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OFFICIAL REPORT  
(HANSARD)

**Tuesday, September 16, 2003**

—  
**THE HONOURABLE LUCIE PÉPIN**  
**SPEAKER *PRO TEMPORE***

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

## CONTENTS

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

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## THE SENATE

Tuesday, September 16, 2003

The Senate met at 2 p.m., the Speaker *pro tempore* in the Chair. • (1430)

Prayers.

### VISITOR IN THE GALLERY

**The Hon. the Speaker *pro tempore*:** I wish to draw the attention of honourable senators to the presence in the gallery of Dr. Wolfgang Böhmer, President of the Bundesrat of the Federal Republic of Germany.

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

### NEW SENATORS

**The Hon. the Speaker *pro tempore*:** Honourable senators, I have the honour to inform the Senate that the Clerk has received certificates from the Registrar General of Canada showing that the following persons, respectively, have been summoned to the Senate:

Percy Downe  
Paul J. Massicotte  
Madeleine Plamondon  
Marilyn Trenholme Counsell

### INTRODUCTION

**The Hon. the Speaker *pro tempore*** having informed the Senate that there were senators without, waiting to be introduced:

The following honourable senators were introduced; presented Her Majesty's writs of summons; took the oath prescribed by law, which was administered by the Clerk; and were seated:

**Hon. Percy Downe**, of Charlottetown, Prince Edward Island, introduced between Hon. Sharon Carstairs, P.C., and Hon. Catherine S. Callbeck;

**Hon. Paul J. Massicotte**, of Mont-Royal, Quebec, introduced between Hon. Sharon Carstairs, P.C., and Hon. Céline Hervieux-Payette, P.C.;

**Hon. Madeleine Plamondon**, of Shawinigan, Quebec, introduced between Hon. Sharon Carstairs, P.C., and Hon. Lise Bacon; and

**Hon. Marilyn Trenholme Counsell**, of Sackville, New Brunswick, introduced between Hon. Sharon Carstairs, P.C., and Hon. David P. Smith, P.C.

**The Hon. the Speaker *pro tempore*** informed the Senate that each of the honourable senators named above had made and subscribed the declaration of qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, it is a great privilege to welcome four new senators to our chamber this afternoon: the Honourable Percy Downe, the Honourable Paul J. Massicotte, the Honourable Madeleine Plamondon and the Honourable Marilyn Trenholme Counsell.

Senator Percy Downe is well known to all of us who serve on this side of the chamber and some of us who have moved across the aisle because we have run out of room. He has served a premier in this country, our very own Senator Catherine Callbeck, three federal ministers and our Prime Minister. We look forward to benefiting from his extensive political experience here in this chamber.

Senator Massicotte thinks he represents the province of Quebec, but those of us who come from Manitoba really think that he is a Manitoba senator. He was born in that province and he obtained his education there.

[*Translation*]

He was also chartered in Quebec, and enjoyed the same successful business career there. In addition to his business background, Mr. Massicotte has provided devoted services to a number of not-for-profit organizations.

We also welcome the Honourable Madeleine Plamondon. As she has said herself so aptly, we must live our faith, and she plans to continue to defend forgotten Canadians, particularly women and seniors. We encourage her to continue to represent her chosen constituency here in Parliament.

[*English*]

The Honourable Marilyn Trenholme Counsell has earned a great deal of respect among her peers in the medical community for her life work, which she has done both as a physician and in all other matters of public health. As a former provincial cabinet minister and, until recently, New Brunswick's Lieutenant-Governor, we look forward to the contribution she will be able to make to our chamber. I hope all honourable senators will join with me in welcoming our four new colleagues to this chamber.

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

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, in joining with the Leader of the Government in welcoming our new colleagues, I trust they will dismiss — if they have not done so already — the infantile criticism that seems to follow any appointment to this place. According to those who should know better, the only reason the vast majority of us are here is because of friendship and loyalty to the Prime Minister. Any other considerations leading to an appointment are simply ignored. How ironic it is, then, that, while senators are the subject of constant derision and ridicule, the

Senate as an institution is recognized as contributing more to the legislative process than the other place. It has greater and wider experience, less partisanship, and its committees produce highly praised constructive reports and studies following patient and thorough examination of bills and various subject matters. I think we can agree that if all of this can be achieved by loyal friends of prime ministers past and present, then long live and more power to the appointment criteria.

[Translation]

On behalf of all my colleagues in the Conservative caucus, I congratulate our new colleagues on their appointments and assure them of our full cooperation as they prepare to carry out their new duties. I have no doubt they will be equal to the task.

[English]

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

**Hon. Gerry St. Germain:** Honourable senators, I too, would like to welcome the new senators who have arrived in the Senate. I congratulate the Prime Minister on appointing an independent. I do not know if there is something going on here — are they trying to squeeze me out of this place? Senator Prud'homme and I are becoming concerned.

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## SENATORS' STATEMENTS

### THE HONOURABLE WILBERT J. KEON

#### CONGRATULATIONS ON RENAMING UNIVERSITY OF OTTAWA HEART INSTITUTE IN SENATOR'S HONOUR

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, yesterday afternoon, I had the pleasure of attending an event at the University of Ottawa Heart Institute which can be only of special interest to all colleagues. I will quote from the invitation:

In recognition of Dr. Wilbert J. Keon's unparalleled contribution to the creation and development of the University of Ottawa Heart Institute, the board of directors has named the institute building in his honour.

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

**Senator Lynch-Staunton:** It is a well-deserved tribute to an outstanding cardiologist and humanitarian who brings great credit to the Senate, named as he was — or so it was said at the time — solely because of his friendship with the Prime Minister.

[Translation]

## OFFICIAL LANGUAGES

### FEDERAL COURT DECISION ON CASE BROUGHT BY FORUM OF MAYORS OF ACADIAN PENINSULA

**Hon. Jean-Robert Gauthier:** Honourable senators, a Federal Court judgment brought down on September 8, 2003, will set legal precedent and is an outcome greeted with great satisfaction by official languages communities.

The case in question was a proceeding before the Federal Court between the Forum des maires de la péninsule acadienne and the Canadian Food Inspection Agency.

These mayors of municipalities on the Acadian Peninsula claimed that the administrative reorganization of the agency was detrimental to francophone regions, would have an impact upon services to the public and did not respect employees' right to work in their language. The Office of the Commissioner of Official Languages had carried out an in-depth investigation under the Official Languages Act in July of 2001. The Forum des maires was dissatisfied with the government's action and initiated court proceedings in September of 2001.

Senators are aware of this issue because I have introduced two bills to give some teeth to the Official Languages Act, making its section 41 mandatory. The most recent of these was Bill S-11, referred to the Senate Committee on Official Languages on May 7, 2003.

At the present time, the wording of section 41 is interpreted by the government and its advisers as being political and declaratory in nature and, consequently, as not conferring any rights on the official language communities.

There are a number of us who object to the government's minimalist position in this instance, since we believe that Part VII is mandatory and creates legal obligations for the government with respect to the communities.

• (1440)

Until now, neither the Office of the Commissioner of Official Languages nor ordinary citizens could launch legal proceedings with respect to this part of the act. We have tried, but it has been impossible. In its defence, the government invoked its interpretation of Part VII, maintaining that the Federal Court was not even competent to deal with the allegations brought by the forum of mayors of the Acadian Peninsula.

This is the first time the Federal Court has dealt with this issue. This decision, favourable to the official languages communities, will make history and create jurisprudence. All federal institutions, without exception, must be aware of the scope of Part VII of the Official Languages Act. In particular, section 41 deals with the government's commitment to enhancing the vitality and supporting the development of English- and French-language minority communities everywhere in Canada.

The Federal Court's decision of September 8 will create a legal precedent. We will refer to it to remind the government that it has obligations under Part VII of the Official Languages Act, and that it must give satisfaction to all the communities, not just those in one part of Canada, such as the Maritimes, but everywhere, including the West, Ontario and Quebec.

[English]

## VISIBLE MINORITIES

### STUDY BY CONFERENCE BOARD OF CANADA ON BARRIERS TO ADVANCEMENT

**Hon. Donald H. Oliver:** Honourable senators, the Conference Board of Canada is arguably the most respected think-tank in Canada. This summer, I was able to persuade them to undertake the most comprehensive study of barriers to the advancement of visible minorities in the history of this country.

More than a study, the Conference Board's project, with my encouragement, is designed to put in place Canada-wide standards to ensure visible minorities have equal access to employment and senior management positions in both the public and private sectors. The project was launched last month.

Why is this project so important to me? For more than 40 years, I have been lobbying to try to equalize opportunities for blacks, in particular, and for visible minorities, in general, in both the public and private sectors. I have not been very successful. In fact, I have made very little progress.

One reason for that is that each time I get close to encouraging a senior white executive to make a change and accept the benefits of diversity, he or she poses the argument that there is no proof of such exclusion, no proof that there are real barriers, and no proof that there is a glass ceiling.

I determined that an in-depth, detailed, qualitative and quantitative study was required of attitudes and barriers that would prove that visible minorities face problems. The goal of this project is to develop a list of best practices that can be used both on Bay Street and in the public service to help make workplace diversity a reality.

I am pleased with the types of methodologies that have been adopted by the Conference Board, which include an analysis and review of previously existing literature on the barriers faced by minorities; an analysis of the contributions made by visible minorities to the Canadian economy; focus groups with visible minority citizens and recent immigrants; case studies of exemplary national and international organizations whose policies and practices have successfully created inclusive, high-performing work environments; the development of a self-assessment guide for businesses to gauge their integration of visible minorities into the workplace; and a scale to gauge how well those cultural requirements are understood and met within the company.

Honourable senators, I am excited about this project. Later this fall, I intend to set down an inquiry so that I may explain how the study is proceeding.

[ Senator Gauthier ]

I can tell you now that we have a preliminary list of criteria which we will consider in attempting to define the best practices from both private and public considerations. The questions we will ask will include the following: Are diversity-selection recruitment and selection techniques employed? Are there programs promoting career advancement for minorities? Are there clear promotion practices of visible minorities into management and board positions? Is there corporate involvement with visible minority communities? Is there managerial accountability for meeting diversity goals? Are there accommodations for cultural differences? Are visible minority-owned businesses in the supply chain?

Honourable senators, this is the basis for what is, in my opinion, the most exciting and most important study ever undertaken with respect to visible minorities in Canada.

## THE HONOURABLE WILBERT J. KEON

### CONGRATULATIONS ON RENAMING OF UNIVERSITY OF OTTAWA HEART INSTITUTE IN SENATOR'S HONOUR

**Hon. Michael Kirby:** Honourable senators, I rise to make a brief comment in light of the comments of Senator Lynch-Staunton relating to the enormous honour that Senator Keon had bestowed upon him at yesterday's ceremony, when it was made quite clear that Senator Keon has made an enormous contribution to the Ottawa medical scene. The heart institute was originally his idea, and his efforts made it happen.

Some are no longer here, but a number of former patients of Dr. Keon have been our colleagues in this chamber from time to time. We are all grateful for that.

In addition, former Prime Minister Mulroney was eloquent in his comments on Dr. Keon's performance within the broader medical community, both nationally and internationally.

However, the enormous contribution that Senator Keon made in the last three years to the health care study undertaken by the Standing Senate Committee on Social Affairs, Science and Technology was not mentioned. As many of you know, that study has now become the report against which changes in health care policy in this country are being measured. The other study undertaken by a former premier of Saskatchewan appears to have vanished into oblivion.

Honourable senators, to be perfectly honest, our committee could not have accomplished what it did without the enormous intellectual effort and the time that Senator Keon gave, despite all the other things he was doing. He was still a practising cardiac surgeon and still the CEO of the Ottawa Hospital. Nevertheless, he put in much time on the report.

Equally important, he has been a great help in communicating the committee's findings. Whenever he has been asked to make a speech, whether in Kelowna, B.C., in Windsor, Ontario, or a city in the Atlantic provinces, he has been willing to talk to a wide variety of groups about the suggestions for health care reform proposed by the committee.

On behalf of all the members of the committee, I want to publicly acknowledge his contribution to the report and to recognize that it could never have been done, at least it would not have been of such high quality, without his magnificent effort.

## JUSTICE

### SAME-SEX MARRIAGE

**Hon. Gerry St. Germain:** Honourable senators, we live in times when an accelerated pace of change is driven by technology's limitless frontiers. The globe has become a small community where people must grapple with their differences without yielding their distinct identity.

Our young people are presented with both tremendous opportunities and almost paralyzing choices, often in the form of terrible temptations. These are times that demand grounding. These times demand a return to the things that we know and cherish as a culture. It is a time when values are not only important but also essential.

People yearn for those things that nurture us as individuals and radiate from each of us to form the essential elements of a society — the closeness of a family, the comfort of a home, the support of community, the reality of our faith, whatever our religious beliefs. These are values. Understanding and renewing our commitment to our fundamental values can provide us with the touchstones that we need to confidently seize the future.

Honourable senators, no government should be able to so radically re-engineer a culture so as to tear apart the very foundations of society. However, the current Liberal government has done that, and they are continuing with the destruction of our values.

Blinded by an unquestioned commitment to the principles of liberalism, they are slowly but surely tearing at the fabric of Canadian society, attacking those things that would allow us to find renewed insight for our times. For more than two decades, social engineers, committed to the ideology of liberalism, have chipped away at the values that form the bedrock of our society. They have assaulted our traditions and have made a mockery of society's fundamental institutions. They have abandoned the notion of fairness and decency in the structure and conduct of our justice system, relying instead on a Charter of Rights and Freedoms that is void of responsibilities.

Today, these Liberal social engineers have in their sights one of the most cherished keystones of our culture — the institution of marriage between man and woman. Marriage is one of those fundamental values and beliefs that we have agreed to share, translated into the code of conduct for our society.

• (1450)

This code of conduct was influenced by the collective beliefs of many. We can point today to its origins in the spiritual or religious world. Those who remain true to their religious teachings cherish these origins. All of us, though, need to be able to appreciate the value of these fundamental beliefs

regardless of our religious teachings or spiritual beliefs. To attach no value to such fundamental values is to rob any meaning from our relations between people in society. The tradition of marriage between man and woman as currently defined in our laws is fundamental to the way in which we have ordered our society and its most basic unit — the family. Common sense and a respect for the origins of life dictated the evolution of this tradition as embraced in both religious practice and secular conduct.

Honourable senators, the Liberal social engineers refuse to admit that Canadians and people across the globe are yearning to return to the words and deeds that define the challenges of the past inspired by generations before us. They are searching for renewed insight for the challenges of our own time. Meanwhile, our government is robbing them of those touchstones. Our culture's future can hardly risk such recklessness.

[*Translation*]

## THE HONOURABLE LISE BACON

### CONGRATULATIONS ON APPOINTMENT AS OFFICER OF LEGION OF HONOUR

**Hon. Jean-Claude Rivest:** Honourable senators, on Thursday afternoon, one of our colleagues, Senator Lise Bacon, will be appointed as an Officer of the Legion of Honour by the French government. By so honouring Senator Bacon, the President of the French Republic is highlighting her significant contribution, as Quebec's Deputy Premier and Minister of Cultural Affairs, to the development of the French language and culture in Quebec. This honour recognizes her ongoing efforts as a member of the France-Canada Association to promote the French language and culture in Canada. Congratulations to Senator Bacon.

[*English*]

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, we are absolutely delighted about the honour that is being paid to Senator Bacon, but we are equally delighted that the same honour is being given to the Honourable Senator Marie Poulin. It is an honour that has previously been received by Senator Joyal and Senator Gauthier. We recognize that we do, indeed, have many distinguished people in this chamber of ours. We heard earlier today of Senator Keon, but the list goes on. I can only concur with the earlier remarks of the Leader of the Opposition about the quality of senators.

