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Wednesday, June 15, 2022

The Honourable GEORGE J. FUREY,  
Speaker

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## THE SENATE

Wednesday, June 15, 2022

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

Prayers.

[*Translation*]

### SENATORS' STATEMENTS

#### FIRST NATIONS REGIONAL ECONOMIC CIRCLE

**Hon. Diane Bellemare:** Honourable senators, *kwei*. I rise today to speak in the Senate, which is located on the traditional unceded territory of the Anishinaabe Algonquin Nation.

To mark National Indigenous History Month in true Quebec fashion, I would like to share with you a very interesting initiative that is taking place today and tomorrow in the Innu community of Mashteuiatsh in Saguenay—Lac-Saint-Jean. It is the first ever First Nations regional economic circle, with the theme “Relations Between Us.”

This gathering, which will be held in French, is being organized as a follow-up to the first Grand Economic Circle of Indigenous Peoples and Quebec, which took place in November in Montreal. The objective was to ensure the full participation of Indigenous peoples in Quebec’s economy, and participants expressed a desire to continue the conversations in the regions and to develop concrete projects.

This is the first of several regional circles that will be held across Quebec. This time, more than 250 participants, including both Indigenous and non-Indigenous stakeholders, elected officials and entrepreneurs, are meeting with the objective of building partnerships. It is a great example of social dialogue in action.

In an article published on April 13 in *Le Devoir*, Pekuakamiulnuatsh First Nation Chief Gilbert Dominique was quoted as saying that Quebec’s business community is increasingly interested in establishing good relations with Indigenous peoples.

He went on to say:

. . . there are benefits to creating businesses in partnership with band councils — and to establishing businesses in Indigenous communities, or at least nearby.

Subjects on the agenda include financing tools, Indigenous rights and affirmation, renewable energy, tourism, training and innovation.

We have much to learn from the values of Indigenous communities, including cooperation and sharing. In Quebec and elsewhere, these grand economic circles can show us the way toward inclusive economic development that demonstrates greater respect for communities and resources and recognizes dialogue as key to finding mutually beneficial solutions.

This event is certainly in keeping with the National Indigenous Economic Strategy that was launched recently by a group of Indigenous economic and business organizations. Senator Brian Francis, caucus chair of the Progressive Senate Group, is involved.

I hope this will be an opportunity for all the participants to forge ties with one another and with us.

Thank you. *Meegwetch*.

**Some Hon. Senators:** Hear, hear.

#### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Frédéric Perreault. He is the guest of the Honourable Senator Dagenais.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

**Hon. Senators:** Hear, hear!

#### FRÉDÉRIC PERREAULT

**Hon. Jean-Guy Dagenais:** Honourable senators, my guest today is a young political adviser from the Quebec National Assembly.

Since 2020, Frédéric Perreault has been working with the MNA for Vimont, my friend Jean Rousselle, who just announced that he is retiring from politics. A graduate of the communication and politics program at the University of Montreal, Frédéric also serves as the coordinator for the Quebec Liberal Party’s youth commission.

I am also proud to say that, in 2017, he contributed to a short film produced by the Sûreté du Québec to raise awareness among young people about drug- and alcohol-impaired driving. He also has an extensive and impressive record as a volunteer.

When Frédéric reached out a few months ago and asked if I could give him a closer look at how politics works here in Ottawa, I immediately agreed. His visit today will enable him to compare the parliamentary system used here in Ottawa with the one used in the province of Quebec. In my humble opinion, you can never have too many people spreading the word about our work as parliamentarians.

More importantly, let me say that you can never have too many young people interested in politics. The low voter turnout in Canada is troubling, and we need to quickly find ways to revive political interest among young people.

To me, the next generation is important in politics. I honestly believe that we have a duty to open our doors to those who are curious, those who have the knowledge and sharp wits to support us in our daily work.

This visit is not insignificant. Frédéric Perreault's presence today in the gallery of this chamber coincides with the imminent end of our parliamentary session.

I'm going to use this visit as an opportunity to acknowledge and commend all those who work in the senators' offices. We would definitely be lost without them. I especially want to praise them for all the work they have done over the past year under the dangerous and exceptional circumstances brought on by the pandemic. All of us, both here and at home, have benefited from their ability to serve us during difficult times.

I want to thank them for their adaptability and their individual willingness to keep each senator's office running so the work could get done.

Thank you.

**Hon. Senators:** Hear, hear.

• (1410)

[English]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of the Inuit Tapiriit Kanatami (ITK) summer youth employment cohort. They are the guests of the Honourable Senator Anderson.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

**Hon. Senators:** Hear, hear!

[Translation]

#### GENEVIÈVE RIOUX

**Hon. Éric Forest:** Esteemed colleagues, I rise today to share a message of hope that is addressed in particular to all women who are survivors of assault and to those supporting them in their recovery. This ray of hope is inspired by the resilience of Geneviève Rioux, a wonderful young woman from Rimouski. She just published *Survivaces*, a collection of poetry that helped with her healing journey.

In April 2018, Geneviève was assaulted by a masked individual who broke into her home. After attempting to sexually assault her and stabbing her 18 times, he fled, leaving her for dead.

Nineteen years earlier, Geneviève and her family had lived through a similar trauma when her mother was assaulted in the family home while Geneviève and her little sister slept upstairs. Geneviève clung to life by digging deep. After recovering

physically while continuing her studies in psychology, she threw herself into writing to vanquish her demons. Since the attack, Geneviève has turned to poetry to feel free again and regain control of her life.

