CP to then go to the next step to assert their rights in the provinces, and in particular in the provinces of Saskatchewan, Alberta and Manitoba.

The federal government seems to have their fingerprints in different spots all over this, including this famous 1966 agreement that was done on behalf of the provinces. Frankly, the best result, rather than asking legislatures to yank,

retroactively, legal contracts out from under parties, would be for the federal government to work toward solving this problem in a way that didn’t involve the courts. I guess they’ve had 100 years or so to do that and haven’t done it. It is an interesting element to this.

Senator Simons, me and others, we did a bit of research — and I know you’ve done a lot of research — but in the bit of research I did, I felt there was a story that needed to be clear in all of our minds when we do this, especially because I’m sure we’re going to be asked twice more to do the same thing.

Senator Cotter: Thank you. I appreciate the answer. I actually hope that we’ll be asked twice more. In fact, we might be the initiators of it. We might ask others to do what we want.

I would offer this context. The federal government seems to have gotten out of its obligations with this tax exemption vis-à-vis CP. My guess is that the Government of Saskatchewan and the Government of Manitoba and the Government of Alberta would have done the same thing if they could have, but they are kind of handcuffed by the constitutional constraint. There is an equity that cuts across all four of the folks that got sued, but three of those folks have their hands tied behind their back by this constitutional constraint.

It seems that if we continue to be sympathetic to that constraint, we’re basically saying we’re sympathetic to CP not paying its share of taxes in these three provinces for a very long time. While it’s not a purely legal kind of interpretation — you seem to be, strangely enough, embracing the legal framework and I’m wandering into the political sphere — we really should be looking for the fairest solution. That might require some dialogue. Are you open to that as a way of thinking it through?

Senator Tannas: I think that’s a role we potentially could play in bringing all of this to light. With the parties retreated to their corners, and if we bring them together, maybe a solution with the hammer still in the hand of the Senate — there may be something that can be done over the next little while.

I think it’s worth the discussion and us getting educated and taking this matter seriously. I agree that it was a fundamental unfairness that happened when those provinces were formed.

On the other hand, there’s a great, wonderful story of Canadian Pacific to be told there — the fact that for their 25 million acres of land there were parcels side by side that the federal government took and used to sell and generate money for the treasury and populate the country. It was, no thanks to Pierre Berton, a wonderful story of an organization that got done what others couldn’t get done and helped us fulfill the national dream.

I think we owe it to everybody to try to fix this without a sledgehammer as crude as we have here.

Hon. David Richards: Would Senator Tannas take a comment more than a question?

This goes back to Sandford Fleming and the Bank of Montreal and Edward Seaborne Clouston and all that was going on back in the 1880s, 1890s up until about 1910. If you're going to study this, I think you have to go back a long way. I wonder if that's what we're prepared to do. I thought I would mention that.

Senator Tannas: Thank you. I don't know how far back we have to go. But you're right, this had its beginnings a long time ago. It seems there is an issue of fairness and there are multiple parties involved. We are doing something that I don't think has ever been done. We have extinguished what is a constitutional right of somebody. We've not only done that but made it retroactive.

We need to get this in front of a committee. We have an excellent Legal Affairs Committee. I think they could do this justice in short order and make it clear to folks like me what exactly it is we're doing and why, so I can vote with a clear conscience.

Senator Dalphond: Senator Richards is right to refer to the fact that the source of the issue here is a contract that was entered into between the federal Crown and the Government of Canada in 1880. That's an old contract. I agree with that. That is a clear definition of it. But the judgment of the Federal Court of Canada that was released in September, before the Saskatchewan legislature adopted the motion, is essentially about the scope of this contract. Since the Federal Court has decided that the scope of this contract does not encompass income tax, GST, excise tax or tax on carbon, maybe we should look at these issues carefully and make sure that what is left for Saskatchewan — Saskatchewan is forced to provide an exemption as long as the exemption is provided in the contract.

So if there's not much in the contract, maybe we're not talking about \$391 million. Maybe we're talking about the tax on capital according to provincial, Saskatchewan law for the periods that are not yet time barred. Maybe we are talking about a few million dollars. Maybe it's something we should be looking at as you suggest. I certainly appreciate your suggestion and think it's a good one.

Senator Tannas: We did hear about a large number here in debate and in the bit of work that I was able to do. That certainly appears to be the high side of things. The Federal Court, as I understand it, is a lot narrower. Nonetheless, it is still \$100 million or something like that. It's a lot less, but it's a lot of money and there is still the issue of going forward. This has to stop. It should. By the way, so should Canadian Pacific's obligations. They have obligations in perpetuity as well. The Saskatchewan legislature, I don't think, thought to relieve Saskatchewan of that obligation that's in the contract, but they do have an obligation to operate a railroad across the country in perpetuity.

[Senator Richards]

• (1700)

Who knows? One hundred years from now, that might not be a good bet, but that's for another day. The point is that there was this money issue. Just in the little bit of work I did, I agree, Senator Dalphond, that the numbers I heard from other sources, other than what I heard in the chamber here, are significantly less.

The Hon. the Speaker pro tempore: Senator Tannas, I do believe your motion was seconded by Senator Wallin, to send it to committee? Thank you.

Are honourable senators ready for the question?

Hon. Jim Quinn: I move the adjournment of the debate.

The Hon. the Speaker pro tempore: It is moved by the Honourable Senator Quinn, seconded by the Honourable Senator Downe, that further debate be adjourned until the next sitting of the Senate.

If you oppose adjourning the debate, please say "no."

Some Hon. Senators: No.

The Hon. the Speaker pro tempore: I'm hearing a "no."

Those in favour of the motion and who are in the Senate Chamber will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker pro tempore: Those opposed to the motion to adjourn and who are in the Senate Chamber, please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker pro tempore: I believe the nays have it.

And two honourable senators having risen:

The Hon. the Speaker pro tempore: We'll have a vote at 6:01. Call in the senators.

• (1800)

Motion negated on the following division:

YEAS
THE HONOURABLE SENATORS

Black
Campbell
Dagenais
Downe
Griffin
Marshall
McPhedran

Quinn
Richards
Tannas
Verner
Wallin
White—13

NAYS
THE HONOURABLE SENATORS

Anderson	Gold
Arnot	Harder
Ataullahjan	Housakos
Audette	Klyne
Batters	Kutcher
Bellemare	LaBoucane-Benson
Bernard	Lankin
Boehm	Loffreda
Boisvenu	Lovelace Nicholas
BonifaceMacDonaldBovey	Marwah
Boyer	Massicotte
Busson	McCallum
Clement	Mégie
Cordy	Mercer
Cormier	Miville-Dechéne
Cotter	Moncion
Coyle	Omidvar
Dalphond	Pate
Dawson	Plett
Deacon (<i>Nova Scotia</i>)	Poirier
Deacon (<i>Ontario</i>)	Ringuette
Dean	Saint-Germain
Duncan	Seidman
Dupuis	Simons
Forest	Smith
Francis	Sorensen
Gagné	Wells
Galvez	Wetston
Gerba	Woo
Gignac	Yussuff—62

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

The Hon. the Speaker: Honourable senators, it being after 6 p.m., pursuant to rule 3-3(1), the Senate is now suspended until 7 p.m.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1900)

MOTION TO REFER TO COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator Cotter:

Whereas on October 21, 1880, the Government of Canada entered into a contract with the Canadian Pacific Railway Syndicate for the construction of the Canadian Pacific Railway;

Whereas, by clause 16 of the 1880 Canadian Pacific Railway contract, the federal government agreed to give a tax exemption to the Canadian Pacific Railway Company;

Whereas, in 1905, the Parliament of Canada passed the *Saskatchewan Act*, which created the Province of Saskatchewan;

Whereas section 24 of the *Saskatchewan Act* refers to clause 16 of the 1880 Canadian Pacific Railway Contract;

Whereas the Canadian Pacific Railway was completed on November 6, 1885, with the Last Spike at Craigellachie, and has been operating as a going concern for 136 years;

Whereas, the Canadian Pacific Railway Company has paid applicable taxes to the Government of Saskatchewan since the Province was established in 1905;

Whereas it would be unfair to the residents of Saskatchewan if a major corporation were exempt from certain provincial taxes, casting that tax burden onto the residents of Saskatchewan;

Whereas it would be unfair to other businesses operating in Saskatchewan, including small businesses, if a major corporation were exempt from certain provincial taxes, giving that corporation a significant competitive advantage over those other businesses, to the detriment of farmers, consumers and producers in the Province;

Whereas it would not be consistent with Saskatchewan's position as an equal partner in Confederation if there were restrictions on its taxing powers that do not apply to other provinces;

Whereas on August 29, 1966, the then President of the Canadian Pacific Railway Company, Ian D. Sinclair, advised the then federal Minister of Transport, Jack Pickersgill, that the Board of the Canadian Pacific Railway Company had no objection to constitutional amendments to eliminate the tax exemption;

Whereas section 43 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

Whereas the Legislative Assembly of Saskatchewan, on November 29, 2021, adopted a resolution authorizing an amendment to the Constitution of Canada;

Now, therefore, the Senate resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the annexed schedule.

