



# DEBATES OF THE SENATE

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(HANSARD)

Thursday, October 27, 2022

The Honourable GEORGE J. FUREY,  
Speaker

## CONTENTS

(Daily index of proceedings appears at back of this issue).

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## THE SENATE

Thursday, October 27, 2022

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

Prayers.

### SENATORS' STATEMENTS

#### CANADIAN FORCES SNOWBIRDS

##### CONGRATULATIONS ON FIFTIETH ANNIVERSARY

**Hon. Denise Batters:** Honourable senators, I rise today to pay tribute to the Canadian Forces 431 Air Demonstration Squadron, Canada's beloved Snowbirds, as they celebrate their fiftieth anniversary.

The iconic Snowbirds are at the very heart of our proud Canadian military tradition. They hail from Canadian Forces Base, or CFB, 15 Wing Moose Jaw, Saskatchewan — a city very near and dear to my heart and home.

My late husband, former MP Dave Batters, was a huge fan of the Snowbirds. As Moose Jaw's MP, Dave promoted and encouraged the Snowbirds through triumph and tragedy. In return, they viewed him as their guardian in Parliament. They presented him with a precious Snowbirds coin in recognition of that.

I was honoured to attend the Snowbirds' fiftieth-anniversary celebrations last weekend in Moose Jaw. I took that Snowbirds coin with me to the anniversary dinner, and I have brought it with me here today.

The weekend started with a Snowbirds flyover of Moose Jaw by the current team, which thrilled the hometown crowd below. Members of former Snowbirds teams from the last 50 years gathered for a reunion one night and a golden anniversary dinner the next. I saw many old friends from former Snowbirds teams and 15 Wing Moose Jaw, and I met many impressive men and women who have served our country with distinction.

I was excited to meet the very first female Snowbirds pilot, Maryse Carmichael, who later became commanding officer of the Snowbirds. What an inspiration she has been to women in the military.

I also met the current Commanding Officer of the Snowbirds, Denis Bandet, who is originally from Regina. He joked that he joined the military to see the world and ended up spending most of his military career just down the highway in Moose Jaw.

The squadron is a magnificent recruitment tool for the Canadian military. Many former Snowbirds recount how, as kids, they were inspired to become pilots after seeing this incredible team perform, or getting a Snowbirds pilot's autograph after an air show.

The Snowbirds are inspiring because they are a little bit of magic. They make the impossible possible.

Honourable senators, I hope you have all had the chance to experience the awe of the coloured smoke and roaring engines as the Snowbirds fly in formation over Parliament Hill on Canada Day, or at your local air show. It's a mighty rumble that makes your heart and imagination soar.

Early in the pandemic, the Snowbirds flew across Canada in Operation INSPIRATION — a tour to raise Canadians' spirits during a time of uncertainty and isolation. When they flew over my home in Regina, I was on my back deck. I threw up my arms, and I yelled, "Yay, Snowbirds!" It is impossible not to respond with childlike delight where the Snowbirds are involved.

For 50 years, the Snowbirds have amazed and inspired us — a potent Canadian symbol of hope and freedom. But despite the excellent skill of their aviation and avionics technicians, the Tutor jets need to be replaced soon. The federal government needs a plan, now, to secure and procure new planes for this Canadian gem. Let us help the Snowbirds soar high for the next 50 years. Thank you.

[*Translation*]

#### VISIT OF MOUSSA FAKI MAHAMAT TO CANADA

**Hon. Amina Gerba:** Honourable senators, I rise today to underscore the tremendous importance of this week's visit to Canada by Moussa Faki Mahamat, Chairperson of the African Union Commission. Equally important are his meeting with the Prime Minister, the Right Honourable Justin Trudeau, and the high-level dialogue to take place between our illustrious guest and Ministers Joly, Ng and Sajjan.

I want to celebrate this historic visit by a chairperson of the African Union Commission. Such a visit has never taken place in our country.

With its 55 member countries, the African Union symbolizes the coordination of development efforts, the safeguarding of sovereignty and territorial integrity, the promotion of international cooperation and especially Africa's economic integration. It is an essential partner and the chairperson's visit to Canada is an opportunity for our country to make up for lost time in our relationship with this continent that is in the throes of progress.

Colleagues, the government must significantly boost its diplomatic presence on the continent, take advantage of the assets and the weight of the African diaspora, which the African Union Commission has identified as the continent's sixth zone, implement measures to promote trade and investment in Africa and work on a future free-trade agreement between Canada and Africa that will give our businesses access to one of the world's biggest markets, whose 1.3 billion consumers will become 2.5 billion in 2050.

Honourable senators, again, I'm delighted that the Chairperson of the African Union Commission is in Canada. I hope this will lead to some very positive outcomes for our country.

Thank you.

**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 the participants in the Parliamentary Officers' Study Program.

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

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

#### LOUISE BERNICE HALFE — SKY DANCER

**Hon. Mary Coyle:** Honourable senators, I rise today to thank and celebrate Louise Bernice Halfe — Sky Dancer — as she completes her term as the ninth Parliamentary Poet Laureate.

Ms. Halfe is a Cree elder, an accomplished literary figure, a social worker and a survivor of Blue Quills residential school in Alberta. I want to honour her by reading a powerful poem she wrote for our Senators for Climate Solutions group.

• (1410)

The poem is called *Climate Change*.

ni-capan, nosomis, — great grandchild, grandchild  
 this is all I have to offer these days  
 when the aski — earth  
 suffers.  
 Our people have always known  
 the aski — earth talks.  
 It is best to listen.  
 Offer tobacco  
 to mistassini  
 Lay your ear,  
 your hand,  
 against the rock.  
 Listen.  
 She will share  
 how we think of her  
 as blind.  
 Yet,  
 like water-life  
 she sees through  
 the silk screen  
 of her closed eyelids.  
 Pebbles that children collect  
 giggle in their pockets.  
 Remember. This was once  
 you.  
 Offer tobacco.  
 Curl your body  
 around the trunk of  
 a mitos — tree.  
 Listen. She will tell you  
 how she breathes for us.  
 How her medicines  
 can restore your lungs.  
 She will show you  
 Where you were born,  
 her many umbilical cords  
 rooted into the earth.  
 Generations of her children  
 reaching for their dreams.  
 Plant her babies.  
 Offer tobacco.  
 To the iskotew — fire. Feel her warmth.  
 Watch her dance. Know  
 she was the one who lit-up  
 when you were born.  
 She is the one who fuels  
 your love, your joy, your anger.  
 She encourages you  
 to use her with care.  
 Urges you toward your dreams.  
 She is the one  
 who speaks through  
 your eyes.  
 Offer tobacco.  
 To nipi, water.  
 The one we reach for  
 when the sun scorches  
 our breath. She will tell you  
 how she planted the seed

from your father's body,  
 travelled in the darkness  
 to gush from your  
 mother's womb. She will  
 ask for the droplets  
 that fall from the sky  
 to land on your tongue  
 as you dance in her rains.  
 Offer tobacco.  
 To yotin, wind.  
 She will sing, roar, murmur.  
 She carries all ancestors,  
 brings them to us,  
 the living soul  
 that we travel with.  
 She holds hands  
 with the earth, releases  
 waters, makes  
 room for fire when we  
 are delivered from the womb.  
 Offer tobacco.  
 Spread it in the garden,  
 where aski- the earth  
 waits  
 to greet  
 all of us.  
 These ni-capan, nosomis, — great grandchildren,  
 grandchildren  
 our grandmothers,  
 grandfathers, always work  
 together, hold their hands  
 to deliver  
 our lives.

Thank you, Louise Halfe — Sky Dancer for this beautiful poem and for all that you do and for who you are. Thank you.

[*Translation*]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Steve De Eyre, Vanessa Brosseau, Nathan Kennedy, Elijah Woods and Louis-Alexandre Lanthier. They are the guests of the Honourable Senator Audette.

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

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

#### FOOD BANKS CANADA

**Hon. Percy Mockler:** Honourable senators, I want to talk about something that I care a lot about and that is Food Banks Canada. First, I want to congratulate Philippe Ozga and his wonderful Canadian team across the country for their leadership in Food Banks Canada.

[ Senator Coyle ]

I want to share that my sister and I grew up with a single mother and lived on social assistance until I was 20 years old. At the time, we called it welfare. I would never have believed that I would be here in the Senate of Canada today to discuss a subject that involves everyone: poverty.

[*English*]

Food Banks Canada revealed alarming and very disturbing statistics today that I want to share with you.

Honourable senators, food bank use is up 35% from 2019 and 15% since 2021. This increase represents the highest monthly food bank use in Canadian history, with almost 1.5 million visits in the month of March 2022. The increase stems from the existing weaknesses of our social safety net that have been worsened by inflation. Having a job no longer guarantees food security. Overall, honourable senators, one in five visitors at food banks are members of the labour force.

It is recommended by Food Banks Canada that our affordable housing crisis needs immediate and long-term solutions to face poverty. As more people continue to struggle at unprecedented rates, affordable housing supplies are still eroding and are being built too slowly. It is also recommended by Food Banks Canada that, as low-income workers flood food banks, Canada needs new policies that guarantee those who work will always have enough money to put food on their tables.

As I conclude, food insecurity and poverty must get special attention in northern and remote parts of Canada. All governments across Canada need to make our communities better places to work, better places to raise our children, better places to live and better places to reach out to the most vulnerable. Yes, we can do it. Canada can do it with steadfast political leadership.

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

#### THE LATE MYER HOROWITZ, O.C.

**Hon. Paula Simons:** Honourable senators, yesterday morning, a small man with a great heart was laid to rest in the Jewish Cemetery of Victoria. Myer Horowitz was 89. He was a teacher, an academic and a champion of early childhood and primary education.

Born in Montreal, he earned a PhD at Stanford University before beginning his academic career at McGill, but in 1969 he moved to Edmonton to become Chair of the University of Alberta's Department of Elementary Education. He later served as Dean of Education and Vice-President (Academic) before taking on the role of President, a position he held from 1979 to 1989.

University presidents are not typically beloved by their student body, but Myer Horowitz was a most unusual president. When news of his death broke this week, Allen Panzeri, a long-time sports writer, wrote on Twitter:

When I was covering the Golden Bears hockey team for the *Edmonton Journal*, a frequent companion in a lonely press box was Myer Horowitz.

Now, I was not a hockey player. It probably won't shock you that I was instead an active member of the U of A debate club. I remember asking the president's office if they could provide some support for a big tournament we were hosting. I was delighted and surprised when President Horowitz himself gave up a chunk of his weekend to judge at the tournament and present the trophy to the winning team.

