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Thursday, November 2, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Thursday, November 2, 2006

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

NATIONAL ADVISORY COUNCIL ON AGING

2006 SENIORS REPORT CARD

Hon. Wilbert J. Keon: Honourable senators, on October 26, the National Advisory Council on Aging released their *Seniors in Canada: 2006 Report Card*. This report is a continuation of the study begun seven years ago, an interim report presented in 2001.

The National Advisory Council on Aging, NACA, was created by an Order-in-Council on May 1, 1980 to assist and advise the Minister of Health on issues related to the aging of the Canadian population and the quality of life of seniors. The advisory committee members consulted with gerontology experts, national seniors' organizations and federal government officials.

They focused on five key areas of concern: health, access to health care, economic success, living conditions and societal participation.

• (1335)

Honourable senators, I would like to take the opportunity to highlight some of their findings.

Seniors — those of us over 65 — now account for 4.2 million people in Canada, or 7 per cent of the population. With respect to health, the organization gave seniors a B-minus. Since the information reported in 2001, life expectancy at age 65 has improved, as have rates of chronic pain and incidents of underweight. However, there have been increases in obesity and chronic disease, no satisfactory changes in physical activity, injuries and falls and, surprisingly, honourable senators, suicide rates in men remain high.

The council highlights that in Nunavut and the Northwest Territories, Aboriginal life expectancy at age 65 was almost four years lower than the national average.

In health care, the council rated seniors a C-plus; in living conditions, they were rated a B grade. In societal participation, 17 per cent of all volunteers come from seniors, and 72 per cent of seniors reported a strong sense of belonging to community.

In conclusion, honourable senators, we will witness over the next several decades an alarming increase in the number of seniors and potential retirees. We cannot afford to sit back and watch this segment of our population struggle with the bare essentials of life — a roof over their heads, the promise and certainty of food on their table, the certainty of accessible and affordable health care treatment and the acceptance of self-esteem that comes from being active in their family and community.

I believe we owe it to these important citizens of our country to take this report from the National Advisory Council on Aging and work on definitive, positive measures.

CANADIAN ISLAMIC CONGRESS SCHOLARSHIP ON PEACE AND CONFLICT STUDIES

Hon. Mobina S.B. Jaffer: Honourable senators, I stand today, as we approach remembrance week, to honour the men and women who have lost their lives so that we can enjoy liberty in Canada.

Of course, some of the sacrifices are fresh in our minds. These are the 40 Canadian men and women who lost their lives in Afghanistan, including Captain Nichola Goddard, the first woman to lose her life in a combat role for our country.

After Captain Goddard's tragic death, the Canadian Islamic Congress contacted her family, and with their consent, set up the Captain Nichola K.S. Goddard Scholarship in Peace and Conflict Studies.

Captain Goddard's father, Tim Goddard, and his son-in-law, Jason, discussed whether the scholarship should be set up and determined it would be an absolutely fitting tribute to her memory.

On Monday at the Canadian Islamic Congress' annual gala, Mr. Goddard said:

I believe that this work will help further the hopes and dreams held by Nichola, that peaceful resolution of conflict can be achieved and thus prepare the way for reconstruction of civil society and the establishment of stable nation states.

His words came as the recipient of the newly created scholarship, designed to further the study and promotion of conflict resolution and prevention skills, was announced.

Ahmad Syed, a 27-year-old Master's student in globalization and international development at the University of Ottawa, has become the first recipient of this scholarship, and in his acceptance he outlined its importance, saying:

It is truly an honour to be considered for, and ultimately receive, this scholarship. In accepting it, I would like to thank the scholarship committee and hope that I am able to incorporate in my academic work the ideals that Captain Goddard espoused.

Honourable senators, I believe this award is a touching tribute to Captain Nichola Goddard, as well as a chance to build on the values of peace that Canada has come to represent on the world stage.

I hope you will join me in congratulating Ahmad Syed, and the Canadian Islamic Congress, for this award in Nichola's memory.

VETERANS WEEK

Hon. Michael A. Meighen: Honourable senators, November 5 marks the beginning of Veterans Week, a week devoted to honouring the men and women who have served and continue to serve our country. Events and ceremonies will take place across our land and Canadians from all walks of life will have the opportunity to say thank you to those who have fought to ensure our values and our freedom.

Before I pay tribute to those in uniform, I want to bring to the attention of honourable senators an individual who served those who serve for us.

Jack Stagg, the Deputy Minister of Veterans Affairs, passed away on August 9, 2006. Mr. Stagg was a champion of veterans' issues and played a large role in the establishment of the New Veterans Charter and the 2005 Year of the Veteran.

As the son of two veterans, Mr. Stagg understood firsthand the challenges that veterans face and the unique programs that they require. His countless efforts to improve the programs at Veterans Affairs Canada resulted in great enhancements to the services that are provided to our honoured veterans. His hard work and strong leadership in his department were definitely second to none. He will be remembered for his compassion and dedication to veterans by those who knew him and by those he served so selflessly.

• (1340)

As Deputy Minister of Veterans Affairs, Mr. Stagg oversaw a considerable commemoration project that is nearing completion. The Canadian Battlefield Memorials Restoration Project, a five-year colossal undertaking led by Veterans Affairs Canada, began in 2001. The project is an effort to repair, restore and rehabilitate all thirteen of Canada's First World War battlefields in Europe. Of these memorials, of course, the restoration of the Canadian National Vimy Memorial in France is by far the most challenging element of this endeavour. I am happy to hear that the project is on schedule and that the restoration is scheduled to be completed by the end of this year. The memorial will once again serve as a reminder of the sacrifice and courage of Canadians who fought for our country so many years ago.

[*Translation*]

As we commemorate the past, it is important to recognize the contribution of those men and women serving in the Canadian Armed Forces today. From now on, the term "veterans" will designate more than the military personnel who fought in the two world wars and in Korea.

Veterans Week is our chance to pay tribute to and commemorate members of the Canadian Armed Forces who have participated in more recent conflicts and who are now among the veterans. Many of them returned home after serving in conflict zones, but the wounds and scars of war will forever mark them.

Sadly, Canadian soldiers have been killed while posted in Afghanistan and Lebanon. Veterans Week gives us an opportunity to honour their memory as well.

[*English*]

The theme of this year's Veterans Week is "Share the Story," and I anticipate that many stories will be shared by our veterans. I encourage all Canadians to speak with veterans and with serving members of the Canadian Forces to learn their stories so that they in turn can be passed on to others.

As the years go by, fewer traditional veterans of both World Wars and the Korean War remain. However, their spirit remains since their stories will live forever. We owe a great act of gratitude to those who fought for us and, without the sacrifice and courage of those in uniform, our great country would not be what it is today.

SUMMER CAREER PLACEMENTS PROGRAM FUNDING CUTS

Hon. Catherine S. Callbeck: Honourable senators, recently the Conservative government announced just over \$1 billion in funding cuts to valuable and necessary government programs, even though the federal government posted a surplus of \$13.2 billion for the past year.

One such cut is to the Summer Career Placements Program, whose funding has been cut in half. That means a decrease of \$55.4 million over two years. This program hired some 50,000 secondary and post-secondary students across the country last year. In my home province of Prince Edward Island this past summer, 400 students were given the opportunity to develop their skills and gain valuable work experience. For those continuing with their post-secondary education after the summer, this income was especially vital because it helped them to pay for their education and avoid long-term debt.