SCHEDULE

AMENDMENT TO THE CONSTITUTION OF CANADA

1. Section 24 of the *Saskatchewan Act* is repealed.
2. The repeal of section 24 is deemed to have been made on August 29, 1966, and is retroactive to that date.

CITATION

3. This Amendment may be cited as the *Constitution Amendment, [year of proclamation] (Saskatchewan Act)*.

And on the motion of the Honourable Senator Tannas, seconded by the Honourable Senator Wallin:

That, pursuant to rule 5-7(b), the question under debate be referred to the Standing Senate Committee on Legal and Constitutional Affairs for examination and report; and

That the committee submit its final report no later than March 31, 2022.

The Hon. the Speaker: Honourable senators, we are resuming debate on Senator Tannas's motion to refer the motion to the Standing Senate Committee on Legal and Constitutional Affairs.

Hon. Scott Tannas: Honourable senators, I apologize. Due to my misunderstanding and a lack of communication on my part, I thought that the chamber was not ready to vote on my motion. So we pressed forward with the adjournment. I recognize I cost this chamber an hour of precious time. I won't waste any more of it, but I want to apologize.

The Hon. the Speaker: If you are opposed to the motion, please say "no."

An Hon. Senator: No.

The Hon. the Speaker: I hear a "no." Those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: All those who are opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker: I believe the yeas have it. I see two senators rising.

And two honourable senators having risen:

The Hon. the Speaker: Did I hear you say one hour, Senator Plett?

Senator Plett: Yes, you did.

The Hon. the Speaker: The vote will take place at 8:02. Call in the senators.

• (2000)

Motion agreed to on the following division:

YEAS

THE HONOURABLE SENATORS

Anderson	Kutcher
Arnot	Lankin
Audette	Loffreda
Bellemare	Lovelace Nicholas
Bernard	Marshall
Black	Marwah
Boehm	Massicotte
Boniface	McCallum
Bovey	McPhedran
Busson	Mégie
Clement	Miville-Dechêne
Cordy	Moncion
Cormier	Moodie
Coyle	Omidvar
Dalphond	Pate
Deacon (<i>Nova Scotia</i>)	Quinn
Downe	Ringuette
Duncan	Saint-Germain
Dupuis	Simons
Forest	Sorensen
Francis	Tannas
Galvez	Verner
Gerba	Wetston
Gignac	White
Griffin	Woo—50

NAYS
THE HONOURABLE SENATORS

Ataullahjan	MacDonald
Batters	Manning
Boisvenu	Oh
Gagné	Plett
Gold	Poirier
Harder	Seidman
Housakos	Smith
Klyne	Wells
LaBoucane-Benson	Yussuff—18

ABSTENTIONS
THE HONOURABLE SENATORS

Cotter	Wallin—2
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• (2010)

THE ESTIMATES, 2021-22

NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY
SUPPLEMENTARY ESTIMATES (C)

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of February 24, 2022, moved:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (C) for the fiscal year ending March 31, 2022; and

That, for the purpose of this study, the committee have the power to meet, even though the Senate may then be sitting or adjourned, and that rules 12-18(1) and 12-18(2) be suspended in relation thereto.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

THE SENATE

MOTION TO ADOPT THE SENATE OF CANADA ENVIRONMENTAL AND SUSTAINABILITY POLICY STATEMENT—DEBATE ADJOURNED

Leave having been given to proceed to Motions, Order No. 48:

Hon. Colin Deacon, pursuant to notice of February 24, 2022, moved:

That the Senate adopt the following *Environmental and Sustainability Policy Statement*, to replace the 1993 *Senate Environmental Policy*, adopted by the Standing Committee on Internal Economy, Budgets and Administration:

“SENATE OF CANADA ENVIRONMENTAL AND SUSTAINABILITY POLICY STATEMENT

OBJECTIVE

The Senate of Canada is committed to reducing the Senate’s carbon footprint to net zero by 2030 and to implement sustainable practices in its operations. Achieving this goal requires a whole-of-organization approach which prioritizes reduction of outputs and utilizes standard-leading emission offsets. The road to net zero will include quantifiable regular reporting on progress towards target. These actions are to demonstrate leadership as an institution on climate action, to encourage accountability of federal institutions and to inform the legislative process.

PRINCIPLES

The Senate is committed to achieving its objective through adherence to the following principles:

1. **Serve as a model of environmental leadership** in accordance with the best practices of international, federal, provincial and municipal environmental laws, regulations, standards and guidelines where applicable;
2. **Integrate a robust accountability framework into the operating planning cycle.** This includes benchmarking, tracking and applying results-based management to achieve continuous improvement in environmental performance, in accordance with the best practices of accountability frameworks of internationally recognized standards. Progress should be reported publicly on a regular basis to the Standing Committee on Internal Economy, Budgets and Administration (CIBA).

3. **Require environmentally conscious acquisition of goods and services** that incorporates: the purchase of environmentally responsible products and services; the selection of innovative suppliers demonstrating environmentally sound business practices; and the setting of environmental requirements in requests for proposals.
4. **Reduce the environmental impact of activities** by using resources more efficiently, with a focus on the reduction of outputs throughout the Senate's operations.
5. **Incentivize and enhance environmental awareness throughout the Senate** through education and support, while recognizing and incorporating environmental actions undertaken by Senate employees and senators.
6. **Operate facilities and conduct activities of the Senate in a sustainable manner** with a view to preventing pollution and reducing waste. Consider environmental impacts and implications when planning projects and activities.
7. **Develop and implement tools that promote and integrate environmental considerations into day-to-day operations of the Senate** to encourage Senators and Senate employees to make environmentally friendly decisions within their activities and tasks.”;

That the Standing Committee on Internal Economy, Budgets and Administration examine the feasibility of implementing programs to establish:

- (a) an accountability framework and annual reporting cycle;
- (b) the promotion of climate-friendly transportation policies and reduced travel;
- (c) enhanced recycling and minimizing waste;
- (d) a digital-first approach and reduction in printing;
- (e) support from central agencies to allow the Senate to charge carbon offsets as part of operating a sustainable Senate; and
- (f) a process for senators and their offices to propose environmental and sustainability recommendations; and

That the Standing Committee on Internal Economy, Budgets and Administration acquire any necessary goods and services to examine the feasibility or to implement these recommendations.

Hon. Diane F. Griffin: Honourable senators, thank you for your support. I wasn't sure we were going to get to this stage tonight, but I really appreciate your indulgence in allowing me to speak to this motion today. I will be brief.

My comments will serve as a prelude to the more fulsome remarks that Senator Deacon will give either later this day or another. I'm the warm-up act for the main attraction.

Senator Deacon, Senator Carignan, Senator Anderson and I worked together since last May on a report that was presented to the Internal Economy Committee in February this year. We were tasked with some recommended short-, medium- and long-term actions that the Senate could take to make our institution more environmentally sustainable.

Our advisory working group report, which is available on the CIBA website, includes 11 recommendations. But the motion before you today asks you to approve two things: the proposed environmental policy statement, and the path that the Internal Economy Committee will take going forward.

The new principles-based policy statement would replace the Senate's current environmental policy, adopted in 1993. We propose this principles-based policy statement, rather than a policy, in order to take a whole-of-organization approach. The statement is not prescriptive. We have a collective goal of reaching net zero by 2030, but what is practical for one directorate may not be for another. Therefore, we recommend the creation of “green teams,” and Senator Deacon will tell you more about this in his presentation. These green teams will be within individual directorates and an accountability framework to ensure integration into Senate-wide operations. Objectives and targets will be defined and reported.

The second part of this motion that will come from the group would empower Internal Economy to further examine the recommendations and include it in our report which: one, would secure external expert advice; two, empower the directorates of the Senate, senators and their staff; three, integrate a robust accountability framework into Senate governance.