I was even more touched that after that one meeting, he never forgot me and sent me notes of congratulations and support for decades as my career progressed. That's just how he was.

Dr. Horowitz presided over a golden age at the U of A, building world-class schools of engineering, medicine, business, science and the arts. But he also earned the love and loyalty of students all across campus. He was a visionary and a mensch, so much so that when he retired in 1989, the student community voted to rename the student union theatre space as the Myer Horowitz Theatre.

He earned nine honorary doctorates and an Order of Canada, but I'd like to think the Myer Horowitz Theatre was his truest honour.

The doctor and his wife, Barbara, retired to Victoria in 1998, though his retirement was far from retiring. He became an adjunct professor at the University of Victoria where he helped to found the UVic Centre for Youth and Society.

Throughout his life, right to the very end, he remained a passionate supporter of teachers and students, a dedicated volunteer with organizations that supported them and a sharp and publicly outspoken critic of provincial government policies that he felt compromised classroom education.

May his memory be a blessing to his wife, Barbara, his daughters, Debbie and Carol and all his friends and family. His memory will forever be a blessing to the University of Alberta, to Edmonton and to Alberta, the province he loved. Thank you very much.

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• (1420)

## ROUTINE PROCEEDINGS

### STUDY ON ISSUES RELATING TO AGRICULTURE AND FORESTRY GENERALLY

SIXTH REPORT OF AGRICULTURE AND FORESTRY COMMITTEE DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Paula Simons:** Honourable senators, I have the honour to inform the Senate that pursuant to the orders adopted by the Senate on February 10, 2022, and September 27, 2022, the Standing Senate Committee on Agriculture and Forestry deposited with the Clerk of the Senate on October 27, 2022, its sixth report (Interim) entitled *Treading Water: The impact of and*

*response to the 2021 British Columbia floods* and I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

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

[*Translation*]

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### FOURTH REPORT OF COMMITTEE TABLED

**Hon. Lucie Moncion:** Honourable senators, I have the honour to table, in both official languages, the fourth report of the Standing Committee on Internal Economy, Budgets and Administration entitled *Annual Report on Parliamentary Associations' Activities and Expenditures for 2021-22*.

## IMMIGRATION AND REFUGEE PROTECTION ACT

### BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-242, An Act to amend the Immigration and Refugee Protection Act (temporary resident visas for parents and grandparents).

(Bill read first time.)

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

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

[*English*]

## BUSINESS OF THE SENATE

**The Hon. the Speaker:** Pursuant to the order adopted by the Senate on December 7, 2021, Question Period will begin at 4 p.m.

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## QUESTION PERIOD

### ANSWER TO ORDER PAPER QUESTION TABLED

JUSTICE AND ATTORNEY GENERAL—BILL C-28

**Hon. Marc Gold (Government Representative in the Senate)** tabled the reply to Question No. 169, dated June 23, 2022, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Carignan, P.C., regarding Bill C-28.

### DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, I have the honour to table the answers to the following oral questions:

Response to the oral question asked in the Senate on June 9, 2022, by the Honourable Senator Boisvenu, concerning violence against women.

Response to the oral question asked in the Senate on September 27, 2022, by the Honourable Senator Plett, concerning Indigenous consultation.

## JUSTICE

### VIOLENCE AGAINST WOMEN

*(Response to question raised by the Honourable Pierre-Hugues Boisvenu on June 9, 2022)*

#### Department of Justice

The safety of women and girls is a priority for the Government.

We are working to develop a National Action Plan to address gender-based violence that builds on the foundation laid out in our 2017 strategy. Budget 2022 announced over \$539 million to support provinces and territories to implement the National Action Plan and Budget 2021 provided over \$48 million for independent legal advice and representation programs for victims of sexual assault and intimate partner violence.

In 2018, former Bill C-51 amended the *Criminal Code* to strengthen Canada's sexual assault laws. In 2019, former Bill C-75 enacted amendments that strengthened criminal laws on intimate partner violence, with the goal of enhancing victim safety. In 2019, former Bill C-78 made changes to family laws, including several amendments to the *Divorce Act* to address family violence. Of note, the *Divorce Act* now includes a definition of family violence that is based on social science research and that refers to any conduct that is violent, threatening or a pattern of coercive and controlling behaviour, or that causes a family member to

fear for their safety. In 2021, former Bill C-3 enacted provisions to enhance judicial education on sexual assault law and social context.

## CROWN-INDIGENOUS RELATIONS

### INDIGENOUS CONSULTATION

*(Response to question raised by the Honourable Donald Neil Plett on September 27, 2022)*

The government met with Indigenous peoples in the context of Bill C-11 (Online Streaming Act). The Bill was introduced in February 2022, which is similar to former Bill C-10 passed in the House of Commons in June 2021. The government sought to respect the work of parliamentarians in the last session of Parliament.

As such, C-11 built on consultation and engagements with Indigenous partners, communities and stakeholders that contributed to the policy development of Bill C-10 through meetings as part of the Broadcasting and Legislative Review Panel (2018-2019), engagements in Toronto, Winnipeg, Montreal and Vancouver in 2020, meetings with National Indigenous Organizations in 2021, as well as Indigenous industry stakeholders, such as the Indigenous Screen Office and Aboriginal Peoples Television Network.

When C-11 was tabled, the Department of Canadian Heritage met with National Indigenous Organizations. Further meetings are anticipated as the bill moves through Parliament.

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## ORDERS OF THE DAY

### BILL TO AMEND THE CANADA ELECTIONS ACT AND THE REGULATION ADAPTING THE CANADA ELECTIONS ACT FOR THE PURPOSES OF A REFERENDUM (VOTING AGE)

#### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McPhedran, seconded by the Honourable Senator White, for the second reading of Bill S-201, An Act to amend the Canada Elections Act and the Regulation Adapting the Canada Elections Act for the Purposes of a Referendum (voting age).

(On motion of Senator Patterson, debate adjourned.)



## INCREASING THE IDENTIFICATION OF CRIMINALS THROUGH THE USE OF DNA BILL

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 Wells, for the second reading of Bill S-231, An Act to amend the Criminal Code, the Criminal Records Act, the National Defence Act and the DNA Identification Act.

**Hon. Brent Cotter:** Honourable senators, I rise to speak to Bill S-231, as sponsored by Senator Carignan. I speak in support of the bill with two significant reservations that I hope will be studied at committee.

I see this bill as a contribution to the improvement of the administration of criminal justice in Canada and a contribution to public confidence in law. You all know the challenges: wrongful convictions, wrongful acquittals, et cetera. My remarks are divided into five parts for two reasons: first, to keep me on track; and second, more important, so you can know, perhaps with relief, when I'm getting near the end.

First, an account of law in everyday life. Rod Macdonald, former dean of law at McGill University and now, sadly, deceased, a giant in legal education, wrote an insightful book a number of years ago entitled, *Lessons of Everyday Law*. He did not use the example I'm about to share with you, but I do want to give you an example of law in everyday life associated with me and my children and perhaps yours. The example is, in a roundabout way, associated with this bill.

When one of my children appeared to have done a bad thing, usually my son, I wanted to find out what happened and perhaps to impose a sanction. I didn't let him "take the Fifth." I didn't require proof beyond a reasonable doubt. Law in everyday life in our household didn't exactly follow the rules of the criminal law or the Charter of Rights and probably does not in your household either. Unlike that, the criminal law is not quite law in everyday life.

My second point is the criminal law and the frailty of evidence in criminal cases. As we know, in criminal proceedings, various procedural protections are made available to persons accused of crimes. As well, the admissibility of evidence is complicated. The standard of proof for a conviction is high: proof beyond a reasonable doubt. Given the consequences of the finding of guilt and the deprivation of liberty, it is a high standard, justifiably so, and it has been a standard in the criminal law for a very long time. It's different from what happened in my household, but justifiable, I think.

Most commonly, evidence is introduced to establish a person's guilt by *viva voce* evidence — people's oral testimony based on people's memories, recollections and veracity. Many research studies have shown the fallibility of people's memories and how often, even without malice, they fail to observe or misremember the true story.

All of us have experienced this. Let me offer one embarrassing personal example — at least embarrassing to me.

I'm a golfer, but not a very good one. I played golf one time at a very nice golf course, and I had what I thought was, for me, a very good score. Over the years, I recollected that score, and the number got lower and lower as time went on, and I came to believe I had gotten that lower score. Some years later, I encountered the golf score card that you write your scores on, and I was shocked that I had gotten in reality a much higher score than I thought. Human fallibility, I hope.

As well, for the decision maker, the judge or jury in criminal law matters, our ability to detect veracity — whether a person is telling the truth or not — is remarkably fragile. The evidence regarding judges' and others' inability to distinguish liars from truth-tellers is striking.

• (1430)

Some years ago, I attended a major judicial conference in Victoria, organized by our colleague, Judge Arnot, as he was known then. One session was dedicated to simulations to identify liars from truth-tellers. I was terrible at it. But I took some consolation, ironic upon reflection, that the judges taking the exercise were just as bad as I was.

Indeed, I have another friend, a former judge, who cynically used to say, "Most criminal cases are decided on a balance of perjury; that is, whoever tells the best lies — and tells them best — wins."

My point here is not to demean the criminal justice system or judicial decision makers but, rather, to underline the challenges the system presents in getting it right. Part of the fault is not in the stars, but in ourselves and in our own human fallibility.

My third point is David Milgaard and the argument for DNA science.

Most of us are aware of the story of the tragic, wrongful conviction of David Milgaard for murder, and the heroic life he led after he was exonerated. Here is a little bit about that story.

After Mr. Milgaard's conviction was set aside, he remained in no man's land: His conviction was overturned, but his name was not cleared. Even the then minister of justice opined during this time, unfortunately and unwisely, that he thought Mr. Milgaard was guilty.

A wide-ranging review was undertaken, but it did not move the needle on the guilt — or innocence — of Mr. Milgaard. In my opinion, we are liable to have been stuck there if not for DNA.

There was a small amount of badly degraded bodily fluid on the clothing of the deceased victim, Gail Miller, believed to be semen from a sexual assault committed upon her, prior to her brutal murder. At the time, it was believed that, given the degradation of the bodily fluid over some decades, there was, at best, a 20% chance of the DNA analysis definitively identifying the perpetrator.

I was the Deputy Attorney General of Saskatchewan at the time. The clothing with the bodily fluid was notionally in my possession. I was urged — strongly in some quarters — that, because of the high degree of likelihood of no result due to this degradation, I should not agree to the DNA testing. I ordered the material to be tested.

Science brought us a definitive answer. The DNA tests, and only the tests, definitively exonerated Mr. Milgaard and led to the conviction of the true perpetrator, Larry Fisher.