However, it is not just the students who benefit. I would like to point out that many non-profit community-based organizations depend on the SCPP to hire students. Many such organizations will not be able to afford the extra help without this program.

Last fall, the House of Commons Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities did a study on the Summer Career Placements Program. They made recommendations that would expand the program, such as extending the work period for participating students and a higher wage subsidy for those pursuing post-secondary education. These cuts to the SCPP contradict the recommendations of that committee.

The Conservative government has also totally eliminated the \$10-million budget for the International Youth Internship Program. This program was managed by the Canadian International Development Agency and provided young Canadians with the opportunity to work in a developing country. It provided these young people with valuable work experience while contributing to Canada's international development goals.

• (1345)

Honourable senators, in a world where knowledge, education and global experience are becoming increasingly important, it is disheartening that the Conservative government is taking these opportunities away from young Canadians. Instead, this government should be investing in their futures and helping provide Canada's youth with the skills and experience needed to thrive on the world stage.

Honourable senators, I urge the Conservative government to reconsider these unacceptable decisions and reinstate full funding to both these valuable programs.

LECTURE TOUR OF SCANDINAVIA ON DIVERSITY AND PLURALISM

Hon. Donald H. Oliver: Honourable senators, I am pleased to rise today to report on a week-long lecture tour on diversity and pluralism that I just finished and undertook at the request of the governments of Norway and Denmark. I was asked to speak about Canada's multicultural framework as a model for integrating racial and ethnic minorities in Scandinavia. I outlined to the Scandinavians some facilitating conditions that make it easier in Canada to accommodate diversity than it is for many Scandinavian countries.

My trip is perhaps best explained by Canada's Ambassador to Norway, Her Excellency Jillian Stirk, when she wrote in her welcoming letter to me:

Canada and Norway have much in common in terms of social policy, foreign policy and our natural like-mindedness we share. We can also learn from each other on the issue of how to integrate immigrant communities and visible minorities into societies. This is something Canada has a direct advantage with because, as the Norwegian population becomes more diverse, officials at all levels are tackling the challenges this can bring. They are keen to learn from the Canadian experience.

In attendance in Oslo and Copenhagen were senior government officials, journalists, professors, business leaders and students from the University of Aarhus.

The lectures were prescribed to broaden the dialogue on some of the causes and potential cures for the social and economic integration difficulties that exist in much of Scandinavia. In Denmark, for instance, we discussed and analyzed the now infamous cartoon incident.

Honourable senators, I explained the historical background of Canada's foundation by the British and the French, the accommodation of two laws, two cultures, two languages and two religions, and raised the possibility of accepting additional cultures, languages and religions. This biculturalism has predisposed Canadians to being more accepting of other cultures.

I also stressed that economic incentives can also promote diversity. I emphasized that one of the greatest challenges facing Western democracies today is to find talent and skilled labourers. As baby boomers begin to retire, we will face a shortage of

[Senator Callbeck]

talented and skilled labour across all sectors. Because of low fertility rates and the phenomenon of the inverted age pyramid, we do not have enough young Canadians to fill our research institutions and factories, so we must look to immigration.

Honourable senators, I also explained that the inverted pyramid is affecting other developed countries too. Fertility rates across Europe, for example, are so low that demographers predict that the number of Europeans will drop dramatically over the next five decades, even with immigration. Specifically, Italy's population is expected to fall from 57 million in 2000 to about 45 million by 2050. Spain's will drop by 3 million in the same period. In just 25 years, over almost half of all German adults will be 65 years of age or older.

In conclusion, honourable senators, my lecture tour in Denmark and Norway proved to be intellectually stimulating and challenging and enough of a catalyst that I have been asked to give another lecture to senior Danish bureaucrats in a month or so.

Honourable senators, I believe the most pressing crisis confronting the Western world is the looming skills shortage, and immigration is and will continue to be critical to our labour force growth. I appreciated the opportunity to discuss this topic with so many willing ears in Scandinavia.

[Translation]

ROUTINE PROCEEDINGS

STUDY ON OPERATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

GOVERNMENT RESPONSE TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the government response to the sixth report of the Standing Senate Committee on Official Languages entitled *French-Language Education in a Minority Setting: A Continuum from Early Childhood to Postsecondary Level*.

• (1350)

[English]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

SIXTH REPORT OF COMMITTEE PRESENTED

Hon. George J. Furey, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, November 2, 2006

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

SIXTH REPORT

Your Committee recommends that Senate SEGs and MMG-2s receive a 2.5 per cent increase to salary ranges, effective April 1, 2006, as well a 1.1 per cent increase to at-risk pay for 2006-2007, parallel to increases adopted by the Treasury Board for Public Service executives and Deputy Ministers.

Respectfully submitted,

GEORGE J. FUREY
Chair

The Hon. the Speaker: When shall this report be taken into consideration?

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

PUBLIC HEALTH AGENCY OF CANADA BILL

REPORT OF COMMITTEE

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

Thursday, November 2, 2006

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

SIXTH REPORT

Your Committee, to which was referred Bill C-5, An Act respecting the establishment of the Public Health Agency of Canada and amending certain Acts has, in obedience to the Order of Reference of Thursday, September 28, 2006, examined the said Bill and now reports the same without amendment.

Attached as an appendix to this Report are the observations of your Committee on Bill C-5.

Respectfully submitted,

ART EGGLETON, P.C.
Chair

APPENDIX

Observations appended to the 6th Report of the Standing Senate Committee on Social Affairs, Science and Technology

The Standing Senate Committee on Social Affairs, Science and Technology (The Committee) has heard testimony on Bill C-5, The Public Health Agency of Canada Act and has passed the bill without amendment. It would like however to take the opportunity to make the

Senate aware of various issues which need to be addressed in the operations of the Public Health Agency of Canada. Specifically, the Committee wants more recognition of First Nations and Inuit health issues and it wants recognition of the First Nations and Inuit in health legislation.

Therefore, your Committee appends to this report certain observations on the Bill.

A. Link to Health Canada's First Nations and Inuit Health Branch

The Committee is concerned that there is no obligation for the Chief Public Health Officer or the Agency to include the First Nations and Inuit Health Branch of Health Canada in its consultations or operations as the Bill is currently written. It requests that a formal and ongoing link be established between this branch of Health Canada and the Agency

B. Reports

The Committee emphasizes that the Agency should report on the public health status of First Nations and Inuit. As a component of this it wants the Chief Public Health Officer to consider appointing medical officers, as provided for under clause 13 of the Bill, who will represent First Nations and Inuit concerns and who will report regularly on their activities.

C. Committees

The Committee asks that there be an obligation for representation of First Nations and Inuit on the advisory and other committees established by the Minister.

D. Privacy and Data Collection

The Committee is aware that the issue of privacy in data collection has been raised by First Nations. The Committee wants assurances that data will be collected and disseminated only with appropriate consent and privacy safeguards for First Nations and Inuit individuals.

E. First Nations and Inuit Public Health Act

The Committee notes that there is no legislative basis for the Federal Government's role and responsibility for provision of health services for First Nations and Inuit. The Committee wants the Government to work collaboratively with First Nations and Inuit in the development of a First Nations and Inuit Public Health Act and other relevant statutes. The Committee intends to be seized of this matter of dealing with public health issues with respect to First Nations and Inuit.