Everything began to fall into place after she met novelist and poet David Goudreault, who gave her encouragement and is still mentoring her as a writer. Geneviève's poetry collection, *Survivaces*, is a reflection on the cycle of violence that affects far too many women. Through her poetry, Geneviève hopes to give a voice to the suffering of victims of violence and their loved ones.

Although the author says her work has become a tool for justice, this does not absolve the legislator of responsibility. We need to do more to address violence against women. It is worth noting that the World Health Organization believes that a public health approach that seeks to limit the risk of violence against women and girls has been and still is key to preventing femicide.

Recently, Geneviève Rioux and David Goudreault jointly launched their poetry collections, *Survivaces* and *Vif oubli*, to give a voice and hope to those who are suffering.

Today, I wanted to tell Geneviève Rioux's story. It is not easy to listen to, but let's hope that it will advance this cause and give hope to survivors and those who support them. Thank you.

**Some Hon. Senators:** Hear, hear.

#### JENNIFER E. JONES

**Hon. Amina Gerba:** Honourable senators, I rise today to pay tribute to Jennifer Jones, the first woman to hold the high office of president of Rotary International.

Founded in 1905, Rotary International is now one of the largest charitable organizations in the world. It has more than 1.4 million members, spread over 35,000 Rotary clubs across five continents.

Its members are mainly entrepreneurs and professionals who have distinguished themselves in their sectors of activity. As a member myself and a Paul Harris Fellow, that is to say a recognized donor of Rotary International, I had the privilege of serving as president of the Rotary Club of Old Montreal. "Serving first:" this is the vocation of Rotary International, to serve those most in need, by ensuring the financing of humanitarian works at the local and international level.

Dear colleagues, the appointment of Canadian Jennifer Jones as head of Rotary International is a great honour for our country. A Rotarian since 1997, Jennifer Jones has served the organization well, including as district governor, committee chair, training leader, vice-president, and now president. This journey is noteworthy in an organization that originally did not even accept women as members.

In becoming president of Rotary International, Ms. Jones shattered a major glass ceiling that for the past 115 years has blocked women, or a woman, from accessing the highest office in the organization, the presidency of Rotary International.

Colleagues, join me in warmly congratulating our fellow citizen Jennifer Jones. We wish her a happy and fruitful term as president of Rotary International for the year 2022-23.

**Some Hon. Senators:** Hear, hear.

[English]

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of a group of students from West Carleton Secondary School. They are the guests of the Honourable Senator McPhedran.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

**Hon. Senators:** Hear, hear!

### NUCLEAR WARHEAD STOCKPILES

**Hon. Marilou McPhedran:** Honourable senators, I would like to take a moment of my time to thank my colleagues Senator Yonah Martin and the other members of the Conservative caucus for very generously giving me this time today. As everybody knows, unaffiliated independent senators almost never get this chance, so I'm very grateful.

I'm also delighted to be able to speak today when guests from West Carleton Secondary School are with us, and I want to also salute our colleagues who have already spoken about the importance of youth engagement and youth participation in strengthening our democracy.

I met Hamza, who was the host from West Carleton at a reception that focused on lowering the federal voting age to 16. We got to talking, and I said that, "Yes, indeed, the Senate loves to have guests, and we particularly like to welcome young guests," so this is the result of that conversation. Thank you, Hamza, for following up, and thank you to your student colleagues who are with us today.

On Monday this week, the Stockholm International Peace Research Institute reported on the heightened tensions among the world's nine nuclear-armed states. It is very much exacerbated by the illegal invasion by Russia of Ukraine and, of course, as we are all aware, by Putin's threats to use nuclear weapons if he is not allowed to complete his genocide of the Ukrainian people.

Countries increasing their stockpiles of nuclear warheads included the U.K., which in 2021 announced its decision to increase the ceiling on its total warhead stockpile. This is a reversal of a decades-long trend since World War II. The increases that have been announced by a number of countries that have nuclear weapons come despite the fact that the UN Security Council — all five permanent members, in fact — made a statement just last year saying, "... nuclear war cannot be won and must never be fought."

Yet, the nine nuclear-armed states spent \$82.4 billion on their nuclear weapons in 2021, during a continuing global pandemic and only months before Russia began assembling troops on the border of Ukraine. This is an inflation-adjusted increase of \$6.5 billion over the previous year.

This report is entitled *Squandered: 2021 Global Nuclear Weapons Spending*.

I want to note with great appreciation that more than 40 senators have signed on to the parliamentary pledge to work to prohibit nuclear weapons, and next week is Nuclear Ban Week in Austria. Thank you very much.

• (1420)

## ROUTINE PROCEEDINGS

### AUDIT AND OVERSIGHT

#### SIXTH REPORT OF COMMITTEE PRESENTED

**Hon. Marty Klyne,** Chair of the Standing Committee on Audit and Oversight, presented the following report:

Wednesday, June 15, 2022

The Standing Committee on Audit and Oversight has the honour to present its

#### SIXTH REPORT

Your committee, which was authorized to examine and report on the appropriate consequential amendments to the *Rules of the Senate* and to chapter 3:05 of the *Senate Administrative Rules* that may be necessary for the implementation of the *Senate Audit and Oversight Charter*, in relation to the committee's mandate and procedures, has, in obedience with the order of the Senate of Tuesday, June 7, 2022, examined the said consequential amendments and now reports as follows:

1. That the *Rules of the Senate* be amended by

(a) replacing rule 12-6(2) with the following:

"**12-6.** (2) The quorum of the Standing Committee on Audit and oversight shall be two Senators and one external member, except in the case of the organization meeting or when the committee is meeting to consider a report to the Senate nominating its external members. For these meetings the quorum shall be three Senators.";

(b) replacing rule 12-7(17)(e) with the following:

"(e) review the Senate's quarterly financial reports and the audited financial statements, for information purposes; and"; and

- (c) replacing the first sentence of rule 12-13(4) with the following:

“**12-13.** (4) After electing its chair and deputy chair, the Standing Committee on Audit and Oversight may, until the Senate has named the external members, only meet to consider a draft report to the Senate nominating the external members for the committee.”.