Colleagues, I've made some good decisions in my career, and I've made some bad ones. My decision, contrary to advice, to have that DNA testing done was, I think, the best professional decision I ever made.

I'll direct our discussion to Bill S-231. While some Canadians may not be aware of this, presently judges are empowered to order the taking of DNA from an adult or youth, who is convicted of certain offences, and have that DNA placed in a data bank. The power to do this has been upheld in the courts.

Building on this process, Bill S-231 proposes to amend the Criminal Code, Criminal Records Act, National Defence Act and DNA Identification Act, with a view to increasing the number of DNA profiles in that bank.

Proponents of the bill argue that increasing the DNA samples available increases the chances that the police will find a match and, in turn, provide meaningful scientific evidence associated with a crime — essential evidence to identify perpetrators.

This legislation would significantly broaden our ability to collect DNA by broadening the list of offences, known as designated offences, for which DNA collection is allowed. It would automatically allow the collection of DNA from all adult offenders and youth offenders convicted of virtually all serious offences under the Criminal Code and other acts — offences punishable by imprisonment of five years or more.

The legislation would also restrict judicial discretion, limiting the circumstances in which judges could refuse to grant a collection order.

In the interests of improving outcomes in the administration of justice, with minimal impairment on the rights of offenders, I support this initiative. I believe it will make a contribution to the quality of investigations and decision making in the criminal justice process, and I believe it will use science — in a good way — to help us get things right more often.

[ Senator Cotter ]

I turn to my final point, which is a qualification, or reservation, I have about the bill — one of two reservations. One is collections on arrest, but I will speak here to familial searching.

While the legislation keeps anonymity safeguards in place under the code and the DNA Identification Act, this bill does go further. In certain circumstances, it allows use of the bank for what is called familial searching, which would allow Canadian police to identify suspects — by the DNA left at the crime — by comparing them with a biological relative whose material is in the DNA data bank. Concerns have been raised about this here, years ago, and, more recently, in papers that have been written.

I have reservations about familial searching. It's a privacy issue. It has a Big Brother aspect, and that makes me uncomfortable. The Assistant Privacy Commissioner of Canada said in a precise, poignant quote about a dozen years ago: “. . . does being the relative of a convicted offender decrease a law abiding citizen's right to privacy?” I don't have a definitive answer on that, but I think it's an important question for us to study.

I am hopeful that, when the bill is studied at committee, this aspect will also be scrutinized — and that my discomfort will either be laid to rest or confirmed.

The bottom line, for me, is that Senator Carignan's work in this area, and this bill in particular, will be a positive contribution to the administration of justice. It deserves to be supported and studied at committee in a timely way.

Thank you.

(On motion of Senator Petitclerc, debate adjourned.)

## JANE GOODALL BILL

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Klyne, seconded by the Honourable Senator Harder, P.C., for the second reading of Bill S-241, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (great apes, elephants and certain other animals).

**Hon. Mary Coyle:** Honourable senators, I rise today to speak here, on the traditional unceded and unsundered territory of the Anishinaabe Algonquin People, in support of Bill S-241, the Jane Goodall act, sponsored by our colleague Senator Klyne.

Honourable senators, Jane Goodall is quoted as having said, “The least I can do is speak out for those who cannot speak for themselves.”

Colleagues, as senators, we know that it is our special duty to represent the rights of those who might otherwise be overlooked, especially those most disadvantaged. In the case of Bill S-241, we are being asked to represent the rights of our non-domesticated animal counterparts, as well as take certain measures to ensure their individual welfare and the protection of certain species. We are being asked to speak for those who cannot speak for themselves.

Our former colleague the Honourable Murray Sinclair introduced an earlier version of this bill in November 2020. In December of that same year, he penned an article for *Maclean's* magazine which has relevance to our debate and study of Bill S-241.

Former Senator Sinclair said:

Science increasingly affirms what Indigenous peoples have always known, and what many Canadians are discovering: everything is connected. This is true not just of you and I, but of all life forms of Creation. This is why my people, the Anishinaabe, use the term “nii-konasiitook,” which means “all of my relations,” when speaking. It reflects the belief that all people owe each other as well as the environment, including animals and plants, a duty of respect. In turn, a healthy environment provides for our well-being, through clean air and water, plentiful food and favourable weather. The respect is mutual.

• (1440)

Closer to my home in Nova Scotia, in Mi'kma'ki, Hereditary Chief Stephen Augustine recounts the Mi'kmaq creation story, and I would like to read one small section that I have previously mentioned:

The third level of creation, down below us, is our Mother Earth, on whom we walk, and who bears the spirits of our ancestors. The interconnective relationship between Mother Earth and the whole of creation is evident in the Mi'kmaw language. The Mi'kmaw words for the people, and for the Earth, and for mother, and the drum, all come from that term which refers to “the surface on which we stand, and which we share with other surface dwellers.”

We are all surface dwellers, or *weskijinu* in the Mi'kmaq language.

That sense of interconnectivity is recognized and emphasized in Bill S-241 — the Jane Goodall act — An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (great apes, elephants and certain other animals).

As I sought to understand the main purposes of the act and to find a way to build on the earlier comprehensive contributions of Senator Sinclair and Bill S-241 sponsor Senator Marty Klyne, as well as the thoughtful contributions of our colleagues Senators Harder, Miville-Dechêne, Bovey, Petitclerc and Cordy, I found the preamble to the act to be a very helpful statement of the intent and purposes of this legislation.

Colleagues, Plato suggested that preambles should persuade citizens to obey important laws by speaking to their hearts and minds through both reason and poetry. While this bill's preamble might not include poetry, I find it to be an excellent articulation of the essence of the Jane Goodall act. For that reason, I will share the key elements of this preamble with you:

Whereas the phrase “All My Relations” expresses an Indigenous understanding that all life forms of Creation are interconnected and interdependent;

Whereas science, empathy and justice require everyone to respect the biological and ecological characteristics and needs of animals;

Whereas cetaceans —

— whales, dolphins and porpoises —

— great apes, elephants and certain other non-domesticated animals ought not to be kept in captivity, except for justifiable purposes such as their best interests — including individual welfare and conservation — and non-harmful scientific research;

Whereas non-domesticated animals that may benefit from protection, in circumstances of captivity, through designation under the provisions enacted by this Act include big cats, bears, wolves, pinnipeds —

— seals —

— non-human primates, dangerous reptiles and other species;

Whereas animal care organizations that meet the highest standards of animal care may serve the interests of animals across many species with regard to animal welfare, conservation, non-harmful scientific research and public education;

Whereas animal care organizations may contribute to wildlife rescue and rehabilitation, the provision of sanctuary for animals in need, the restoration of wild populations and field research;

Whereas a ban in Canada on trade in elephant ivory and rhinoceros horn and on the collection of elephant and rhinoceros hunting trophies will help to conserve elephant and rhinoceros populations and encourage bans in other countries;

Whereas the global wildlife trade contributes to biodiversity loss, mass extinction and the risk of zoonotic disease and the Government of Canada may address wildlife trafficking through regulation;

Whereas Parliament may enact criminal laws and laws to regulate international trade and commerce in relation to animals, and provincial legislatures may enact laws in relation to property and civil rights such as granting legal standing to the orca Kiska —

— the female orca at MarineLand —

— thus enabling orders in her best interests by her own right;

And whereas the subject matter of non-domesticated captive animals has a double aspect of shared federal and provincial jurisdiction;

We've heard some discussion on that issue here.

Colleagues, all aspects of the Jane Goodall act are important for the protection of animals from cruelty, for overall conservation and for addressing biodiversity loss, but I will focus my next remarks on the aspects of the bill that are related to trade in non-domesticated — what are commonly called “wild” — animals and, very tellingly, often called “big game.”

I started my professional career in the early 1980s in Botswana, a country that is well known for its wildlife. Botswana's Chobe National Park, its unique Okavango Delta and the vast Kalahari Desert are all areas literally teeming with magnificent lions, leopards, cheetahs, rhinos, hippos, giraffes, zebras, crocodiles, a variety of antelopes and the ever-majestic African elephant.

The Batswana people's traditional — or pre-colonial — beliefs included a supernatural being or creator called Modimo, who was also representative of the ancestors and, like the Indigenous peoples of Canada, the cosmology of the Batswana reflects a very strong connection between people and their natural environment.

The San people of the Kalahari believe that humans do not have primacy over any other life and that all forms of life are connected and interdependent.

In his speech on Bill S-218, the predecessor to Bill S-241, Senator Sinclair described the African elephant:

. . . the largest land animals in existence. Elephants are intelligent and highly emotional, with excellent memories and a strong sense of empathy. . . . Their sense of smell is five times more acute than a bloodhound's, yet their trunks are versatile enough to pluck a blade of grass, suck up eight litres of water or flip a hippo.

They can hear storms hundreds of kilometres away and change their routes days in advance in order to intercept rain. Socially, elephants are matriarchal . . . . Older females keep the knowledge that allows the herd to survive, including . . . relationships and the locations of water and seasonal foods.

Elephants . . . try to revive sick or dying individuals . . . mourn their dead, scattering family members' bones and standing vigil over dead matriarchs.

For Hindus, Ganesh, or Ganesha, the elephant god, is the embodiment of compassion, loyalty and wisdom.

Oh, but colleagues, what a rough ride these majestic beings have had. Between 1979 and 1989, half of all Africa's elephants were lost to the ivory trade.

Today, there are between 400,000 and 500,000 elephants in Africa, a 70% decline since the 1970s, primarily due to poaching linked to organized crime.

Colleagues, wildlife rangers are often referred to as nature's first responders. Around 100 of these protectors are killed annually by poachers largely feeding the global ivory trade.

The number of elephants killed every year is now declining, but it is still very significant.

The Global Initiative Against Transnational Organized Crime says that reduced poaching seems to be the result of the dismembering through arrests and prosecutions of a large number of transnational organized crime networks involved in poaching and trafficking in east and southern Africa between 2014 and 2020, including several members of the Shuidong network, the Sheikhs gang and the principal leaders of the Kromah network. But these organized crime networks have shown themselves to be very resilient and are regrouping and reorganizing.

Countries and jurisdictions that have banned the domestic sale of elephant ivory within their borders, or are in the process of doing so, include China, the U.K., France, the Netherlands, Hong Kong, Singapore, Taiwan, Belgium, Luxembourg, the European Union and nearly every state in the U.S. It is believed that China's domestic ban on elephant ivory may have displaced markets to neighbouring countries.