Honourable senators, I thank Senator Deacon and his staff. They have done a lot of hard work on this, as well as Senator Carignan, Senator Anderson, their teams, our collaborators in the Senate Administration, the Library of Parliament analysts and Public Services and Procurement Canada. I know it's starting to sound like a cast of thousands, but it was a small working group and we reached out to many. It was a great opportunity.

We have an opportunity here to show leadership and to serve as a model for other legislators in Canada and elsewhere. I therefore encourage you to support this motion when it comes to a vote. Thank you.

(On motion of Senator Wells, debate adjourned.)

FROZEN ASSETS REPURPOSING BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Audette, for the second reading of Bill S-217, An Act respecting the repurposing of certain seized, frozen or sequestered assets.

Hon. Leo Housakos: Honourable senators, I rise today to speak to Bill S-217, An Act respecting the repurposing of certain seized, frozen or sequestered assets.

I want to start by thanking Senator Omidvar for bringing this bill forward, for reaching out to me to discuss it and to seek my support. Senator Omidvar has already tabled this bill on two occasions, and I admire her tenacity. I also hope the third time is the charm.

I can tell you off the top that I absolutely do support this bill, just as I hope there will be support for a bill I intend to bring forward with an amendment to our Justice for Victims of Corrupt Foreign Officials Act, or the so-called Sergei Magnitsky Law, providing for more transparency in the ownership of assets of officials being considered for sanction.

• (2020)

I believe it will further strengthen the Magnitsky Act and strengthen our ability as a country to properly deal with corruption and human rights abuses around the world. That, in a nutshell, is what Senator Omidvar is seeking to do with this legislation: strengthening the way we deal with the likes of Vladimir Putin, Xi Jinping and those who benefit from doing their bidding, not only to exact some degree of justice for their victims but also to show them that their egregious behaviour will not be tolerated by Western democracies. The need to do that couldn't be better illustrated than by what we're seeing right now with Russia's invasion of Ukraine.

I spoke in the last Parliament about Sergei Magnitsky, for whom the Magnitsky Act is named, when our former colleague Senator Thanh Hai Ngo and I called for Magnitsky sanctions against Chinese and Hong Kong officials for what was happening in Hong Kong and for what was happening, and is still happening, to the Uighur Muslim people at the hands of the communist regime of China.

I think many of our colleagues often think these motions and calls for sanctions are merely symbolic or perhaps an attempt to score partisan political points, but I hope you're now starting to appreciate that they're anything but. The truth is we need to be unafraid to start applying these kinds of measures and this kind of thinking when dealing with the world's thugs and bullies.

That's why I'm supportive of this legislation. I believe it takes the natural next step of providing justice for the victims and, in practical terms, alleviating some of the stress for those countries

and agencies who are left to pick up the pieces from the damage caused by these tyrannical regimes. It is also punitive and, in my opinion, we need more of that. We need justice; we need fairness.

One of the principles behind this bill is very simple: corruption shouldn't be rewarded, period. So if you're corrupt, we will find you. We will name you. We will take all of the wonderful treasures you amassed as a result of your corruption, and we will use those ill-gotten gains to take care of the innocent people whose lives you ruined or tried to ruin because of your thirst for power.

We need to send a loud and clear message that the days of corruption, paying off and living the high life off the misery of others while they live in fear and squalor are over and should never ever be tolerated.

Canada wouldn't be alone in moving on legislation of this kind. With both countries agreeing to sanctioning oligarchs as a result of the invasion of Ukraine, Switzerland already allows for the repurposing of frozen assets, and the U.K. is considering similar legislation.

Just yesterday, Alaska Congressman Don Young announced plans to introduce legislation that would allow U.S. authorities to seize Russian mega yachts and auction them off to fund humanitarian aid and other just causes. We should be doing the same, but to do so we need to pass this bill quickly.

We could go one step further, as suggested by Senator Omidvar, in the case of Ukraine. Canada could lead the way by proposing a global fund consisting of the monies purloined by Putin and his oligarchs to sustain the humanitarian and reconstruction needs that would follow, a fund that could be administered by the legitimately elected government of Ukraine. But, again, any such action would require this bill to become law.

Let's not waste any more precious time, colleagues. Let's get this bill into committee, get it passed and over to the other place without delay. Many voices are calling for it.

We have all been watching the tragic events unfold in Ukraine over the past week. No matter what happens in the coming days and weeks, the human toll is enormous. We're already seeing tens of thousands of people flocking to the borders as they flee their homeland. They will now be added to the more than 82 million other displaced people around the world, more than half of whom are children, in what Senator Omidvar rightfully called a "displacement calamity." More than 82 million people have fled their homes because of armed conflict, violence, persecution and human rights abuses by bullies and thugs.

As Senator Omidvar pointed out:

This is the second-highest number of the forcibly displaced since the Second World War and the numbers continue to rise daily. This has created a significant strain, especially on those jurisdictions that border the places they came from, and they themselves are challenged to meet the needs of their own citizens, let alone thousands of arriving refugees.

The truth is we have a tendency to get very caught up in the news of the day, to be moved by the pictures and videos from countries like Ukraine — and before it, Afghanistan, Hong Kong and Venezuela — and then, unfortunately, we very quickly seem to move on, business as usual. It's easy to go back to our own lives and almost forget about what's happening all the way over there. But now in Ukraine, we are seeing a threat to international order and stability that is so grave we will no longer have that luxury, colleagues. I believe that what we are facing now are not simply isolated acts of aggression and human rights abuses but rather a global rise of totalitarianism. We need to confront that head on, without reservation and unequivocally. While we are also quick to want and pledge to help in the early days of these types of tragedies, the truth is we eventually return to our own lives while the work of taking care of these people has only just begun.

Resettlement doesn't happen overnight. Take the situation last year in Afghanistan, for instance. We all would have opened our homes in that instant as we watched the horror of people swarming the airport trying to get out of Kabul. But the truth is many of those people and many more who did manage to get out of Afghanistan prior to Kabul falling are now displaced. They remain displaced.

I know many of our offices have been working with Afghan refugees, thanks to the tireless efforts of Senator McPhedran, and while there have been some success stories, this is a long, arduous and expensive process. But what Senator Omidvar is proposing is, as I said, a practical and logical solution.

Colleagues, while I appreciate Senator Omidvar referring to what's being proposed here as thinking outside of the box, it really isn't. I don't say that as a criticism or to be dismissive, but only because I want to point out that it's not so radical that it should consume us for any great length of time. It is straightforward and already has broad support.

As a matter of fact, as Senator Omidvar pointed out, it's something that we in the Conservative Party of Canada had in our electoral program in 2021, and it was in the Liberal Party of Canada's electoral program in 2018. It was also in the mandate letter to then foreign affairs minister François-Philippe Champagne, which has me questioning why it hasn't been acted upon already. But I don't want to be accused of being partisan, so I would say it's obvious that both the current government and Her Majesty's Loyal Opposition support the intention of this legislation. I see no reason to delay its passage, and we should commit this to the committee stage as soon as possible.

The purpose of this legislation is:

... to seize the frozen assets of corrupt foreign officials held in Canada through court order and repurpose them back to alleviate the suffering of the people who have been harmed most by their action.

This, colleagues, is a no-brainer. It's obvious.

Now, I know that on its face it may make some people feel uncomfortable, especially having recently witnessed our own government arbitrarily freezing bank accounts and the mayor of Ottawa musing about the city taking possession of protesters'

property to sell and use the proceeds to pay for policing and cleanup. Yes, that is and should be troubling. But what Senator Omidvar is proposing is nothing like that. If anything, this bill guards against that sort of overreach because her legislation would remove politics from the equation, instead placing the decision making in the hands of our courts.

It's similar to what we see in class action lawsuits in which assets are frozen and can ultimately be used to fund any damages awarded. What Senator Omidvar is proposing would ensure that same due process, adherence to the rule of law and compliance with the Charter of Rights and Freedoms. It would provide transparency of the process but also of the assets that have been seized, which we currently do not have. Our government publishes the names of the officials who have been sanctioned, but not their assets. As noted by Senator Dalphond, this process is already entrenched in Canadian law in the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, so we aren't reinventing the wheel here.

No offence to Senator Omidvar — I'm in no way attempting to diminish her proposal or the work done on this bill by her and her office and the World Refugee & Migration Council. I applaud you for applying this principle to this issue.