F. Review of the Agency

The Committee will recall the Agency for a full review of their operations after six months in order to determine the extent to which it has implemented these observations and, specifically, to confirm the Agency's commitment to the First Nations and Inuit.

The Hon. the Speaker: When shall this bill be read the third time?

On motion of Senator Eggleton, report placed on the Orders of the Day for third reading at the next sitting of the Senate.

[*Translation*]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-19, to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act.

Bill read first time.

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

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

• (1355)

[*English*]

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO REFER DOCUMENTS FROM STUDY ON BILL S-39 IN PREVIOUS PARLIAMENT TO STUDY ON BILL S-3

Hon. Donald H. Oliver: Honourable senators, I give notice that at the next sitting of the Senate I will move:

That the papers and evidence received and taken and work accomplished by the Standing Senate Committee on Legal and Constitutional Affairs on Bill S-39, An Act to amend the National Defence Act, the Criminal Code, the Sex Offender information Registry Act and the Criminal Records Act during the First Session of the Thirty-eighth Parliament be referred to the Committee for its study of Bill S-3, An Act to amend the National Defence Act, the Criminal Code, and the Sex Offender Information Registration Act and the Criminal Records Act.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO REFER DOCUMENTS OF STUDY ON MENTAL HEALTH AND MENTAL ILLNESS FROM PREVIOUS PARLIAMENTS TO STUDY ON FUNDING FOR TREATMENT OF AUTISM

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

That the papers and evidence received and taken by the Standing Senate Committee on Social Affairs, Science and Technology on the study of mental health and mental illness

in Canada in the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee for its study on the issue of funding for the treatment of autism.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF FUNDING FOR TREATMENT OF AUTISM

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

That notwithstanding the Order of the Senate adopted on Thursday, June 22, 2006, the Standing Senate Committee on Social Affairs, Science and Technology, which was authorized to examine and report on the issue of funding for the treatment of autism, be empowered to extend the date of presenting its final report from November 30, 2006 to May 31, 2007.

QUESTION PERIOD

THE SENATE

OFFICE OF LEADER OF THE GOVERNMENT— MEDIA LEAK ON NATIONAL SECURITY AND DEFENCE COMMITTEE TRIP TO DUBAI

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, my question is directed to the Leader of the Government in the Senate. The Standing Committee on Internal Economy, Budgets and Administration was made aware this morning of an email exchange between a member of her staff and the administration of the hotel where the Standing Senate Committee on National Security and Defence stayed during their travels to Dubai. In those emails, specific information that was later leaked to the media was requested. Was this done at her request?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question.

I was not listening to the testimony this morning. I was told about this allegation, but I have no knowledge that it is true.

Senator Hays: Honourable senators, if I could quote from the documents that were brought forward at the Internal Economy Committee meeting this morning, they refer to the Renaissance Dubai Hotel and a member of the government leader's staff asking a specific question about invoices rendered by the hotel in the name of Senator Kenny, a detailed breakdown for each room and, if possible, information on room charges. I am summarizing to some extent. Does that help the honourable leader in terms of what it is that I am referring to?

Senator LeBreton: Is the honourable senator asking me whether I was aware of this request to the hotel, or is he asking me whether I was aware that this information was leaked to the media? I am not clear about the question.

• (1400)

Senator Hays: My question was: Was the inquiry made to the hotel and the leak of that information to the media done at the request of the Leader of the Government?

Senator LeBreton: The answer is no.

Senator Hays: Having said what I said, and having the record of today's meeting of the Standing Committee on Internal Economy, Budgets and Administration, has the Leader of the Government begun an inquiry into this matter both in terms of the correspondence to which I referred, and which was brought forward in the Internal Economy Committee, and in terms of it being a matter coming out of the leader's office?

Senator LeBreton: What the honourable senators asks, if this is the subject of an inquiry, I do not understand the premise of the question. We all know that the committee was in Dubai. We all know they stayed in a hotel. What does the honourable senator want me to inquire into? The fact is that I was aware of this testimony this morning and, as I stated a moment ago, I had no knowledge that in fact this information was true. The honourable senator has documents produced to the Internal Economy Committee, but what is the issue here? Did the committee travel to Dubai? Yes. Did they stay in a hotel? Yes. Is there some reason the public should not be aware of this information? That is my question.

Senator Hays: Honourable senators, first, I thank the Leader of the Government for her answer that she had no knowledge of, and that she had nothing to do with, this matter. The fact is, however, that the correspondence establishes clearly that a staff person in her office requested the information. It was placed on October 17, as I understand it, and on October 18 a television network carried a program on this subject, releasing information that was in this correspondence. The television network's website indicates that the source of that information was a leak.

Based on that knowledge, is the leader making an inquiry in her office as to the source of this leak, as to whether the leak was her staff person? I ask this question because, as she has heard me say before, she represents the government here and she represents the Senate to the government. She is also, after the Speaker, the most important person in this chamber in terms of the model that she presents and what she does.

This matter that has come forward in the Internal Economy Committee is serious. It deserves her attention. My question to the leader is: Is the matter getting her attention and, if not, will it?

Senator LeBreton: Honourable senators, Senator Hays talks about my responsibilities to the Senate as the Leader of the Government. Let me say that I have been a senator since 1993. I consider it a great honour. I do not consider myself to be part of a closed society and I do not think I am entitled to any special privileges. I take my responsibilities seriously, but I happen to belong to a government and a party that believes in openness and transparency. The public demands openness and transparency, and I think the public expects those qualities of the Senate as well.

Senator Hays: Honourable senators, I am not sure that is an answer but, in any event, I will leave it at this: I have not heard from the leader and I would like to hear from her that, if

this matter originates from her office — and that is well documented — she will look into this matter and answer the question I have asked. She has answered that she had nothing to do with the matter and did not know about it, but can that also be said about her office?

Senator LeBreton: Honourable senators, in his previous question Senator Hays talked about a leak to the media. When something is a leak, it is a leak of a secret document. I think there were four senators and several staffers on this particular trip. I presume all of them stayed in the same hotel.

• (1405)

It is an assumption to say that my office staff was responsible for the leak. The documents seem to indicate that some inquiries were made in this regard. After all, it was well known, even before this story broke about the trip to Dubai. I will not initiate any kind of investigation. I have a small staff and they work hard. I point out that my predecessors had 20 to 22 people working in their office; I have nine. I will not go on a witch hunt against a member of my staff about how some media outlet obtained a document. The media could have gotten it from a member on the honourable senator's side.

Some Hon. Senators: Shame!

Senator Hays: I regret that the honourable senator's answer is that she does not care. She should care and I urge her to reconsider. If this kind of information is needed or wanted, there are sources within the Senate — the Standing Committee on Internal Economy, Budgets and Administration and the officers at the table — and in future, I urge her to use those sources. I do not feel comfortable with the leader's answer that she does not care about it and I urge her to reconsider.

Some Hon. Senators: Hear, hear!

Senator LeBreton: Honourable senators, I did not say I did not care. I said that this information could have been made available to the media by several sources. Three or four senators were on that trip and there were clerks. I will not leap to a conclusion as to the source of the leak on the basis of information that was tabled before the Internal Economy Committee this morning.

I take no lessons from anyone on that side about my responsibility as a senator, because I take my job seriously.

Senator Fraser: What has that to do with it?