And now to our own country of Canada. Between 2007 and 2016, Canada allowed the importation of 83 trophy elephants, 434 elephant skulls and 260 elephant feet. About 300 African elephant tusks representing 150 elephants were legally imported into Canada between 2010 and 2018.

Canada, Japan, Namibia and South Africa were the four countries that opposed closing their domestic trade markets at the 2016 International Union for Conservation of Nature, Canada's concern being that an ivory ban could affect the highly regulated Inuit trade in walrus and narwhal ivory. This is something our committee would no doubt want to probe into in their study of the bill.

• (1450)

As for rhinoceros, globally there were 11,000 poached since 2008. In 2015, a rhino horn was sold at auction in Vancouver for \$228,000. It is legal to trade pre-1995 rhino products, but this is seen as a problematic loophole as the auction houses are not required to verify an item's origin. Recent scientific reports by the United Nations Environment Programme and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystems Service recognize wildlife trade as a top driver of pandemic risk and biodiversity loss.

Colleagues, last fall's election saw the Liberal, Conservative and NDP platforms all committing to ending illegal wildlife trophy trade. In his second reading speech, Senator Klyne said:

We are building a big tent that puts animals first. . . .

Rooted in scientific evidence, the Jane Goodall act would establish the strongest legal protections in the world for wild animals in captivity . . . as well as enhancing conservation laws.

It will phase out elephant captivity in Canada. It addresses the unsustainable global wildlife trade, and Senator Klyne has committed to working further with partners to develop regulatory recommendations and amendments to the bill relating to the global wildlife trade and illegal trafficking. So we'll be looking for that.

More than 1.8 million wild animals were imported to Canada between 2014 and 2019 for a variety of purposes, and most were not subject to any permits or pathogen screening. We know there are 4,000 privately owned big cats in Canada. We heard Senator Cordy speak about that. This bill bans over 800 captive, non-domesticated species at roadside zoos.

Colleagues, very importantly, it establishes legal status for credible animal care organizations, and it updates Canada's great ape policies.

Melissa Matlow, campaign director with World Animal Protection Canada said:

This is a historic bill that would make Canada a global leader in protecting wildlife and animal welfare. The unsustainable trade in wild animals requires urgent action, to prevent cruelty, extinction and future pandemics.

Colleagues, the Honourable Murray Sinclair reminded us in his speech that:

We are at a crucial time where the interrelated goals of Indigenous rights, environmental protection and animal welfare can help to combat cultural loss, climate change and mass extinction in Canada and beyond. . . .

Honourable senators, I'm happy to support Senator Klyne's Bill S-241. I believe this is an opportunity for each of us and for our chamber to support Canadians in our collective desire to make a substantial difference in recognizing and respecting the rights of animals and thus making our world a much better place for all.

Thank you. *Wela'liog*.

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

(On motion of Senator Patterson, debate adjourned.)

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

### MOTION TO AUTHORIZE COMMITTEE TO STUDY THE SITUATION IN LEBANON—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Smith:

That the Standing Senate Committee on Foreign Affairs and International Trade be authorized to examine and report on the situation in Lebanon and determine whether Canada should appoint a special envoy, when and if the committee is formed; and

That the committee submit its final report no later than February 28, 2022.

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition):** Honourable senators, I move that further debate be adjourned until the next sitting of the Senate for the balance of my time.

(On motion of Senator Housakos, debate adjourned.)

## BANKING, COMMERCE AND THE ECONOMY

### MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE WITHDRAWN

On Motion No. 84 by the Honourable Colin Deacon:

That the Standing Senate Committee on Banking, Commerce and the Economy be authorized to meet on Tuesday, October 25, 2022, at 6:30 p.m., even though the Senate may then be sitting and that rule 12-18(1) be suspended in relation thereto.

**Hon. Colin Deacon:** Honourable senators, pursuant to rule 5-10(2), I ask that the notice of Motion No. 84 be withdrawn.

**The Hon. the Speaker pro tempore:** Is leave granted, honourable senators?

**Hon Senators:** Agreed.

(Notice of motion withdrawn.)

### COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

**Hon. Pamela Wallin,** pursuant to notice of October 26, 2022, moved:

That the Standing Senate Committee on Banking, Commerce and the Economy be authorized to meet on Tuesday, November 1, 2022, at 6:30 p.m., to hear from the

Governor of the Bank of Canada, even though the Senate may then be sitting and that rule 12-18(1) be suspended in relation thereto.

She said: Honourable senators, I just want to make the obvious statement that it is the responsibility of the Banking Committee to monitor the activities of the Bank of Canada. We have just had the latest increase — number six — in interest rates announced by the Bank of Canada. The *Monetary Policy Report* is coming out. This is, at least, a semi-annual meeting that we have with the Governor of the Bank of Canada. I think it is important that he's held to account, and, therefore, we would like to proceed with this meeting.

We have checked with his schedule to see if any other times are available. They are not. Hence, I'm asking for the support of the chamber to conduct this meeting. Thank you.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

**The Hon. the Speaker pro tempore:** Honourable senators, the Senate has come to the end of Orders of the Day, and I declare the sitting suspended until 4 p.m., when the sitting will resume for Question Period. The bells will start ringing five minutes before the sitting resumes.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1600)

## QUESTION PERIOD

(Pursuant to the order adopted by the Senate on December 7, 2021, to receive a Minister of the Crown, the Honourable Omar Alghabra, P.C., M.P., Minister of Transport, appeared before honourable senators during Question Period.)

## BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, we welcome today the Honourable Omar Alghabra, P.C., M.P., Minister of Transport, to ask questions relating to his ministerial responsibilities.

Welcome, minister.

[ Senator Wallin ]

## MINISTRY OF TRANSPORT

### CANADIAN RAILWAYS

**Hon. Donald Neil Plett (Leader of the Opposition):** Minister, earlier this month, a CN bridge south of Grande Prairie, Alberta, burned down, causing backlogs for grain shippers who rely on rail to get their products to port. This also means farmers aren't being paid for their crops because their products aren't moving. Sadly, this example is just one of many that demonstrate the fragility of Canada's national supply chain.

Greg Sears, who serves as board chair of the Alberta Wheat Commission, recently said in a *Financial Post* article, "One bridge washout or fire or any type of event can cause some major impacts."

He added, "An entire economy is relying on these little ribbons of steel through Canada."

Minister, farmers must deal with droughts, floods and many more variables that are out of their control. Access to rail transportation should not be an additional barrier. What is your government doing about this matter?

**Hon. Omar Alghabra, P.C., M.P., Minister of Transport:** Senator, thank you for the question.

Canadians have seen, particularly over the last couple of years, significant disruptions, not only here at home but around the world, to national and international supply chains. Our government went into action. We established a Supply Chain Task Force that issued its report almost three weeks ago. That contained a lot of important and meaningful recommendations. Our government has also been providing support throughout the process.

Undoubtedly, Canadians saw that supply chains are vulnerable, and when they are not resilient enough, farmers, agricultural producers, other manufacturers, Canadians themselves and consumers have difficulty. That's why, senator, we are working on providing investments to ensure that our supply chains are resilient.

### NATIONAL SUPPLY CHAIN

**Hon. Donald Neil Plett (Leader of the Opposition):** Statistics Canada is forecasting 75 million tonnes of grain harvest from across the Prairies. The anticipation is that the Canadian harvest will hit a record high this year.

With the uncertainties brought on by the Ukraine-Russia war, the world needs Canada's high quality grains. Reports from the Ag Transport Coalition show that CN and CP supplied a combined 70% of hopper cars ordered for the week of September 18, 2022. This significant decline directly affects exporters and farmers who are eager to capitalize on their hard work.

Minister, other than creating yet another task force, what is your government doing? When will you finally give Canadian farmers the break they need and deserve?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, the work that our farmers and agricultural producers do is incredibly important. You are right — this year they are having a terrific year, and we need to ensure, as a government and as a country, that the transport sector is ready to provide services that are necessary, not only for them, but for Canadians and the entire world who are depending on this product.

I have written and been engaged with CN and CP to ensure that they have plans to be able to service farmers and agricultural producers.

We have recently announced several measures, including \$130 million to digitize the transportation and supply chain sector to ensure greater fluidity and ensure that CN and CP have the plans that they need. We are engaged on this, senator. It's important to us, and I know it's important for Canadians.

[*Translation*]

#### MIRABEL AIRPORT—NON-CONSTRUCTION EASEMENTS

**Hon. Claude Carignan:** Welcome, minister.

In 1969, the government of Pierre Elliott Trudeau threw thousands of people out into the street and, if I'm not mistaken, burned down over 50 homes in order to build what we might now call a white elephant, the Mirabel airport. As you know, that airport was for the most part destroyed in 2014 and the successive governments of Brian Mulroney and Stephen Harper worked hard to correct the mistakes of the past. However, some issues still need to be resolved including a request by the municipality of Mirabel to lift the airport non-construction easements that are, by all accounts, outdated and preventing the development of the neighbouring lands.

Minister, last spring you committed to speeding up the process to study this file, but we aren't seeing any follow-up on that, or at least not so far. When will you drop these easements?

[*English*]

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Thank you, senator, for your welcome and for your question.

I've been working with my colleague from the Bloc Québécois, M.P. Jean-Denis Garon, on this file. We have been hearing the concerns of the community and their desire to move forward. Transport Canada, myself and my team have been working on this issue, and I am hoping that we'll find a path forward very soon.

#### LOW-EMISSIONS TRANSPORT

**Hon. Rosa Galvez:** Minister Alhabra, welcome to the Senate.

Transportation is the second-largest source of greenhouse gas emissions in Canada, accounting for one quarter of Canada's total emissions. The Commissioner of the Environment and Sustainable Development found in their 2022 report that Environment and Climate Change Canada and Natural Resources Canada used different assumptions and approaches and came up with different numbers for modelling hydrogen production and use in Canada.

Your government set targets for zero-emission vehicles, light-duty vehicles and medium- and heavy-duty vehicles. To what extent are you considering green hydrogen as a fuel for low-carbon transport, and which department's modelling results are you using in your policy design?

• (1610)

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, thank you for that question. Indeed, you cannot be serious about fighting climate change unless you are serious about tackling emissions from the transportation sector.

About 85% of the emissions from the transportation sector comes from light-duty, medium-duty and heavy-duty vehicles. Our government announced a plan to ensure that, by 2035, 100% of new light-duty vehicles are zero-emission. We're aiming for 100% of medium- and heavy-duty vehicles by 2040. We're providing programs to support that, incentives for consumers and businesses, investment in BET tests, research and development. While much of the light-duty vehicle technology is available, there is still a lot of work being done on medium- and heavy-duty vehicles. Our government is not only supporting businesses who want to develop and create new technology but also helping consumers and businesses acquire these technologies.