My motivation for driving home the point that the intended purpose of this bill isn't entirely radical is for the benefit of our colleagues so that they can be comfortable with it. The principle of taking from a perpetrator, especially one who benefited financially from their crimes, to give to the victim or victims is one in which I believe wholeheartedly, if for no other reason than it being called justice. Furthermore, it alleviates the toll on the system as a whole. It really is straightforward, colleagues.

• (2030)

The criminals get punished. The victims receive some justice and much-needed support, and the system doesn't break under the weight of it all. It's all done through the rule of law and due process. And with that, I reiterate my whole-hearted support for this bill and implore my colleagues to do the same and get this bill to committee forthwith and approve it as soon as possible.

Thank you, colleagues, for your attention.

Hon. Pierre J. Dalphond: Honourable senators, I rise in strong support of Senator Omidvar's bill, Bill S-217, the Frozen Assets Repurposing Bill.

This is an important piece of legislation with the potential to build international momentum against human rights abuse and corruption, as well as to help improve the situations of victims of these people. Senator Omidvar first initiated this bill almost three years ago and I hope we will collectively give this matter some priority with committee study in the near term.

Bill S-217 builds directly on another important Senate initiative, that of former Senator Andreychuk, who led the passage of the Sergei Magnitsky Law in 2017 with Bill S-226. That law now allows for the seizures, freezing or sequestration of assets in Canada of corrupt foreign nationals responsible for human rights violations or corruption.

In Canadian law, assets may also be seized, frozen or sequestered under the Special Economic Measures Act which deals with sanctions, and the Freezing Assets of Corrupt Foreign Officials Act, which deals with requests by foreign countries in turmoil.

This bill will take the next logical step by providing a mechanism to distribute frozen assets to appropriate individuals or organizations.

This distribution will take place according to the five principles Senator Omidvar described in her speech in December: first, accountability for human rights abusers; two, justice for victims; three, due process in court for any distribution of assets; four, transparency in terms of both the identity of the officials and the value of their frozen assets; five, compassion with meaningful actions to the repurposing of resources to help vulnerable people.

Establishing this proposed law will further advance Canada as a leader in human rights. Senators can be proud to break this new ground together if we have the will to act.

On substance, Bill S-217 is nothing to fear. The concepts are already well established in our domestic law relating to the proceeds of crime, such as in the Seized Property Management Act. For this reason, I would suggest that this legislation is ready for expert input on the details at committee.

For example, I will note an interesting debate involving the Honourable Irwin Cotler and lawyer Brandon Silver of the Raoul Wallenberg Centre for Human Rights in Montreal, and the Honourable Lloyd Axworthy and our colleague Senator Omidvar.

The subject of that debate, published in *Policy Magazine* in 2020, was to what degree frozen assets should go to individuals affected by the wrongful actions, through individual claims, as compared to a more population-focused approach, at judicial discretion. This is a question within the principle and scope of the bill, appropriate for committee consideration. I look forward to hearing expert perspectives.

I would also note that under section 8, Bill S-217 permits distribution to both affected individuals and populations as appropriate to the circumstances, including through contributions to humanitarian relief. I'm sure that would be very useful to Ukraine.

With worsening human rights crises around the world, Canada must always take a stand for what is right. In some situations, this is best done through diplomatic channels, and in other situations through legal, parliamentary and public communications avenues. In some situations, all these avenues may have to play together, but they always play beneficial roles.

In this chamber, we have the benefit of advice on optimal approaches from colleagues with expertise in foreign affairs like Senator Harder, Senator Boehm and others, as well as the benefit of advice on international human rights, legal avenues, from colleagues like Senator McPhedran, Senator Jaffer and others.

On this point, I will note the successful collaboration in this chamber that led to the Senate's adoption of a motion in June of last year regarding the Philippine government's unjust and arbitrary detention of Senator Leila de Lima.

With Bill S-217, we have a clear opportunity to improve our domestic law to better address foreign human rights violations, and in so doing to improve the situations of victims and encourage positive action in the global community. We should seize the momentum.

Thank you to Senator Omidvar on this important initiative, and I think that the time has come to send the bill to committee.

Thank you, *meegwetch*.

The Hon. the Speaker: Senator Woo, do you have a question or would you like to enter debate?

Hon. Yuen Pau Woo: Thank you. I am keen for this bill to go to committee, and would support a vote right after.

I wonder if Senator Dalphond has a view on the American action to freeze the foreign reserves, essentially the assets of the Afghanistan government.

It appears now that they've made a decision to use half of those proceeds for humanitarian assistance but to take the other half — we're talking about billions of dollars — to compensate the victims of the tragic 9/11 World Trade Center terrorist attack.

What is your view on this kind of freezing and repurposing of foreign assets?

Senator Dalphond: Thank you, Senator Woo, for the question.

We are going a bit beyond the scope of this bill. I know that in the U.S. there are some special powers given to the President to seize and freeze assets and also to make specific orders. This is as far as I know about the American situation. I will avoid commenting further.

The Hon. the Speaker: Senator Woo, did you have a supplementary?

Senator Woo: No, except that I am sure all of us will want to think through the American example when the matter goes to the committee.

The Hon. the Speaker: Honourable senators, are you ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Omidvar, bill referred to the Standing Senate Committee on Foreign Affairs and International Trade.)

• (2040)

LANGUAGE SKILLS ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Housakos, for the second reading of Bill S-220, An Act to amend the Languages Skills Act (Governor General).

Hon. Brian Francis: Honourable senators, I rise to speak to Bill S-220. I want to begin by acknowledging that I am speaking to you from traditional and unceded territory of the Anishinaabe Algonquin people.

I also wish to thank Senator McCallum for the powerful speech she delivered last Thursday.

I am a proud L'nu, also known as Mi'kmaq. I am living proof of the resistance and resilience of my people. We are still here despite the colonial and genocidal actions perpetrated by Canada and its institutions and actors. We continue to fight to regain control over our lives and futures while working to heal from historical and ongoing trauma.

In my role as a senator from Epekwitk, also known as Prince Edward Island, I have the distinct privilege and responsibility to speak up in support of First Nations and all Indigenous peoples, and in this particular instance to share my perspective on the importance of ensuring that, in the context of reconciliation, Indigenous languages are treated as equal rather than subservient to English and French.

Colleagues, generations of Indigenous peoples in Canada have been deprived of opportunities that others take for granted. We suffer from lack of access to basic services and infrastructure due to chronic underfunding. We suffer from poorer health outcomes and lower life expectancies. We suffer from higher rates of poverty and homelessness. We suffer from lower levels of education and economic success. And we suffer from overrepresentation in the criminal justice and child welfare systems. The odds are against us since before we were born.

I have serious concerns about Bill S-220. In my opinion, the bill reflects a lack of awareness and understanding of the harsh realities faced by Indigenous people across Canada. Moreover, it amounts to a continuation of the status quo, which has directly contributed to exclude, rather than include, Indigenous peoples from participation in all aspects of public life.

The appointment of Mary Simon as the first Inuk and Indigenous person to serve in the role of Governor General of Canada is historical and inspirational. It should be celebrated by all as an important step forward in recognizing the linguistic plurality of Canada. Rather than putting into question her capacity to serve in this role, we should applaud that Mary Simon speaks English and Inuktitut and has committed to improving her French. In 2022, French and English should not be considered more valuable or superior to Indigenous languages.

Like Mary Simon, I am a survivor of the Indian day school system. Like Mary Simon, I was not given the opportunity to learn French in my childhood. The close to 200,000 of us who attended these federally run institutions received a substandard education. There was a greater emphasis on religion than academics. As a result, many of us were left with a lack of basic literacy and numeracy skills.

Unlike Mary Simon, I am not fluent in my Indigenous language, due to the intergenerational impact of the Indian residential and day school systems. There are not many around me who can fluently read, write and speak in Mi'kmaq. Those of us who became fluent in English struggled for many years.

Thirty years ago, educational outcomes for Indigenous youth were grim. Not enough has changed since. The graduation rate for non-Indigenous people is 88%; for on-reserve Indigenous people, it can be as low as 36%. Is it any wonder, then, that Indigenous people obtain a bachelor's degree at one third the rate of non-Indigenous people?

Not many get to have the long and distinguished career — inside and outside of the public service — that Mary Simon has enjoyed. Very few, if any, have walked in her shoes. That she was able to retain her Indigenous language of Inuktitut at a time when Indigenous languages were suppressed or extinguished makes her story even more remarkable. Her remarkable success is not the rule but the exception.