Senator LeBreton: It has a lot to do with it. Senator Hays says I do not care. I do care about the Senate. Having said that, I do not believe that the Canadian public expects government nor an institution that is paid for by the taxpayers to be exempt from being open and transparent about the tax dollars they spend.

Hon. Tommy Banks: Honourable senators, I do not envy the Leader of the Government today, and I appreciate the position in which she finds herself.

Senator Tkachuk: What is going on here?

Some Hon. Senators: Sit down!

Senator Tkachuk: Point of order, Your Honour.

Some Hon. Senators: No point of order.

The Hon. the Speaker: Order. Honourable senators, we will continue with Question Period in the manner that this chamber is accustomed.

The Honourable Senator Banks has the floor.

Senator Banks: When did the leader first become aware of the fact that Mr. Jeffrey Kroeker, who works in her office, corresponded with the Renaissance Dubai Hotel and asked them for specific details on the hotel bills of senators who were there on Senate business?

Senator LeBreton: In his preamble the honourable senator said he does not envy me. I have no problem standing here as the Leader of the Government in the Senate defending my staff and defending what I believe the Canadian taxpayers expect of their senators. That is openness, honesty and transparency.

In answer to the question, I heard about the testimony this morning. I did not listen to the testimony. As I said in an earlier answer, I have no knowledge whether this testimony is in fact true. Senator Hays claims to have documents. Senator Banks asked me whether Mr. Kroeker was the source of the leak. There is no evidence to suggest that Mr. Kroeker is the source of the leak.

• (1410)

Senator Banks: That is not the question. When did the government leader first become aware that Jeffrey Kroeker telephoned and subsequently wrote to the Renaissance Dubai Hotel asking for specific details about the hotel charges of senators who were there working? When did the Leader of the Government in the Senate first become aware of that irrefutable fact?

Senator LeBreton: Honourable senators, first, I do not think it is a terrible act for a staff member to make inquiries. I answered previously that I was not aware that Mr. Kroeker had made any inquiries. However, I support his right, as a person working on such files, to make any inquiries he wishes.

Having said that, and in answer to the specific question, I was made aware of what was said in the committee this morning. I have no reason to believe it was true, but the honourable senator claims to have documents. I stand by my staff.

With regard to the concern raised earlier about the source of the leak, as I said, I have no proof, nor does Senator Banks, that the said staff member was responsible for these leaks.

Senator Banks: The Leader of the Government in the Senate used the word “leak,” and she has not answered my question. She spoke about when she first heard about what was said in committee today.

I asked the government leader when she first learned of Mr. Kroeker’s inquiries. I shall ask the question again, as well as a supplementary question.

The government leader just said that she expects her staff to make inquiries. Bear in mind that a detailed hotel bill includes such things as the telephone numbers that were called from a room. The government leader has just said that her staff is expected, and that she believes Canadians expect her staff, to make inquiries of a hotel in Canada — be it in Regina, Vancouver, Tuktoyaktuk — details of senators’ hotel bills, bills that contain privileged information.

In fact, the correspondence from the Renaissance Dubai Hotel to Mr. Kroeker says “privileged and confidential” right at the top of it. If I make a phone call from a hotel anywhere in the world to another politician or to a member of the press, the fact that I have made that phone call is not public information, nor is it Mr. Kroeker’s business. I do not think senators should expect that they will be spied on in this way.

Some Hon. Senators: Hear, hear!

Senator LeBreton: I agree with that comment. I have no knowledge of what information was given. I have not seen the documents. I do not know whether the information given included details of phone calls that were made, movies that were watched, or any other services. My point was that when information of this kind is on the public record I have no problem with people trying to verify it. I do not know what the policies of hotels are.

Obviously, the inquiry was made. I do not know what kind of information the hotel provided; I have not seen it. I would be surprised if a hotel would include a list of individual charges, such as telephone numbers that were called. I have not seen these bills, so I do not know what Senator Banks is referring to.

• (1415)

Senator Banks: I have one final question, honourable senators. The questions and answers that immediately precede this one speak for themselves, and I will ask one last question, which includes a number of things.

I have documents that I will table if it pleases the house, but I will refer to them nonetheless. I believe all members have seen the document, which is a letter dated October 19, from the Vice Chief of the Defence Staff. It is redacted in the form in which it has found its way into the public domain, but it is widely distributed to all news media and, conveniently, has been on the Internet since October 19.

It turns out that this letter was addressed from the Vice Chief of the Defence Staff directly to the Leader of the Government in the Senate. This version, as I said, has been redacted. I presume it is a private and personal piece of correspondence. I am left to wonder at whose behest it was written. I doubt whether the Vice Chief of the Defence Staff decided one day, “I think I will write to the Leader of the Government in the Senate.” Notwithstanding the reason for the letter, here is a private communication from the Vice Chief of the Defence Staff addressed to the Leader of the Government in the Senate, which has found itself onto the format of every media outlet, press and electronic, in this country and is widely distributed on the Internet. I wonder how that is so and whether that, too, is a matter that her government regards as a proper way of doing things.

I will ask the same question about this hotel bill, which was generated on October 7, long after these senators left this hotel. This hotel bill is in the hands of every media outlet in every form in this country and on the Internet. It was obtained by a person in her office, and it has since found its way as I described, and is widely distributed in this country.

Minister, how is that possible? We are left only to ask how it is possible that a private communication from the Vice Chief of the Defence Staff to her, a letter — not an email — has found its way into the public domain.

Senator LeBreton: I thank the honourable senator. He is right. I have the letter and I will be happy to table it. It was sent to me on October 19, and I circulated it because it was not private and confidential. At the time, a question of privilege was raised by my colleague with regard to the travels of this particular committee, so I circulated the letter. I did not solicit the letter. I received the letter, and I made the assumption that the assistant Chief of Defence Staff sent it to me as a result of the news stories that were out.

Some Hon. Senators: Oh, oh!

Senator LeBreton: I wish Question Period was televised on a day like today.

Some Hon. Senators: Hear, hear!

Some Hon. Senators: Oh, oh!

An Hon. Senator: Careful what you wish for!

Senator LeBreton: The fact is, this letter was received by me. I did not solicit this letter. I took it as an effort by this gentleman to put the facts on the record because of the misinformation being circulated in the media by various people in this place, who will remain unnamed. He sent me this letter. It was not a personal and confidential letter. I had it photocopied and sent it to my colleagues, and I would be happy to table the letter. You will see my name is there; I did not blank it out. I do not know who did that. I was grateful to receive the letter as it clarified a lot of things.

With regard to the hotel bill, I have not seen the hotel bill.

Senator Banks: The minister is the only one in Canada, then.

• (1420)

Senator LeBreton: Obviously, the honourable senator is very sensitive about this hotel bill. I do not know what kind of detail is included on the hotel bill, but I do not understand why there is such concern. The committee went to Dubai, they stayed in a hotel, they spent taxpayers' dollars, and the taxpayers have a right to expect proper accounting for their tax dollars. No one in the Senate, provided his or her activities are all above board, should be concerned about public scrutiny, it would seem to me.

The Hon. the Speaker: Honourable senators, before I proceed to the next questioner, both Senator Banks and Senator LeBreton have indicated their intention to table a document.

Senator Corbin: We can do that later, I believe. At the end of Question Period, not now.