#### INTERNATIONAL CONVENTION FOR THE PREVENTION OF POLLUTION FROM SHIPS

**Hon. Colin Deacon:** Welcome, minister, to the Senate. The issue of bilge water dumping continues to threaten Canada's waterways and coastal ecosystems. Last year, a Nova Scotia-based manufacturer of bilge water filtration systems conducted an independent assessment of bilge water contamination of 44 fishing boats in 12 harbours. The results showed that bilge water contamination levels averaged 1,364 parts per million, which is 91 times the 15-parts-per-million threshold of the International Convention for the Prevention of Pollution from Ships, or MARPOL. Canada has been a MARPOL signatory since it came into force in 1983.

Seven weeks ago, together with some other Senate colleagues, we sent a letter to you as the lead minister for the MARPOL convention implementation, asking you to commit to strengthen compliance for bilge water dumping and incentivize the installation of effective bilge water filtration systems. When can we expect to see you take action on this issue?

**Hon. Omar Alghabra, P.C., M.P., Minister of Transport:** Thank you very much, senator.

[Translation]

Our government is committed to protecting the health and safety of Canadians and the environment. Transport Canada is working with the shipping industry, Canadian ports and other departments to monitor the impact of marine shipping and its subsequent discharge, including those from oily bilge water.

I want to give you an example, senator. We reached an agreement earlier this year with the cruise industry to ensure that they limit their waste water dumping into Canadian waters. We're making progress. I know there is more work to be done about the type of vessels you're referring to, however, and we are committed to doing it.

#### NATIONAL TRADE CORRIDORS

**Hon. Marty Klyne:** Minister, since 2012, we have seen consistent declines in Canada's world infrastructure rankings from tenth to thirty-second. The good news, as I understand it, is that Infrastructure Canada is already working on a major national infrastructure assessment and assessing infrastructure priorities.

Something that remains a concern, however, is that our trade competitors are already making investments improving their logistics infrastructure. As a result, our Canadian exporters are increasingly feeling the challenge to retain customers. As we know, transportation infrastructure enables trade, which accounts for 65% of Canada's GDP annually and, therefore, is worthy of our attention. The good news on that front, as you've identified, is that a National Supply Chain Task Force report was recently released which recommends steps to improve the competitiveness of Canada's trade corridors.

Minister, is there a plan to coordinate these two major federal infrastructure initiatives and formally engage the provinces, territories and industry to participate in a national effort to improve our trade corridors?

**Hon. Omar Alghabra, P.C., M.P., Minister of Transport:** Thank you, senator. The short answer to your question is yes. I'll expand on that.

The issue of infrastructure deficit has been talked about in Canada as long as I've been involved in politics, and that's almost 16 years. Our government has made a historic investment in infrastructure for over \$120 billion, and that includes \$5 billion that is set aside particularly for a national trade corridor. Let me also clarify that the broader investment fund can and has been supporting infrastructure funds that facilitate further trade.

Indeed, this is something that we're seized with. This is something that we are reminded of during the pandemic disruption, during climate change and during extreme weather events. We are committed to being informed by the various initiatives that the government is working on and cooperating together to ensure that we not only build more but build better.

#### NEXUS PROGRAM

**Hon. Jean-Guy Dagenais:** Minister, when Canadians try to renew their NEXUS card, they find out that all 13 Canadian offices have been closed for more than two years. Worse still, the Government of Canada website is suggesting that people go to the United States for a simple card renewal. This has resulted in a backlog of 350,000 NEXUS card applications waiting to be processed, which is unacceptable. The same goes for passport applications, immigration cases and airport delays.

Can you provide a frank explanation of the nature of the problem and tell us why it has dragged on since the pandemic measures were brought in? Does renewing the NEXUS program require a meeting between the U.S. President and the Prime Minister? It's unacceptable that offices are open for the Americans while everything is closed for Canadians.

[English]

**Hon. Omar Alghabra, P.C., M.P., Minister of Transport:** Thank you for that question, senator. This issue is extremely important for Canadians.

The first period during the pandemic, those offices were closed according to public health measures. It is frustrating that Canadian offices have not reopened yet. However, the reason they have not reopened yet is because the United States has not sent back U.S. officials to be part of the operations. We are in discussions with our friends in the U.S. about reopening them as quickly as possible. My colleague Minister Mendicino and I have engaged our counterparts, either the Secretary of Homeland Security or the Secretary of Transportation, on many occasions. We've made some progress. The U.S. has now agreed to work with us on automatically renewing expired cards. While we are sorting out the return of U.S. officials, we're looking at new and other innovative ways to address this issue in the interim. This issue is extremely important to us.

[Translation]

#### VIA RAIL

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition):** Minister, in May 2022, the President of VIA Rail Canada, Cynthia Garneau, made a surprise announcement that she was resigning after being on the job for only three years. We don't know why she resigned. VIA Rail has had an acting president for more than five months. VIA Rail will soon start a megaproject for high-frequency trains between Quebec City and Toronto, and we're hearing about investments in the billions of dollars.

Minister, I'm very concerned. What is going on with VIA Rail's governance? When will you appoint a president for VIA Rail Canada?



[English]

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Thank you for that question and for giving me an opportunity to talk about this exciting investment that our government is making.

For decades, previous governments have talked about the importance of this corridor. It is our government that is proceeding with this project. This will be the largest infrastructure project in Canada's history.

We have been making progress. In fact, today Transport Canada should be releasing a report of our consultation with the private sector about the next steps for proceeding with this project. In the last few years alone, our government has invested over \$2 billion in VIA Rail Canada.

As for your question about the CEO, I wish Ms. Garneau the best. However, you're asking me about a human resources matter that, I'm sure you understand, I'm unable to speak about on the floor of the Senate or anywhere else publicly for that matter.

#### CANADIAN AIRLINE CREW DETAINED ABROAD

**Hon. David M. Wells:** Mr. Alhabra, on April 5 — almost eight months ago — Pivot Airlines crew on a layover in the Dominican Republic discovered and reported contraband to the RCMP and the Dominican police while preparing for a flight from the Dominican Republic to Canada. The crew was imprisoned, threatened and abused before being released on bail under the condition they remain in the country. The crew has not been charged or interviewed about the crime that they reported.

Transport Canada — your ministry — has in its possession video evidence that shows the direct involvement of unrelated third parties placing the contraband on the aircraft. This shows that the Canadian flight crews who travel to and from the Dominican Republic are clearly at risk. Canadian labour unions — Air Line Pilots Association, or ALPA, as well as CUPE and Unifor — have already advised their 70,000 airline members to exercise extreme caution when travelling to the Dominican Republic.

• (1620)

The Dominican Republic — and Canadian authorities by their inaction — are sending a clear message to all Canadian air crews operating flights to the Dominican Republic: Don't look for contraband, and if you see it, don't report it — just leave. If you report as the rules require, you will be detained indefinitely without charge — even when there's clear video evidence showing your innocence.

Minister, with this evidence, what is your department, and the federal government, doing that will bring this crew — these Canadians — back home? Will Canada reconsider its bilateral agreement, that allows commercial flights between the Dominican Republic and Canada, pending the release of this crew?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, I'm grateful to you for bringing this point up, because this is an extremely urgent matter. I've been following this issue since it started. I met with the CEO of Pivot Airlines. I have met with the Ambassador of the Dominican Republic to Canada to register my concerns.

I agree with you. If this issue is not dealt with in due process and fairness, it sends a strong message — not only to Canada but to the world — that the Dominican Republic has questionable practices and it might not be safe for other crews to land in the Dominican Republic.

I want to assure you, all the families of those individuals and all the unions and companies that are concerned that this is a priority for us. The Prime Minister has raised this issue directly. We will continue to utilize all available diplomatic, and other, tools to ensure that we stand up for the rights of Canadians.

#### INFRASTRUCTURE IN WESTERN CANADA

**Hon. Paula Simons:** Today, the Standing Senate Committee on Agriculture and Forestry released our *Treading Water* report, which is an analysis of the impact of the 2020-21 floods in central British Columbia. I don't need to tell you that those floods wiped out roads and rail; left British Columbia disconnected from the Port of Vancouver; and left Alberta, my home province, without any way to get goods in or out.

One of the calls for action in our report is a response from your ministry regarding some of the issues raised in the report. I'm wondering what you can tell us about efforts that have been made to ensure that roads and rail in British Columbia are not going to be subject to the same disastrous consequences as suffered last November.

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Thank you, senator, for that question.

Last fall, Canadians saw the severe impact that extreme weather can have on our society, infrastructure and economy. I was there, on the ground, to see first-hand the work being done by crews and communities. We went into action very quickly. We brought together the private sector, governments and Indigenous leaders in order to work quickly to address these issues and immediately offer relief to Canadians who were impacted by this. Our government provided financial support to the Province of British Columbia, and we've been working continuously, as we learn from the impact, to build back better. Climate change is no longer an academic, intellectual exercise, or debate, that people feel is distant from their lives. People now know that climate change is not only real but here today.

Let me also say how grateful I am for the cooperation that all stakeholders — the private sector, the provincial government and Indigenous leaders — demonstrated at the time. However, we cannot lose sight of the important tasks at hand: combatting climate change, as well as adaptation and mitigation.

We are committed to this work, senator, and I welcome your advice and input on what else we can do together.

[*Translation*]

#### REVIEW OF PORT GOVERNANCE STRUCTURE

**Hon. Renée Dupuis:** Minister of Transport, welcome to the Senate. On April 30, 2021, you and the Minister of Labour appeared before the Senate in Committee of the Whole when we were examining a special bill to provide for the resumption and continuation of operations at the Port of Montreal. At that time, I asked you whether the port's specific governance structure was part of the reason why the very long and difficult negotiations between the parties had stalled. You answered as follows:

. . . we are currently in the process of reviewing the port structure. There is a proposal that we're studying to modernize how ports are governed, and we're certainly always looking for ways to enhance the governance structure.

On December 16, 2021, the Prime Minister gave you the following responsibility in your mandate letter:

Complete the Ports Modernization Review with an aim to update governance structures that promote investment in Canadian ports.

Minister, I would like to know how far you've gotten with the review of the Canadian ports governance structure, especially for the Port of Montreal. You received a proposal to modernize the governance structure. Did you approve it? Where are you on this file?

[*English*]

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Thank you, senator. Let me start by saying that our government is always reluctant to interfere in a collective bargaining process. We support the legitimacy and importance of this process. At that time, we — reluctantly — felt it was necessary to intervene.