I'm not here to say that learning French or English or becoming bilingual is not important, however, too often, Indigenous peoples have been squeezed between the squabbles of colonial interests. In the context of the assimilationist and genocidal actions inflicted by the state on generations of Indigenous people, it is not difficult to see how Bill S-220 would serve to perpetuate harm rather than alleviate it.

My language was taken from me. I was forced to learn English. Too many Indigenous peoples across Canada endure the same fate. To those who decry that Mary Simon had many years in the public service to learn French in order to succeed, I would urge them to reflect carefully on why she never did. Then I would ask them: Do you not see the cruelty in telling Indigenous peoples, whose language and culture were violently stolen, that they must learn yet another colonial language to be deemed worthy or deserving of serving Canada?

Colleagues, many Indigenous people continue to struggle to reclaim their culture and languages, but it does not have to be this way.

I wish to highlight the success of the Mi'kmaq in Nova Scotia. In the 1990s, when high school graduation rates were close to 30%, the Mi'kmaq in Nova Scotia began to exercise control over their education in their communities, including by creating successful immersion programs where children thrived in both English and Mi'kmaq. Today, the high school graduation rate for Nova Scotian Mi'kmaq students is 90%. Like Mary Simon, many of those students are retaining their Indigenous language. In my opinion, that should be the standard across Canada.

However, Bill S-220, if successful, would signal to these students that even after succeeding academically and retaining their Indigenous language, they would still not be good enough to serve the public good in Canada. Is that really the message we want to send to our Indigenous children and youth?

For the price of my culture and language, I received a substandard education that left me struggling to compete with my peers. For the price of my culture and language, I was taught English but not French. For the price of my culture and language, I am now being asked to rebuild the barrier Mary Simon broke down. Is that fair? No, it is simply not.

Colleagues, I suggest to you that as it is currently envisioned, Bill S-220 would be a step backwards from the good work we have accomplished in recent years. In my first years sitting among you in this chamber, the Indigenous Languages Act was passed. Against the myth that only French and English are foundational to Canada, the preamble of the act recognizes Indigenous languages as the original languages spoken on these lands. Yet, the Indigenous Languages Act stopped short of making Indigenous languages official federal languages. I say "federal" here because Inuktitut, among others, is an official language in the Northwest Territories as well as in Nunavut. This omission must be corrected.

The Indigenous Languages Act spoke to Call to Action 14 of the national Truth and Reconciliation Commission. It was also a small step towards Call to Action 13: "We call upon the federal government to acknowledge that Aboriginal rights include Aboriginal language rights."

In the context of the bill before us today, Senator McCallum called for Indigenous languages to be enshrined in the Constitution, and I agree. We must consider how this could be accomplished, and how Call to Action 13 may be better served.

Only two languages are explicitly protected by name in the Charter of Rights and Freedoms in our Constitution. Importantly, the Charter does not fully outline or advance the language rights of English and French. Instead, as two examples, the

advancement of language rights is found in acts such as the Official Languages Act and the Language Skills Act. Simply put, acts like these operationalize those rights.

Indigenous or Aboriginal rights are also recognized and affirmed by the Charter. This language is important because the Charter is not the source of those rights. Slowly and judiciously, Indigenous rights have been laid out by the Supreme Court of Canada, and those outlined are not exhaustive.

- (2050)

In terms of language rights, I wish to point out that the Official Languages Act does not extinguish the legal and customary rights of other languages.

Colleagues, I cannot support Bill S-220, because of its exclusionary intent. However, if the bill goes to committee, I support Senator Dalphond's suggestion to look at the constitutional validity of using the Language Skills Act to put restraints on the appointment of the Governor General.

I would add that we should use this opportunity to consider how we can begin to operationalize Indigenous language rights. As an example, we could consider changing "both official languages" to "any two official languages." This change would diminish the prevalence of French or English as official languages, as assuredly these two languages are more common in Canada.

But while some may lament that Mary Simon does not speak both official languages, I would respond that she does speak two official languages of Canada — one of the original languages and one of the later languages — and I hope that more of our original languages will make that transition to official languages provincially, territorially and federally.

Many of us now begin our speeches with a land acknowledgement. As Senator Dalphond rightly noted, Mary Simon told us, during the recent Speech from the Throne, that land acknowledgements must move beyond symbolism.

This brings me to my final point. I want to preface my comments by saying I have the utmost respect for my colleagues, and I believe them when they voice their support for reconciliation. But I wish to express a dire warning that supporting Bill S-220 in the current context is not in line with efforts to reconcile past and ongoing wrongs.

If we are not willing to withstand some discomfort in the face of noteworthy achievements by Indigenous peoples, reconciliation becomes a hollow, performative act. True and lasting reconciliation is not meant to be easy. It has to be accompanied by actions to disrupt racist and colonial discourses and practices, including the myth that Canada was founded on linguistic duality. The truth is that Canada was not built on linguistic duality, but rather it paved over a linguistic plurality.

We are charged here with legislating on matters that will impact Indigenous peoples, but it feels like time and time again there is a lack of understanding and awareness of the true history

of Canada. If we really want to ensure that Indigenous people are not unduly impacted by our decisions, we must urgently address this gap.

To make it a prerequisite for the Governor General to speak English and French — rather than English, French or an Indigenous language — undermines the path towards meaningful and tangible reconciliation.

I understand French may be dying, but Indigenous languages across the country have been strangled for decades, and many have already been killed. In my opinion, protecting the French language does not need to happen at the expense of protecting Indigenous languages. Why should it?

Colleagues, Bill S-220 disregards historical and current realities preventing Indigenous peoples from not only learning or maintaining our Indigenous language, but also becoming fluent in English or French, and, even less, both.

As Senator McCallum said, we are not asking you to learn our languages; we merely ask that you do not stand in our way, as has so often been the case. Please keep this in mind as you deliberate on Bill S-220. *Wela'liog*, thank you.

(On motion of Senator Duncan, debate adjourned.)

FOOD DAY IN CANADA BILL

SECOND READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Black, seconded by the Honourable Senator Griffin, for the second reading of Bill S-227, An Act to establish Food Day in Canada.

Hon. Rose-May Poirier: Honourable senators, I rise today to speak at second reading on Bill S-227, an Act to establish Food Day in Canada. I thank Senator Black for bringing this initiative forward and for his continued promotion and leadership on rural and agricultural issues.

Supporting local food is crucial for all communities, big or small, across our country. As a senator from rural New Brunswick, I understand the importance of supporting local food products. It strengthens the local economy, strengthens the bond in the community between one another and, as we share local food, it is a very important element of our cultural identity.

Honourable senators, every session, we pass these kinds of bills often to commemorate or promote various causes. As we approach the two-year mark of the COVID pandemic and lockdowns in Canada, the timing is as good as it gets to showcase the importance of local food in our country. In times of need, it was the local food chain which made sure Canadians had options and could have confidence in putting food on their table.

Just last week, I was meeting with the Dairy Farmers of New Brunswick. Dairy farmers collectively donated more than \$10 million in dairy products to food banks to support Canadians in need. By talking with their representatives, you easily see they have the well-being of their community at heart. So, for my speech at second reading, I want to share with you different benefits from supporting local food in Canada.

First, local farming projects tend to have an impact beyond economic benefit and providing food to a community. Please allow me to share with you a story from Port Elgin, New Brunswick, a story I am certain we would have heard if our dear now-retired colleague Carolyn Stewart Olsen was still a member of the Senate.

Students from Port Elgin Regional School are learning how to tackle food security in a unique way. They're learning about food from the seed to the table, using a new specialized winter greenhouse to grow their own vegetables. Through the Brewer Foundation in Fredericton, the hope is for the greenhouse to provide a long-term solution for people in their community dealing with food security. The project is designed to also help students think for themselves while learning valuable skills.

What better way for a local project to teach young kids about the importance of food security, growing healthy food and instilling a sense of community at a young age. It is just another reason why supporting local food is important. They make a direct contribution to our community's well-being because, as members of our community, they care about it.

Actually, in my provincial riding of Kent North, our MLA, Kevin Arseneau, is a farmer. While providing food for the community, he also serves as the community's voice on provincial issues. He brings the same passion, work ethic and commitment to his role as MLA.