Hon. Colin Kenny: Did the Leader of the Government in the Senate ask the Minister of Defence to have the Vice Chief of the Defence Staff send the letter?

Senator LeBreton: The honourable senator thinks I have powers way beyond what I possess. I did not.

Senator Kenny: Then did the Minister of Defence ask the Vice Chief of the Defence to send the letter?

Senator LeBreton: Perhaps that is a question the honourable senator could ask the Minister of Defence.

Senator Kenny: The Minister of Defence is not in the chamber. Will the government leader take notice of the question and advise the chamber whether the request came from the minister's office to the Vice Chief of the Defence Staff?

Senator LeBreton: Honourable senators, the military are very much in control of their own letter-writing activities, I am sure, but I shall take that question as notice.

Senator Kenny: I shall restate my question to the government leader: Did the minister's office ask the Vice Chief of the Defence Staff to write the letter? Mark those words and give us the answer.

Senator LeBreton: I wish the Honourable Senator Kenny would improve his tone when asking these questions. Senator Kenny is not the king of the Senate. I said publicly — and I mean it with all sincerity — and I wish to say it here: Senator Kenny is well known in this chamber as a person who will not take no for an answer. I said I had nothing to do with receiving the said letter, and I have already indicated to Senator Kenny that I will take the question as notice.

Hon. Joan Fraser (Deputy Leader of the Opposition): The Leader of the Government in the Senate says she believes in transparency, openness and, indeed, accountability; so do all of us. The government leader says she is proud to be a senator; so are all of us. We all believe in the integrity of this institution, but this institution has well-established and very rigorous procedures to guarantee appropriate accountability, openness and transparency about its spending. In light of that, instead of having the Internal Economy Committee and the Senate's administrative procedures verify the appropriateness of spending, does the Leader of the Government in the Senate actually believe that it is appropriate for staffers to short-circuit that process, to go around poking into what senators have done in the course of their senatorial business?

In the event the government leader is uncertain as to the rigorous nature of the Senate's administrative services, there have been numerous occasions where I have submitted expenses, in good faith, believing them to have been incurred in the course of my senatorial work but where those expenses have been refused. As a result, I have, of course, paid.

This is a good system we have going for us.

• (1425)

What is appropriate? What is fair, open, transparent and respectful of the Senate and its work in having staffers go snooping?

Senator LeBreton: Honourable senators, I believe we have a process in place in the Internal Economy Committee. We obviously had a full hearing this morning, so I am told; I do not know exactly what time it ended. I believe this matter must be resolved still by the Internal Economy Committee.

I will take no lessons or lectures from anyone on that side about the proper behaviour of a senator. I am fully aware of my responsibilities. I have conducted myself with integrity and honesty, and I will not take lectures from anyone, especially senators on that side.

Senator Fraser: My question was not about the behaviour of the Leader of the Government. It was about what is appropriate behaviour for staffers.

Most of us, I think, would be shaken to discover that our staffers were poking into how other senators performed their job, when that job had been dually authorized by the Senate in subcommittee, in committee and in the full chamber.

Senator LeBreton: The honourable senator is making a lot of allegations about the activities of my staff. As I said in my first answer to Senator Hays, I had no knowledge that any of this matter that was before the Internal Economy Committee was true.

We have many issues before us as senators, and we certainly are responsible for our staff. I have great faith in my small and very good staff. I do not believe that anything improper was done here in terms of openness and transparency.

As I said in my earlier answer, I am awaiting the findings of the Standing Committee on Internal Economy, Budgets and Administration. Like all matters in this chamber — and we have had other matters recently before the Internal Economy Committee — I am anxiously awaiting the findings, deliberations and recommendations of the committee. Ultimately, all questions honourable senators were posing here today relate to the matter before the Internal Economy Committee, and the committee has not had time to adjudicate on them, as far as I know.

Senator Fraser: As a final supplementary, would the Leader of the Government in the Senate take it upon herself to read the document that was tabled in Internal Economy, and if she conclude that there is reasonable evidence — and it was a public hearing — that some staffers believed it was appropriate for them to do this kind of work, would the honourable senator undertake to establish a system of principles and practices in her office to indicate to all staffers that this is not appropriate behaviour?

Senator LeBreton: I will not dignify that with an answer.

Hon. Larry W. Campbell: Honourable senators, I rise to make an apology to the Senate. Words escaped my lips that were both unprofessional and inappropriate, and I would like to apologize to anyone whom I offended. Thank you.

[Senator Fraser]

• (1430)

Senator Banks: Honourable senators, I would ask leave to table in the house the documents to which I referred in Question Period.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator LeBreton: I will do likewise.

The Hon. the Speaker: Is it agreed?

Hon. Senators: Agreed.

The Hon. the Speaker: On that point, honourable senators, Senator Corbin was correct. It is also the practice that during Question Period one does not refer to documents. It is in debate that senators make reference to documents.

[*Translation*]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 27(1), I give notice that, when we proceed to Government Business, the Senate will address the items beginning with Item No. 1 under Reports of Committees, followed by the other items in the order in which they stand on the Order Paper.

[*English*]

FEDERAL ACCOUNTABILITY BILL

REPORT OF COMMITTEE—MOTION IN AMENDMENT— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Stratton, seconded by the Honourable Senator Comeau, for the adoption of the fourth report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill C-2, providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability, with amendments and observations), presented in the Senate on October 26, 2006;

And on the motion in amendment by the Honourable Senator Milne, seconded by the Honourable Senator Cook, that the fourth report of the Standing Senate Committee on Legal and Constitutional Affairs be not now adopted but that it be amended at amendment No. 146(a), by adding, in the French version, after the word “Commission,” the following:

“ou le renouvellement de son mandat.”.

Hon. Larry W. Campbell: Honourable senators, I rise today to speak to Bill C-2, the proposed federal government accountability act.

It has been both a pleasure and a privilege to work with honourable senators and to hear from the diverse group of witnesses that appeared before us. The committee worked tirelessly, hearing from as many witnesses as possible to ensure that unintended consequences were minimized by this bill. I would like to thank the chair, the clerk and Senator Day and his staff for helping with the organization and scheduling of witnesses when the committee needed additional testimony to inform their decisions.

I, like other members of this committee, strongly support the aim of Bill C-2, to strengthen accountability and increased transparency. Unfortunately, spelling mistakes and grammatical and translation errors aside, this piece of legislation received from the other place was flawed. The committee has made 156 amendments, 42 of which were introduced by the government. The changes to the legislation introduced by the committee will improve this bill for all Canadians.

The proposed amendments before honourable senators are the recommendations of the committee that represent some of the discrepancies found between the stated policy of increased accountability and the actual effects of the legislation. My purpose in speaking today, honourable senators, is to underline the importance of the amendments in this bill, specifically as they relate to lobbying.

The committee heard from a variety of witnesses from the lobbying sector. They raised numerous concerns with respect to the legislation and outlined the detrimental effect that increased reporting, a five-year ban and the reporting of trade secrets will have on lobbying. The government's attempt in this bill to create a pseudo-ban of lobbying by changing the lobbying restrictions from a one-year ban to a five-year ban negates the important role that lobbyists play in the public sphere. The five-year ban was described by numerous witnesses as a prohibition on lobbying. The Honourable Joe Jordan, now working with the Capital Hill Group, described the change as a "prohibitive ban" and that "two years would get you where you want to go in terms of what this legislation is trying to do."