To answer your question directly, the legislation is in its final stages. I am hoping that it will be tabled before the end of the year. I am looking forward to debating about it in the House of Commons. After that, obviously, I'm looking forward to receiving input and suggestions from you. It doesn't even need to be after that. It could be during the process while it is in the House of Commons. I look forward to your input and feedback on the proposal that we will be tabling before the end of the year.

#### COMMERCIAL SHIPMENTS TO NEWFOUNDLAND AND LABRADOR

**Hon. Brian Francis:** Minister, on September 1, Marine Atlantic eliminated the Commercial Other PRV classification for units under 30 feet. As a result, trucks transporting RVs to Newfoundland, who have travelled under this classification before, can now only reserve a crossing as a passenger-related unit, which does not provide access to commercial overnight berths, or travel on a first-come, first-served basis. According to the Atlantic Recreation Vehicle Dealers Association, this

decision creates significant barriers to deliveries and shortages. Do you know if any consideration is being given to recognizing shipments of RV inventory, to Newfoundland, as bona fide commercial shipments?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Thank you, senator, for that question. Marine Atlantic is an incredibly important service to our fellow neighbours in the Atlantic provinces. Our government continues to support this service, particularly during difficult times — during COVID. As for your question, I need to get back to you about whether that was a particular decision made by Marine Atlantic. It is, after all, an independent body that makes its own decisions based on its operational considerations. I'll need to get back to you on that question.

[*Translation*]

#### AIRPORT DELAYS

**Hon. Jean-Guy Dagenais:** Minister, Canada's Pearson airport in Toronto and Trudeau airport in Montreal have been named the two worst airports in the world for flight delays. While the situation in Toronto has improved slightly in recent weeks, flights are still being delayed or cancelled. There are endless lines at security. Luggage is being lost and people are crowding into immigration waiting rooms.

Aside from the labour shortage, can you tell us whether anything has been done to find out who is really responsible for the nightmare travellers have been experiencing since last summer? In your office, who is responsible for following up on the changes that should be put in place to improve the situation? It's not right that Toronto and Montreal are being labelled as the two worst airports in the world.

[*English*]

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Thank you, senator, for that question. The situation at our airports during the summer was unacceptable. The hours of delay, flight cancellations, shortage of labour and stories of people sleeping at airports were unacceptable.

Canadians saw that, because of the pandemic, there were significant layoffs in the aviation sector — not only in Canada but around the world. With the surge back in demand, labour shortages caused a significant impact on that operation. However, we didn't hesitate, as a government, to step in and take action. We quickly worked with airports and airlines to identify some bottlenecks that we could immediately address. We have carried out several measures, including expediting the hiring of Canadian Air Transport Security Authority employees; working with NAV CANADA, the air traffic controllers, on identifying efficiencies; automatically renewing expired security access cards to airport workers; and working on other bottlenecks.

[ Mr. Alhabra ]

• (1630)

Today I'm happy to say that the performance is much better. It does compare to pre-pandemic levels, but we should never let these lessons learned go by without taking action. Soon I will be inviting stakeholders from airports to airlines to a summit where we will discuss lessons learned from this episode and find out what else we can do as an industry and as government to address these things so that we are much better prepared, much more efficient and much more competitive for Canadian travellers.

#### NATIONAL SUPPLY CHAIN

**Hon. Donald Neil Plett (Leader of the Opposition):** Minister, earlier this year a report indicated that the Port of Vancouver is ranked as one of the worst ports for efficiency, coming in three hundred and sixty-eighth out of 370 ports around the world. In recent years, port efficiency has taken on a new level of urgency in the context of global disruptions and rampant inflation.

The inefficiency of Canada's largest port coupled with the shortcomings of our rail system, as I mentioned earlier, are undoubtedly huge barriers to exporters and farmers and to Canada's overall trade competitiveness.

Minister, does your government recognize the importance of this in mitigating inflation, and why is your government not doing more to strengthen our supply chains?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, thank you for that question. Let me just reassure you that our government is not only acknowledging the ongoing challenges within supply chains, globally and domestically, but also taking action. The Supply Chain Task Force report that was issued three weeks ago talks about the congestion at ports, particularly the Port of Vancouver, which is our busiest port in the country, and it is critical to our Pacific gateway.

Last week I announced on my visit to the Port of Vancouver that our government is launching \$136 million for ports and other institutions to digitize and increase efficiency of how they operate and provide more information to shippers and to other stakeholders.

This year we are tabling a bill that will modernize how ports are governed, including the Port of Vancouver. We are also working with the Port of Prince Rupert to ensure that they are able to take on more capacity and more operations.

So, senator, there are issues, and our government is seized with this matter, and we are taking action to address it.

[*Translation*]

#### HIGH-FREQUENCY RAIL SERVICE

**Hon. Marie-Françoise Mégie:** Good afternoon, minister.

Your mandate letter states that you must improve the safety and security of the rail system. When are we going to have tracks separating passengers and dangerous goods?

Based on your response to Senator Housakos — which I was happy to hear — do we have reason to believe that the government will soon move forward with high-frequency rail service powered by clean electricity in the Quebec City-Windsor corridor?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Thank you for the question, Madam Senator.

[*English*]

Our government is committed to the high-frequency rail that is going to connect Quebec City to Toronto with stops in between, including Montreal and Ottawa. This will be, as I have stated, the largest infrastructure project in Canada's history.

This will also be the first time that VIA Rail will have its own dedicated track to provide that service. This is a new era for VIA Rail. This is a huge investment. I know many Canadians are looking forward to it — so am I — and our government is solidly committed to building this project.

[*Translation*]

#### SAFETY OF INDIGENOUS WOMEN AND GIRLS

**Hon. Michèle Audette:** *Kwei*, minister.

[*Editor's Note: Senator Audette spoke in Innu.*]

Minister, last June the Standing Senate Committee on Aboriginal Peoples released its report entitled *Not Enough: All Words and No Action on MMIWG*.

I would also point out that your government commissioned or ordered the National Inquiry into Missing and Murdered Indigenous Women and Girls. The inquiry's final report includes Calls for Justice that concern you and your department.

I have a question for you about establishing services and infrastructure related to “. . . safe and affordable transit and transportation services . . . for Indigenous women [and] girls . . . living in remote or rural communities.” I am referring to Call for Justice 4.8.

Minister, what concrete actions have been taken to respond to this Call for Justice, particularly to improve the safety of Indigenous women and girls?

[*English*]

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Thank you, senator, for that question. Our government is solidly committed to the Truth and Reconciliation Commission action plan and to their recommendations, which we are acting upon.

Let me specifically address your question.

Transport Canada has done the following — by the way, I'm at the table where we regularly bring ministers and Indigenous leaders to discuss items of importance, including matters of transportation that are within federal jurisdiction. We are working together on marine and air transportation options and

ground transportation options. During COVID, our government provided financial support for remote air services that we know many communities would not have had access to during COVID if it hadn't been for that financial support.

I've written to my provincial counterparts about intercity bus services. Unfortunately, I have not heard back from any of my provincial counterparts. We know that bus service is critical. As you know, intercity bus service is a provincial jurisdiction, but we continue to extend our willingness to work with provinces on identifying solutions to fill this gap, and we will continue to work with our provincial counterparts on ways to do so.

#### NATIONAL TRADE CORRIDORS FUND

**Hon. Dennis Glen Patterson:** Minister, you know that in Nunavut we have no road or rail connections to the South, so Nunavut's capital investment in transportation infrastructure is critical. I know that Nunavut's Department of Economic Development and Transportation welcomed the opportunity the National Trade Corridors Fund, or NTCF, provided to replace a number of outdated 1970s-era undersized and deteriorating airport terminals to support our only year-round method of transportation.

However, as you know, post-COVID cost increases in supplies and labour are creating cost overruns that have led to increases and a threatened delay in tendering some of the planned NTCF activities.

Will your government commit to additional funds to address the shortfall created by inflation and post-COVID pressures on the supply chain and labour force?

**Hon. Omar Alghabra, P.C., M.P., Minister of Transport:** Senator, thank you for that question and thank you for talking about the importance of the National Trade Corridors Fund that is supporting critical infrastructure, including in the North.

By the way, within the National Trade Corridors Fund, we have set aside an allocation for the North to precisely invest in projects like the one you're describing.

I am aware that several projects that have been approved by the Trade Corridors Fund have seen a rise in cost, and we've been asking proponents to come back with another proposal or another submission that explains the situation. These proposals are examined by Transport Canada, and then a decision is made based on the situation.

[*Translation*]

#### THIRD LINK—FEDERAL GOVERNMENT INTERFERENCE

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition):** Minister, the Government of Quebec is moving forward with construction of the third link between Quebec City and Lévis.

[ Mr. Alghabra ]

Your colleague Steven Guilbeault seems determined to do what he can to stymie the Legault government. The Quebec bridge is in ruins, CN doesn't want to invest and that poses a tremendous risk to the region.

• (1640)

The federal government and CN have been dragging their feet for years and refuse to hand over the bridge to the Government of Quebec under acceptable conditions. Minister, I know that you're aware of the fact that the Trudeau government is jeopardizing the economic future of the entire greater Quebec City region. When will you realize that you need to force CN to do something about the Quebec bridge? When will you tell your colleague Mr. Guilbeault to let Quebecers run the environmental process for the third link?

[*English*]

**Hon. Omar Alghabra, P.C., M.P., Minister of Transport:** Senator, our government's partnership with provinces, including Quebec, is well documented. Our government has invested billions of dollars of key infrastructure projects in the province of Quebec, including in public transportation.

Usually, any project goes through the process it is expected to go through, whether it is through negotiation between the province and the federal government on funding or the environmental impact assessment.

You're asking me to speak about a particular project that will go and is going through the normal process that projects typically go through between the province and the federal government.

#### HIGH-FREQUENCY RAIL SERVICE

**Hon. Tony Loffreda:** Welcome, minister.

It is important, so I would like to further discuss high-frequency rail, or HFR, and the government's commitment to building a new eco-friendly transportation infrastructure project between Toronto and Quebec City.

As I understand it, the latest development in that project was a request for expressions of interest in March 2022 to seek feedback from interested parties on the design, build, finance, operation and maintenance of the project. More specifically, can you provide us with an update on the information you have collected so far and how that information is being leveraged to inform the next steps of the procurement process?

Additionally, the government thinks HFR could be fully operational in the early 2030s. Have you encountered, or do you expect to encounter, any delays? Do you think it will cost \$12 billion to build, or have inflation and labour shortages affected your estimates?

**Hon. Omar Alghabra, P.C., M.P., Minister of Transport:** Senator, thank you for that question and for giving me yet another opportunity to talk about how important this project is for Canadians and our government.