[*Translation*]

## ROUTINE PROCEEDINGS

### INTEGRITY OFFICER OF PUBLIC SERVICE

2002-03 REPORT TABLED

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, two copies of the 2002-03 annual report to Parliament by the Integrity Officer of the Public Service.

[English]

**AMERICA DAY BILL**

## FIRST READING

**Hon. Jerahmiel S. Grafstein** presented Bill S-22, respecting America Day.

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 Grafstein, bill placed on the Orders of the Day for second reading two days hence.

**ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE PROPOSAL FOR RESTITUTION OF CONFISCATED PROPERTIES IN EASTERN EUROPE**NOTICE OF MOTION REQUESTING  
GOVERNMENT SUPPORT

**Hon. Jerahmiel S. Grafstein:** Honourable senators, I give notice that on Tuesday, September 23, 2003, I will move:

That the Senate urge the Government of Canada to join those parliaments and governments of other member countries of the Organization for Security and Co-operation in Europe who are taking active steps, pursuant to OSCE resolutions to that effect, to restore or grant restitution for communal religious properties owned by Christian, Jewish and Muslim organizations confiscated during the fascist and communist periods in Central and Eastern European states.

[Translation]

**SOCIO-ECONOMIC IMPLICATIONS OF DECREASING POPULATION**

## NOTICE OF INQUIRY

**Hon. Marie-P. Poulin:** Honourable senators, I give notice that on Tuesday, September 23, 2003:

I will call the attention of the Senate to the fact that the 2001 census results, published in 2003, show that the Canadian population is decreasing in many regions across Canada and that this trend has short- and long-term socio-economic implications.

[English]

**QUESTION PERIOD****HEALTH****ONTARIO—SEVERE ACUTE RESPIRATORY SYNDROME—ECONOMIC COMPENSATION UNDER DISASTER FINANCIAL ASSISTANCE ARRANGEMENT RULES**

**Hon. Brenda M. Robertson:** Honourable senators, the Province of Ontario has been fighting with the federal government for several months over who will pay the bill for the costs incurred by this spring's SARS crisis in the Toronto area. The federal government has said that those costs do not qualify for compensation under the current disaster financial assistance arrangements rules because they were not caused by an environmental disaster. In July, Health Minister Anne McLellan said that the federal government may change the rules to make public health emergencies eligible for federal disaster relief payments, but no firm commitment to do so has yet been made. Will the government change the disaster relief rules to allow public health emergencies such as the SARS outbreak to qualify for economic compensation?

**Hon. Sharon Carstairs (Leader of the Government):** I thank the honourable senator for her question. It is clear that the DFAA program is a very blunt instrument. It has a limited amount of things for which it can be paid out. The government began a review of that program some time ago, and there are ongoing discussions taking place with the provinces and territories to discuss issues related to eligibility. A report will be submitted to the government in the near future.

However, it is also important to recognize that the Province of Ontario was offered \$100 million, with no conditions attached whatsoever. They were also given the offer of a further \$150 million, with some conditions attached, which of course related to proof being given of what the costs had been in the Province of Ontario, and the Ontario government turned it down.

**Senator Robertson:** Honourable senators, yes, the federal government has offered the Province of Ontario a SARS relief package of \$250 million. Ontario, of course, says that the cost to its health care system alone is at least \$1 billion, and it needs \$150 million more to deal with just the immediate medical expenses caused by the outbreak. Could the Leader of the Government in the Senate tell us if the federal government is re-thinking its initial proposal to the Province of Ontario? Will it increase the amount of compensation being offered while it straightens out the other problems that they have with the first program mentioned?

• (1500)

**Senator Carstairs:** Since the Province of Ontario has not agreed to any conditions under which it would take the additional \$150 million, and it has not agreed to take the \$100 million to which no conditions whatsoever were attached, there is no consideration of offering more money at the present time.



NEGOTIATIONS TO ESTABLISH  
HEALTH COUNCIL OF CANADA

**Hon. Wilbert J. Keon:** My question is for the Leader of the Government. Honourable senators, the Minister of Health, Anne McLellan, has announced that the provinces and territories, with the exception of Quebec, have agreed in principle to establish a new national agency, the health council of Canada. The council, composed of citizens, health-care workers and officials from all levels of government, will monitor the performance of medicare. There have been reports, however, that the provinces of Alberta, British Columbia and Ontario have apprehensions over what the council's mandate will be and how much it will cost. The provinces have given themselves seven weeks to reach a consensus.

Will the Leader of the Government in the Senate tell us if the federal government will wait to move forward with this proposal, if there is no agreement in seven weeks' time among the provinces on such basic matters as the council's funding and mandate?

**Hon. Sharon Carstairs (Leader of the Government):** I thank the honourable senator for that question. It was agreed, at the ministerial meeting of all health ministers that took place about 10 days ago, that the health council is still very much a matter of debate. Clearly, the Minister of Health at the federal level would like all provinces to participate and would like them all at the table. We will not prejudge the outcome of the next seven weeks at this time.

**Senator Keon:** Honourable senators, the Province of Quebec has decided to set up its own version of the proposed health council. It will appoint an independent health commissioner who will report directly to the National Assembly and who will have the power to hear complaints from the public and assess the availability of health services in the province. Could the Leader of the Government in the Senate tell us if the proposed health council of Canada will have powers comparable to those of Quebec's proposed independent health commissioner?

**Senator Carstairs:** Honourable senators, we want to ensure that, whatever health councils are established, they be as identical to one another as possible. I do not want to do or say anything today that would jeopardize the ongoing discussions. As the honourable senator is aware, some provinces have accepted, in its totality, the original organizational chart put forward by the federal government. Others have some concerns about that. Hopefully, over the next seven weeks, an accommodation can be found, and then the health council and the Quebec model can go forward together in a somewhat identical way.

[Translation]

OFFICIAL LANGUAGES

CASE BROUGHT BY FORUM OF MAYORS OF  
ACADIAN PENINSULA—FEDERAL COURT DECISION

**Hon. Jean-Robert Gauthier:** Honourable senators, my question is for the Leader of the Government. I gave notice of my question this morning.

My question concerns the Federal Court decision on the case brought by the Forum des maires de la péninsule acadienne against the Canadian Food Inspection Agency.

The mayors of the Acadian Peninsula alleged that the administrative reorganization of the agency was done to the detriment of French-language regions and that it had an impact on the services provided to the public and did not respect the right to work in one's language.

The Office of the Commissioner of Official Languages conducted a full investigation and submitted a report in July 2001. Nothing changed. The Forum des maires de la péninsule acadienne therefore filed suit in September 2001.

In its defence, the government invoked its interpretation and definition of Part VII of the act and suggested that the Federal Court was not competent to rule on the allegations made by the Forum des maires de la péninsule acadienne. To my knowledge, this is the first time that a court has dealt with this issue and corrected the government's interpretation.

Justice Blais of the Federal Court ordered the Canadian Food Inspection Agency to annul its decision to transfer seasonal inspector positions from the Acadian Peninsula, claiming that the administrative reorganization of the agency had been detrimental to French-language regions.

Justice Blais's order stated that all federal institutions must be aware of the scope of Part VII of the Act, which concerns the promotion of French and English.

I will read you an excerpt — paragraph 51 — of the order:

As to the implementation of the recommendation pertaining to Part VII of the OLA, *the Agency would like to obtain clarification on how to comply with this part of the OLA*. It also questions whether this recommendation is applicable to all future decisions or whether it applies also to the decision that was the subject of this investigation report.

I wrote to the minister responsible and sent a copy to Madam Minister. Could you give us the government's position on Justice Blais' order and tell us what exactly will happen now?

[English]

**Hon. Sharon Carstairs (Leader of the Government):** As the honourable senator indicates, he did indeed present a question to my office this morning. I immediately put that question forward for a response from the PCO and the PMO. I have not yet received that response. As soon as I do, I will make that information available to the honourable senator.

[*Translation*]

**Senator Gauthier:** You will recall the contraventions issue, which dragged on and on for years. Will the government be appealing this Federal Court decision? And if so, why?

[*English*]

**Senator Carstairs:** As I indicated to the honourable senator, I do not have a response to his question. However, I will share it with him as soon as I receive it.

## CITIZENSHIP AND IMMIGRATION

### NATIONAL BIOMETRIC IDENTIFICATION CARD

**Hon. Donald H. Oliver:** Honourable senators, my question is for the Leader of the Government in the Senate. This summer, the Minister of Citizenship and Immigration, Denis Coderre, once again raised the idea of issuing a biometric national identification card for all Canadians. While the minister has said that there should be a national debate on this matter, he has also said that Canadians should expect to see a card in place by 2005.

If it is the intention of the federal government to have a debate on this complex issue, why has it already set a deadline by which it wishes to have the card in place?

**Hon. Sharon Carstairs (Leader of the Government):** Before I answer the honourable senator's question, let me congratulate him on the work he did both leading up to this summer and throughout this summer to get the Conference Board of Canada to engage in the study. That is a momentous step forward, and I wish to congratulate him on that.

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

**Senator Carstairs:** In response to his question, as the honourable senator knows, Minister Coderre has, on a number of occasions, asked for a national study to be conducted on this issue. The reference to 2005 is one that is frequently made by our friends to the south, who want more information when Canadians cross the border. There is discussion now as to whether Canadians should be required to have a biometric passport when they enter the United States. We can reject the concept of a national identity card — and, the minister has called for that broad debate — but Canadians are widely travelled individuals and they may find themselves limited if we do not move forward with this debate.

**Senator Oliver:** The honourable minister mentioned in her response that the U.S. is putting pressure on Canada. In fact, 26 states have indicated that Canadians will not be allowed to enter the United States without their passports and, eventually, biometric identifiers such as iris scans and digital photos. This may mean that Canada will join 26 other European and Asian countries whose citizens must have biometric travel papers by October 26, 2004, in order to enter the United States. Could the Leader of the Government tell us when we may have a response to this news?

**Senator Carstairs:** Honourable senators, I can tell the honourable senator that the Deputy Prime Minister is meeting with his counterpart in the United States. As you know, we have done much work on the Smart Border proposal, cooperatively. That would seem to be somewhat diminished by this most recent announcement that we would require this high tech passenger portability and that we would have to carry a passport with us at all times.

• (1510)

We are still hopeful that Canada could be exempted from such a scheme because we have been exempted in the past from other, similar programs that the United States has introduced.

The reality, however, is that the United States controls its borders and can demand whatever documentation it wants in allowing people to cross that border.

## NATIONAL DEFENCE

### USED SUBMARINES PURCHASED FROM UNITED KINGDOM—SUPPORT COSTS

**Hon. J. Michael Forrestall:** Honourable senators, I have a question for the Leader of the Government in the Senate. She will be pleased to know that my questions will have nothing to do with helicopters for a while. I am waiting for Paul Martin to assume his rightful role over there, because he has said that this situation must be solved immediately. I will wait until he is ensconced in several months.

However, I have a problem with submarines. This summer it was reported that the budget for spare parts and engineering support for the used submarines Canada bought from England has more than doubled over the past several years. The original budget of \$86 million, awarded in a contract with a British company, has ballooned to \$192 million and is projected to go even higher by next summer. One of the reasons given by the project manager for the increasing costs is the delay in getting the submarines from England. He also noted that, in spite of increasing costs, the overall program is still on budget.

Can the Leader of the Government in the Senate tell the chamber what the overall budget for the submarines is and, if it is possible, explain how, with the doubling of support costs, the program can remain within budget?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, I do not suppose it will surprise Senator Forrestall one little bit that I asked for an update and briefing on the Maritime Helicopter Project before I came back this afternoon. Unfortunately, I did not ask for an update on the submarines. I will go back and get an update on the submarines. I will report back to the honourable senator, hopefully quickly.

**Senator Forrestall:** Honourable senators, perhaps the minister might be so kind as to find out at the same time what caused the delays in the first place in getting the submarines from the United Kingdom. Could she tell us why the initial engineering and supply management contract itself was awarded to a British company and not a Canadian one?

**Senator Carstairs:** Honourable senators, I will do my best to find the answers for the honourable senator. Harking back to the honourable senator's first question, nothing would give me greater pleasure than to be able to announce that we were moving on the Maritime Helicopter Project immediately.

#### BUDGET—REQUEST TO FIND SAVINGS

**Hon. Norman K. Atkins:** Honourable senators, my question is to the Leader of the Government in the Senate. The well-respected *Jane's Defence Weekly Magazine* noted that recent budget increases to the defence budget are not enough to cover existing operations or fund the military modernization program. The budget tabled last February committed DND to finding \$200 million in administrative savings to be used to address the sustainability gap.

Last month, it was reported that the Finance Minister asked National Defence to find another \$200 million in savings. This would help fund the government-wide billion-dollar reallocation for unexpected expenses incurred this year.

Is DND now asked to find a total of \$400 million in savings?

**Hon. Sharon Carstairs (Leader of the Government):** No, honourable senators, they are not. The \$200 million has been referred to in two different ways and is in fact exactly the same amount of money.

**Senator Atkins:** Can the Leader of the Government tell us if the \$200 million requested from DND for the reallocation is still to be used to help fund the department's sustainability gap, or is it being reallocated to other departments?

**Senator Carstairs:** No, honourable senators, there is no reallocation to other departments. Having said that, there is no question that some of that \$800 million will be allocated to the deployment to Afghanistan.

#### AGRICULTURE AND AGRI-FOOD

##### BOVINE SPONGIFORM ENCEPHALOPATHY— UNITED STATES TRADE RESTRICTIONS

**Hon. Leonard J. Gustafson:** Honourable senators, I am sure that everyone in the Senate is well aware of the implications of the mad cow disease across the country this summer. The problem is very serious. I would be remiss if I did not raise the matter here. I am sure you are all aware of the issue.

To the Leader of the Government in the Senate, it appears to me that there will be no answer to this situation unless we get live cattle moving across the border.

Would the leader take to cabinet the suggestion that a high-level delegation, independent of political implications, go to Washington to put this problem before the Americans? It seems that the problem — one cow — has been escalated to a ridiculous extent. What we need is a high-level delegation that would go to Washington and lay our case before them.

**Hon. Sharon Carstairs (Leader of the Government):** The honourable senator raises the issue of BSE and its severe implications in this country. No provinces, I would suggest, are feeling that more so than the provinces of Saskatchewan and Manitoba, although it is frequently seen primarily as an Alberta problem. However, because there is little or no slaughtering capacity in Saskatchewan and Manitoba, those two provinces have been extremely badly hurt. Even the opening of the border for cut meat, as has happened, is not having much impact on those provinces.

I can assure the honourable senator that I have been raising this issue on a continual basis all summer long on behalf of both of our provinces.

To answer his specific question, the government believes that all lines of communication are flowing very well on this issue. As the honourable senator knows, we have not been able to change the minds of the Americans except on cuts. However, the Minister of Agriculture is in constant contact with the Secretary of Agriculture in the United States. The President of the United States and the Prime Minister of Canada have had numerous discussions on this situation. The barrier to shipping live cattle across the border or across the forty-ninth parallel is caused principally by the American market in Japan. Japan is creating the difficulty.

To answer the honourable senator's question, no, we do not believe a high-level delegation will be more effective than the work that is now ongoing and the personal relationships that have developed between the two countries as a result of it.

##### BOVINE SPONGIFORM ENCEPHALOPATHY— ASSISTANCE TO FARMERS

**Hon. Gerry St. Germain:** Honourable senators, my question is for the Leader of the Government in the Senate. The U.S. Department of Agriculture has indicated that it wants new rules for the importation of live cattle into the United States. Is the Leader of the Government in the Senate aware of whether or not Canadian agricultural officials will be part of this process, or will the Americans proceed arbitrarily, in their own best interests?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, it is fair to say that almost all countries in the world act in their own best interests. Having said that, the new rules, should there be any new rules — and the United States seems to have backed off on them for the moment — will be worked out cooperatively.