Another reason to celebrate local food, honourable colleagues, is the cultural impact it has on our identity. There is a passage from Bill S-227 that I really liked, located in the preamble:

And whereas the people of Canada will benefit from a food day in Canada to celebrate local food as one of the most elemental characteristics of all of the cultures that populate this nation . . .

Wherever you go across the country, it is at the centre of it. From Newfoundland's fishing communities and tradition of kissing a trout when being "screeched in," as they say, to the potato in P.E.I., maple syrup in Quebec and beef in Alberta, it is a central figure to our identity.

In a country as diverse as ours, food is central in making bonds with new community members. For example, by visiting the local farmers' market in Moncton, New Brunswick, you will see a variety of food from traditional Acadian cuisines to Korean

cuisines to German cuisines, et cetera. These local farmers' markets are a unique way for new immigrants to integrate into the community and become valued members and contributors.

The Hon. the Speaker: Excuse me, Senator Poirier, I have to interrupt you.

(At 9 p.m., pursuant to the order adopted by the Senate on November 25, 2021, the Senate adjourned until 2 p.m., tomorrow.)

THE SPEAKER

The Honourable George J. Furey

THE GOVERNMENT REPRESENTATIVE IN THE SENATE

The Honourable Marc Gold

THE LEADER OF THE OPPOSITION

The Honourable Donald Neil Plett

FACILITATOR OF THE INDEPENDENT SENATORS GROUP

The Honourable Raymonde Saint-Germain

THE LEADER OF THE CANADIAN SENATORS GROUP

The Honourable Scott Tannas

THE LEADER OF THE PROGRESSIVE SENATE GROUP

The Honourable Jane Cordy

OFFICERS OF THE SENATE

INTERIM CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

Gérald Lafrenière

LAW CLERK AND PARLIAMENTARY COUNSEL

Philippe Hallée

USHER OF THE BLACK ROD

J. Greg Peters

THE MINISTRY

(In order of precedence)

(March 1, 2022)

The Right Hon. Justin Trudeau	Prime Minister
The Hon. Chrystia Freeland	Minister of Finance
	Deputy Prime Minister
The Hon. Lawrence MacAulay	Minister of Veterans Affairs
	Associate Minister of National Defence
The Hon. Carolyn Bennett	Minister of Mental Health and Addictions
	Associate Minister of Health
The Hon. Dominic LeBlanc	Minister of Infrastructure and Communities
	Minister of Intergovernmental Affairs
The Hon. Jean-Yves Duclos	Minister of Health
The Hon. Marie-Claude Bibeau	Minister of Agriculture and Agri-Food
The Hon. Mélanie Joly	Minister of Foreign Affairs
The Hon. Diane LeBouthillier	Minister of National Revenue
The Hon. Harjit S. Sajjan	Minister of International Development
	Minister responsible for the Pacific Economic Development Agency of Canada
The Hon. Carla Qualtrough	Minister of Employment, Workforce Development and Disability Inclusion
	Minister of Indigenous Services
The Hon. Patty Hajdu	Minister responsible for the Federal Economic Development Agency for Northern Ontario
	Minister of Innovation, Science and Industry
The Hon. François-Philippe Champagne	Minister of Families, Children and Social Development
The Hon. Karina Gould	Minister of Housing and Diversity and Inclusion
The Hon. Ahmed Hussen	Minister of Official Languages
The Hon. Ginette Petitpas Taylor	Minister responsible for the Atlantic Canada Opportunities Agency
	Minister of Labour
The Hon. Seamus O'Regan	Minister of Canadian Heritage
The Hon. Pablo Rodriguez	President of the Queen's Privy Council for Canada
The Hon. Bill Blair	Minister of Emergency Preparedness
	Minister of Economic Development
	Minister of International Trade
	Minister of Small Business and Export Promotion
The Hon. Filomena Tassi	Minister of Public Services and Procurement
The Hon. Jonathan Wilkinson	Minister of National Resources
The Hon. David Lametti	Minister of Justice
	Attorney General of Canada
The Hon. Joyce Murray	Minister of Fisheries, Oceans and the Canadian Coast Guard
The Hon. Anita Anand	Minister of National Defence
The Hon. Mona Fortier	President of the Treasury Board
The Hon. Steven Guilbeault	Minister of Environment and Climate Change
The Hon. Marco Mendicino	Minister of Public Safety
The Hon. Marc Miller	Minister of Crown-Indigenous Relations
The Hon. Dan Vandal	Minister responsible for Prairies Economic Development Canada
	Minister responsible for the Canadian Northern Economic Development Agency
	Minister of Northern Affairs
The Hon. Omar Alghabra	Minister of Transport
The Hon. Randy Boissonnault	Minister of Tourism
	Associate Minister of Finance
The Hon. Sean Fraser	Minister of Immigration, Refugees and Citizenship
The Hon. Mark Holland	Leader of the Government in the House of Commons
The Hon. Gudie Hutchings	Minister of Rural Economic Development
The Hon. Marci Ien	Minister of Women and Gender Equality and Youth
The Hon. Helena Jaczek	Minister responsible for the Federal Economic Agency for Southern Ontario
The Hon. Kamal Khera	Minister of Seniors
The Hon. Pascale St-Onge	Minister of Sport
	Minister responsible for the Economic Development Agency of Canada for the Regions of Quebec

SENATORS OF CANADA

ACCORDING TO SENIORITY

(March 1, 2022)

Senator	Designation	Post Office Address
The Honourable		
George J. Furey, <i>Speaker</i>	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Dennis Dawson	Lauson	Sainte-Foy, Que.
Sandra M. Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Stephen Greene	Halifax - The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Percy Mockler	New Brunswick	St. Leonard, N.B.
Pamela Wallin	Saskatchewan	Wadena, Sask.
Yonah Martin	British Columbia	Vancouver, B.C.
Patrick Brazeau	Repentigny	Maniwaki, Que.
Leo Housakos	Wellington	Laval, Que.
Donald Neil Plett	Landmark	Landmark, Man.
Claude Carignan, P.C.	Mille Isles	Saint-Eustache, Que.
Dennis Glen Patterson	Nunavut	Iqaluit, Nunavut
Elizabeth Marshall	Newfoundland and Labrador	Paradise, Nfld. & Lab.
Pierre-Hugues Boisvenu	La Salle	Sherbrooke, Que.
Judith G. Seidman	De la Durantaye	Saint-Raphaël, Que.
Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.
Salma Ataullahjan	Ontario (Toronto)	Toronto, Ont.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Larry W. Smith	Saurel	Hudson, Que.
Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.
Jean-Guy Dagenais	Victoria	Blainville, Que.
Vernon White	Ontario	Ottawa, Ont.
Diane Bellemare	Alma	Outremont, Que.
David M. Wells	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Victor Oh	Mississauga	Mississauga, Ont.
Denise Batters	Saskatchewan	Regina, Sask.
Scott Tannas	Alberta	High River, Alta.
Peter Harder, P.C.	Ottawa	Manotick, Ont.
Raymonde Gagné	Manitoba	Winnipeg, Man.
Frances Lankin, P.C.	Ontario	Restoule, Ont.
Ratna Omidvar	Ontario	Toronto, Ont.
Chantal Petitclerc	Grandville	Montreal, Que.
Yuen Pau Woo	British Columbia	North Vancouver, B.C.
Patricia Bovey	Manitoba	Winnipeg, Man.
René Cormier	New Brunswick	Caraget, N.B.
Nancy J. Hartling	New Brunswick	Riverview, N.B.
Kim Pate	Ontario	Ottawa, Ont.
Tony Dean	Ontario	Toronto, Ont.
Diane F. Griffin	Prince Edward Island	Stratford, P.E.I.
Wanda Elaine Thomas Bernard	Nova Scotia (East Preston)	East Preston, N.S.
Sabi Marwah	Ontario	Toronto, Ont.
Howard Wetston	Ontario	Toronto, Ont.
Lucie Moncion	Ontario	North Bay, Ont.
Renée Dupuis	The Laurentides	Sainte-Pétronille, Que.