I raise this issue because I believe that in not only this area but also many other sections of the bill, the government, in its haste to do something, has not taken the time to understand the implications of its actions. The committee has respected the government's decision in terms of the five-year ban. We have, however, included a strong observation on this issue, and we would like government to revisit the implications and the length of the ban.

I reiterate that the rest of the committee and I believe that the government needs to restore faith and trust in institutions, but I caution against knee-jerk reactions over the careful study of the issues and the effects that new regulations will impose on the government, the private sector and Canadian citizens.

Lobbyists have received bad press in recent years and lobbying is often viewed in the public sphere as a negative vocation. Contrary to popular belief, lobbyists acting on behalf of their

clients frequently act as an educator and are able to navigate the maze which is Parliament to bring the attention of parliamentarians to issues that affect their clients, the government and the public at large.

A clear example of the benefit that lobbyists provide would be the various agricultural lobbyists who advocate for important issues surrounding farming and predominantly rural issues. The urban and insulated group of politicians located in Ottawa rarely hear of the plight of rural farmers firsthand. The need to have a representative who understands the process of government and the various methods of contacting officials is vitally important to maintaining an informed government apparatus.

Lobbyists serve an essential purpose. However, their voices should not be heard above the public good. This is why it is necessary to have legislation that allows lobbyists' activities to be monitored and forces individuals who try to influence government to do it publicly rather than secretly.

Under the lobbying section of Bill C-2, the government has created a greater reporting regimen, which is beneficial in monitoring lobbying activities. These new regulations will minimize the number of unregistered lobbyists, thereby creating a more transparent environment where senior public officials can confirm the registration of lobbyists and uncover unregistered lobbyists who are contravening Lobbying Act regulations.

The success of this section of the bill is dependent on the powers and the funding that will be given to the commissioner of lobbying and his office. The ability to demand information from senior public officials or lobbyists is essential to guarantee that those who break the rules take responsibility for their actions.

Bill C-2 will require that:

No individual shall obstruct the Commissioner or any person acting on behalf or under the direction of the Commissioner in the performance of the Commissioner's duties and functions under this Act.

If the lobbyist decides to go underground and ignore a ban imposed by the commission, the amendments made by the committee will now make it an offence:

Any person who fails to comply with a prohibition of the Commissioner...is guilty of an offence and liable on summary conviction to a fine not exceeding \$50,000.

With these new powers comes the responsibility to report on wrongdoing when it occurs. The commissioner, under these amendments, will now be required to report infractions in either an annual or special report to Parliament.

One of my concerns with respect to this bill is the ability of the commissioner to carry out his duties with the current level of funding allocated to the department. I point to the testimony of the Honourable Joe Jordan and Mr. Leo Duguay.

You have 4,700 to 5,000 registered lobbyists who now register their clients twice a year. We met with a representative of the office and have learned that the process is becoming more robust. They are questioning

entries. We used to simply change the name on the top of the sheet and register five people. They are doing their job, or trying to, but they are stretched in terms of resources.

If you are now going to require filings for phone calls and meetings, that will be between 300,000 and 400,000 filings per month. The government is running a registry. Think of our experiences with this. I agree with Mr. Duguay. Take the current budget for this office, and, if all you want them to do is the paperwork, multiply it by 30.

For your information, the budget is now \$3.5 million.

If you want them to analyze the paper and take action on problems, multiply it by 50. The budget is \$3.5 million.

I am not saying that transparency decisions should be made based on cost. I am only saying to get your chequebook out because this will be expensive.

• (1440)

I would like to draw the attention of honourable senators to the logistics of what we are attempting to do with this legislation. I believe the government needs to carefully consider how the actual reporting will be conducted. The current budget for the lobbying commissioner is \$3.5 million for current operations with a provision for more funding. The government must consider what it wants from this office and fund it accordingly. There is a great probability that unforeseen circumstances will create ballooning costs. Conversely, if the funding is not available, we will have created a department that files paperwork but does not have the resources to look into wrongdoing.

I believe the amount of funding in the drafting of the reporting mechanism for lobbyists is an extremely important issue for this government to consider if it really wants accountability or merely the perception of accountability.

In addition, the Senate committee recognized the difficulties faced by not-for-profit organizations who, with limited budgets and staff, would struggle to fulfill reporting requirements set out in Bill C-2. The committee has amended the bill by equalling the reporting requirements of organizations and corporations, making it a more consistent and fair process for all involved.

The amendment proposed by the Senate committee will strengthen the commissioner's power, close loopholes in the legislation, and clarify and improve the wording throughout the bill. This amendment will make the act more consistent, guaranteeing the reporting of wrongdoing, all the while ensuring that the reporting requirements are not so onerous as to drive lobbying underground.

The changes that the Standing Senate Committee on Legal and Constitutional Affairs made to Bill C-2 have improved this legislation. It will, with the government's amendments, make government more transparent and accountable to all. Thank you.

Some Hon. Senators: Hear, hear!

Hon. Grant Mitchell: Honourable senators, I welcome the opportunity to address this legislation. The opportunity to work on this legislation, to work as hard as the committee has worked

and be part of that work to improve and enhance the ability of this legislation to actually work, was a fulfilling experience for me in my short time here. I hope that we have many other opportunities to work in this way. It was an exceptional experience.

I would like to thank and recognize Senator Oliver for his work as chairman of this committee. It is clear from some of the statements that he made in the Senate and elsewhere that he was probably not fully in favour of us taking the time we took to consider this legislation carefully. Nonetheless, he rose above that viewpoint in administering and managing the committee through what was a complex series of amendments. I think he is to be congratulated for that.

Hon. Senators: Hear, hear!

Senator Mitchell: I would also like to recognize Senator Day, who provided outstanding leadership in managing the efforts largely of the Liberal senators to analyze this legislation and to present what I believe, and what I believe Canadians will also understand, to be exceptionally worthwhile amendments to a piece of legislation that was clearly flawed.

Having said that, it is clear the government in the other place does not fully understand that the legislation was flawed, or is making every effort to deny that by attacking us in the absence of making concerted substantive comments outlining why this bill in fact was not flawed.

I want to express my disappointment at the statements of the Prime Minister that have been destructive of this institution, not just of the Senate but also of Parliament generally. Many people do not discern the difference. His attack on our credibility was unfounded, unnecessary and was disappointing to me.

Equally, if not more disappointing, was the fact that to some extent the Leader of the Government in the Senate actually abetted those attacks. We saw residue of that today. Somehow, because the Senate, in undertaking its constitutional obligation with constitutional legitimacy to review and provide sober second thought on a bill that is so clearly flawed and needs that sober second thought, in spite of that, even the Leader of the Government in the Senate has been part of an attack on this institution.

It is a particularly debilitating attack when we begin to attack ourselves. We can have a particularly destructive effect on the credibility of this institution. I believe we should be more than willing, in fact, driven, to rise above that kind of behaviour.

Some Hon. Senators: Hear, hear!

Senator Mitchell: I think the behaviour of the Leader of the Government in the Senate was unbecoming. I hope it does not become a habit.

The interesting thing in all of this is, despite the fact that the Prime Minister and members of the government in the Senate will not admit, publicly or expressly, that there are serious flaws in this legislation, they proposed more than 40 amendments.