• (1520)

**Senator St. Germain:** Honourable senators, my second supplementary question relates to the fact that last week, the Saskatchewan government announced more assistance to help the struggling cattle industry following the lead of other major provinces, like Ontario and Alberta. However, in so doing, the Saskatchewan government was critical of the federal government for pulling out of the national BSE assistance program at the end of August. Is that correct? Does that reaffirm what a cattle rancher clearly indicated in an interview when he said to the interviewer that we made one mistake in farming and in ranching? He said that instead of calling our animals Charolais and Limousin, we should have called them Bombardier. There is a lot of truth to that as far as it concerns many of us in the West.

With the federal and provincial agriculture ministers set to meet in Ottawa later this month, and with the cattle industry still struggling, is the government prepared to put up more money to assist these farmers? This is not a handout they are asking for; this is something beyond their control.

**Senator Carstairs:** There are a number of parts to the honourable senator's question. With respect to the program that the federal government announced in June, it was to run out by mid-August. That was the agreement everyone signed. It was extended for two weeks to cover the period of time before the American border opened. Therefore, the federal government has met its expectation under that particular agreement.

Having said that, many of the provinces have now signed bilateral agricultural policy framework agreements — British Columbia having been one of them — which, in itself, has freed up new money to be spent in those provinces. We hope the other provinces will get on board rapidly so that money can be spent in their provinces as well.

BOVINE SPONGIFORM ENCEPHALOPATHY—  
INTEGRATION WITH UNITED STATES  
BEEF PRODUCERS

**Hon. Jeremiah S. Grafstein:** Honourable senators, last spring some senators will recall that we met in Niagara Falls with our American counterparts — congressmen from the United States. We agreed to set up an informal bilateral committee to pursue integration of the beef producers on both sides of the border to hopefully get to the bottom of and overcome the problems faced by our Canadian producers because of mad cow disease.

Has the government given conversation to promoting greater integration of beef producers on both sides of the border so we can overcome this problem and be able to meet our real competition, which is the rigid and protectionist attitude of Europe, Japan and others?

**Hon. Sharon Carstairs (Leader of the Government):** Honourable senators, the problem with respect to the promotion of greater integration is that Japan has been very clear that it does not want that integration. As a result, the Secretary of Agriculture in the United States has been unwilling to move toward further integration, when in fact what would seem to be happening is an isolation of Canadian cattle so that they can be easily distinguished from American cattle.

**Senator Grafstein:** I assume, then, that as parliamentarians, we should pursue the parliamentary congressional route to see if we can circumvent the opposition to this idea that occurs in the executive of the United States.

**Senator Carstairs:** Honourable Senator Grafstein has an excellent suggestion. While I am on my feet, and I know the whole chamber would like to join with me, I believe we should recognize the work Senator Grafstein did this summer with respect to the SARS concert, which was a significant achievement.

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

[ Senator St. Germain ]

**Hon. Leonard J. Gustafson:** Honourable senators, I have a supplementary question.

The minister's province alone has indicated that it might have to slaughter thousands of animals. That is a drastic step to be taken in a world that needs food. I just heard today that Japan imports about 90 per cent of its meat from the U.S. and, of course, that market is being protected both by the U.S. and by Japan. This is why I agree with Senator Grafstein that members of Parliament, senators and congressmen must get to the bottom of this problem because it will not be solved until the border is opened to live beef. Sixty-five per cent of our beef crosses that border and we cannot eat it ourselves. We can bring in small measures to help, which is fine because they are needed. There are areas of drought where the ranchers need feed to keep these animals alive until they can market them.

Honourable senators, I would emphasize again and I would ask that the leader do her utmost in cabinet to put forth these ideas.

**Senator Carstairs:** As honourable senators know, I bring forward to my colleagues in cabinet the ideas presented by senators, particularly when they are thoughtful, which are the ideas that frequently come from the other side of this chamber, and often even more so from our side of the chamber. I will make the Minister of Agriculture aware of the honourable senator's suggestions on this particular file.

#### VISITORS IN THE GALLERY

**The Hon. the Speaker *pro tempore*:** I wish to draw the attention of honourable senators to the presence in the gallery of Chief Roberta Jamieson, Chief of the Six Nations of the Grand River, in Ontario. She is a guest of the Honourable Senator Gill.

Also, honourable senators, I should like to draw your attention to the presence in our gallery of our former colleague the Honourable Senator William Kelly.

Welcome back.

[*Translation*]

#### DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, I have the honour to table in this House four delayed answers to oral questions.

Two are delayed answers to oral questions raised in the Senate, by the Honourable Senator Oliver, on May 15 and June 19, 2003, concerning the World Wide Web and enforcement against spam, and the West Nile virus. The third one is in response to an oral question raised in the Senate, by the Honourable Senator Nolin, on June 16, 2003, concerning the appointment of an ombudsman to review legal errors. The fourth one is in response to an oral question raised in the Senate, by the Honourable Senator Stratton, on June 9, 2003, concerning the theft of personal information and prevention safeguards.

## INDUSTRY

### WORLD WIDE WEB—ENFORCEMENT AGAINST SPAM

*(Response to question raised by Hon. Donald H. Oliver on May 15, 2003)*

Industry Canada is considering steps to deal with abusive electronic commercial e-mail, commonly referred to as spam. The government recognized some time ago that the considerable increase in the volume of unsolicited commercial e-mail was creating an important problem, for consumers, for businesses, and potentially for the future of the Internet.

In January 2003, it issued a discussion paper seeking comments from key industry and consumer groups. Industry Canada is now analyzing submissions from these groups. As expected, some have called for new legislation. Others recognize that domestic laws alone cannot deal with spam, which has become a global problem. They agree that only a multi-pronged approach that would, among others, include technology, enforcement of existing laws, better industry practices, international cooperation and consumer education, can succeed in curtailing e-mail abuse.

Industry Canada now hopes to bring together these key stakeholders, in the near future, to discuss and agree on common approaches which could include, if required, new legislative action. It must also be recognized that, over the last few months, Internet industry stakeholders have taken aggressive steps to curtail the volume of unsolicited commercial e-mail. For example, the most important providers of free e-mail service have adopted stricter policies to limit the number of e-mails sent by their subscribers. A number of major Internet service providers have also launched aggressive filtering programs and have taken legal action against e-mail abusers.

The Department is following closely and analysing legal as well as regulatory developments in the United States and the European Community to determine their effectiveness. Industry Canada will also be participating in international discussions in the OECD and APEC on common approaches to address the scourge of spam.

## HEALTH

### WEST NILE VIRUS—STOCKPILING OF BLOOD— SCREENING TEST—SUSPECTED CASE IN WALPOLE, ONTARIO—BLOOD DONATIONS IN REGION

*(Response to question raised by Hon. Donald H. Oliver on June 19, 2003)*

#### Stockpiling of Blood-Screening Test

Blood establishments do not intend to test these products before they are released. Blood establishments have been collecting, keeping and stockpiling products from

February 2003 to May 2003, outside the mosquito season. This was initiated in order to secure sufficient supply to use should cases of human West Nile Virus appear prior to the implementation of screening of all donations for West Nile Virus. As a result no testing of these products was deemed necessary at the time.

#### Suspected Case in Walpole, Ontario — Blood Donations in Region

Health Canada has confirmed with the Canadian Blood Services that there were no blood clinics held in the area where the boy resided during this period.

## JUSTICE

### APPOINTMENT OF OMBUDSMAN TO REVIEW LEGAL ERRORS

*(Response to question raised by Hon. Pierre Claude Nolin on June 16, 2003)*

Before answering the question concerning the appointment of the Special Advisor, it might be useful to clarify a few points concerning the criminal conviction review process. The enactment of Bill C-15A, and specifically the new amendments to the *Criminal Code* (696.1-696.6) concerning the criminal conviction review process, provided the Minister with new powers, including the powers of a Commissioner under Part 1 of the *Inquiries Act* to issue subpoenas and compel witnesses to testify.

The authority to issue subpoenas and compel witnesses is the only authority that the Minister can delegate to someone else. The Minister cannot delegate his decision-making authority in the criminal conviction review process to anyone else. He can and has appointed agents to conduct investigations on his behalf, as was the case when he appointed retired judge Mr. Justice Fred Kaufman, to conduct an investigation into and make recommendations concerning the application submitted by Steven Truscott. He can also delegate to the agent the subpoena powers mentioned above. However, the ultimate decision to grant a remedy pursuant to s. 696.1 to 696.6 rests with the Minister.

One of the non-legislative changes to the criminal conviction review process included the commitment to appoint a Special Advisor to the Minister. The Special Advisor, not to be confused with the role of an agent conducting the initial investigation, would make recommendations directly to the Minister concerning all applications for review. This person requires very particular knowledge and competencies, and the Minister wants to be certain that he finds the right person for the position. Given the importance of the position, the Minister wants to ensure that he makes the right choice and would like to take the necessary time to do so rather than hurry the decision.

## CANADA CUSTOMS AND REVENUE AGENCY

### THEFT OF PERSONAL INFORMATION— PREVENTION SAFEGUARDS

*(Response to question raised by Hon. Terry Stratton on June 9, 2003)*

This confirms that the employee in question is no longer with the Canada Customs and Revenue Agency (CCRA). In addition, the CCRA has performed a review of its security systems. The following areas have been reviewed and the following measures will be taken where necessary to further reduce the likelihood of a similar incident occurring in the future.

- The CCRA has a full range of security policies, procedures and guidelines governing all potential security situations and incidents. These are currently being reviewed to ensure they remain adequate in light of this incident.
- A Personnel Security Screening policy is in place, which includes background checks, prior to the hiring of any employee. This policy is consistent with the Government Security Policy.
- All CCRA employees must adhere to both the Code of Ethics and Conduct and the Conflict of Interest Guidelines, and any employee who violates these may face disciplinary action. The CCRA will be expanding security awareness to increase employees' understanding of the associated policies and of their roles and responsibilities.
- The CCRA tracks its employees' accesses to taxpayer accounts through an audit trail system (ATS). Although the ATS can produce reports dating back several years, an On-Line Audit Trail System (OATS) has recently been re-designed to allow managers to proactively review an employee's system activities. Depending on the results, the OATS system may serve as a precursor to an in-depth audit trail should an employee's activities be suspect and require further investigation.
- CCRA employees are provided with access control mechanisms such as a user identifier, a password and profile(s) in relation to their system accesses. These accesses are provided on a "Need To Know" basis and authorized by the immediate supervisors. A "Computer Information Access Authority" form is signed by each employee recognizing that he/she is informed of his/her responsibilities and cognizant of the CCRA's policy on system access. This form is currently being re-designed to ensure that diverse accesses are included in the updated version.
- Upon an employee's change of responsibilities, profiles are reviewed and modified accordingly. The CCRA is currently reviewing this procedure to ensure that such activities are carried out on a more frequent basis.

- The CCRA has a plan that includes reducing the number of privileged users, and single authority control of user approvals.
- The CCRA is further expanding the Fraud Prevention activities to include pre-selected system access areas within the Agency.
- A review of all Internal Audit Reports completed during the past year is being conducted to ensure that findings related to system security are being implemented as documented.
- The CCRA takes very seriously its obligation to protect taxpayer information and investigates all allegations or actual cases involving misuse of such information.

## ANSWERS TO ORDER PAPER QUESTIONS Tabled

### JUSTICE AND ATTORNEY GENERAL— CANADIAN HUMAN RIGHTS ACT

**Hon. Fernand Robichaud (Deputy Leader of the Government)** tabled the answer to Question No. 110 on the Order Paper—by Senator Stratton.

### INDUSTRY—PATENT ACT

**Hon. Fernand Robichaud (Deputy Leader of the Government)** tabled the answer to Question No. 116 on the Order Paper—by Senator Stratton.

### JUSTICE AND ATTORNEY GENERAL— ACCESS TO INFORMATION ACT

**Hon. Fernand Robichaud (Deputy Leader of the Government)** tabled the answer to Question No. 124 on the Order Paper—by Senator Comeau.

### JUSTICE AND ATTORNEY GENERAL—ALTERNATIVE FUELS ACT

**Hon. Fernand Robichaud (Deputy Leader of the Government)** tabled the answers to Questions Nos. 65 and 66 on the Order Paper—by Senator Kenny.

### INDUSTRY—ALTERNATIVE FUELS ACT

**Hon. Fernand Robichaud (Deputy Leader of the Government)** tabled the answers to Questions Nos. 78, 79 and 80 on the Order Paper—by Senator Kenny.

### FOREIGN AFFAIRS—ALTERNATIVE FUELS ACT

**Hon. Fernand Robichaud (Deputy Leader of the Government)** tabled the answer to Question No. 86 on the Order Paper—by Senator Kenny.

JUSTICE AND ATTORNEY GENERAL—  
ALTERNATIVE FUELS ACT

**Hon. Fernand Robichaud (Deputy Leader of the Government)** tabled the answers to Questions Nos. 95, 96 and 97 on the Order Paper—by Senator Kenny.

JUSTICE AND ATTORNEY GENERAL—  
ALTERNATIVE FUELS ACT

**Hon. Fernand Robichaud (Deputy Leader of the Government)** tabled the answers to Questions Nos. 105 and 106 on the Order Paper—by Senator Kenny.

[English]

## ORDERS OF THE DAY

### SPECIFIC CLAIMS RESOLUTION BILL

#### THIRD READING—MOTION IN AMENDMENT— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Robichaud, P.C., seconded by the Honourable Senator Rompkey, P.C., for the third reading of Bill C-6, to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts, as amended,

And, on the motion in amendment of the Honourable Senator Watt, seconded by the Honourable Senator Gill, that the Bill, as amended, be not now read a third time but that it be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

**Hon. Thelma J. Chalifoux:** Honourable senators, I rise today to speak to the motion in amendment of the Honourable Senator Watt. Senator Watt has suggested that since Bill C-6 raises certain legal issues, it should be referred to the Standing Senate Committee on Legal and Constitutional Affairs. It was also suggested that, because of these legal implications, the Standing Senate Committee on Aboriginal Peoples was ill-equipped to examine this bill. There was even a suggestion, on page 1755 of the *Debates of the Senate*, that all Aboriginal concerns should be referred to the Standing Senate Committee on Legal and Constitutional Affairs and no other. I am certain it will not come as a surprise to any senator that I do not share his or her view.

• (1530)

It is a fact that the Standing Senate Committee on Legal and Constitutional Affairs has an abundance of members with legal expertise. However, it would be misleading to suggest that that committee holds a monopoly on this expertise.

I understand the basic premise behind this motion to be that the Standing Senate Committee on Legal and Constitutional Affairs must review all legal issues. This premise is faulty on two grounds.

First, we must recognize that the Legal and Constitutional Affairs Committee does not have a monopoly on this expertise in the Senate. For example, Senator Austin, who is the sponsor of this bill, is a highly qualified lawyer who sits on the Standing Senate Committee on Aboriginal Peoples but not on the Standing Senate Committee on Legal and Constitutional Affairs. Furthermore, Senator Sibbeston is an Aboriginal lawyer who has also served as the government leader in the Northwest Territories.

Most significantly, however, I reject this motion for a second reason. I cannot accept that only lawyers are qualified to examine bills in committee.

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

**Senator Chalifoux:** To again take the Standing Senate Committee on Legal and Constitution as an example, that committee has very able members who are not lawyers. Indeed, two distinguished former chairs of that committee were not lawyers, although they may have earned the equivalent of a legal degree by the time they left that committee. To accept that to deal with the bill in committee one must have legal training could lead to the suggestion that those of us in this chamber who do not have formal legal training are incapable of fulfilling our legislative function. We all know that this is not the case.

Whether we are doctors, lawyers, artists, activists, business people or athletes, we all bring our unique experience and perspective to our work. That is why we were summoned to this place.