Senator	Designation	Post Office Address
Marilou McPhedran.....	Manitoba	Winnipeg, Man.
Gwen Boniface.....	Ontario	Orillia, Ont.
Éric Forest.....	Gulf	Rimouski, Que.
Marc Gold.....	Stadacona	Westmount, Que.
Marie-Françoise Mégie	Rougemont.....	Montreal, Que.
Raymonde Saint-Germain	De la Vallière	Quebec City, Que
Dan Christmas.....	Nova Scotia.....	Membertou, N.S.
Rosa Galvez	Bedford.....	Lévis, Que.
David Richards.....	New Brunswick.....	Fredericton, N.B.
Mary Coyle.....	Nova Scotia	Antigonish, N.S.
Mary Jane McCallum.....	Manitoba	Winnipeg, Man.
Robert Black.....	Ontario	Centre Wellington, Ont.
Marty Deacon.....	Waterloo Region	Waterloo, Ont.
Yvonne Boyer	Ontario	Merrickville-Wolford, Ont.
Mohamed-Iqbal Ravalia.....	Newfoundland and Labrador.....	Twillingate, Nfld. & Lab.
Pierre J. Dalphond.....	De Lorimier	Montreal, Que.
Donna Dasko.....	Ontario	Toronto, Ont.
Colin Deacon.....	Nova Scotia.....	Halifax, N.S.
Julie Miville-Dechéne	Inkerman	Mont-Royal, Que.
Bev Busson	British Columbia	North Okanagan Region, B.C.
Marty Klyne	Saskatchewan	White City, Sask.
Patti LaBoucane-Benson	Alberta.....	Spruce Grove, Alta.
Paula Simons	Alberta.....	Edmonton, Alta.
Peter M. Boehm	Ontario	Ottawa, Ont.
Brian Francis	Prince Edward Island	Rocky Point, P.E.I.
Margaret Dawn Anderson	Northwest Territories	Yellowknife, N.W.T.
Pat Duncan	Yukon.....	Whitehorse, Yukon
Rosemary Moodie	Ontario	Toronto, Ont.
Stan Kutcher.....	Nova Scotia.....	Halifax, N.S.
Tony Loffreda	Shawinigan	Montreal, Que.
Brent Cotter.....	Saskatchewan.....	Saskatoon, Sask.
Hassan Yussuff.....	Ontario	Toronto, Ont.
Bernadette Clement.....	Ontario	Cornwall, Ont.
Jim Quinn.....	New Brunswick.....	Saint John, N.B.
Karen Sorensen	Alberta.....	Banff, Alta.
Amina Gerba	Rigaud	Blainville, Que.
Clément Gignac.....	Kennebec.....	Lac Saint-Joseph, Que.
Michèle Audette.....	De Salaberry.....	Quebec City, Que.
David Arnot.....	Saskatchewan	Saskatoon, Sask.

SENATORS OF CANADA

ALPHABETICAL LIST

(March 1, 2022)

Senator	Designation	Post Office Address	Political Affiliation
The Honourable			
Anderson, Margaret Dawn	Northwest Territories	Yellowknife, N.W.T.	Progressive Senate Group
Arnot, David	Saskatchewan	Saskatoon, Sask.	Independent Senators Group
Ataullahjan, Salma	Ontario (Toronto)	Toronto, Ont.	Conservative Party of Canada
Audette, Michèle	De Salaberry	Quebec City, Que.	Independent Senators Group
Batters, Denise	Saskatchewan	Regina, Sask.	Conservative Party of Canada
Bellemare, Diane	Alma	Outremont, Que.	Independent Senators Group
Bernard, Wanda Elaine Thomas	Nova Scotia (East Preston)	East Preston, N.S.	Progressive Senate Group
Black, Robert	Ontario	Centre Wellington, Ont.	Canadian Senators Group
Boehm, Peter M.	Ontario	Ottawa, Ont.	Independent Senators Group
Boisvenu, Pierre-Hugues	La Salle	Sherbrooke, Que.	Conservative Party of Canada
Boniface, Gwen	Ontario	Orillia, Ont.	Independent Senators Group
Bovey, Patricia	Manitoba	Winnipeg, Man.	Progressive Senate Group
Boyer, Yvonne	Ontario	Merrickville-Wolford, Ont.	Independent Senators Group
Brazeau, Patrick	Repentigny	Maniwaki, Que.	Non-affiliated
Busson, Bev	British Columbia	North Okanagan Region, B.C.	Independent Senators Group
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Canadian Senators Group
Carignan, Claude, P.C.	Mille Isles	Saint-Eustache, Que.	Conservative Party of Canada
Christmas, Dan	Nova Scotia	Membertou, N.S.	Independent Senators Group
Clement, Bernadette	Ontario	Cornwall, Ont.	Independent Senators Group
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Progressive Senate Group
Cormier, René	New Brunswick	Caraquet, N.B.	Independent Senators Group
Cotter, Brent	Saskatchewan	Saskatoon, Sask.	Independent Senators Group
Coyle, Mary	Nova Scotia	Antigonish, N.S.	Independent Senators Group
Dagenais, Jean-Guy	Victoria	Blainville, Que.	Canadian Senators Group
Dalphond, Pierre J.	De Lorimier	Montreal, Que.	Progressive Senate Group
Dasko, Donna	Ontario	Toronto, Ont.	Independent Senators Group
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Progressive Senate Group
Deacon, Colin	Nova Scotia	Halifax, N.S.	Independent Senators Group
Deacon, Marty	Waterloo Region	Waterloo, Ont.	Independent Senators Group
Dean, Tony	Ontario	Toronto, Ont.	Independent Senators Group
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Canadian Senators Group
Duncan, Pat	Yukon	Whitehorse, Yukon	Independent Senators Group
Dupuis, Renée	The Laurentides	Sainte-Pétronille, Que.	Independent Senators Group
Forest, Éric	Gulf	Rimouski, Que.	Independent Senators Group
Francis, Brian	Prince Edward Island	Rocky Point, P.E.I.	Progressive Senate Group
Furey, George J., <i>Speaker</i>	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Non-affiliated
Gagné, Raymonde	Manitoba	Winnipeg, Man.	Non-affiliated
Galvez, Rosa	Bedford	Lévis, Que.	Independent Senators Group
Gerba, Amina	Rigaud	Blainville, Que.	Progressive Senate Group
Gignac, Clément	Kennebec	Lac Saint-Joseph, Que.	Progressive Senate Group
Gold, Marc	Stadacona	Westmount, Que.	Non-affiliated
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Canadian Senators Group
Griffin, Diane F.	Prince Edward Island	Stratford, P.E.I.	Canadian Senators Group
Harder, Peter, P.C.	Ottawa	Manotick, Ont.	Progressive Senate Group
Hartling, Nancy J.	New Brunswick	Riverview, N.B.	Independent Senators Group
Housakos, Leo	Wellington	Laval, Que.	Conservative Party of Canada
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Independent Senators Group
Klyne, Marty	Saskatchewan	White City, Sask.	Progressive Senate Group
Kutcher, Stan	Nova Scotia	Halifax, N.S.	Independent Senators Group
LaBoucane-Benson, Patti	Alberta	Spruce Grove, Alta.	Non-affiliated
Lankin, Frances, P.C.	Ontario	Restoule, Ont.	Independent Senators Group