2. For greater certainty, your committee recommends that the proposed new wording of rule 12-7(17)(e) be maintained even after it becomes rule 12-7(4)(e), on July 31, 2022, as a consequence of the coming into force of the Third Report of the Standing Committee on Rules, Procedures and the Rights of Parliament, adopted by the Senate on May 12, 2022, and that the *Senate Audit and Oversight Charter* be amended in consequence.
3. That the *Senate Administrative Rules* be amended, in Chapter 3:05, by
- (a) adding the following after subsection 2(2):

“**(3)** Notwithstanding subsections (1) and (2), a budget for the Standing Committee on Audit and Oversight must be approved by the Senate. Any budget of the committee shall

(a) be adopted by the committee;

(b) be presented to the Senate as a report of the committee; and

(c) contain a general estimate of the total cost of expenses for carrying out the committee’s mandate or any other order of the Senate.”; and

- (b) replacing section 3 with the following:

“**3.** Except for a budget and report referred to in subsection 2(3), committee budgets and reports shall be in a form approved by the Internal Economy Committee.”.

Respectfully submitted,

MARTY KLYNE

*Chair*

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Klyne, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

[ Senator Klyne ]

**CUSTOMS ACT  
PRECLEARANCE ACT, 2016**

BILL TO AMEND—THIRD REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE PRESENTED

**Hon. Tony Dean**, Chair of the Standing Senate Committee on National Security and Defence, presented the following report:

Wednesday, June 15, 2022

The Standing Senate Committee on National Security and Defence has the honour to present its

**THIRD REPORT**

Your committee, to which was referred Bill S-7, An Act to amend the Customs Act and the Preclearance Act, 2016, has, in obedience to the order of reference of May 11, 2022, examined the said bill and now reports the same with the following amendments:

1. *Clause 1, page 1:* Replace lines 12 and 13 with the following:

“about to be exported, has had its network connectivity disabled and is in the custody or possession of a person if the officer has reasonable grounds to suspect”.

2. *Clause 2, page 2:* Add the following after line 14:

“(a.01) respecting measures to be taken by an officer if a person asserts that a document to be examined under subsection 99.01(1) is subject to a privilege under the law of evidence, solicitor-client privilege or the professional secrecy of advocates and notaries, or litigation privilege;”.

3. *Clause 9, page 5:* Replace lines 3 and 4 with the following:

“bound for the United States and that has its network connectivity disabled if the preclearance officer has reasonable grounds to suspect that”.

4. *Clause 12, page 6:*

- (a) Replace line 8 with the following:

“a traveller bound for the United States, that has its network connectivity disabled and that is to be”;

- (b) replace lines 10 and 11 with the following:

“6(2)(a) if the preclearance officer has reasonable grounds to suspect that”.

5. *Clause 16, page 7:* Add the following after line 22:

“(c.2) respecting measures to be taken by a preclearance officer if a person asserts that a document to be examined, searched or detained under section 20.1 or 28.1 is subject to a privilege under the law of evidence, solicitor-client privilege or the professional secrecy of advocates and notaries, or litigation privilege;”.

Respectfully submitted,

TONY DEAN

*Chair*

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Dean, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

## QUESTION PERIOD

### FOREIGN AFFAIRS

#### RUSSIAN EMBASSY EVENT

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, today I have a question for the government leader in the Senate.

Leader, Ukraine has been under constant attack by Russia since February 24. Millions of Ukrainians have been displaced from their homes. Over 4,000 civilians have been killed, including 200 innocent children. Putin’s illegal invasion of Ukraine has threatened food security worldwide. Despite all the misery and death Putin has caused, the Trudeau NDP-Liberal government thought it was perfectly fine to send an official to a fancy party at the Russian embassy last Friday to enjoy a lavish spread of food and drinks.

Minister Joly claims she didn’t know about this, although her office was aware. Even if we believe that, leader — and there is a big “if” there — how is it possible that almost four months since the war began Minister Joly did not make it clear to her staff that attending a party at the Russian embassy is wrong?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. I am advised, indeed, as you pointed out, that though her office was made aware, the minister was not. The minister has stated publicly that it is totally unacceptable. The Prime Minister has said so as well. As Government Representative, I underline and agree with both of those statements.

**Senator Plett:** Where does the buck stop with this NDP-Liberal government? Minister Joly’s office initially defended sending an official. She defended sending an official to this party before they reversed course and apologized. It’s clear now that

the NDP-Liberal government can’t even do the bare minimum properly. They can’t even give symbolic support to Ukraine by turning down an invitation to a lavish party at the Russian embassy.

Who takes the fall for this, leader? Who is accountable? Who answers? Minister Joly said on Monday that the buck stops with her, but what does that mean, leader? We’ve never seen ministerial accountability from the Trudeau government, so we’re hardly going to start seeing it now. Does anyone lose their job over this?

**Senator Gold:** Minister Joly has taken responsibility, and that is a paradigmatic definition of what ministerial responsibility is. Minister Joly represents Canada and defends Canada’s interests in an exemplary fashion. Canada continues to be a strong ally of Ukraine and continues to support it financially, militarily and with humanitarian assistance.