The diversity of experiences and backgrounds in the Senate strengthens rather than weakens our ability to deal with legislative proposals. That is also why, to assist in our work, we are supported by the Library of Parliament, whose capable research staff provides us with the knowledge that our own formal training and experience may not.

In addition, when examining issues and legislation, our committees hear from experts who can further enhance our understanding of the issues at hand.

Thanks to these tools, we are able to develop what I consider to be a profound understanding of the legal and other issues at play in legislation. Having said this, I must admit that there may be cases where it may be appropriate to refer certain specialized legal or constitutional issues to the Standing Senate Committee on Legal and Constitutional Affairs. However, I do not believe that is necessary in the case of Bill C-6; nor do I believe that a compelling case has been presented for doing so.

In his comments on Bill C-6, Senator Watt suggested that the legislation as amended by the Standing Senate Committee on Aboriginal Peoples was unworkable for four reasons: the financial cap for compensation; the question of the time limit on the minister's decision to negotiate; the scope of the claims; and consultations with respect to nominations to the tribunal.

The Aboriginal Peoples committee considered all four of these issues. In many cases, these items were addressed through amendment or observation. I will not get into the merits of these concerns at present, as they do not speak to the motion in amendment. However, the key point is that not one of them raises a particular or specialized, legal or constitutional issue that requires a subsequent examination by the Standing Senate Committee on Legal and Constitutional Affairs.

It is also important to remember that the Aboriginal Peoples committee spent a great deal of time hearing from the Assembly of First Nations, First Nations organizations from across the country and independent experts, as well as requesting written submissions from all interested groups. Thus, it is doubtful that any new information would be received through further hearings.

The issue of the inclusion of a non-derogation clause was then raised. I must admit that I agree with Senator Watt and other senators who have spoken on this issue, that this is indeed an important question and one that, while having to do with Aboriginal issues, does concern a particular and specialized constitutional issue that should be examined thoroughly by the Standing Senate Committee on Legal and Constitutional Affairs. However, that alone is not grounds for delaying the passage of Bill C-6, while the question of a non-derogation clause is resolved.

Honourable senators, this motion in amendment is about delay. If Senator Watt has concrete amendments he wishes to propose to this bill, let him propose them here in the Senate, as is often our practice during debate at third reading. Let the amendments be debated and voted upon by all senators and let us resolve these issues.

Is Bill C-6 perfect? I wish I could say that it is. The only thing I know for sure is that the status quo is unacceptable. Rather than waiting for a panacea, we should move forward, not backward, as Senator Watt has suggested.

I encourage all honourable senators to vote against the motion in amendment and to deal with Bill C-6 as expeditiously as possible.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, would the honourable senator who has just spoken remind us of the page in the *Debates of the Senate* to which she referred?

**Senator Chalifoux:** I referred to page 1755.

[*Translation*]

**Hon. Aurélien Gill:** Honourable senators, I agree with Senator Chalifoux when she praises the committee members, whose expertise in the legal field is obvious.

I would like to remind Senator Chalifoux that among the witnesses heard by the committee, there were also chiefs who were legal counsel. There were people who came to give evidence and state their opposition to the bill. They told us clearly that this bill would have to be amended if we were ever to pass it. These amendments have direct relevance to the problems encountered

by the current land claims commission, including the time it takes for the Department of Indian Affairs and Northern Development to render its decisions on the claims; it takes a great deal of time, and there are even some cases where no response was ever made to land claims. Are there time limitations in this bill that would prevent it from being considered and dealt with by the Minister of Indian Affairs so that in 50 years we will not find ourselves still facing the same land claims?

I would like to remind Senator Chalifoux that the Senate Standing Committee on Legal and Constitutional Affairs has special competency. This bill refers to an independent tribunal. It mentions the appointment of judges and touches on land claims, the Constitution, the Royal Proclamation and all of these aspects. Why are we hesitating to refer this bill? If we can truly say that this bill is a good one, why be afraid to refer it to people who have special competency in dealing with these issues?

[*English*]

**Senator Chalifoux:** Honourable senators, I will repeat the last paragraph of my intervention: Is Bill C-6 perfect? I wish I could say that it is. The only thing I know for sure is that the status quo is unacceptable.

We must look forward and have a vision. This is a work in progress, in my opinion and in the opinion of some of the other presenters who met with us. It is the beginning of the formation of institutions for self-government for the First Nations people. There is a vision here.

• (1540)

I totally agree with Senator Gill that it is not perfect, but it is the beginning of work that will take years, and we must begin somewhere. That is why I do not support the motion in amendment.

[*Translation*]

**Senator Gill:** Honourable senators, I understand that we need to have a "vision." I have heard the word "vision" quite a number of times. You will agree that the majority of witnesses appearing before the committee were against the bill or wanted amendments. I do not think that you can contradict me on that.

If we want to have a "vision," why not have a vision with the people directly affected by this matter? Why not have a "vision" with the people in the communities, those who have an overwhelming number of problems?

Why not begin with a frank and open dialogue with the people involved? What do we have to hide? I would like to know why it is not done in a clear and transparent way, with the Aboriginal peoples involved, their chiefs and our leaders.

[*English*]

**Senator Chalifoux:** It is interesting that Senator Gill mentioned that, because I had a meeting on Sunday with people from many reserves in Saskatchewan who are dealing with specific claims. They want this bill passed so that they can address the issue. The Department of Indian Affairs and Northern Development

[ Senator Chalifoux ]



has taken a very bureaucratic approach. They believe that passage of this bill will give them an opening to renegotiate a serious claim made concerning mismanagement in the early days.

I cannot support Senator Gill's statements. I know that many witnesses who appeared before our committee did not support the bill, but many did, and many more indicated their support by way of written submissions. They see it as a framework for the beginning of an institution that will assist in the third order of government.

**Hon. Gerry St. Germain:** Honourable senators, with all due respect, I believe that the vision that is portrayed is driven by Senator Austin. He drove the Nisga'a bill and he is driving this bill. I am not naive. I know politics and I know how the system works. He is very credible; he is a great senator from British Columbia; and he is a lawyer of renown.

One Speech from the Throne made reference to the fact that we were going to address the needs of our native peoples and deal with their vision. This bill may apply in situations where the cost of settling certain claims may be under a certain amount, but specific claims in the area around Penticton will never be solved because of the cap and other restrictions contained in this bill.

Why am I being inundated with letters from native leaders and groups from across this country, if the bill is as good as the honourable senator says it is? Why are we not, for once, taking a little more time to do what is right for the native people? Instead of doing things to our native people, let us do things for them.

I am not picking on Senator Chalifoux. She is an honourable senator. I know she works, with the best of intentions, for our native peoples. However, the fact remains that this bill, if passed, will not work. This is tinkering with a major problem that has been festering for years. I am not being partisan; I am referring to the record of all governments.

**The Hon. the Speaker *pro tempore*:** I regret to inform you that your allotted time has expired. Is the honourable senator requesting leave to continue?

**Senator Chalifoux:** Yes. May I have leave to continue?

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

**Hon. Senators:** Agreed.

**Senator Chalifoux:** Senator Austin may have a vision, and he may be a wonderful colleague and a most respected citizen of this country, but I have been working on land claims since the 1970s. I, too, have experienced frustrations. I have seen members of my own family in terrible situations because the Department of Indian Affairs and Northern Development made bureaucratic decisions that hurt our people, including my own children and grandchildren.

I said in my remarks that, although I wish this bill were perfect, it is not perfect, but it is a beginning. We must consider exactly what we are doing with this bill. This is a framework, a beginning. We have two choices: We either go forward or we go backward and maintain the status quo under which the Indian Affairs Commission controls us, as it has done for the last 25 or 30 years.

**Hon. Pierre Claude Nolin:** Honourable senators, I have a question for Senator Chalifoux.

When she examined the mandate and the composition of the commission and the tribunal, did the honourable senator also consider the independence of the tribunal?

**Senator Chalifoux:** Yes.

**Senator Nolin:** Is she satisfied that the individuals who will wield the power of the tribunal will be independent in their decision making?

**Senator Chalifoux:** Honourable senators, Senator Austin will be speaking to this. However, if you read the amendments that we have proposed to this bill, you will better understand the situation. I say that only because others would like to speak to this bill.

**Hon. Nick G. Sibbeston:** Honourable senators, I wish to be very clear. To support the motion to refer the bill to another committee would be to vote non-confidence in the work of the Standing Senate Committee on Aboriginal Peoples. I do not know that colleagues want to do this. Because someone is not happy with or satisfied with the work of a committee, a motion has been moved to refer the work of that committee to another committee. In my view, if the motion is passed, it will jeopardize our committee system. If this is allowed, a committee's work may never be finished, as it could be referred from committee to committee without end.

I am most concerned about this motion. In my view, the proper approach to deal with this is to move amendments to the bill. That is how we should deal with this bill.

The committee worked very hard. It is heartening to see Aboriginal peoples appear before a Senate committee. In my view, the role and status of the committee has been increased because Aboriginal people came to the Senate for justice, to have their concerns placed before a group of people who they think can respond to them. It is a very good system.

I come from the Northwest Territories where Aboriginal people are dealt with fairly.

• (1550)

However, I am a bit concerned about the situation because it seems that the Senate is the last place for Aboriginal peoples to go. Why does the House of Commons not deal with Aboriginal issues rather than have Aboriginals come to the Senate as a last resort in the hope that the Senate could fix all of their problems? I am concerned about that.

In his comments on Bill C-6, Senator Watt stated that his primary reason for referring the bill to the Standing Senate Committee on Legal and Constitutional Affairs was that the majority of issues relating to Aboriginal people, with which the Senate deals, are legal in nature. He also said that there is no legal expertise on that committee. That is not true because some of us are lawyers and we do have that expertise. We all have the same concern. Senator Watt does not have a more noble concern for Aboriginal peoples than the rest of us have. We are all concerned and are all trying hard to deal with the issue.

Honourable senators, the issue before us in this bill is not so much a legal and constitutional issue; rather, it is about setting up a process for dealing with specific claims of Aboriginal people — claims that come from unfulfilled treaties and other grievances arising from prior agreements. That is the issue. In Bill C-6, the federal government is setting up a process, a centre to deal with specific claims. Bill C-6 states: "...to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims..." Thus, the bill does not focus on a legal and constitutional issue but rather on the federal government's efforts to put in place a process to deal with the grievances and outstanding claims of Aboriginal peoples.

Honourable senators, our task is to see whether the proposed process in the bill will work. Senator Watt and I have the same concerns. We heard witnesses who came before the committee to express their views. While I think they recognize what the federal government is attempting to do, they stated that the bill did not go far enough and that the centre should be more independent, et cetera. Senator Watt and I pressed government officials to ensure that the proposed system would be as good and as effective as possible.

Senator Chalifoux, Senator Austin and I had the opportunity to meet with Minister Nault. We asked the minister what he was prepared to do to deal with all the concerns expressed by the witnesses, in particular the representatives of the AFN. I came away with the conclusion that the government was committed to doing something. It recognizes the shortcomings of the Indian Claims Commission and the current system under the Inquiries Act. The government is prepared to advance and put a system in place that could deal with specific claims. It was my feeling that the federal government was, indeed, committed.

The federal government, or any government, has a responsibility to deal with money — revenues from taxes and budgeting each year for expenditures — so that the government may operate. I came away with the impression that while Minister Nault was committed, as many of us are committed, to the amelioration and improvement of the lives of Aboriginal peoples, there is a budget consideration. I was persuaded that while the bill is good, it has certain limitations because the government is responsible and there is a limit on what it can do in a fiscal year.

I was persuaded that the process to be put in place — the commission, the tribunal and the centre — comprises a good first step. This is just the beginning of a process whereby the federal government will ultimately deal with all the specific claims in our

country. However, there will be a limit on the amount of money to be spent in each fiscal year for that purpose.

Other concerns and criticism dealt with the independence of the tribunal. A small amendment was made whereby the minister would have to consult. There was a slight increase in the limit of each claim to \$10 million. Some adjustments and amendments were made that will improve the bill. However, the government is ultimately responsible for funding. I think that the government wanted to go into this cautiously to see how the new system, once put in place, would work. Once it is in place, then it would open up greater independence and more funding each year so that the claims could be dealt with.

I was satisfied that the minister was sincere, that this process was a very first step and that eventually the specific claims process would be more in tune with and more satisfactory to all Aboriginal peoples in the country.

I take the practical approach to this bill. I have ideals, hopes and aspirations for Aboriginal people that all of our claims can be resolved. I envision the government setting up a first step toward ultimately achieving this goal. I am supportive of the government's efforts regarding the provisions of the bill, and I know that things will improve. There is provision in the bill for the minister to consult with Aboriginal people to review the act between three to five years from now. I cannot help but believe that things will continually improve.

The committee made some observations that will hopefully guide the federal government and show the interest and concerns of senators. I hope that honourable senators will accept what I have said, because we have tried hard to do our best, and accept our report and defeat the motion that is before us.

**Hon. David Tkachuk:** Senator Sibbeston, in respect of the meetings that you, Senator Chalifoux and Senator Austin had with Minister Nault, were those undertakings also made to the committee when the minister appeared before it?

**Senator Sibbeston:** Honourable senators, I can advise that Minister Nault appeared before the committee fairly early in the process. Our meeting with him was at the end of the consultation process. Minister Nault's response spoke to the fiscal responsibility of the government and whether the government could cope with the financial demands. I think the federal government generally recognizes that there are specific claims it will deal with that will involve billions of dollars. There is no denying that the federal government will ultimately have to deal with these claims. It is a question of whether it can afford to do so and whether it can set up a system to deal with the issue over a period of time, rather than trying to process all the claims at once and possibly having to pay out billions of dollars.

• (1600)

There was no undertaking. It was just a matter of Mr. Nault stating the government's position and indicating the extent to which he felt the government could go at this stage.

**Senator Tkachuk:** It seemed to me, from what the honourable senator said earlier — I do not want to put words in his mouth, I just want to understand the process — that he had some concerns that he expressed to the minister. I am not sure what the concerns were of the other two senators who were at the meeting, but I understand the honourable senator had some concerns and that what the minister said allayed those concerns.

Did the honourable senator then ask the minister to come back to committee and put this testimony on the record? Had he done that, perhaps Senator Watt's concerns would have been addressed.

**Senator Sibbeston:** Honourable senators, the process was that, as a result of our meeting — and I must say I was not the main spokesperson; Senator Austin, as the sponsor of the bill, met with Minister Nault and other officials — we were informed that the minister was prepared to consider some amendments dealing with consultation. This included raising the cap from \$7 million to \$10 million. A few other minor amendments were made.

That is what I got from the meeting with Minister Nault. We pressed them, just as Senator Watt would have, to go as far as possible. However, I got the impression that there was a limit on what the federal government was prepared to do. He did state that, at this stage, the federal government was only prepared to go so far.

**Senator Tkachuk:** As I understand the procedure, it was a two-committee process. Parliamentarians were meeting to consider Bill C-6, and there were meetings going on between the three of you and, perhaps, others. There was another committee hearing testimony other than the testimony we heard.

**Senator Sibbeston:** My colleague knows this is a political process.

**Senator Tkachuk:** I know that.

**Senator Sibbeston:** We were pressing the minister to come through with as many amendments as possible. It was not our intention to subvert or undermine the committee.

**The Hon. the Speaker *pro tempore*:** I am sorry to interrupt, but I must advise that your time has expired.

**Senator St. Germain:** May we ask for leave?

**The Hon. the Speaker *pro tempore*:** Is the honourable senator asking for leave?

**Senator Sibbeston:** No.

**Hon. Jack Austin:** Honourable senators, I am pleased to join the debate on the amendment proposed by Senator Watt. I think the summer has distracted most of us from the details of this bill, and from the details of its process. I could refer you to my speech on second reading, which details all these issues. However, I should like to summarize the key issues that have arisen. In so doing, I am adding to the comments of my colleagues, Senator Chalifoux and Senator Sibbeston.