[Senator Campbell]

While one of the senators was quick to point out that the amendments were technical, one was so fundamentally basic that they actually needed to clarify a significant group of people to whom this legislation would apply because they had misdefined the group to whom this legislation would apply. I refer to the amendments that changed senior public office-holder to designated public office-holder. That change seems to me to be far more than a technical mistake. In fact, it underlines the need for us to have spent the time we did in reviewing this legislation in the detail this committee reviewed it, particularly the Liberal members of the committee.

I was shocked to hear earlier this week another member of the Senate say that it was not our role to question government legislation or to change it. Surely, that is exactly what our role was. This legislation was a clear-cut case for where we should have applied that role.

Let me provide examples of how clear-cut it was. Not only does this complex legislation cover a massive number of pieces of legislation and make many changes, but there are also clear indications of where it was flawed.

First, there was a direct conflict between the cooling-off periods mentioned in two different places in this legislation with respect to conflict of interest. One part said two years, and another said five years. How is that to be reconciled if we do not amend the bill?

With respect to the creation of a procurement auditor, one would expect if such a position was created in this legislation, the legislation would give the auditor auditing powers. However, there is no mention of auditing powers.

In fact, this legislation creates a procurement ombudsman who can question and deal with people's complaints about the procurement process, and so we naturally amended it to name it what it is: procurement ombudsman.

What is more disconcerting about the procurement auditor-ombudsman position was that despite the fact that this government wants true accountability, openness and transparency, this legislation would have left the power with the Prime Minister to limit where the procurement audit could look. The Prime Minister could simply say it is an area we do not want the procurement auditor-ombudsman to investigate.

Not only that, but the procurement auditor position was further limited by the fact that while the procurement auditor could review contracts — in fact, that is about all the procurement auditor will be able to do — that person would not have been able to cancel any contracts. What is the purpose of the function rather than to look, after the fact and perhaps without the jurisdiction, into those areas that require careful consideration?

This legislation deals with lobbying, limiting lobbyists and regulating what lobbyists can do. At the same time, the bill fails to define what a lobbyist might be.

This omission was glaring with respect to the National Citizens Coalition. Is there anybody in this chamber who actually believes that the National Citizens Coalition is not a lobbyist

organization? Of course the coalition is a lobbyist organization. The group refused to appear before that committee, ironically.

Not only is the organization clearly a lobbying group that tries to influence public policy from a specific point of view, but we have no idea who contributes to them with taxpayer deductions. We have no idea who pays for them to perform that lobbying, and there is no requirement in Bill C-2 for the coalition to be registered. If ever there was a lobby group that should be registered as a lobbyist group, it would be the National Citizens Coalition. I do not know that it is a coincidence that the Prime Minister was the former President of that group.

• (1450)

There are some places, honourable senators, where I should like to highlight our improvements. Much has been made of the proposed cuts to party financing and of our initiative to track the government from \$5,200 limits now to \$1,000. Our proposed amendment puts that back to \$2,000. There is much umbrage on the part of the government with respect to that.

If I can share my opinion in this regard, political parties in this country, despite the fact that some hold them in disrepute, play an exceptionally important institutional role in this successful parliamentary system. I have said in this chamber on a number of occasions that the parliamentary system as we know it in Canada is the most successful system of government on the face of the earth today. It has lasted hundreds of years, longer than any other system of government. There are reasons for it being so successful, one of which is that it has many mechanisms to develop consensus and to allow for consensus decisions, which in turn allow for change but not precipitous change in our democracy. Democracies that change in that way evolve successfully and are successful democracies. However, if this government lowers the funding of parties too far, the ability of political parties to participate in that important public policy debate and political democratic debate will be stifled.

Ironically, again, while this proposed legislation would serve to do that, the National Citizens Coalition can raise unlimited amounts of money and spend unlimited amounts of money. While slightly limited during elections, for many years between elections they can spend unlimited amounts of money, can literally put billboards on every corner of every street in this country without any restriction and participate fully in the political public policy democratic debate. On the other hand, this government would have it that political parties should be limited and stymied in their ability to do that.

Senator Austin: Well said.

Senator Mitchell: Therefore, we have proposed an increase to the funding that has been prescribed in Bill C-2 — and not for a specific partisan reason. The proposed increase would affect all parties, including small parties. It is essential to the political process that we allow political parties to function properly and adequately.

I will add that it is offensive to me that so much of what is done in this proposed legislation and in this particular part of the bill is based upon some fundamental suspicion that this government seems to have of government and of people in the political process. Perhaps that is the experience of people in the Conservative Party. My experience with people in the political

process is that almost every last one of them is well motivated to do what is right and fair and to make this country better. I find it offensive that this proposed legislation is so fundamentally premised upon suspicion of people who even dare to enter the political process.

Some Hon. Senators: Hear, hear!

Senator Mitchell: I am not surprised, honourable senators, by this government's sensitivity about this particular portion of the proposed legislation. The reason for the government's sensitivity around this particular issue is that they are in serious difficulty with the Chief Electoral Officer of Canada as a result of their failure to properly register delegate fees to their convention.

Senator Nolin made an aggressive statement that somehow Canadian taxpayers should not be funding conventions. I beg to differ, honourable senators. If the Conservative Party's methods were to be followed, there could be a \$2-million convention, and no Canadian outside the fundraisers and bag people in the Conservative Party would have any idea of who bought and paid for that convention. In other words, without a requirement for delegate fees to be registered as proper contributions under the political contributions legislation of this country, we would have no idea who funded their convention.

Senator LeBreton: We funded it ourselves.

Senator Mitchell: What companies funded it? Honourable senators, we still do not know the majority of people who funded the Prime Minister's first leadership convention. We still do not the majority of people who funded the Minister of Foreign Affairs' leadership convention.

How do we know, honourable senators, what companies are benefiting from this government's lack of an environmental policy? What companies are benefiting from that that might have given money to the Prime Minister in his first leadership race? I can understand why this government is so sensitive about that and why they are trying to distract from the topic by alleging that the Liberals are unnecessarily or inappropriately proposing to increase the reduced limits under Bill C-2. Honourable senators, nothing could be more appropriate than what we are attempting to do to amend the proposed reduction of limits under C-2. We have to make the political process in this country fair and open and we must allow people to participate as they should be able to participate in a properly constituted democracy.

Some Hon. Senators: Hear, hear!

Senator Mitchell: Honourable senators, let me also say that I am equally disappointed when I hear cheap political shots about how we, Liberals, want to delay the implementation of this proposed legislation for some reason to do with our leadership race. Let us talk about fairness.

First, small political parties, ones that are at the stage where the Reform Party was in 1988 or 1989, who need to be nurtured to make this democratic process work properly, have said that it would be onerous, difficult and destructive for them to have to retroactively assess the impact of this bill, if it is done retroactively.

[Senator Mitchell]

In a sense of fairness, let us look at the following example: If an individual contributed \$6 to the Liberal Party earlier this year, under the expectation that the contribution limit was \$5,200, that individual would not be able to attend the leadership convention, under Bill C-2 as it stands. The individual would be disenfranchised; he or she would need \$995 but would only have a remaining contribution amount of \$994. Even the most partisan of these senators — and many of them are on the Conservative side — would admit that that is unfair and uncalled for, honourable senators.

The procurement auditor —

The Hon. the Speaker: Is Senator Mitchell requesting additional time?