[*Translation*]

## PUBLIC SAFETY

### EMERGENCIES ACT

**Hon. Claude Carignan:** Honourable senators, my question is for the Leader of the Government in the Senate.

Leader, as you know, I sit on the Special Joint Committee on the Declaration of Emergency. The committee has been hearing from witnesses for several weeks, and it has emerged that the Minister of Public Safety lied to the House by saying that the request came from law enforcement. Police denied making the request. We are also hearing justifications for the economic measures, such as cross-border transfers, and we have learned that the Ambassador Bridge was cleared on the weekend of February 12 and 13, whereas the Prime Minister’s Office and cabinet made their decision on February 13 at 8:30 a.m. during a cabinet meeting, after the bridge had been cleared.

Clearly, the government is trying to justify a political decision that was meant to give the impression that it wanted to do something. In the end, it turned out to be a severe overreaction and an abuse of power.

When will the government admit it made a mistake and apologize to Canadians?

**Hon. Marc Gold (Government Representative in the Senate):** I thank the honourable senator for his question.

First, the minister did not lie. His words were misinterpreted, as one of our colleagues in Parliament explained.

Second, it is the Government of Canada’s position — and I have gone over this at length here — that invoking the act in question in order to provide the necessary tools to resolve the ongoing problem here in the national capital was entirely legitimate.

We are pleased that the parliamentary process is unfolding and that people are asking us questions, good questions, real questions, legitimate questions, but the government maintains that invoking the Emergencies Act was appropriate given the circumstances.

**Senator Carignan:** As you know, government leader, I have an excellent research and analysis team. It found out that the Minister of Public Safety said 12 times that he was acting at the request of police. It's one thing to say his words were misinterpreted once or that he misspoke once, but the fact that he did so 12 times under varying circumstances and on different days suggests that the minister misled the House.

When will the Prime Minister ask the Minister of Public Safety to resign?

• (1430)

**Senator Gold:** Thank you for the question.

The question we must ask ourselves is the following: Was the Government of Canada right?

The answer is clear and simple, and it is public information: Although the government did not receive specific requests from police, it is clear that they informed the government that they did not have the right tools or that the law did not provide them with the proper tools to deal with the challenging situation in Ottawa.

When it heard their requests for tools that they could not access unless this act was invoked, the government decided to take action.

## HEALTH

### BLOOD DONATION SCREENING CRITERIA

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

Senator Gold, since it's National Blood Donor Week, I would like to remind this chamber of recent advances in blood donor screening. On April 28, 2022, Health Canada eliminated the three-month donor deferral period for men who have sex with men and replaced it with a less discriminatory screening approach.

Starting in the fall of 2022, all donors will be screened for high-risk sexual behaviour, regardless of their gender identity or sexual orientation.

[ Senator Gold ]

[English]

That said, in *The Hill Times* article of May 13, 2022, Dane Griffiths, director of the Gay Men's Sexual Health Alliance said:

... the new policy will still discriminate against the "vast majority of gay and bisexual men" who will still not be able to donate, as well as further increasing the stigma surrounding queer sex, specifically regarding HIV/AIDS.

This is particularly so given that Health Canada's policy for assessing high-risk behaviour will not take into consideration advances like pre-exposure prophylaxis, or PrEP, a medication that prevents HIV transmission, and the fact that potential donors who are HIV-positive can have an undetectable viral load.

[Translation]

April's announcement is a first step, but it is not enough. Senator Gold, what steps does the Canadian government plan to take next to improve and adapt blood donation eligibility for the LGBTQ2+ community, and when will this happen?

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

The government remains committed to supporting blood and plasma donation policies in Canada that are safe, non-discriminatory and scientifically based.

As you mentioned, on April 28, Health Canada authorized a submission from Canadian Blood Services to eliminate the three-month blanket donor deferral period for all sexually active men who have sex with men. This deferral period will be replaced by an approach that screens all donors for high-risk sexual behaviour, regardless of their gender identity or sexual orientation.

The authorization is a significant milestone toward a more inclusive blood donation system nationwide and builds on progress in scientific evidence made in recent years thanks to government-funded research.

Under the Blood Regulations, Canada's two blood operators, Canadian Blood Services and Héma-Québec, are required to make submissions to Health Canada for any changes to their processes, such as changes to donor deferrals. Héma-Québec has indicated that more flexible donor screening criteria for plasma will be implemented in the fall of 2022.

In the months that follow, the organization plans to file a submission with Health Canada to extend these measures to other types of donations, such as whole blood and platelet donations.



**Senator Cormier:** Thank you for the answer, Senator Gold. Can I count on you to make sure Health Canada responds to the submissions that will be filed in this regard?

**Senator Gold:** I will do my best.

[*English*]

## JUSTICE

### FEMALE GENITAL MUTILATION

**Hon. Frances Lankin:** Honourable senators, my question is for the Government Representative in the Senate.

First of all, I would like to thank Senator Jaffer and Senator Gerba for their recent forum on the issue of female genital mutilation, and Senator Gold, this is the issue I wish to ask you a question about today.

In February 2021, Senator Jaffer requested data from you with respect to prosecutions under the Criminal Code that outlaw female genital mutilation. As you pointed out, the government doesn't control the charges and prosecutions in that process, but the government is responsible for determining if their law is having the desired impact on, for example, justice for victims, penalizing the perpetrators found guilty and, certainly, as with most laws, general deterrence. Without having such data, it is hard to know whether this law is having an impact given that we do not see many prosecutions.