As many senators know, there is a bi-partisan history to this proposed legislation. It began with an Order in Council in 1983, setting up an Indian claims review process, and the president of the University of Regina, Lloyd Barber, was the first chair of this particular process. It was to assist Aboriginal communities in Canada to prepare their claims against the federal Crown. The Department of Indian Affairs and Northern Development funded that particular tribunal, the Indian Claims Tribunal.

Honourable senators, I want to be clear about the definition of "specific claims" to which Senator Sibbeston referred. This is simply and clearly limited to claims by Aboriginal communities against the federal Crown under treaties or legal agreements. We are not talking about treaty negotiations, new treaties and new obligations to be created. This process in 1983, and right up to this time, deals with legal claims. It does not prevent, and has never prevented, Aboriginal communities from going to court to pursue their rights under the laws of Canada.

It was set up to be a summary process, one that did two things principally: one, cost efficient because we were setting up a negotiating process paid for by the Crown; and, two, involve the facilitation of the assembly of the claim in the process so that there was a working toward defining what the claim was all about. It was not set up to be an adversarial process but a process of accommodation.

As I said in my speech at second reading, the government of Prime Minister Brian Mulroney enhanced the Indian claims process by adding financial resources and personnel resources and expanding somewhat the original mandate. This was done in 1991, so there was an eight-year experience of the working of the original process.

Bill C-6 moves that process forward in two ways. These are very important to me, as someone who has been involved in Aboriginal affairs for much of my political life. The first is that it removes the control of the process from the Department of Indian Affairs. Up until now, whether under the Trudeau Order in Council or the Mulroney Order in Council, the process was by way of Order in Council. It was dealt with by people who were public servants working in the Department of Indian Affairs. They were under the control of the minister, and the minister reported to Parliament.

This legislation sets up a body that is independent of the minister. It reports to Parliament through the minister, but he no longer has the executive direction of this body, should this chamber agree to pass this bill. The body — the centre, as we call it — has two independent functions within it. One is a function whereby the body continues the original function of addressing itself to the research, the gathering of facts, and conducting a legal analysis on behalf of the Aboriginal communities.

The Aboriginal communities can then decide whether or not they want to put their claim before a tribunal for a final decision. There is no requirement on them to do so. If, after the facts are put together, they think they would be better off to go before a court, they can do that. However, if they wish to go before a tribunal of expertise, then there is such a tribunal, which is independently appointed and at arm's length from the government and arm's length from the first section, which is the preparatory section.

That is the whole system. A good deal more money will be put into the administration of this system. I want to be clear that the minister has said to us directly that the people involved at the adjudication level will not be allowed, if they decide to resign as a part of the judicial function, to go back into the Department of Indian Affairs. That is one amendment we obtained from the minister.

Four amendments were proposed to the bill in committee. The complaints of those who told us that they did not like the bill had nothing to do, in my opinion, with the concept of the proposed legislation.

• (1610)

There were complaints about some details. However, the principal complaints of those from the Aboriginal community who came before us were based on an outstanding advocacy by the AFN under its former leader, Matthew Coon Come, in broader disputes with the federal government.

Honourable senators will be aware of Bill C-7, which is a bill in the other place that is designed to establish rules for internal governance by Aboriginal communities, and to which there was much objection. I understand that this will not now be a priority for the government.

There is another bill in this trilogy, Bill C-19, which sets up fiscal terms of reference under which Aboriginal funding has to be governed. I am not sure where that legislation stands.

There was a policy in the previous AFN that all of the legislation would be opposed, whatever its merits, until the principal political issues between the federal government and the AFN of the day were resolved. That is like saying, "Unless we hit a home run, we will not play this ball game any longer."

One of the guiding premises of our committee was to support an incremental process in the affairs of the Aboriginal community. Certainly this bill, as amended, is a desirable process.

I am personally sympathetic to Senator Watt and Senator Gill, the sponsor and co-sponsor of the amendment, in that there are a number of issues that remain unresolved. However, life is rarely such that you get the entire deal or do not have any part of the deal. I am satisfied that, in the main, the witnesses who came before us, while unhappy in the broad sense, want this bill to proceed.

Honourable senators, one of the complaints was that the financial cap for compensation, which could be imposed by the tribunal, was limited to \$7 million. In our amendment, we have moved the cap to \$10 million. A number of Aboriginal communities said this was not sufficient because their claims exceeded that amount.

I want honourable senators to understand that, for the reason Senator Sibbeston has given us this afternoon, the Crown has to protect its *fiscus*. It has a budget for this as well as its other spending.

Any Aboriginal community can submit a claim of whatever size for preparation and then decide to go to the court. If the claim comes under the \$10-million cap, there would be a very quick summary judgment from the tribunal under Bill C-6.

With respect to the minister's decision to negotiate, the bill requires him to report every six months, if he has not entered into negotiation.

**Senator Stratton:** Once.

**Senator Austin:** Under the current law, he can be silent and no one can hold the minister to account. Under the new law, he would have to explain why he has not proceeded to negotiate.

Nomination to the tribunal was a large subject. The Assembly of First Nations and its representatives want co-powers of appointment to the tribunal. Their argument is that the tribunal would not be independent unless they agree to whoever is appointed. They want at least the power of veto with respect to appointments. This is not a power that the Government of Canada is prepared to confer on any non-governmental body, no matter where they come from.

We put into the bill an obligation to consult, which was not there, before appointments are made. As Senator Sibbeston said, we also put into the bill a confirmation that this bill, three years after it has the force of law, must be reviewed again with the Aboriginal community. In other words, there will be three years of experience, and then the Crown must go back to the Aboriginal community and consult again and say, "How is it working? Can we improve it? Are there more things that we could do? Is there anything we should not do?"

Honourable senators, that is an outline of the legislation. It is an advance. The biggest advance of all is that it removes the entire process from the Department of Indian Affairs. It sets up an independent and much more autonomous operation. It will be a separate line item in the Estimates rather than simply something lost in the budget.

We are increasing the independence. We are bringing together a group of people drawn from the government and from the Aboriginal community, as well as creating a process of conciliation and/or adjudication.

If trust can be built based on this small piece of legislation, then the greater issues — and there are greater issues between the federal Crown and the Aboriginal community — can be assisted substantially by the practice that we will see under this legislation. I recommend that the proposed amendment not carry.

I want to say again that there is no basis whatever, as Senator Sibbeston said, for voting non-confidence in the work of the Standing Senate Committee on Aboriginal Peoples. The committee did its work with extreme competence, in my opinion. Should the Senate ever decide to send the work of any committee to some other committee, it would have to be for very special reasons, or the committee system would fall into difficulty.

[ Senator Austin ]

**Hon. Terry Stratton:** The honourable senator made a statement that the minister had to respond every six months. Is there an amendment that speaks to that assertion? My understanding was that the minister had to respond in the first six months but, thereafter, there was no end date as to when the decision had to come down. Could the honourable senator expand on that?

**Senator Austin:** Honourable senators, there is no end date as to when the minister has to decide whether to negotiate. I agree with that.

It is my impression, and I may be wrong, that every six months he would have to make some statement that he has the matter under review or consideration. I will check. If I am wrong, I will certainly come back and say so.

**Senator Stratton:** I appreciate that. It has been a while, but my understanding was that the minister must do so only within the first six months. We have not yet addressed in the amendments that there is no end date as to when the minister must come to a conclusion with respect to any claim. He could string this out for a long time, if he so chose.

**Senator Austin:** The honourable senator is correct. There is no way to compel the Crown to cut a deal, nor is there any way to compel any Aboriginal community to cut a deal. It is a negotiation.

**Hon. Rose-Marie Losier-Cool (The Hon. The Acting Speaker):** I am sorry to interrupt, but Senator Austin's time has expired. Is the honourable senator asking leave to continue?

**Senator Austin:** Yes.

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

**Hon. Senators:** Agreed.

**Senator St. Germain:** Honourable senators, I hear what Senator Austin is saying. There is not much with which one can disagree.

One could disagree with what has been projected. We are still being inundated with correspondence supporting the request of Senator Watt. When people like Senator Watt and Senator Gill place something before us, they do not do it frivolously. They have not done it frivolously in the past. It is serious. There is a message here.

The message, Senator Austin, is that these specific claims, from my understanding, and correct me if I am wrong, are wrongs that have been imposed on our Aboriginal people.

• (1620)

Let us take Stewart Phillip and the Penticton Indian Band as an example. That band had treaty lands. The government came along during wartime and took possession of those lands, and

now the band must go through the specific claims process to get the lands back. These are lands that belonged to them.

Honourable Senator Sibbeston says the government cannot afford to give these people back what it had originally given them. That is exactly what he is saying, because the government does not want to settle the claim. The government has taken the land away from them and says it cannot afford to pay them now.

We always have our native people grovelling at the door of government. It does not matter whether it is Trudeau, Diefenbaker, Mulroney or Chrétien.

**Senator Stratton:** Diefenbaker gave them the vote.

**Senator St. Germain:** He gave them the vote, but he did not give them their land back.

My concern is when you say that they will not get the whole deal. This issue is not resolved because if it were, we would not have all these native groups contacting us. I do not see this as a partisan issue. It deals with a group of people in our society that has been beat up from the day that the European men and women came to this land, and possibly people from other continents. Does Senator Austin not hear the message from these former chiefs? Does he not hear what they are telling him?

**Senator Austin:** Honourable senators, listening to Senator St. Germain reminds me of another of our B.C. colleagues, former Senator Len Marchand, who once said that, in his view, the Aboriginal community should have re-examined their immigration policy.

Nothing said here by anyone suggests that anything we are saying or any views we hold are frivolous. I recognize that there are serious divisions here about serious questions. I am saying that, in my view, Senator Watt is representing a political view that this legislation should not pass until there is a total settlement with the Aboriginal community on the other issues that I mentioned. I do not share that view. I think we should move forward with this legislation. I believe it is very good legislation.

The other part of Senator St. Germain's question or representation relates to an assumption. The assumption he makes in his comments is that the claims are justified and justified claims are being denied. The process is to determine whether the claims are justified. If they are justified, the Crown will have a hard time denying recognition. However, just because a community makes a claim does not mean the claim is necessarily justified. That is something I would like the honourable senator to consider when he is giving thought to this process.

**Senator Kinsella:** Honourable senators, could the Honourable Senator Austin remind us whether Chief Phil Fontaine appeared during the hearings of the committee?

**Senator Austin:** Yes, he did.

**Senator Kinsella:** Subsequent to the meeting of the committee, the Assembly of First Nations elected a new executive. Chief Fontaine is now the head of the AFN. I am wondering whether we can be satisfied that the view of the AFN is properly understood, given the time that has elapsed and that there was a democratic election held and a new executive chosen. I am wondering whether that circumstance may colour the situation to the extent that, perhaps, at least we should hear from the new executive of the AFN.

**Senator Austin:** Honourable senators, I believe that the issues will not change and that Mr. Fontaine's position in his political regime will not change much either. I do not in any way favour the report of this committee being sent to another committee, and I do not know whether Senator Kinsella is taking another view. He is shaking his head, so I take it he agrees it should not be sent to another committee.

**Senator Kinsella:** On that point, I have the fullest confidence that all standing committees of this house that are seized with an order of reference do competent work. I know that, from time to time, there may be special cases in which this house would like to have the view of more than one committee. It seems to me, if my recollection supports me, that, at one point, we actually referred a bill to two committees. It was an unusual practice, but we did it. I asked the question because consultation is so critical and there has been this change. We could hear from the executive of the AFN through the mechanism of Committee of the Whole if there are some outstanding issues.

I am not wanting to delay. Perhaps honourable senators opposite have some views as to what the parliamentary timeline might be this fall. It is important. I think Senator Chalifoux would have the concern that this bill not get lost. I have heard the suggestion that the Prime Minister might seek the consent of the opposition parties in the other place to shorten the calendar. The House of Commons is supposed to be sitting after the Liberal leadership meeting, and the calendar requires that it sit until December. Should the House leaders of the opposition parties over there not agree, I have heard the suggestion that the Prime Minister then might look at the idea of prorogation, all of which speaks to the serious matter of a number of bills that have to get through the parliamentary process before the Liberal leadership meeting, including appropriations, very importantly. I imagine that would get to the top of the heap very quickly. Therefore, I have a great understanding about the realism that is being expressed by our colleague Senator Chalifoux and her not wanting to lose this bill. On the other hand, perhaps that is an argument as to why the Prime Minister, after the leadership convention, should do the honourable thing and go to Rideau Hall and turn in his resignation. Otherwise, we should come back to this house and not truncate our work so that important pieces of legislation such as this one can receive proper study. They should not be lost through the attempt to prorogue Parliament.

**Senator Austin:** I can only respond, honourable senators, to one part of Senator Kinsella's statement. While he was speaking to us, I was able to reflect on his question. I am satisfied that no leader of the AFN could accept the legislation, as it is, as being enough.

The cap is too low. The consultation does not include them with a veto over who is appointed, and so on, all the key points on which the government and the AFN have a difference. Therefore, there would be no purpose in hearing the same arguments over again.

We propose to send the committee's amendments to the House of Commons with this bill.

• (1630)

It is the view of the Standing Senate Committee on Aboriginal Peoples that this would be good and sufficient legislation at this particular time. I would urge this chamber to defeat the amendment. If Senator Watt wishes to propose a substitute amendment at third reading, we will debate it then.

**Hon. Charlie Watt:** Honourable senators, I wish to adjourn the debate in my name.

**The Hon. the Acting Speaker:** Honourable senators, I am advised that Senator Watt moved the motion in amendment, so he cannot speak to it. Senator Gill would like to speak.

[*Translation*]

**Senator Gill:** First, I wish to thank honourable senators for the special attention paid to Aboriginal issues. These issues are normally discussed rather summarily, without really looking at the situation. This may not be a popular issue, and there is certainly disagreement, but I do wish to extend my gratitude to honourable senators for their attention.

Following the remarks by the Honourable Senator Austin, allow me to suggest that, if we are considering seeking the views of Aboriginal Chief Phil Fontaine, for instance, it would be good to also be aware of the resolutions passed by the national leadership.

I do not think it is appropriate to say that Aboriginal peoples always express opposition. In this respect, we ought to change our attitude. You have indicated that Aboriginal peoples are unhappy with the financial ceiling set and with several other things. It would seem to me, however, that, with a little goodwill, it should be possible to achieve mutual confidence. We all share the same country; we share its interests; we share a love for this country. We should not assume that Aboriginal people always express opposition; if we do, consultation becomes superficial and somewhat misleading. A country cannot be built on such assumptions. We must change our outlook.

The honourable senator suggested that the bill somehow takes control away from the Minister of Indian Affairs. Yet, he goes on to say that the bill allows us to meet with the minister every six months, to seek his views I presume. He also mentioned a tribunal whose members would be independently appointed. What does the honourable senator mean by that? By whom would the members of such a tribunal be appointed?

[English]

**Senator Austin:** It is no different, honourable senators, from the Minister of Justice asking for an Order in Council to appoint a judge. The Minister of Indian Affairs will ask the Governor in Council to appoint someone to be a judicial officer on the tribunal. Once that person is appointed, that is that.

As to the first point made by Senator Gill, I acknowledge that there is a lot of emotion involved here. I, too, am delighted that the Senate is the place — and it clearly is, in my opinion — where these issues of the relationship between the general community and the Aboriginal community are truly analyzed and we are truly involved and concerned in those issues, because sometimes they are dealt with in the other place quickly and without due consideration.

I would urge the chamber and Senator Gill to move to the third stage of a very long process of development of what could, at some future time, be a court to deal with broader Aboriginal claims than just specific claims. I do not know whether that is acceptable, but this is the trend line that may move the issue further.