As for your question on the expression of interest, today, in fact, Transport Canada was supposed to release, and it hopefully did release, a summary of the information and the lessons collected from interested private-sector partners. That information will inform the next step of the request for quote — RFQ — which we hope will be issued in the coming months. So the plan continues as expected.

I continue to hope and plan that the project will be operational in the early 2030s.

The one thing I will refrain from doing is putting a dollar figure on it, only because there are still a lot of variables that have not been settled yet, based on the contractors and the discussions we're having with municipalities and with Indigenous communities.

So I'm unable to give you a dollar figure, but the commitment is that this project will proceed. Today, we would have released the summary of the input we received from private partners, and we would be happy to share it with you, senator.

[Translation]

**Hon. Pierre J. Dalphond:** Welcome to the Senate, minister. This anticipated Quebec City-Toronto high-frequency rail project has been in the news. You announced it on the train that I take regularly, so I'm pleased to see that this project is finally being started. I hope that it will be completed before I retire so I have the opportunity to take it.

In any event, minister, have you planned for the participation of provincial and municipal authorities in this massive project? All the route changes required for a rail system that is more frequent, efficient and attractive than travel by automobile or plane must be coordinated.

[English]

**Mr. Alghabra:** Thank you for your question, senator.

Indeed, this is going to be a massive and complicated project that will need to involve provincial governments, municipal governments and Indigenous communities. For example, we'll have to negotiate with municipalities about access to their downtown cores for the trains to stop there.

So there is still a lot of work that needs to happen. It is going to be complicated, as large projects of this scope tend to be. However, it is exciting to be involved in this work, because for decades, Canadians have heard governments talk about it; now, they're seeing work being done.

Unfortunately, it takes time, because of everything involved in such a project. There is no magic button to push where we'll find that such a project has materialized in front of us tomorrow. Like you, I hope I can use it before I retire, but we're going to follow the process and we're going to make sure that it is built, senator.

#### GOVERNANCE IN ARCTIC WATERS

**Hon. Dennis Glen Patterson:** Minister, in June 2019, the Special Senate Committee on the Arctic released a support entitled *Northern Lights: A Wake-Up Call for the Future of Canada*. We made 30 recommendations that were formed over two years of study, which included extensive witness testimony and a fact-finding mission across the Arctic.

Recommendation 24 reads:

That the Government of Canada, on an immediate basis, establish a robust governance regime to regulate activities in Canada's Arctic waters, including shipping corridors, and bonding and insurance requirements. . . .

Will your government commit to requiring sailing plans to be filed with your department for all marine vessels and not just those above a certain tonnage? Will it investigate the use of bonding and insurance requirements for pleasure vessels that are increasingly navigating the Northwest Passage? Also, will it fund the construction of necessary infrastructure and navigation aids required in the passage?

**Hon. Omar Alghabra, P.C., M.P., Minister of Transport:** Senator, thank you for the question.

We know that the Arctic continues to grow in strategic and economic importance. Our government is investing in infrastructure in the Arctic and is also putting into place measures and a regulatory framework so that we govern the movement of vessels and their environmental impacts upon the region.

So yes, there is ongoing work that is happening, alongside my colleague the Minister of Fisheries, Oceans and the Canadian Coast Guard, on future regulatory imperatives for the Arctic.

#### AIRPORT DELAYS

**Hon. Donald Neil Plett (Leader of the Opposition):** Minister, my next question is also about another terrible ranking record.

Earlier this summer, the Toronto Pearson Airport held the "worst airport in the world" ranking due to flight delays. Social media exploded with complaints and frustrations over flight cancellations and delays.

As Minister of Transport and as the Member of Parliament for Mississauga Centre, the riding next to the airport, I would presume this horrible ranking was one that you didn't celebrate. But clearly, your government didn't do enough to prepare for the surge in travel as COVID-19 restrictions were lifted.

Minister, you have blamed the travel chaos on a COVID-19 labour shortage. You have also previously blamed travellers for forgetting how to travel. Do you believe your government bears any responsibility in ignoring the warning signs and for not making plans to avoid the airport chaos of this past summer?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, the entire world suffered dramatic impacts caused by the pandemic and public health measures. Canadians saw airports around the world deal with congestion and cancelled flights. I don't say this to excuse what happened. I say this to state facts. Of course, I found it unacceptable and frustrating to hear the stories that I heard coming out of Toronto Pearson Airport and other Canadian airports. It was unacceptable. I went to work and our government took the matter extremely seriously.

• (1650)

As you know, airports and airlines are independent organizations and corporations that make their own decisions. Having said that, we went straight to action and we worked with airports to increase hiring and to address bottlenecks. Today, the situation is much better than it used to be, but our work continues. As I stated to another senator in my response, there will be a summit soon that will bring together airlines, airports and other key stakeholders to learn from the lessons that we witnessed and to ensure not only that it never happens again, but to see what else we can do to improve the efficiency, competitiveness and safety of our sector.

#### RAIL SERVICE IN ALBERTA

**Hon. Paula Simons:** I know that my colleagues who live in the Montreal-Toronto corridor are very keen to have a high-frequency train, and I know how they feel. I have a dream of a train that connects Edmonton and Calgary. I don't need it to be high speed, I don't even need it to be high frequency, I just need it to be there. I'm wondering, as your department is looking at other rail priorities, what you have to say that might fill me with hope and joy about the prospect of a study into an Edmonton-Calgary rail link or, indeed, a Calgary-Banff rail link.

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, let me start by saying I share that dream, and I hope we see that service become a reality.

Intercity public transit is a provincial jurisdiction. For example, in Ontario, we have the GO service that provides train services that connects cities. If the Province of Alberta intends to build such a project, rest assured that our federal government will be at the table working collaboratively with the Province of Alberta at figuring out how we can, together, make that dream a reality.

#### ONTARIO AERODROME

**Hon. Leo Housakos (Acting Deputy Leader of the Opposition):** Minister, residents of Georgina, Ontario have raised concerns with your department about a proposed aerodrome in their communities, sometimes referred to as the Baldwin East Aerodrome. They are concerned about the legitimacy of the proposal and the likelihood it is an elaborate scheme to get around provincial laws to dump fill, a practice that is very lucrative and has taken place at aerodromes elsewhere in the region.

Given the area's proximity to developments in the GTA, the public feedback period closed in March, yet residents have still not been given any update from Transport Canada. Minister, can you confirm whether you have approved the Georgina aerodrome proposal, and if so, could you give the reasons for the decision that has been made?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, thank you for that question. I have been following up on that matter. My colleague in the House of Commons has raised it with me. There is a process. Transport Canada is responsible for safety regulation of aerodromes and airports. There are obviously other types of permits that are outside Transport Canada's jurisdiction, whether it's environmental or building permits, but when it comes to safety, Transport Canada is going through the process, as you can imagine. The minister him or herself needs to wait for officials — independent, non-partisan officials — to do the assessment and submit a recommendation to the minister, which I have not yet seen.

#### AVIATION INDUSTRY CAPACITY

**Hon. Ratna Omidvar:** Thank you, minister, for being with us today. My question is about airports and airlines. Given the size of our country, if we want to go from east to west, air travel is, unfortunately, the only option. This is a matter that occupies Canadians, including, I would say, people in this chamber, because I hear horror stories about how people have to travel from Montreal to Toronto to Halifax to somewhere else in order to get somewhere else.

My question to you is about the capacity of airlines and airports. When are we going back to a normal air travel schedule? What can you tell us?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, it's good to see you. Let me just say, as I stated earlier, that the performance of the aviation sector, as I see it today, has come back not necessarily in volume but in performance and efficiency to the same level as it was pre-pandemic. This is good news for not only passengers but for those who work in the industry, because I know they've had a very tough two years.

The volume is still not back where it was pre-pandemic, but it is coming back. We expect the Christmas season to be busy again. I met yesterday with the chairman of Air Canada. I have been speaking with airports across the country about how important it is that we do not witness the same issues that we saw during the summer.

Prior to 2017, prior to our government, passengers had no legislative protection. Their rights were not protected in law until our government brought together the bill of rights for air passengers, also known as the Air Passenger Protection Regulations. This September, we actually strengthened these rules to ensure that passengers are protected if a flight is cancelled or delayed or if luggage is lost. So we have strict rules that protect passengers.

However, I will acknowledge that this past summer most passengers felt — and add me to that list — extreme frustration with what it was like to fly during that time. I am happy to see that things are better now, but we cannot lose sight of making sure that we never go back to what we saw during the summer.

#### CANADIAN TRANSPORTATION AGENCY

**Hon. Donald Neil Plett (Leader of the Opposition):** Minister, the Canadian Transportation Agency — the CTA — which is responsible for enforcing the compensation rules when travel plans have been derailed due to flight delays or cancellations, received over 7,000 complaints in May. In August, the CTA said the backlog of complaints had risen to 18,200 following a spike in grievances filed in recent months.

Minister, before you start blaming everyone else and other governments for this backlog, can you please provide us answers to the following questions: How many complaints have the CTA received to date this year for air travel alone? What measure have you taken to address the backlog? And when do you forecast the CTA to have caught up on the backlog of complaints?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, as you know, the CTA is an independent quasi-judicial body. They have received, to your point, an unprecedented number of complaints borne out of the situation this past summer.

The situation right now, clearly, is that CTA needs help. I have met with the chair of the CTA just recently, first, wanting to get briefed by her on the situation, the volume of complaints and the resources that are needed. Our government is now working with the CTA on making sure they have the resources they need.

This has been unprecedented, senator. The pandemic is a once-in-a-century thing that happened, and we can see that the rest of the world continues to be grappling with it. Our government, while we need to understand the root causes of what happened, we're not shirking our responsibilities in addressing this issue and on working with partners, because it is important to us that Canadians are serviced well.

Let me just take a moment to say that no Conservative government in the past has put anything in place to protect passenger rights. While there is more work that is needed, it was our government that stepped up to offer this protection.

• (1700)

I welcome your input on how we can strengthen these regulations, but I'm also proud of the work that we've done.

#### HIGH-FREQUENCY RAIL SERVICE

**Hon. Donna Dasko:** Thank you, minister, for being here. I'm going to give you one more chance to talk about that great rail line that's going in between Toronto and Quebec City. You have expressions of interest. Can you tell me which firms or partnerships have expressed interest in the project?

Also, just a couple of quick questions to clarify. First, is this double track all the way between Toronto and Quebec City? Second, how are level crossings dealt with in the proposal?