Since the government has been made aware of this — this was almost a year and a half ago — could you tell us what the government has done to gather such data, publicize it and what the impact of this Criminal Code provision has actually been since its inception? Thank you.

**Hon. Marc Gold (Government Representative in the Senate):** That's a very important question, and I thank you for it. Thank you also for reminding the chamber that the prosecution of Criminal Code offences is typically of provincial jurisdiction. At the risk of being seen — and unfairly, might I stipulate — as hiding behind jurisdictional issues, there is a real challenge in gathering data, especially disaggregated data. It is difficult not only in the context of criminal law, but also in the health context and in many other areas, as we have experienced.

That said, I don't have an answer to your question. It is one thing to pass a law, and it is another to evaluate whether the law is having its intended impact. I will make inquiries regarding your specific question, and I hope to pass on the answer as soon as I get one.

**Senator Lankin:** Thank you, Senator Gold. I do understand the jurisdictional questions. When I was Minister of Health in Ontario, the ministry brought me a proposal to add a billing code to the Ontario Health Insurance Plan, or OHIP, to cover female circumcision. I said no, and I refused to take it to cabinet. I heard, then, from many people and most particularly mothers who were desperate to protect their daughters from this practice, whether it was being done under the guise of a vacation to a homeland or here in our country, and we know that it is being

done here. Those mothers, some of whom I have reached back out to, do not know about the Criminal Code provision. Publicizing it is an important thing.

You read my mind a little bit in your answer, so I will ask you specifically: Will you ask the government whether they would support a review of the law to determine its impact on deterrence, by either supporting a bill that we can bring forward here in the Senate, through a motion for such a study or, better yet, with an announcement that they will undertake such a review and that it will have started and be under way by this fall?

**Senator Gold:** Honourable senator, I will certainly make inquiries and, concurrent with that, I would encourage interested senators to explore how we can use our good resources and perhaps the reputation of the Senate to bring this measure to light.

I do want to, if you will permit me, underline the importance of publicizing the Criminal Code provisions and the protection that it attempts to provide. In this regard, the federal government addresses the issue, which it deems a serious issue and an odious practice. It addresses this through a federal interdepartmental working group, which is co-chaired by Women and Gender Equality Canada and Global Affairs Canada. It brings together 13 federal departments to provide a forum for collaboration to address harmful practices, including female genital mutilation. The government also supports many initiatives and organizations that are working to end this unacceptable practice.

## FOREIGN AFFAIRS

### AFGHANISTAN CRISIS

**Hon. Pamela Wallin:** Senator Gold, many of us were relieved to see the British Parliament's honest review of their process of withdrawal from Afghanistan, admitting it was a disaster and a betrayal of Afghans.

We, on the other hand, have suggested we could have acted with "greater prudence." That would be to risk painful understatement. Our diplomats fled, Afghans were misled, abandoned and had their documents destroyed — not to mention their homes, families and lives — and some were left to be murdered by the Taliban. Not only did the evacuation fail, but so too has the transition and resettlement.

• (1440)

We have a plane landing tomorrow with a few hundred more Afghans. Why can we not get on top of this and do what we are morally obligated to do, which is to provide safe passage for those who protected and served our military?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. I won't repeat the answer of the minister who was with us earlier this week.

Canada is attempting to do the right and moral thing, and it is doing its very best under the difficult circumstances which were outlined there, including the issuing of visas and other related matters of countries bordering Afghanistan to which some of the

Afghans to whom you referred have fled. But Canada is committed to doing whatever it can, it is doing the best that it can and will continue to do so.

**Senator Wallin:** Senator Gold, we are alone among our allies for not carving out an exemption for charitable work so that payments, direct or indirect, to Afghans do not violate the Criminal Code because we are somehow dealing with a terrorist state. Are we carving out an exemption or making a necessary change to the anti-terrorism law so that this situation can be avoided? What specifically are we doing?

**Senator Gold:** Thank you for raising this. It is an important issue, but it is a complex one and it cuts across multiple government departments.

The Government of Canada is focused on finding a solution that will allow our important work in Afghanistan to continue. I am advised that the government is reviewing recommendations made to it in a special committee report that was recently released. It will respond as soon as possible.

The government has also received additional opinions from members of the legal community. These opinions add additional information for the government to consider as it looks for a medium- and longer-term solution to this problem.

## TRANSPORT

### COVID-19 PANDEMIC—TRAVEL RESTRICTIONS

**Hon. Leo Housakos:** Honourable senators, my question is for the government leader in the Senate.

Senator Gold, your government's deputy leader, Chrystia Freeland, testified yesterday that your government's decision to invoke the Emergencies Act during the "Freedom Convoy" was made because the convoy was a threat to our economic reputation. Not only does the act not list that as legal grounds for its invocation, but your government doesn't seem to suffer any such concerns about the mess it has created at Canada's largest airport, which has been dragging on for two weeks because of your pointless vaccine mandates.

Senator Gold, why is your government continuing to enforce these ridiculous mandates for incoming international travellers?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. I don't need to remind the chamber that the government has recently announced the changes to the rules for domestic travellers and has adjusted the measures over time.

It will continue to monitor the issue as it addresses both the security and safety needs of Canadians and others who want to travel to Canada and the health risks that are still present.

**Senator Housakos:** Senator Gold, your government doesn't need to monitor anything. They need to lift these mandates and unleash Canadians so they can get back to work and get our economy and our country going again.