As Senator Chalifoux and Senator Sibbeston said, a number of witnesses supported this bill conditionally. Others did not support the passage of the bill until other issues were resolved. We have met every condition that the first group of witnesses asked to us meet. It is a solid advance.

Again, I hope the Senate is ready to deal with Senator Watt's current amendment, and then move to third reading. If I may, I would ask to have the question put.

**Senator St. Germain:** Honourable senators, may I ask one more question of Senator Austin?

**Hon. Senators:** Agreed.

**Senator St. Germain:** Senator Austin is asking us not to adjourn the debate, but to deal with this matter now and that we deal with Senator Watt's amendments at third reading.

Is Senator Austin prepared to go back with Senators Sibbeston and Chalifoux to the minister and ask him to entertain those amendments? I am sure there are people in the audience here who are concerned about this because they have a huge stake in this particular legislation. Is Senator Austin truly willing to expedite and deal with amendments at third reading, and is he prepared to go back to the minister and state that? Some of us who are Aboriginals, or partly Aboriginal, or Metis, or whatever, are being called upon to try to bring the government to a position where they have to re-evaluate this particular scenario at this time. Is Senator Austin truly prepared to entertain amendments, or will we just go through the formality of hammering the bill through? If the honourable senator is truly prepared to entertain amendments at third reading, then that would be a different scenario.

**Senator Austin:** Honourable senators, the purpose of the amendments would be to allow those honourable senators who are proposing amendments to make their arguments to their colleagues in the hope that their colleagues would be persuaded by them. They would not persuade me, as sponsor of the bill, because I have sat for many hours, in fact days, in committee listening to all the points of view. I know that on four or five issues there will be no agreement between the parties at this particular time. The principal rule of government is to govern, and Senator St. Germain would know that, having been in cabinet. There is a time when you must rule and continue to govern. You cannot create a situation of stasis, a situation where you cannot do anything until there is total consensus. That is not the way our modern societies must be governed.

I am pleased to participate in a debate with Senator Watt, if he proposes amendments on third reading or if anyone else proposes amendments on third reading, and to go into each of the issues that we took up for hours and hours in the committee and examine them with honourable colleagues. That is as far as I believe this will go. I say again that this would be, by far, better legislation than the existing regime. It is not everything that everyone wants, but it is a better regime for the Aboriginal people than the current situation provides.

**Some Hon. Senators:** Question!

• (1640)

**Senator Kinsella:** On the point of order, Senator Austin has moved the previous question. That is what we are dealing with. That is the matter before the house.

**The Hon. the Speaker *pro tempore*:** We cannot move the previous question through an amendment.

**Senator Nolin:** Honourable senators, I am sure I need not convince Honourable Senator Austin that good justice is the perception of fair justice. If we take into consideration the political environment of the last 30, 40 years in which those decisions have been taken, it is even more important that perception needs to be well understood. A perception of fair justice is even more important now.

I apologize for not reading the report. I have asked for the report with the amendment that is being proposed. However, in reading the original bill, I can see that both the tribunal and the commission will have part-time commissioners and adjudicators. That causes me to raise an eyebrow. We are to have independent individuals who will make legal decisions. Let us read together clause 46, which deals with the powers of the tribunal. It states:

A panel of the Tribunal may

(a) determine any questions of law or fact in relation to any matter within its jurisdiction under this Act;

Having that in mind, and having in mind also that none of those decisions can be appealed, the only revision possible is to sections 18 and 28 of the Federal Court Act. Therefore, it is only a judicial review, with part-time adjudicators and commissioners deciding at law. There can be no appeal. Clause 42(3) states:

Adjudicators shall not accept or hold any office or employment or carry on any activity inconsistent with their duties and functions as adjudicator.

Can the honourable senator explain what that means?

**Senator Sibbeston:** Honourable senators, I would raise a point of order. I see that we are getting into the substance of the bill and the motion before us is to refer the matter to the Standing Senate Committee on Legal and Constitutional Affairs, so the debate should focus on that. We are out of order in discussing the subject and the provisions of the bill, rather than dealing with the question of referring the bill to committee.

[*Translation*]

**Senator Nolin:** Honourable senators, allow me to convince you. The question I have just asked lies at the core of the need to examine this bill in committee, a committee I would venture to say, with experience of law and adjudication of law, though not the only one with such experience.

My question is on the independence of these quasi-judges. This question is central to the interest of Senator Watt's motion in amendment. If no one can convince us that these part-time adjudicators will be independent, we must return this bill for a most serious examination by the Committee on Legal and Constitutional Affairs. The point of order is totally out of order.

**The Hon. the Speaker *pro tempore*:** Honourable senators, traditionally, we have a very broad debate; however, at this time, we are debating the amendment at third reading stage.

[*English*]

**Hon. Willie Adams:** I move the adjournment of the debate.

**Senator Austin:** I think I should be allowed to respond.

**Senator St. Germain:** The debate is adjourned.

**Senator Austin:** No, it is not.

**Senator Robichaud:** As long as people want to speak, we should not adjourn the debate.

**Senator Austin:** Honourable senators, the question of whether a part-time adjudicator can be independent —

**Senator Adams:** I would raise a point of order. Honourable senators, if I have moved the adjournment of the debate, how can another senator speak?

**Senator Austin:** I am responding to Senator Nolin's question. If no one else asks me a question, I would be thrilled if Senator Adams would move the adjournment.

The question asked is whether a part-time adjudicator can be independent. I do not have a problem in believing that a part-time adjudicator can be independent. The law clearly prescribes what that independence is to be. There must be no conflict of interest. However, I want Senator Nolin to understand that persons may be appointed as adjudicators, but have no work to do because no Aboriginal community has referred a claim to them. You cannot have people sitting there, in an office, wondering what to do next. It would be like a courtroom where no one has filed a writ. What would the judges do?

**Senator Forrestall:** What a wonderful world it would be.

**Senator Austin:** Yes, it would be a wonderful world.

It is a practical matter, but of course the system depends on the integrity of the people appointed. Our parliamentary system is the same. Everything depends on the integrity of the individuals.

**Senator Nolin:** However, when the bill was presented, I questioned the sponsor of the bill on the meaning of that clause. I understand the practical answer. What about the matter of who cannot be an adjudicator? For example, can an adjudicator be an employee of the Department of Indian Affairs?

**Senator Austin:** No. An employee would have to give up his or her employment at the Department of Indian Affairs and could never return to that employment. That it is written in the amendments to the bill.

On motion of Senator Adams, debate adjourned.

[*Translation*]

## BUSINESS OF THE SENATE

**Hon. Fernand Robichaud (Deputy Leader of the Government):** Honourable senators, there are a few items left under Government Business. The Honourable Senator Spivak was supposed to give her speech at second reading stage of Bill C-42, but she has agreed to postpone it until tomorrow. Perhaps we could find consent to have all items on the Order Paper that were not considered today deferred until the next sitting.

It is customary, when new senators are introduced, to adjourn so that they can entertain their many guests. We could follow the tradition.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, as usual, the opposition is in total agreement with our honourable colleague's suggestion, especially this time, since we have a new senator from New Brunswick, and we would be very happy to celebrate that.

**Senator Robichaud:** Honourable senators, I move that the Senate do now adjourn.

The Senate adjourned until Wednesday, September 17, 2003, at 1:30 p.m.



## **APPENDIX**

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

**THE SPEAKER**

The Honourable Daniel P. Hays

**THE LEADER OF THE GOVERNMENT**

The Honourable Sharon Carstairs, P.C.

**THE LEADER OF THE OPPOSITION**

The Honourable John Lynch-Staunton

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**OFFICERS OF THE SENATE****CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

**DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES**

Gary O'Brien

**LAW CLERK AND PARLIAMENTARY COUNSEL**

Mark Audcent

**USHER OF THE BLACK ROD**

Terrance J. Christopher

## THE MINISTRY

According to Precedence

(September 16, 2003)

The Right Hon. Jean Chrétien	Prime Minister
The Hon. David M. Collenette	Minister of Transport
The Hon. David Anderson	Minister of the Environment
The Hon. Ralph E. Goodale	Minister of Public Works and Government Services Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians
The Hon. Sheila Copps	Minister of Canadian Heritage
The Hon. John Manley	Deputy Prime Minister, Minister of Finance and Minister of Infrastructure
The Hon. Anne McLellan	Minister of Health
The Hon. Allan Rock	Minister of Industry
The Hon. Lucienne Robillard	President of the Treasury Board
The Hon. Martin Cauchon	Minister of Justice and Attorney General of Canada
The Hon. Jane Stewart	Minister of Human Resources Development
The Hon. Stéphane Dion	President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs
The Hon. Pierre Pettigrew	Minister of International Trade
The Hon. Don Boudria	Leader of the Government in the House of Commons
The Hon. Lyle Vanclief	Minister of Agriculture and Agri-Food
The Hon. Herb Dhaliwal	Minister of Natural Resources
The Hon. Claudette Bradshaw	Minister of Labour
The Hon. Robert Daniel Nault	Minister of Indian Affairs and Northern Development
The Hon. Elinor Caplan	Minister for National Revenue
The Hon. Denis Coderre	Minister of Citizenship and Immigration
The Hon. Sharon Carstairs	Leader of the Government in the Senate
The Hon. Robert G. Thibault	Minister of Fisheries and Oceans
The Hon. Rey Pagtakhan	Minister of Veterans Affairs and Secretary of State (Science, Research and Development)
The Hon. Susan Whelan	Minister for International Cooperation
The Hon. William Graham	Minister of Foreign Affairs
The Hon. Gerry Byrne	Minister of State (Atlantic Canada Opportunities Agency)
The Hon. John McCallum	Minister of National Defence
The Hon. Wayne Easter	Solicitor General of Canada
The Hon. Ethel Blondin-Andrew	Secretary of State (Children and Youth)
The Hon. David Kilgour	Secretary of State (Asia-Pacific)
The Hon. Andrew Mitchell	Secretary of State (Rural Development) (Federal Economic Development Initiative for Northern Ontario)
The Hon. Maurizio Bevilacqua	Secretary of State (International Financial Institutions)
The Hon. Paul DeVillers	Secretary of State (Amateur Sport) and Deputy Leader of the Government in the House of Commons
The Hon. Gar Knutson	Secretary of State (Central and Eastern Europe and Middle East)
The Hon. Denis Paradis	Secretary of State (Latin America and Africa) (Francophonie)
The Hon. Claude Drouin	Secretary of State (Economic Development Agency of Canada for the Regions of Quebec)
The Hon. Stephen Owen	Secretary of State (Western Economic Diversification) (Indian Affairs and Northern Development)
The Hon. Jean Augustine	Secretary of State (Multiculturalism)(Status of Women)
The Hon. Steve Mahoney	Secretary of State (Selected Crown Corporations)

## SENATORS OF CANADA

### ACCORDING TO SENIORITY

(September 16, 2003)

Senator	Designation	Post Office Address
THE HONOURABLE		
Herbert O. Sparrow	Saskatchewan	North Battleford, Sask.
Edward M. Lawson	Vancouver	Vancouver, B.C.
Bernard Alasdair Graham, P.C.	The Highlands	Sydney, N.S.
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
C. William Doody	Harbour Main-Bell Island	St. John's, Nfld. Lab.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Shirley Maheu	Rougemont	Saint-Laurent, Que.
Wilfred P. Moore	Stanhope St./Bluenose	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Marisa Ferretti Barth	Repentigny	Pierrefonds, Que.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Thelma J. Chalifoux	Alberta	Morinville, Alta.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
Francis William Mahovlich	Toronto	Toronto, Ont.
Richard H. Kroft	Manitoba	Winnipeg, Man.
Douglas James Roche	Edmonton	Edmonton, Alta.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
Ione Christensen	Yukon Territory	Whitehorse, Y.T.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Isobel Finnerty	Ontario	Burlington, Ont.
John Wiebe	Saskatchewan	Swift Current, Sask.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Yves Morin	Lauzon	Quebec, Que.
Elizabeth M. Hublely	Prince Edward Island	Kensington, P.E.I.
Laurier L. LaPierre	Ontario	Ottawa, Ont.
Viola Léger	Acadie/New Brunswick	Moncton, N.B.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Royal, Que.
Mac Harb	Ontario	Ottawa, Ont.
Madeleine Plamondon	The Laurentides	Shawinigan, Que.
Marilyn Trenholme Counsell	New Brunswick	Sackville, N.B.

## SENATORS OF CANADA

## ALPHABETICAL LIST

(September 16, 2003)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Lib
Andreychuk, A. Raynell	Regina	Regina, Sask.	PC
Angus, W. David	Alma	Montreal, Que.	PC
Atkins, Norman K.	Markham	Toronto, Ont.	PC
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.	Lib
Bacon, Lise	De la Durantaye	Laval, Que.	Lib
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Lib
Banks, Tommy	Alberta	Edmonton, Alta.	Lib
Beaudoin, Gérald-A.	Rigaud	Hull, Que.	PC
Biron, Michel	Mille Isles	Nicolet, Que.	Lib
Bryden, John G.	New Brunswick	Bayfield, N.B.	Lib
Buchanan, John, P.C.	Halifax	Halifax, N.S.	PC
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Lib
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	PC
Carstairs, Sharon, P.C.	Manitoba	Victoria Beach, Man.	Lib
Chalifoux, Thelma J.	Alberta	Morinville, Alta.	Lib
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Lib
Christensen, Ione	Yukon Territory	Whitehorse, Y.T.	Lib
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	PC
Comeau, Gerald J.	Nova Scotia	Church Point, N.S.	PC
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Lib
Cools, Anne C.	Toronto-Centre-York	Toronto, Ont.	Lib
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Lib
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Lib
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Lib
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Lib
Di Nino, Consiglio	Ontario	Downsview, Ont.	PC
Doody, C. William	Harbour Main-Bell Island	St. John's, Nfld. & Lab.	PC
Downe, Percy	Charlottetown	Charlottetown, P.E.I.	PC
Eyton, J. Trevor	Ontario	Caledon, Ont.	PC
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Lib
Ferretti Barth, Marisa	Repentigny	Pierrefonds, Que.	Lib
Finnerty, Isobel	Ontario	Burlington, Ont.	Lib
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.	Lib
Forrestall, J. Michael	Dartmouth and the Eastern Shore	Dartmouth, N.S.	PC
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Lib
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Lib
Gauthier, Jean-Robert	Ottawa-Vanier	Ottawa, Ont.	Lib
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Lib
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.	Lib
Graham, Bernard Alasdair, P.C.	The Highlands	Sydney, N.S.	Lib
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	PC
Harb, Mac	Ontario	Ottawa, Ont.	Lib
Hays, Daniel Phillip, <i>Speaker</i>	Calgary	Calgary, Alta.	Lib
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Lib
Hubleby, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Lib
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Lib