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** Senator, thank you for the question. As far as I know, more than 50 companies participated in the expression of interest. I stand corrected if that number is not accurate. I don't have the names of these companies off the top of my head, but as I said earlier, Transport Canada was expected to release a summary of the input received through the expression of interest process. We'd be happy to share that with you, senator.

You're also asking specific questions about the design and how it's going to be built, questions that I think are still up for debate. I think it's too early to answer many of these questions because there are still some final touches that need to be made. Some of them will be informed by the private partners and the discussions we're going to have with local communities.

I don't know yet, but I want to stress that safety, including rail crossing safety, and infrastructure investment will be critical elements of that project. We'll be sensitive to the concerns and needs of local communities.

#### PILOT LICENSING

**Hon. Donald Neil Plett (Leader of the Opposition):** Minister, backlogs and complaints seem to be a bit of a theme in your department. According to a report from July, members of the Canadian aviation industry are frustrated with backlogs at Transport Canada that are making it difficult for new and existing pilots to get their licences and medical certificates. Certifications that should only take 30 to 40 days are repeatedly taking a year or longer. To top it off, members are claiming that Transport Canada doesn't answer the phone, return calls or respond to emails.

Minister, at a time when airlines are scrambling daily to find pilots to fly planes, how do you justify this failure? Again, could you tell us when this backlog will be cleared? Surely this isn't the fault of the Conservative government.

**Hon. Omar Alhabra, P.C., M.P., Minister of Transport:** I'll refrain. Senator, thanks for the question.

Again, the issue of disruptions have been witnessed across the economy, not just at Transport Canada, and Canadians know that. I know some partisans have a vested interest in putting the blame on the government, and so be it, but Canadians are smart enough to know that the last couple of years have been hard on our economy and our workers. Our government was there to do everything we could, including — and let me talk about the medical licensing process for pilots. I've been personally involved in this.

We have put in place immediate measures to relieve and prioritize commercial pilots. Commercial pilots are able to receive their certificates within the allotted timeline. Yes, some recreational pilots and other types of aviation professionals have experienced more delays, but it is necessary given the volume. After two years of low activity, pilots needed to renew their licences and there was volume. We have prioritized commercial pilots.

If you have a specific case, senator, that you would like to follow up on, I would be more than happy to look into it for you.

**The Hon. the Speaker:** Honourable senators, the time for Question Period has expired. I'm sure senators will want to join me in thanking Mr. Alhabra for joining us today. We look forward to seeing you again.

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

**Mr. Alhabra:** Thank you very much.

#### BUSINESS OF THE SENATE

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I ask for leave of the Senate to suspend the sitting to await messages from the House of Commons, with the sitting to reassemble at the call of the chair, with a 10-minute bell.

**The Hon. the Speaker:** Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** So ordered. The sitting is suspended to a 10-minute bell.

(The sitting of the Senate was suspended.)

[*Translation*]

(The sitting of the Senate was resumed.)

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• (1940)

#### ORDERS OF THE DAY

##### COST OF LIVING RELIEF BILL, NO. 2 (TARGETED SUPPORT FOR HOUSEHOLDS)

###### FIRST READING

**The Hon. the Speaker pro tempore** informed the Senate that a message had been received from the House of Commons with Bill C-31, An Act respecting cost of living relief measures related to dental care and rental housing.

(Bill read first time.)

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

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

[*English*]

#### ADJOURNMENT

#### MOTION ADOPTED

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, November 1, 2022, at 2 p.m.

**The Hon. the Speaker pro tempore:** Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

(*At 7:45 p.m., the Senate was continued until Tuesday, November 1, 2022, at 2 p.m.*)

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## CONTENTS

Thursday, October 27, 2022

	PAGE		PAGE
<b>SENATORS' STATEMENTS</b>		<b>Crown-Indigenous Relations</b>	
<b>Canadian Forces Snowbirds</b>		Indigenous Consultation . . . . . 2262	
Congratulations on Fiftieth Anniversary			
Hon. Denise Batters . . . . . 2258			
<b>Visit of Moussa Faki Mahamat to Canada</b>			
Hon. Amina Gerba . . . . . 2258			
<b>Visitors in the Gallery</b>			
The Hon. the Speaker . . . . . 2259			
<b>Louise Bernice Halfe — Sky Dancer</b>			
Hon. Mary Coyle . . . . . 2259			
<b>Visitors in the Gallery</b>			
The Hon. the Speaker . . . . . 2260			
<b>Food Banks Canada</b>			
Hon. Percy Mockler . . . . . 2260			
<b>The Late Myer Horowitz, O.C.</b>			
Hon. Paula Simons . . . . . 2260			
<hr/>		<hr/>	
<b>ROUTINE PROCEEDINGS</b>		<b>ORDERS OF THE DAY</b>	
<b>Study on Issues Relating to Agriculture and Forestry</b>		<b>Bill to Amend the Canada Elections Act and the</b>	
<b>Generally</b>		<b>Regulation Adapting the Canada Elections Act for the</b>	
Sixth Report of Agriculture and Forestry Committee		<b>Purposes of a Referendum (voting age) (Bill S-201)</b>	
Deposited with Clerk During Adjournment of the Senate		Second Reading—Debate Continued . . . . . 2262	
Hon. Paula Simons . . . . . 2261		<b>Increasing the Identification of Criminals Through the</b>	
<b>Internal Economy, Budgets and Administration</b>		<b>Use of DNA Bill (Bill S-231)</b>	
Fourth Report of Committee Tabled		Bill to Amend—Second Reading—Debate Continued	
Hon. Lucie Moncion . . . . . 2261		Hon. Brent Cotter . . . . . 2263	
<b>Immigration and Refugee Protection Act (Bill C-242)</b>		<b>Jane Goodall Bill (Bill S-241)</b>	
Bill to Amend—First Reading . . . . . 2261		Bill to Amend—Second Reading—Debate Continued	
<b>Business of the Senate</b> . . . . . 2261		Hon. Mary Coyle . . . . . 2264	
<hr/>		<b>Foreign Affairs and International Trade</b>	
<b>QUESTION PERIOD</b>		Motion to Authorize Committee to Study the Situation in	
<b>Answer to Order Paper Question Tabled</b>		Lebanon—Debate Continued	
Justice and Attorney General—Bill C-28		Hon. Leo Housakos . . . . . 2267	
Hon. Marc Gold . . . . . 2262		<b>Banking, Commerce and the Economy</b>	
<b>Delayed Answers to Oral Questions</b>		Motion to Authorize Committee to Meet During Sitting of the	
Hon. Marc Gold . . . . . 2262		Senate Withdrawn	
<b>Justice</b>		Hon. Colin Deacon . . . . . 2267	
Violence against Women . . . . . 2262		Committee Authorized to Meet During Sitting of the Senate	
		Hon. Pamela Wallin . . . . . 2267	
		<hr/>	
		<b>QUESTION PERIOD</b>	
		<b>Business of the Senate</b>	
		The Hon. the Speaker . . . . . 2268	
		<b>Ministry of Transport</b>	
		Canadian Railways	
		Hon. Donald Neil Plett . . . . . 2268	
		Hon. Omar Alghabra, P.C., M.P., Minister of Transport . . . . . 2268	
		National Supply Chain	
		Hon. Donald Neil Plett . . . . . 2268	
		Hon. Omar Alghabra, P.C., M.P., Minister of Transport . . . . . 2269	
		Mirabel Airport—Non-Construction Easements	
		Hon. Claude Carignan . . . . . 2269	
		Hon. Omar Alghabra, P.C., M.P., Minister of Transport . . . . . 2269	
		Low-Emissions Transport	
		Hon. Rosa Galvez . . . . . 2269	
		Hon. Omar Alghabra, P.C., M.P., Minister of Transport . . . . . 2269	
		International Convention for the Prevention of Pollution from	
		Ships	
		Hon. Colin Deacon . . . . . 2269	
		Hon. Omar Alghabra, P.C., M.P., Minister of Transport . . . . . 2270	
		National Trade Corridors	
		Hon. Marty Klyne . . . . . 2270	
		Hon. Omar Alghabra, P.C., M.P., Minister of Transport . . . . . 2270	

## CONTENTS

Thursday, October 27, 2022

	PAGE		PAGE
NEXUS Program		Governance in Arctic Waters	
Hon. Jean-Guy Dagenais . . . . .	2270	Hon. Dennis Glen Patterson . . . . .	2275
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2270	Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2275
VIA Rail		Airport Delays	
Hon. Leo Housakos . . . . .	2270	Hon. Donald Neil Plett . . . . .	2275
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2271	Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2276
Canadian Airline Crew Detained Abroad		Rail Service in Alberta	
Hon. David M. Wells . . . . .	2271	Hon. Paula Simons . . . . .	2276
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2271	Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2276
Infrastructure in Western Canada		Ontario Aerodrome	
Hon. Paula Simons . . . . .	2271	Hon. Leo Housakos . . . . .	2276
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2271	Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2276
Review of Port Governance Structure		Aviation Industry Capacity	
Hon. Renée Dupuis . . . . .	2272	Hon. Ratna Omidvar . . . . .	2276
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2272	Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2276
Commercial Shipments to Newfoundland and Labrador		Canadian Transportation Agency	
Hon. Brian Francis . . . . .	2272	Hon. Donald Neil Plett . . . . .	2277
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2272	Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2277
Airport Delays		High-Frequency Rail Service	
Hon. Jean-Guy Dagenais . . . . .	2272	Hon. Donna Dasko . . . . .	2277
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2272	Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2277
National Supply Chain		Pilot Licensing	
Hon. Donald Neil Plett . . . . .	2273	Hon. Donald Neil Plett . . . . .	2277
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2273	Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2277
High-Frequency Rail Service			
Hon. Marie-Françoise Mégie . . . . .	2273	<b>Business of the Senate</b>	
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2273	Hon. Raymonde Gagné . . . . .	2278
Safety of Indigenous Women and Girls			
Hon. Michèle Audette . . . . .	2273		
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2273		
National Trade Corridors Fund			
Hon. Dennis Glen Patterson . . . . .	2274	<b>ORDERS OF THE DAY</b>	
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2274		
Third Link—Federal Government Interference		<b>Cost of Living Relief Bill, No. 2 (Targeted Support for Households) (Bill C-31)</b>	
Hon. Leo Housakos . . . . .	2274	First Reading . . . . .	2278
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2274		
High-Frequency Rail Service		<b>Adjournment</b>	
Hon. Tony Loffreda . . . . .	2274	Motion Adopted	
Hon. Omar Alghabra, P.C., M.P., Minister of Transport	2274	Hon. Raymonde Gagné . . . . .	2278
Hon. Pierre J. Dalphond . . . . .	2275		