One of the main causes of the delays at the Toronto Pearson Airport is the doubling of processing times for inbound international travellers because of your vaccine mandates, including the use of the ineffective and unreliable ArriveCAN app.

Senator Gold, when will your government do the right thing for Canada's economic reputation and drop the vaccine mandates for all travellers? How much longer will travellers be forced to use this ridiculous app?

**Senator Gold:** Thank you for your question. The government, as I have stated on many occasions, will continue to monitor the efficacy of the various tools, mandates and the like that are, unfortunately, in place because of the pandemic. The focus has been and will continue to be on the health and safety of Canadians.

### AIRPORT DELAYS

**Hon. Salma Atallahjan:** Honourable senators, my question is for the government leader in the Senate.

Delays in our airports have become more than unpleasant; they have become problematic. According to the *Toronto Star*, roughly 27 flights per day were cancelled last week. Travellers at Toronto Pearson Airport have faced long lineups, delays and cancellations, so much so that it has attracted international attention.

These issues are affecting Canadians trying to get their lives back on track after the pandemic. A bride was late to her own wedding after her flight was cancelled, and she spent the night at the airport. A brother and sister rushing home to see their father before he passed away were forced to say goodbye over the phone because their Air Canada flight through Pearson was cancelled.

I abandoned flying to Ottawa this week for my Senate duties and drove five hours from Toronto to avoid the delays, cancellations and waiting on the tarmac in the airplane.

Senator Gold, Mississauga Mayor Bonnie Crombie has been calling the situation "completely unacceptable." I agree. What is your government's plan to end the chaos at Toronto Pearson Airport?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. The government understands the frustrations that Canadians have been experiencing all across the country, especially at Pearson. It has been working to find solutions. The measures that have been put into place, including staffing and the like, are already showing some effects, and we are seeing improvements as a result of the actions taken by the government. For example, only 10% — it is 10% too many; no one would deny that — of departing passengers are waiting more than 15 minutes in line at Toronto Pearson Airport —

**Some Hon. Senators:** Oh, oh.

**Senator Gold:** — compared to 23% in early May. Work continues and will continue, as the minister has announced.

**Senator Ataullahjan:** Minister of Transport Omar Alghabra recently announced the hiring of 865 more screening employees, but they still have to go through training before they are fully operational. To make matters worse, we have learned that employees in training have been allowed to go right to the front lines of work at the airport. This, no doubt, contributes to the chaos in the airport.

Senator Gold, to what extent will the added employees and the easing of COVID-19 travel restrictions address airport delays, and were their security background checks completed before they began work?

**Senator Gold:** Thank you for the question. The government has made a significant investment in hiring additional staff. They are being trained and put to work as quickly as they can be. How else would you expect the government to respond to the levels of delays to which you have referred?

I do not have any information with regard to your question about background checks. I will make inquiries and report back to the chamber.

## FOREIGN AFFAIRS

### SUMMIT OF THE AMERICAS

**Hon. Mary Coyle:** Honourable senators, my question is for the Government Representative in the Senate.

Senator Gold, last week at the Summit of the Americas, Canada endorsed the Los Angeles Declaration on Migration and Protection. This declaration commits us to promote regular pathways for migration and international protection, humane migration management, coordinate responses to mass migration movements and have a shared approach to reduce, mitigate and manage irregular migration. This declaration also includes a Canadian promise to welcome an additional 4,000 migrants from the region by 2028, as well as a pre-existing plan to bring in 50,000 more agricultural workers from Mexico, Guatemala and the Caribbean.

Senator Gold, we know that most people migrate for economic, security and family reasons. Could you tell us specifically how the announced \$118 million for initiatives aimed at providing support to people in their own communities and countries — so they don't feel compelled to leave — is expected to actually achieve that goal?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question, senator. I do not have an answer at this time. It is because of complicated reasons that people choose to leave their home countries. I don't have the details of those initiatives, much less the specific answer, but I will make inquiries with the government and report back in a timely fashion.

**Senator Coyle:** Thank you, Senator Gold. I look forward to that response, because it is very important if we are making an investment for a particular reason, which is to help people stay where they are, to know that the investment is actually going to be an appropriate one to achieve that end.

• (1450)

My supplementary question is: For the 50,000 agricultural workers from the region that Canada plans to welcome, could you tell us about any planned pathways that would allow them to apply for permanent residency if they so choose?

**Senator Gold:** Thank you for the question. I will have to add that to the inquiries that I will make, and I will report back as soon as I can.

### VIENNA CONFERENCE ON THE HUMANITARIAN IMPACT OF NUCLEAR WEAPONS

**Hon. Marilou McPhedran:** Honourable senators, this is a question to the government leader, Senator Gold.

Senator Gold, my question follows on my previous question when I asked if Canada was going to join with other NATO members Norway and Germany in sending an observer delegation to Vienna next week for conferences hosted by the government of Austria. We got a tentative seemingly positive answer, but nothing firm, so I am asking again today.

This question comes in the context of Russian President Vladimir Putin's nuclear threats and the nine nuclear-armed states spending \$82 billion on nuclear weapons in 2021, an increase of more than \$6 billion. The Vienna Conference on the Humanitarian Impact of Nuclear Weapons will take place on June 20, and it will include a session reserved for parliamentarians. The conference will bring together states representatives, international organizations, scientists and civil society to look at the research on humanitarian consequences and risks of nuclear weapons. The next day, Austria is hosting the first meeting of the states parties that ratified the UN Treaty on the Prohibition of Nuclear Weapons activated last year.

Senator Gold, why is Canada refusing to participate, failing to send parliamentary observers to these two historic and crucial conferences in the way that Norway and Germany are — also NATO members?