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	PC
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Lib
Kelleher, James Francis, P.C.	Ontario	Sault Ste. Marie, Ont.	PC
Kenny, Colin	Rideau	Ottawa, Ont.	Lib
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	PC
Kinsella, Noël A.	Fredericton-York-Sunbury	Fredericton, N.B.	PC
Kirby, Michael	South Shore	Halifax, N.S.	Lib
Kolber, E. Leo	Victoria	Westmount, Que.	Lib
Kroft, Richard H.	Manitoba	Winnipeg, Man.	Lib
LaPierre, Laurier L.	Ontario	Ottawa, Ont.	Lib
Lapointe, Jean	Saurel	Magog, Que.	Lib
Lavigne, Raymond	Montarville	Verdun, Que.	Lib
Lawson, Edward M.	Vancouver	Vancouver, B.C.	Ind
LeBreton, Marjory	Ontario	Manotick, Ont.	PC
Léger, Viola	Acadie/New Brunswick	Moncton, N.B.	Lib
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Lib
Lynch-Staunton, John	Grandville	Georgeville, Que.	PC
Maheu, Shirley	Rougemont	Saint-Laurent, Que.	Lib
Mahovlich, Francis William	Toronto	Toronto, Ont.	Lib
Massicotte, Paul J.	De Lanaudière	Mont-Royal, Que.	Lib
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	PC
Merchant, Pana	Saskatchewan	Regina, Sask.	Lib
Milne, Lorna	Peel County	Brampton, Ont.	Lib
Moore, Wilfred P.	Stanhope St./Bluenose	Chester, N.S.	Lib
Morin, Yves	Lauzon	Quebec, Que.	Lib
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	PC
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	PC
Oliver, Donald H.	Nova Scotia	Halifax, N.S.	PC
Pearson, Landon	Ontario	Ottawa, Ontario	Lib
Pépin, Lucie	Shawinigan	Montreal, Que.	Lib
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Lib
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Ind
Plamondon, Madeleine	The Laurentides	Shawinigan, Que.	Ind
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Lib
Poy, Vivienne	Toronto	Toronto, Ont.	Lib
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Ind
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Lib
Rivest, Jean-Claude	Stadacona	Quebec, Que.	PC
Robertson, Brenda Mary	Riverview	Shediac, N.B.	PC
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Lib
Roche, Douglas James	Edmonton	Edmonton, Alta.	Ind
Rompkey, William H., P.C.	Labrador	North West River, Labrador, Nfld. & Lab.	Lib
Rossiter, Eileen	Prince Edward Island	Charlottetown, P.E.I.	PC
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	CA
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Lib
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Lib
Sparrow, Herbert O.	Saskatchewan	North Battleford, Sask.	Lib
Spivak, Mira	Manitoba	Winnipeg, Man.	PC
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Lib
Stratton, Terrance R.	Red River	St. Norbert, Man.	PC
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	PC
Trenholme Counsell, Marilyn	New Brunswick	Sackville, N.B.	Lib
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Lib
Wiebe, John.	Saskatchewan	Swift Current, Sask.	Lib

**SENATORS OF CANADA**  
**BY PROVINCE AND TERRITORY**

(September 16, 2003)

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**ONTARIO—24**

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Senator

Designation

Post Office Address

THE HONOURABLE

1	Lowell Murray, P.C. . . . .	Pakenham . . . . .	Ottawa
2	Peter Alan Stollery . . . . .	Bloor and Yonge . . . . .	Toronto
3	Peter Michael Pitfield, P.C. . . . .	Ottawa-Vanier . . . . .	Ottawa
4	Jerahmiel S. Grafstein . . . . .	Metro Toronto . . . . .	Toronto
5	Anne C. Cools . . . . .	Toronto-Centre-York . . . . .	Toronto
6	Colin Kenny . . . . .	Rideau . . . . .	Ottawa
7	Norman K. Atkins . . . . .	Markham . . . . .	Toronto
8	Consiglio Di Nino . . . . .	Ontario . . . . .	Downsview
9	James Francis Kelleher, P.C. . . . .	Ontario . . . . .	Sault Ste. Marie
10	John Trevor Eyton . . . . .	Ontario . . . . .	Caledon
11	Wilbert Joseph Keon . . . . .	Ottawa . . . . .	Ottawa
12	Michael Arthur Meighen . . . . .	St. Marys . . . . .	Toronto
13	Marjory LeBreton . . . . .	Ontario . . . . .	Manotick
14	Landon Pearson . . . . .	Ontario . . . . .	Ottawa
15	Jean-Robert Gauthier . . . . .	Ottawa-Vanier . . . . .	Ottawa
16	Lorna Milne . . . . .	Peel County . . . . .	Brampton
17	Marie-P. Poulin . . . . .	Northern Ontario . . . . .	Ottawa
18	Francis William Mahovlich . . . . .	Toronto . . . . .	Toronto
19	Vivienne Poy . . . . .	Toronto . . . . .	Toronto
20	Isobel Finnerty . . . . .	Ontario . . . . .	Burlington
21	Laurier L. LaPierre . . . . .	Ontario . . . . .	Ottawa
22	David P. Smith, P.C. . . . .	Cobourg . . . . .	Toronto
23	Mac Harb . . . . .	Ontario . . . . .	Ottawa
24	. . . . .	. . . . .	. . . . .

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## SENATORS BY PROVINCE AND TERRITORY

## QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 E. Leo Kolber . . . . .	Victoria . . . . .	Westmount
2 Charlie Watt . . . . .	Inkerman . . . . .	Kuuujuaq
3 Pierre De Bané, P.C. . . . .	De la Vallière . . . . .	Montreal
4 Gérald-A. Beaudoin . . . . .	Rigaud . . . . .	Hull
5 John Lynch-Staunton . . . . .	Grandville . . . . .	Georgeville
6 Jean-Claude Rivest . . . . .	Stadacona . . . . .	Quebec
7 Marcel Prud'homme, P.C. . . . .	La Salle . . . . .	Montreal
8 W. David Angus . . . . .	Alma . . . . .	Montreal
9 Pierre Claude Nolin . . . . .	De Salaberry . . . . .	Quebec
10 Lise Bacon . . . . .	De la Durantaye . . . . .	Laval
11 Céline Hervieux-Payette, P.C. . . . .	Bedford . . . . .	Montreal
12 Shirley Maheu . . . . .	Rougemont . . . . .	Ville de Saint-Laurent
13 Lucie Pépin . . . . .	Shawinigan . . . . .	Montreal
14 Marisa Ferretti Barth . . . . .	Repentigny . . . . .	Pierrefonds
15 Serge Joyal, P.C. . . . .	Kennebec . . . . .	Montreal
16 Joan Thorne Fraser . . . . .	De Lorimier . . . . .	Montreal
17 Aurélien Gill . . . . .	Wellington . . . . .	Mashteuiatsh, Pointe-Bleue
18 Yves Morin . . . . .	Lauzon . . . . .	Quebec
19 Jean Lapointe . . . . .	Saurel . . . . .	Magog
20 Michel Biron . . . . .	Milles Isles . . . . .	Nicolet
21 Raymond Lavigne . . . . .	Montarville . . . . .	Verdun
22 Paul J. Massicotte . . . . .	De Lanaudière . . . . .	Mont-Royal
23 Madeleine Plamondon . . . . .	The Laurentides . . . . .	Shawinigan
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**SENATORS BY PROVINCE-MARITIME DIVISION**


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**NOVA SCOTIA—10**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Bernard Alasdair Graham, P.C. . . . .	The Highlands . . . . .	Sydney
2 Michael Kirby . . . . .	South Shore . . . . .	Halifax
3 Gerald J. Comeau . . . . .	Nova Scotia . . . . .	Church Point
4 Donald H. Oliver . . . . .	Nova Scotia . . . . .	Halifax
5 John Buchanan, P.C. . . . .	Halifax . . . . .	Halifax
6 J. Michael Forrestall . . . . .	Dartmouth and Eastern Shore . . . . .	Dartmouth
7 Wilfred P. Moore . . . . .	Stanhope St./Bluenose . . . . .	Chester
8 Jane Cordy . . . . .	Nova Scotia . . . . .	Dartmouth
9 Gerard A. Phalen . . . . .	Nova Scotia . . . . .	Glace Bay
10 . . . . .	. . . . .	. . . . .

**NEW BRUNSWICK—10**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eymard Georges Corbin . . . . .	Grand-Sault . . . . .	Grand-Sault
2 Brenda Mary Robertson . . . . .	Riverview . . . . .	Shediac
3 Noël A. Kinsella . . . . .	Fredericton-York-Sunbury . . . . .	Fredericton
4 John G. Bryden . . . . .	New Brunswick . . . . .	Bayfield
5 Rose-Marie Losier-Cool . . . . .	Tracadie . . . . .	Bathurst
6 Fernand Robichaud, P.C. . . . .	Saint-Louis-de-Kent . . . . .	Saint-Louis-de-Kent
7 Viola Léger . . . . .	Acadie/New Brunswick . . . . .	Moncton
8 Joseph A. Day . . . . .	Saint John-Kennebecasis . . . . .	Hampton
9 Pierrette Ringuette . . . . .	New Brunswick . . . . .	Edmundston
10 Marilyn Trenholme Counsell . . . . .	New Brunswick . . . . .	Sackville

**PRINCE EDWARD ISLAND—4**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eileen Rossiter . . . . .	Prince Edward Island . . . . .	Charlottetown
2 Catherine S. Callbeck . . . . .	Prince Edward Island . . . . .	Central Bedeque
3 Elizabeth M. Hubley . . . . .	Prince Edward Island . . . . .	Kensington
4 Percy Downe . . . . .	Charlottetown . . . . .	Charlottetown

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**SENATORS BY PROVINCE-WESTERN DIVISION**


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**MANITOBA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak . . . . .	Manitoba . . . . .	Winnipeg
2 Janis G. Johnson . . . . .	Winnipeg-Interlake . . . . .	Gimli
3 Terrance R. Stratton . . . . .	Red River . . . . .	St. Norbert
4 Sharon Carstairs, P.C. . . . .	Manitoba . . . . .	Victoria Beach
5 Richard H. Kroft . . . . .	Manitoba . . . . .	Winnipeg
6 Maria Chaput . . . . .	Manitoba . . . . .	Sainte-Anne

**BRITISH COLUMBIA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Edward M. Lawson . . . . .	Vancouver . . . . .	Vancouver
2 Jack Austin, P.C. . . . .	Vancouver South . . . . .	Vancouver
3 Pat Carney, P.C. . . . .	British Columbia . . . . .	Vancouver
4 Gerry St. Germain, P.C. . . . .	Langley-Pemberton-Whistler . . . . .	Maple Ridge
5 Ross Fitzpatrick . . . . .	Okanagan-Similkameen . . . . .	Kelowna
6 Mobina S.B. Jaffer . . . . .	British Columbia . . . . .	North Vancouver

**SASKATCHEWAN—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Herbert O. Sparrow . . . . .	Saskatchewan . . . . .	North Battleford
2 A. Raynell Andreychuk . . . . .	Regina . . . . .	Regina
3 Leonard J. Gustafson . . . . .	Saskatchewan . . . . .	Macoun
4 David Tkachuk . . . . .	Saskatchewan . . . . .	Saskatoon
5 John Wiebe . . . . .	Saskatchewan . . . . .	Swift Current
6 Pana Merchant . . . . .	Saskatchewan . . . . .	Regina

**ALBERTA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Daniel Phillip Hays, <i>Speaker</i> . . . . .	Calgary . . . . .	Calgary
2 Joyce Fairbairn, P.C. . . . .	Lethbridge . . . . .	Lethbridge
3 Thelma J. Chalifoux . . . . .	Alberta . . . . .	Morinville
4 Douglas James Roche . . . . .	Edmonton . . . . .	Edmonton
5 Tommy Banks . . . . .	Alberta . . . . .	Edmonton
6 . . . . .	. . . . .	. . . . .

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**SENATORS BY PROVINCE AND TERRITORY**


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**NEWFOUNDLAND AND LABRADOR—6**


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Senator	Designation	Post Office Address
THE HONOURABLE		
1 C. William Doody . . . . .	Harbour Main-Bell Island . . . . .	St. John's
2 Ethel Cochrane . . . . .	Newfoundland and Labrador . . . . .	Port-au-Port
3 William H. Rompkey, P.C. . . . .	Labrador . . . . .	North West River, Labrador
4 Joan Cook . . . . .	Newfoundland and Labrador . . . . .	St. John's
5 George Furey . . . . .	Newfoundland and Labrador . . . . .	St. John's
6 George S. Baker, P.C. . . . .	Newfoundland and Labrador . . . . .	Gander

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**NORTHWEST TERRITORIES—1**


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Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston . . . . .	Northwest Territories . . . . .	Fort Simpson

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**NUNAVUT—1**


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Senator	Designation	Post Office Address
THE HONOURABLE		
1 Willie Adams . . . . .	Nunavut . . . . .	Rankin Inlet

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**YUKON TERRITORY—1**


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Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ione Christensen . . . . .	Yukon Territory. . . . .	Whitehorse

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**ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES**

(As of September 16, 2003)

\*Ex Officio Member

**ABORIGINAL PEOPLES**

**Chair: Honourable Senator Chalifoux**

**Deputy Chair: Honourable Senator Johnson**

**Honourable Senators:**

Austin,	Chalifoux,	Gill,	Pearson,
Carney,	Chaput,	Léger,	Sibbeston,
* Carstairs,	Christensen,	* Lynch-Staunton,	Stratton,
(or Robichaud)	Forrestall,	(or Kinsella)	Tkachuk.

*Original Members as nominated by the Committee of Selection*

*Carney, \*Carstairs (or Robichaud), Chalifoux, Christensen, Gill, Hubley, Johnson, Léger, \*Lynch-Staunton (or Kinsella), Pearson, Sibbeston, St. Germain, Tkachuk.*

**AGRICULTURE AND FORESTRY**

**Chair: Honourable Senator Oliver**

**Deputy Chair: Honourable Senator Wiebe**

**Honourable Senators:**

* Carstairs,	Fairbairn,	LeBreton,	Ringuette,
(or Robichaud)	Gustafson,	* Lynch-Staunton,	Tkachuk,
Chalifoux,	Hubley,	(or Kinsella)	Wiebe.
Day,	LaPierre,	Oliver,	

*Original Members as nominated by the Committee of Selection*

*\*Carstairs (or Robichaud), Chalifoux, Day, Fairbairn, Gustafson, Hubley, LaPierre, Lapointe, LeBreton, \*Lynch-Staunton (or Kinsella), Moore, Oliver, Tkachuk, Wiebe.*

**BANKING, TRADE AND COMMERCE**

**Chair: Honourable Senator Kroft**

**Deputy Chair: Honourable Senator Tkachuk**

**Honourable Senators:**

Angus,	Fitzpatrick,	Kroft,	Oliver,
Biron,	Hervieux-Payette,	* Lynch-Staunton,	Prud'homme,
* Carstairs,	Kelleher,	(or Kinsella)	Setlakwe,
(or Robichaud)	Kolber,	Moore,	Tkachuk.

*Original Members as nominated by the Committee of Selection*

*Angus, \*Carstairs (or Robichaud), Fitzpatrick, Hervieux-Payette, Kelleher, Kolber, Kroft, \*Lynch-Staunton (or Kinsella), Meighen, Poulin, Prud'homme, Setlakwe, Taylor, Tkachuk.*

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**ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES**
**Chair: Honourable Senator Banks****Deputy Chair: Honourable Senator Spivak****Honourable Senators:**

Baker,	Christensen,	Kenny,	Milne,
Banks,	Cochrane,	* Lynch-Staunton,	Spivak,
Buchanan,	Eyton,	(or Kinsella)	Watt.
* Carstairs,	Finnerty,	Merchant,	
(or Robichaud)			

***Original Members as nominated by the Committee of Selection***

*Baker, Banks, Buchanan, \*Carstairs (or Robichaud), Christensen, Cochrane, Eyton, Finnerty, Kenny, \*Lynch-Staunton (or Kinsella), Milne, Spivak, Taylor, Watt.*

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**FISHERIES AND OCEANS****Chair: Honourable Senator Comeau****Deputy Chair: Honourable Senator Cook****Honourable Senators:**

Adams,	Cochrane,	Johnson,	Meighen,
Baker,	Comeau,	* Lynch-Staunton,	Phalen,
* Carstairs,	Cook,	(or Kinsella)	Watt.
(or Robichaud)	Hubley,	Mahovlich,	

***Original Members as nominated by the Committee of Selection***

*Adams, Baker, \*Carstairs (or Robichaud), Cochrane, Comeau, Cook, Hubley, Johnson, \*Lynch-Staunton (or Kinsella), Mahovlich, Moore, Phalen, Robertson, Watt*

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**FOREIGN AFFAIRS****Chair: Honourable Senator Stollery****Deputy Chair: Honourable Senator Di Nino****Honourable Senators:**

Andreychuk,	* Carstairs,	Di Nino,	* Lynch-Staunton,
Austin,	(or Robichaud)	Grafstein,	(or Kinsella)
Bolduc,	Corbin,	Graham,	Mahovlich,
Carney,	De Bané,	Losier-Cool,	Stollery.