Senator	Designation	Post Office Address	Political Affiliation
Loffreda, Tony	Shawinegan	Montreal, Que.	Independent Senators Group
Lovelace Nicholas, Sandra M.	New Brunswick	Tobique First Nations, N.B.	Progressive Senate Group
MacDonald, Michael L.	Cape Breton	Dartmouth, N.S.	Conservative Party of Canada
Manning, Fabian	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.	Conservative Party of Canada
Marshall, Elizabeth	Newfoundland and Labrador	Paradise, Nfld. & Lab.	Conservative Party of Canada
Martin, Yonah	British Columbia	Vancouver, B.C.	Conservative Party of Canada
Marwah, Sabi	Ontario	Toronto, Ont.	Independent Senators Group
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Independent Senators Group
McCallum, Mary Jane	Manitoba	Winnipeg, Man.	Independent Senators Group
McPhedran, Marilou	Manitoba	Winnipeg, Man.	Non-affiliated
Mégie, Marie-Françoise	Rougemont	Montreal, Que.	Independent Senators Group
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Progressive Senate Group
Miville-Dechéne, Julie	Inkerman	Mont-Royal, Que.	Independent Senators Group
Mockler, Percy	New Brunswick	St. Leonard, N.B.	Conservative Party of Canada
Moncion, Lucie	Ontario	North Bay, Ont.	Independent Senators Group
Moodie, Rosemary	Ontario	Toronto, Ont.	Independent Senators Group
Oh, Victor	Mississauga	Mississauga, Ont.	Conservative Party of Canada
Omidvar, Ratna	Ontario	Toronto, Ont.	Independent Senators Group
Pate, Kim	Ontario	Ottawa, Ont.	Independent Senators Group
Patterson, Dennis Glen	Nunavut	Iqaluit, Nunavut	Canadian Senators Group
Petitclerc, Chantal	Grandville	Montreal, Que.	Independent Senators Group
Plett, Donald Neil	Landmark	Landmark, Man.	Conservative Party of Canada
Poirier, Rose-May	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.	Conservative Party of Canada
Quinn, Jim	New Brunswick	Saint John, N.B.	Canadian Senators Group
Ravalia, Mohamed-Iqbal	Newfoundland and Labrador	Twillingate, Nfld. & Lab.	Independent Senators Group
Richards, David	New Brunswick	Fredericton, N.B.	Canadian Senators Group
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Independent Senators Group
Saint-Germain, Raymonde	De la Vallière	Quebec City, Que.	Independent Senators Group
Seidman, Judith G.	De la Durantaye	Saint-Raphaël, Que.	Conservative Party of Canada
Simons, Paula	Alberta	Edmonton, Alta.	Independent Senators Group
Smith, Larry W.	Sauvel	Hudson, Que.	Conservative Party of Canada
Sorensen, Karen	Alberta	Banff, Alta.	Independent Senators Group
Tannas, Scott	Alberta	High River, Alta.	Canadian Senators Group
Verner, Josée, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.	Canadian Senators Group
Wallin, Pamela	Saskatchewan	Wadena, Sask.	Canadian Senators Group
Wells, David M.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative Party of Canada
Wetston, Howard	Ontario	Toronto, Ont.	Independent Senators Group
White, Vernon	Ontario	Ottawa, Ont.	Canadian Senators Group
Woo, Yuen Pau	British Columbia	North Vancouver, B.C.	Independent Senators Group
Yussuff, Hassan	Ontario	Toronto, Ont.	Independent Senators Group

SENATORS OF CANADA
BY PROVINCE AND TERRITORY

(March 1, 2022)

ONTARIO—24

Senator	Designation	Post Office Address
The Honourable		
1	Salma Ataullahjan.....Ontario (Toronto)	Toronto
2	Vernon White.....Ontario	Ottawa
3	Victor Oh.....Mississauga	Mississauga
4	Peter Harder, P.C.Ottawa	Manotick
5	Frances Lankin, P.C.....Ontario	Restoule
6	Ratna Omidvar.....Ontario	Toronto
7	Kim Pate.....Ontario	Ottawa
8	Tony Dean.....Ontario	Toronto
9	Sabi Marwah.....Ontario	Toronto
10	Howard Wetston.....Ontario	Toronto
11	Lucie Moncion.....Ontario	North Bay
12	Gwen Boniface.....Ontario	Orillia
13	Robert Black.....Ontario	Centre Wellington
14	Marty Deacon.....Waterloo Region	Waterloo
15	Yvonne Boyer.....Ontario	Merrickville-Wolford
16	Donna Dasko.....Ontario	Toronto
17	Peter M. Boehm.....Ontario	Ottawa
18	Rosemary Moodie.....Ontario	Toronto
19	Hassan Yussuff.....Ontario	Toronto
20	Bernadette Clement.....Ontario	Cornwall
21	
22	
23	
24	

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
The Honourable		
1 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
2 Dennis Dawson	Lauzon.....	Ste-Foy
3 Patrick Brazeau	Repentigny	Maniwaki
4 Leo Housakos	Wellington.....	Laval
5 Claude Carignan, P.C.....	Mille Isles.....	Saint-Eustache
6 Judith G. Seidman.....	De la Durantaye.....	Saint-Raphaël
7 Pierre-Hugues Boisvenu	La Salle	Sherbrooke
8 Larry W. Smith	Saurel	Hudson
9 Josée Verner, P.C.....	Montarville.....	Saint-Augustin-de-Desmaures
10 Jean-Guy Dagenais	Victoria.....	Blainville
11 Diane Bellemare	Alma.....	Outremont
12 Chantal Petitclerc.....	Grandville.....	Montreal
13 Renée Dupuis.....	The Laurentides.....	Saint-Pétronille
14 Éric Forest.....	Gulf	Rimouski
15 Marc Gold.....	Stadacona	Westmount
16 Marie-Françoise Mégie.....	Rougemont	Montreal
17 Raymonde Saint-Germain.....	De la Vallière	Quebec City
18 Rosa Galvez	Bedford.....	Lévis
19 Pierre J. Dalphond.....	De Lorimier.....	Montreal
20 Julie Miville-Dechêne.....	Inkerman	Mont-Royal
21 Tony Loffreda	Shawinigan	Montreal
22 Amina Gerba.....	Rigaud	Blainville
23 Clément Gignac	Kennebec.....	Lac Saint-Joseph
24 Michèle Audette.....	De Salaberry.....	Quebec City

SENATORS BY PROVINCE—MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
The Honourable		
1 Jane Cordy	Nova Scotia	Dartmouth
2 Terry M. Mercer	Northend Halifax	Caribou River
3 Stephen Greene	Halifax - The Citadel	Halifax
4 Michael L. MacDonald	Cape Breton	Dartmouth
5 Wanda Elaine Thomas Bernard	Nova Scotia (East Preston)	East Preston
6 Dan Christmas	Nova Scotia	Membertou
7 Mary Coyle	Nova Scotia	Antigonish
8 Colin Deacon	Nova Scotia	Halifax
9 Stan Kutcher	Nova Scotia	Halifax
10		

NEW BRUNSWICK—10

Senator	Designation	Post Office Address
The Honourable		
1 Pierrette Ringuette	New Brunswick	Edmundston
2 Sandra M. Lovelace Nicholas	New Brunswick	Tobique First Nations
3 Percy Mockler	New Brunswick	St. Leonard
4 Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent
5 René Cormier	New Brunswick	Caraquet
6 Nancy J. Hartling	New Brunswick	Riverview
7 David Richards	New Brunswick	Fredericton
8 Jim Quinn	New Brunswick	Saint John
9		
10		

PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
The Honourable		
1 Percy E. Downe	Charlottetown	Charlottetown
2 Diane F. Griffin	Prince Edward Island	Stratford
3 Brian Francis	Prince Edward Island	Rocky Point
4		

SENATORS BY PROVINCE—WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
The Honourable		
1 Donald Neil Plett	Landmark	Landmark
2 Raymonde Gagné.....	Manitoba	Winnipeg
3 Patricia Bovey.....	Manitoba	Winnipeg
4 Marilou McPhedran	Manitoba	Winnipeg
5 Mary Jane McCallum.....	Manitoba	Winnipeg
6		

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
The Honourable		
1 Mobina S. B. Jaffer	British Columbia	North Vancouver
2 Larry W. Campbell	British Columbia	Vancouver
3 Yonah Martin.....	British Columbia	Vancouver
4 Yuen Pau Woo.....	British Columbia	North Vancouver
5 Bev Busson	British Columbia	North Okanagan Region
6		

SASKATCHEWAN—6

Senator	Designation	Post Office Address
The Honourable		
1 Pamela Wallin.....	Saskatchewan	Wadena
2 Denise Batters	Saskatchewan	Regina
3 Marty Klyne.....	Saskatchewan	White City
4 Brent Cotter	Saskatchewan	Saskatoon
5 David Arnot	Saskatchewan	Saskatoon
6		

ALBERTA—6

Senator	Designation	Post Office Address
The Honourable		
1 Scott Tannas.....	Alberta.....	High River
2 Patti LaBoucane-Benson.....	Alberta.....	Spruce Grove
3 Paula Simons	Alberta.....	Edmonton
4 Karen Sorensen	Alberta.....	Banff
5		
6		

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
The Honourable		
1	George J. Furey, <i>Speaker</i>	Newfoundland and Labrador St. John's
2	Elizabeth Marshall	Newfoundland and Labrador Paradise
3	Fabian Manning	Newfoundland and Labrador St. Bride's
4	David M. Wells.....	Newfoundland and Labrador St. John's
5	Mohamed-Iqbal Ravalia.....	Newfoundland and Labrador Twillingate
6

NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
The Honourable		
1	Margaret Dawn Anderson.....	Northwest Territories Yellowknife

NUNAVUT—1

Senator	Designation	Post Office Address
The Honourable		
1	Dennis Glen Patterson.....	Nunavut Iqaluit

YUKON—1

Senator	Designation	Post Office Address
The Honourable		
1	Pat Duncan.....	Yukon Whitehorse

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