**Hon. Marc Gold (Government Representative in the Senate):** Senator, thank you for your question. Unfortunately, I don't have any further information than what I was able to provide you in response to your question. I know that time is tight. I will make an effort to get an answer and communicate it to you, either in the chamber or elsewhere, and I will do the best that I can.

**Senator McPhedran:** Senator Gold, in addition to that inquiry, if you would, please ask for a reason. If we are not sending anyone to represent the Government of Canada to listen, to gather information and to come back, please ask why. Thank you.

**Senator Gold:** I will certainly add that to my inquiries.

## HANS ISLAND

[English]

**Hon. David M. Wells:** Honourable senators, my question is for the Government Representative in the Senate. Senator Gold, a couple of days ago, cabinet posted an order-in-council regarding Hans Island and an agreement between Canada and Denmark on the division of Hans Island.

Hans Island is 18 kilometres off the coast of Canada and, in the belief of many, it is a part of Canada. They made an agreement with a country thousands of kilometres away for less than half of the geographic area of the island. Immediately, of course, Canada put an embargo on the media reporting any details about it. Senator Gold, can you please give us some details about what side agreements were made with respect to the division of natural resources, be they petroleum or fisheries resources, on that Hans Island deal that was done behind closed doors?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. I am aware, as we all are, of the announcement of the deal. I don't have any details. I don't know the details of the deal, much less of any side deals that may have been made. I will make inquiries, and I will report back when I get an answer.

[Translation]

## ORDERS OF THE DAY

## APPROPRIATION BILL NO. 2, 2022-23

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate)** moved third reading of Bill C-24, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2023.

(On motion of Senator Martin, debate adjourned.)

## APPROPRIATION BILL NO. 3, 2022-23

THIRD READING—DEBATE ADJOURNED

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate)** moved third reading of Bill C-25, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2023.

(On motion of Senator Martin, debate adjourned.)

**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)**

SIXTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ADOPTED

The Senate proceeded to consideration of the sixth report of the Standing Senate Committee on Legal and Constitutional Affairs (*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)*), with an amendment and observations, presented in the Senate on June 14, 2022.

**Hon. Mobina S. B. Jaffer** moved the adoption of the report.

She said: Honourable senators, I rise today to speak to 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).

In the Standing Senate Committee on Legal and Constitutional Affairs, we held five meetings. We heard from the following witnesses: the Minister of Justice, the Honourable David Lametti, and his officials from the Department of Justice; the Honourable J. Michael MacDonald, representing the Action Committee on Court Operations in Response to COVID-19; Catherine Claveau, la batonnière du Barreau du Québec; Alain Bartleman from the Indigenous Bar Association; Emilie Coyle from the Canadian Association of Elizabeth Fry Societies; Mark Knox, from the Canadian Council of Criminal Defence Lawyers; Eva Tache-Green from Nunavut Legal Aid; Howard Chow from the Canadian Association of Chiefs of Police; Jennifer Gates-Flaherty, from the Royal Canadian Mounted Police; Jason Hope from Correctional Service Canada; Professor Cheryl Webster from the Department of Criminology, University of Ottawa; Professor Nicole Marie Myers from the Department of Sociology of Queen's University; David Parry, from the Canadian Bar Association; Michael Spratt from the Criminal Lawyers Association; and Shelley Tkatch from Public Prosecution Service of Canada.

We made two amendments to the bill. The first was on the independent review introduced by Senator Cotter. This amendment creates an obligation for the Minister of Justice to initiate one or more independent reviews of remote proceedings in criminal justice matters within the next three years of this bill receiving Royal Assent. A report will need to be laid before each house of Parliament within the five years following the review.

The second amendment, on parliamentary review, was introduced by Senator Dalphond. This amendment requires each house of Parliament, in the fifth year following the Royal Assent of this bill, to refer the provisions to a committee, whether designated or established.

Finally, the committee also made a number of observations. One, we noted that there should be a follow-up study on delays in criminal proceedings, which would complement the 2017 report entitled *Delaying Justice is Denying Justice*. Two, we observed that remote appearances might increase access to justice, but that these should only be used when appropriate and should not replace in-person proceedings when those would better ensure fair hearings and protect the legal rights of accused persons.

[*Translation*]

Three, we noted that the use of virtual appearances could expand the ability to access interpreters across Canada who are not locally available during judicial proceedings. This being said, virtual interpretation should not replace in-person interpretation when the latter is necessary to ensure a fair trial.

• (1500)

Four, the committee observed that some witnesses underscored the importance of protecting the legal rights of accused persons in custody during virtual proceedings, particularly how these apply to privacy, security, confidentiality, and the ability of an accused to confer with defence counsel.

Five, the committee noted that investments in technology and appropriate facilities are needed to ensure appropriate access to proceedings, particularly for participants in remote locations, vulnerable populations, and those who are incarcerated.

[*English*]

Six, the committee observed that Bill S-4 seeks to perpetuate measures that were established during the COVID-19 pandemic, which have become part of the judicial system and will continue to be used in the administration of the judicial process.

We noted that several witnesses expressed concern about the use of these measures on the fundamental rights of individuals who had been charged or detained, as well as marginalized individuals, victims and witnesses, especially at the stage of presenting evidence. Therefore, the committee considers that the choice of the accused to consent to the use of these measures must be the only factor that triggers their use.

Honourable senators, that concludes our report on Bill S-4. Thank you.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to, on division, and report adopted.)