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Austin, Bolduc, Carney, \*Carstairs (or Robichaud), Corbin, De Bané, Di Nino, Grafstein, Graham, Losier-Cool, \*Lynch-Staunton (or Kinsella), Setlakwe, Stollery.*

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**HUMAN RIGHTS****Chair: Honourable Senator Maheu****Deputy Chair: Honourable Senator Rossiter****Honourable Senators:**

Beaudoin,	Ferretti Barth,	LaPierre,	Maheu,
* Carstairs,	Jaffer,	* Lynch-Staunton,	Rivest,
(or Robichaud)	Joyal,	(or Kinsella)	Rossiter.
Chalifoux,			

***Original Members as nominated by the Committee of Selection***

*Beaudoin, \*Carstairs (or Robichaud), Ferretti Barth, Fraser, Jaffer, LaPierre,  
\*Lynch-Staunton (or Kinsella), Maheu, Poy, Rivest, Rossiter.*

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**INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION****Chair: Honourable Senator Bacon****Interim Deputy Chair: Honourable Senator Stratton****Honourable Senators:**

Atkins,	* Carstairs,	Gauthier,	Poulin,
Austin,	(or Robichaud)	Gill,	Robertson,
Bacon,	Cook,	Jaffer,	Robichaud,
Bolduc,	De Bané,	* Lynch-Staunton,	Stratton.
Bryden,	Eyton,	(or Kinsella)	

***Original Members as nominated by the Committee of Selection***

*Angus, Atkins, Austin, \*Carstairs (or Robichaud), Bacon, Bryden, De Bané, Doody, Eyton, Gauthier,  
Gill, Jaffer, Kroft, \*Lynch-Staunton (or Kinsella), Poulin, Robichaud, Stratton.*

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**LEGAL AND CONSTITUTIONAL AFFAIRS****Chair: Honourable Senator Furey****Deputy Chair: Honourable Senator Beaudoin****Honourable Senators:**

Andreychuk,	* Carstairs,	Jaffer,	Nolin,
Baker,	(or Robichaud)	Joyal,	Pearson,
Beaudoin,	Cools,	* Lynch-Staunton,	Smith.
Bryden,	Furey,	(or Kinsella)	
Buchanan,			

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Baker, Beaudoin, Bryden, Buchanan, \*Carstairs (or Robichaud), Cools, Furey,  
Jaffer, Joyal, \*Lynch-Staunton (or Kinsella), Nolin, Pearson, Smith.*

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**LIBRARY OF PARLIAMENT (Joint)**
**Joint Chair:****Vice-Chair:****Honourable Senators:**

Bolduc, Lapointe, Morin, Poy.  
Forrestall,

*Original Members agreed to by Motion of the Senate  
Bolduc, Forrestall, Lapointe, Morin, Poy.*

---

**NATIONAL FINANCE****Chair: Honourable Senator Murray****Deputy Chair: Honourable Senator Day****Honourable Senators:**

Biron, Comeau, Finnerty, Maheu,  
\* Carstairs, Day, Gauthier, Mahovlich,  
(or Robichaud) Doody, \* Lynch-Staunton, Murray,  
Chaput, Ferretti Barth, (or Kinsella) Oliver.

*Original Members as nominated by the Committee of Selection  
Biron, Bolduc, \*Carstairs (or Robichaud), Cools, Day, Doody, Eyton, Ferretti Barth, Finnerty,  
Furey, Gauthier, \*Lynch-Staunton (or Kinsella), Mahovlich, Murray.*

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**NATIONAL SECURITY AND DEFENCE****Chair: Honourable Senator Kenny****Deputy Chair: Honourable Senator Forrestall****Honourable Senators:**

Atkins, Cordy, Kenny, Meighen,  
Banks, Day, \* Lynch-Staunton, Smith,  
\* Carstairs, Forrestall, (or Kinsella) Wiebe,  
(or Robichaud)

*Original Members as nominated by the Committee of Selection  
Atkins, Banks, \*Carstairs (or Robichaud), Cordy, Day, Forrestall, Kenny,  
\*Lynch-Staunton (or Kinsella), Meighen, Smith, Wiebe.*

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**VETERANS AFFAIRS**  
(Subcommittee of National Security and Defence)

**Chair: Honourable Senator Meighen**

**Deputy Chair: Honourable Senator Day**

**Honourable Senators:**

Atkins,	Day,	* Lynch-Staunton,	Meighen,
* Carstairs,	Kenny,	(or Kinsella)	Wiebe.
(or Robichaud)			

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**OFFICIAL LANGUAGES**

**Chair: Honourable Senator Losier-Cool**

**Deputy Chair: Honourable Senator Keon**

**Honourable Senators:**

Beaudoin,	Comeau,	Lapointe,	* Lynch-Staunton,
* Carstairs,	Gauthier,	Léger,	(or Kinsella)
(or Robichaud)	Keon,	Losier-Cool,	Maheu.
Chaput,			

*Original Members agreed to by Motion of the Senate*

*Beaudoin, \*Carstairs (or Robichaud), Comeau, Ferretti Barth, Gauthier, Keon, Lapointe, Léger, Losier-Cool, \*Lynch-Staunton (or Kinsella), Maheu.*

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**RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT**

**Chair: Honourable Senator Milne**

**Deputy Chair: Honourable Senator Andreychuk**

**Honourable Senators:**

Andreychuk,	Fraser,	* Lynch-Staunton,	Robertson,
* Carstairs,	Grafstein,	(or Kinsella)	Robichaud,
(or Robichaud)	Hubley,	Milne,	Smith,
Cordy,	Joyal,	Murray,	Stratton,
Di Nino,		Ringuette,	Wiebe.

*Original Members as nominated by the Committee of Selection*

*Andreychuk, Bacon, \*Carstairs (or Robichaud), Di Nino, Grafstein, Joyal, Losier-Cool, \*Lynch-Staunton (or Kinsella), Milne, Murray, Pépin, Pitfield, Robertson, Rompkey, Smith, Stratton, Wiebe.*

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**SCRUTINY OF REGULATIONS (Joint)**
**Joint Chair: Honourable Hervieux-Payette****Vice-Chair:****Honourable Senators:**

Biron, Hervieux-Payette,	Kelleher, Merchant,	Moore, Nolin,	Phalen.
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*Original Members as agreed to by Motion of the Senate**Biron, Hervieux-Payette, Hubley, Kelleher, Moore, Nolin, Phalen.*


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**SELECTION**
**Chair: Honourable Senator Rompkey****Deputy Chair: Honourable Senator Stratton****Honourable Senators:**

Biron, * Carstairs, (or Robichaud)	De Bané, Fairbairn, Kinsella,	Kolber, LeBreton, * Lynch-Staunton, (or Kinsella)	Rompkey, Stratton, Tkachuk.
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*Original Members agreed to by Motion of the Senate**Bacon, \*Carstairs, (or Robichaud), De Bané, Fairbairn, Kinsella, Kolber, LeBreton, \*Lynch-Staunton, (or Kinsella), Rompkey, Stratton, Tkachuk.*


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**SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY**
**Chair: Honourable Senator Kirby****Deputy Chair: Honourable Senator LeBreton****Honourable Senators:**

Callbeck, * Carstairs, (or Robichaud) Cook,	Cordy, Fairbairn, Keon, Kirby,	LeBreton, Léger, * Lynch-Staunton, (or Kinsella)	Morin, Robertson, Roche, Rossiter.
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*Original Members as nominated by the Committee of Selection**Callbeck \*Carstairs (or Robichaud), Cook, Cordy, Di Nino Fairbairn, Keon, Kirby, LeBreton, \*Lynch-Staunton (or Kinsella), Morin, Pépin, Robertson, Roche.*

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**TRANSPORT AND COMMUNICATIONS****Chair: Honourable Senator Fraser****Deputy Chair: Honourable Senator Gustafson****Honourable Senators:**

Adams,	Eyton,	Johnson,	Merchant,
* Carstairs,	Fraser,	LaPierre,	Phalen,
(or Robichaud)	Graham,	* Lynch-Staunton,	Ringuette,
Day,	Gustafson,	(or Kinsella)	Spivak.

***Original Members as nominated by the Committee of Selection***

*Adams, Biron, Callbeck, \*Carstairs (or Robichaud), Day, Eyton, Fraser, Graham, Gustafson, Johnson, LaPierre, \*Lynch-Staunton (or Kinsella), Phalen, Spivak.*

---

## CONTENTS

Tuesday, September 16, 2003

	PAGE		PAGE
<b>Visitor in the Gallery</b>		<b>QUESTION PERIOD</b>	
The Hon. the Speaker <i>pro tempore</i> . . . . .	1800	<b>Health</b>	
<b>New Senators</b>		Ontario—Severe Acute Respiratory Syndrome—	
The Hon. the Speaker <i>pro tempore</i> . . . . .	1800	Economic Compensation Under Disaster Financial Assistance	
Introduction.		Arrangement Rules.	
The Hon. the Speaker <i>pro tempore</i> . . . . .	1800	Hon. Brenda M. Robertson . . . . .	1804
Hon. Sharon Carstairs . . . . .	1800	Hon. Sharon Carstairs . . . . .	1804
Hon. John Lynch-Staunton . . . . .	1800	Negotiations to Establish Health Council of Canada.	
Hon. Gerry St. Germain . . . . .	1801	Hon. Wilbert J. Keon . . . . .	1805
		Hon. Sharon Carstairs . . . . .	1805
<hr/>		<b>Official Languages</b>	
<b>SENATORS' STATEMENTS</b>		Case Brought by Forum of Mayors of Acadian Peninsula—	
<b>The Honourable Wilbert J. Keon</b>		Federal Court Decision.	
Congratulations on Renaming University of Ottawa		Hon. Jean-Robert Gauthier . . . . .	1805
Heart Institute In Senator's Honour.		Hon. Sharon Carstairs . . . . .	1805
Hon. John Lynch-Staunton . . . . .	1800	<b>Citizenship and Immigration</b>	
<b>Official Languages</b>		National Biometric Identification Card.	
Federal Court Decision on Case Brought by Forum of		Hon. Donald H. Oliver . . . . .	1806
Mayors of Acadian Peninsula.		Hon. Sharon Carstairs . . . . .	1806
Hon. Jean-Robert Gauthier . . . . .	1801	<b>National Defence</b>	
<b>Visible Minorities</b>		Used Submarines Purchased from United Kingdom—	
Study by Conference Board of Canada on Barriers to Advancement.		Support Costs.	
Hon. Donald H. Oliver . . . . .	1802	Hon. J. Michael Forrestall . . . . .	1806
<b>The Honourable Wilbert J. Keon</b>		Hon. Sharon Carstairs . . . . .	1806
Congratulations on Renaming of University of Ottawa		Budget—Request to Find Savings.	
Heart Institute In Senator's Honour.		Hon. Norman K. Atkins . . . . .	1807
Hon. Michael Kirby . . . . .	1802	Hon. Sharon Carstairs . . . . .	1807
<b>Justice</b>		<b>Agriculture and Agri-Food</b>	
Same-Sex Marriage.		Bovine Spongiform Encephalopathy—	
Hon. Gerry St. Germain . . . . .	1803	United States Trade Restrictions.	
<b>The Honourable Lise Bacon</b>		Hon. Leonard J. Gustafson . . . . .	1807
Congratulations on Appointment as Officer of Legion of Honour.		Hon. Sharon Carstairs . . . . .	1807
Hon. Jean-Claude Rivest . . . . .	1803	Bovine Spongiform Encephalopathy—Assistance to Farmers.	
Hon. Sharon Carstairs . . . . .	1803	Hon. Gerry St. Germain . . . . .	1807
		Hon. Sharon Carstairs . . . . .	1807
<hr/>		Bovine Spongiform Encephalopathy—	
<b>ROUTINE PROCEEDINGS</b>		Integration with United States Beef Producers.	
<b>Integrity Officer of Public Service</b>		Hon. Jerahmiel S. Grafstein . . . . .	1808
2002-03 Report Tabled.		Hon. Sharon Carstairs . . . . .	1808
Hon. Fernand Robichaud . . . . .	1803	Hon. Leonard J. Gustafson . . . . .	1808
<b>America Day Bill (Bill S-22)</b>		<b>Visitors in the Gallery</b>	
First Reading.		The Hon. the Speaker <i>pro tempore</i> . . . . .	1808
Hon. Jerahmiel S. Grafstein . . . . .	1804	<b>Delayed Answers to Oral Questions</b>	
<b>Organization for Security and Co-operation in Europe</b>		Hon. Fernand Robichaud . . . . .	1808
<b>Proposal for Restitution of Confiscated Properties in Eastern Europe</b>		<b>Industry</b>	
Notice of Motion Requesting Government Support.		World Wide Web—Enforcement Against Spam.	
Hon. Jerahmiel S. Grafstein . . . . .	1804	Question by Senator Oliver.	
<b>Socio-Economic Implications of Decreasing Population</b>		Hon. Fernand Robichaud (Delayed Answer) . . . . .	1809
Notice of Inquiry.		<b>Health</b>	
Hon. Marie-P. Poulin . . . . .	1804	West Nile Virus—Stockpiling of Blood—Screening Test—	
		Suspected Case in Walpole, Ontario—Blood Donations in Region.	
		Question by Senator Oliver.	
		Hon. Fernand Robichaud (Delayed Answer) . . . . .	1809
		<b>Justice</b>	
		Appointment of Ombudsman to Review Legal Errors.	
		Question by Senator Nolin.	
		Hon. Fernand Robichaud (Delayed Answer) . . . . .	1809

	PAGE
<b>Canada Customs and Revenue Agency</b>	
Theft of Personal Information—Prevention Safeguards Question by Senator Stratton. Hon. Fernand Robichaud (Delayed Answer) . . . . .	1810
<b>Answers to Order Paper Questions Tabled</b>	
Justice and Attorney General—Canadian Human Rights Act. Hon. Fernand Robichaud . . . . .	1810
Industry—Patent Act. Hon. Fernand Robichaud . . . . .	1810
Justice and Attorney General—Access to Information Act. Hon. Fernand Robichaud . . . . .	1810
Justice and Attorney General—Alternative Fuels Act. Hon. Fernand Robichaud . . . . .	1810
Industry—Alternative Fuels Act. Hon. Fernand Robichaud . . . . .	1810
Foreign Affairs—Alternative Fuels Act. Hon. Fernand Robichaud . . . . .	1810
Justice and Attorney General—Alternative Fuels Act. Hon. Fernand Robichaud . . . . .	1811
Justice and Attorney General—Alternative Fuels Act. Hon. Fernand Robichaud . . . . .	1811

---

	PAGE
<b>ORDERS OF THE DAY</b>	
<b>Specific Claims Resolution Bill (Bill C-6)</b>	
Third Reading—Motion in Amendment—Debate Continued. Hon. Thelma J. Chalifoux . . . . .	1811
Hon. Noël A. Kinsella . . . . .	1812
Hon. Aurélien Gill . . . . .	1812
Hon. Gerry St. Germain . . . . .	1813
Hon. Pierre Claude Nolin . . . . .	1813
Hon. Nick G. Sibbeston . . . . .	1813
Hon. David Tkachuk . . . . .	1814
Hon. Jack Austin . . . . .	1815
Hon. Terry Stratton . . . . .	1817
Hon. Charlie Watt . . . . .	1818
Hon. Willie Adams . . . . .	1820
<b>Business of the Senate</b>	
Hon. Fernand Robichaud . . . . .	1820
Hon. Noël A. Kinsella . . . . .	1820
<b>Appendix</b> . . . . .	i





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