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

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

## IMMIGRATION AND REFUGEE PROTECTION ACT IMMIGRATION AND REFUGEE PROTECTION REGULATIONS

BILL TO AMEND—FIFTH REPORT OF FOREIGN AFFAIRS AND  
INTERNATIONAL TRADE COMMITTEE ADOPTED

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on Foreign Affairs and International Trade (*Bill S-8, An Act to amend the Immigration and Refugee Protection Act, to make consequential amendments to other Acts and to amend the Immigration and Refugee Protection Regulations, with an amendment*), presented in the Senate on June 14, 2022.

**Hon. Peter M. Boehm** moved the adoption of the report.

He said: Honourable senators, I rise today as Chair of the Standing Senate Committee on Foreign Affairs and International Trade to explain the purpose and effect of the amendment to Bill S-8 adopted by the committee.

Colleagues, Bill S-8, An Act to amend the Immigration and Refugee Protection Act, to make consequential amendments to other Acts and to amend the Immigration and Refugee Protection Regulations, was introduced in the Senate on May 17, 2022, and was referred to the committee on May 19, 2022.

The committee began its study on June 3, 2022, with two panels of expert witnesses and government officials from the Canada Border Services Agency; Immigration, Refugees and Citizenship Canada; the Immigration and Refugee Board of Canada and Global Affairs Canada, and concluded on June 9, 2022, with clause-by-clause consideration.

During that meeting, the Government Representative in the Senate, Senator Gold, joined us to move a coordinating amendment, which the committee ultimately adopted. The purpose of the amendment, which is technical rather than substantive, is to prevent a potential conflict with Bill C-21 on firearms, which was introduced in the House of Commons on May 30, 2022.

Bill S-8 proposes changes to three provisions of the Immigration and Refugee Protection Act that are also impacted by Bill C-21. In each of these provisions, Bill S-8 would add sanctions to the existing list of grounds for inadmissibility or detention. Bill C-21, in turn, would add transborder criminality to the existing list of grounds for inadmissibility or detention.

However, as the bills are currently written, neither piece of legislation takes the other into account, meaning that whichever bill receives Royal Assent second would unintentionally undo the changes to the provisions made by the bill that becomes law first.

I'm glad you're all with me on this.

The amendment proposed by Senator Gold and adopted by the committee addresses this issue by stating that if the provisions in the Immigration and Refugee Protection Act amended by both Bill S-8 and Bill C-21 enter into force, then both sanctions and

transborder criminality would be included as grounds for inadmissibility or detention under the Immigration and Refugee Protection Act.

To put it simply, colleagues, this technical coordinating amendment is designed to preserve the changes made to the Immigration and Refugee Protection Act by Bill S-8, but makes no substantive changes to the content of Bill S-8.

Thank you.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to, on division, and report adopted.)

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

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

## BILL RESPECTING REGULATORY MODERNIZATION

### THIRD REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE ADOPTED

Leave having been given to revert to Government Business, Bills, Reports of Committees, Order No. 2:

The Senate proceeded to consideration of the third report of the Standing Senate Committee on Banking, Trade and Commerce (*Bill S-6, An Act respecting regulatory modernization, with amendments and observations*), presented in the Senate on June 14, 2022.

**Hon. Pamela Wallin** moved the adoption of the report.

She said: Honourable senators, as per rule 12-23(4), I wish to provide brief remarks on the Banking, Trade and Commerce Committee's report on Bill S-6, An Act respecting regulatory modernization.

Three changes were made to the bill. First, the committee voted against Part 6, which proposed amendments to the Pest Control Products Act. The government requested, and the Standing Senate Committee on Agriculture and Forestry agreed, that Part 6 should be removed from the bill as Health Canada is currently conducting consultations regarding the modernization of that statute.

• (1510)

Second, two amendments were made to Part 8, which proposed amendments to the Department of Citizenship and Immigration Act and the Immigration and Refugee Protection Act. These

amendments would incorporate suggestions made by the Privacy Commissioner to the Standing Senate Committee on Social Affairs, Science and Technology to clarify that there are written agreements in place that guide the exchange of information between Immigration, Refugees and Citizenship Canada and other entities. Officials indicated that having a written agreement is currently a policy requirement, but amendments would codify this requirement in law.

Colleagues, overall, the committee found that our time to look at Bill S-6 was too short. During the Banking Committee's pre-study of the bill, our non-governmental witnesses were dissatisfied with the limited or non-existent consultation on the proposed regulatory changes directly affecting them.

During the Banking Committee's study of the full bill, other committee chairs who were assigned pre-studies of the bill testified before the committee. They shared similar sentiments from their witnesses on the limited consultation process and on the short amount of time their committees were given to consider their divisions of the bill.

Overall, colleagues, we believe that the regulatory modernization review process must occur differently. That being said, based on the testimony heard, the committee still supports the overall intent of Bill S-6 and believes that regulatory modernization of legislation must occur more quickly and on a much wider scale than what was proposed in the bill.

Our committee suggests that the government consider the following measures in order to improve and accelerate federal regulatory modernization: introducing an economic and competitive lens for regulations; measuring the quantity and overall cost of regulations; setting targets for regulatory reduction that apply to all federal legislation, regulations and policies and examining whether certain streamlined measures that were introduced during COVID-19 should be continued.

We believe that these are important steps to undertake immediately, especially given that the government has signalled their intent to undertake this type of regulatory modernization on an annual basis. Thank you.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to, on division, and report adopted.)

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

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

(At 3:13 p.m., pursuant to the order adopted by the Senate on May 5, 2022, the Senate adjourned until 2 p.m., tomorrow.)

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