Some Hon. Senators: Agreed.

Senator Mitchell: I alluded earlier to the procurement auditor. Clearly, it is not an auditor, if an auditor needs to have auditing powers, because they are not in the legislation. We have proposed the name ombudsman, because the function for this person will be to respond to any complaints that are submitted by contractors in the public about the procurement process.

Interestingly enough, one could argue that this is just more expensive bureaucracy that is probably not necessary. There were 416,000 contracts last year and 50 complaints, 10 of which were seen to be legitimate by an external tribunal. Who knows how much money the Conservatives will spend on this — Conservatives who want less government and want to spend less money on government. They do not even have a budget. They have no idea what this will cost. We are calling it what it is — that is, an ombudsman. Not only that, we will ensure that the Prime Minister does not have unlimited powers to limit what that position does, and we are ensuring that that position actually has power to do what it should be able to do if. If it finds a problem, it can cancel the contract.

Finally, the parliamentary budget officer is not a bad idea. Before I sit down, I wish to say that the idea of this bill is quite commendable, and we support and embrace it. We just want it to work properly. The parliamentary budget officer is a great idea. The problem is, once again, the government has approach avoidance — that is, they want it but they are afraid of it. Under Bill C-2, the parliamentary budget officer will be highly levered and influenced by the government side and not by Parliament as a whole. Under Bill C-2, the input of the opposition side of both Houses into the choice of that person is limited. Under Bill C-2, the officials, the departments to whom that person might request information, can give the information requested to the parliamentary budget officer at their convenience. If the purpose is to have a parliamentary budget officer who can do something in an objective and independent way, then the individual must have the power to get the information and he or she cannot be put off by a department or a minister who simply finds it inconvenient.

Finally, I shall turn to the subject of the Canadian Wheat Board. This is very, very sneaky. Under this bill, the Canadian Wheat Board falls under the Access to Information legislation. That is a guise to expose the Wheat Board to competition because the release of some of this information would give competitive advantage to international or multinational U.S. firms that would

come in here and compete and weaken the Wheat Board in a surreptitious way. Why not just have a real vote and find out what would happen to the Wheat Board. The answer, honourable senators: Because the Wheat Board will be supported by western Canadian farmers. That is why. The government is afraid of that.

Thank you very much, honourable senators, for your attention and the extra time.

• (1500)

Hon. Gerry St. Germain: The honourable senator from Alberta is very young, and I cannot believe that he is losing his memory. He talks about why we are going through the process of accountability in Canada. Has he forgotten? Just yesterday, I believe, was the anniversary of the Gomery report, which triggered this accountability debate.

What did Canadians say in the last election, honourable senators? They said it is time for change. I agree with Canadians. I cannot believe that any honourable senator would stand in this place and question why we require the proposed federal accountability act as it is. Maybe there are reasons for questioning this bill and maybe there is good reason for some amendments; however, for the honourable senator to stand there and accuse the other side, while we stood and watched the entire scandal that unfolded just prior to the last election, is totally unbelievable. How can he stand here, as an honourable member of this place, and fail to mention that part of Canadian history, and the darkest part of Canadian history, as far as I am concerned, which was attributed totally to the Liberal Party?

Senator Mitchell: First, if they were responding to the Gomery inquiry, why is it that Justice Gomery himself has said that there is not a single feature of this piece of legislation that accommodates his recommendations? Is that not an irony?

Second, yes, the Canadian people exercised accountability. They held us accountable. What this government forgets is that electoral accountability is an important feature of our democratic process.

Canadians are not stuck in the past. I do not know how many times I have to listen to these people who should be standing up and proudly saying: We have this idea to fix this problem or that problem. Instead, they dwell on the past and tell us what we did wrong, without offering any solutions to do it better.

Third — and this is worth listening to — the Prime Minister stood in front of public servants and said: It was not your fault. Of course, the Liberals are not there anymore, so we do not have to be censured by this kind of thing. Who is left? The government is left, and clearly they do not trust themselves.

Some Hon. Senators: Hear, hear!

On motion of Senator Fraser, debate adjourned.

THE SENATE

INTRODUCTION OF NEW PAGES

The Hon. the Speaker: Honourable senators, I would like to introduce three new pages who will be working with us this year.

[*Translation*]

First, Stéphane von Rhyn, who was born in Zurich, Switzerland. After living there for two years, he and his family moved to Canada. He was a very active child and played many sports, as well as playing the piano for a number of years. He is a second-year business student, specializing in accounting, and says he is very honoured to have been selected to serve the Senate of Canada.

[*English*]

Second, Colleen Leminski was born in New Westminster, British Columbia, and raised in Nepean, Ontario. In June 2006, Colleen participated in the Canada-Washington Parliamentary Internship Program and travelled to Washington, D.C., to work with a senator on Capitol Hill. Colleen is currently in her fourth year at the University of Ottawa, studying psychology.

Finally, Valerie Tso was born and raised in Toronto, Ontario. Valerie spent her formative years cultivating interest in vocal music and the French language. In the Toronto-wide OMLTA French contest in 2005, Valerie placed second overall and won first place in written composition. Valerie is currently in her second year at the University of Ottawa, studying psychology.

Also, honourable senators, I am pleased to introduce one House of Commons page who has been participating in the page exchange this past week. Tessa Button, of Surrey, British Columbia, is enrolled in the Faculty of Arts at the University of Ottawa, majoring in English.

HERITAGE LIGHTHOUSE PROTECTION BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carney, P.C., seconded by the Honourable Senator Murray, P.C., for the second reading of Bill S-220, to protect heritage lighthouses.—(*Honourable Senator Comeau*)

Hon. Lowell Murray: Honourable senators, I was seconder of the motion yesterday on the second reading of Bill S-220. As was pointed out, it is a bill that is now here for the sixth time. The urgency and timeliness of the matter will, I think, be obvious. May I ask whether there is a timeline in terms of its referral to committee? Yesterday I heard the Liberal senator, Senator Munson, indicate that he would reserve his comments until third reading, and I wondered whether the act of second reading and referral to committee will be very long delayed.

Hon. Gerald J. Comeau (Deputy Leader of the Government): No, it will certainly not be a long delay. We have a process by which internally we on this side look at when private members' bills are placed before us. We try to get an indication from ministers as to their thinking on it, and then we request one of our members to speak on the bill.

There is a process that we go through, and it is a due process. We do not delay bills unduly. Yes, this bill has been before previous Parliaments. That does not mean that this new

Parliament will automatically accept every bill that was before the previous Parliament. Each Parliament must approach these bills in its own fashion, and this Parliament should not be any different from previous ones.

Senator Murray: In terms of having one of the government supporters speak to this bill, one of the members of my honourable friend's caucus, I simply wanted to remind the deputy leader that the bill was sponsored by Senator Carney. I want to confirm that he still regards her as one of his colleagues.

Senator Comeau: We treat our colleagues with the best of deference as a leadership should, for both sides, including some of our former members who used to be supportive. The future leader of the Liberal side notwithstanding, we give best consideration to all private members' bills, as we should. I think Senator Murray knows that I am from a region that has a great deal of interest in lighthouses. One of the most famous is close to my home in Yarmouth, Cape Forchu lighthouse, with which I have a lot of attachment. I live within a short distance of a number of lighthouses, and some that we have lost over time that are still there. I attach a lot of importance to this bill, as do people on the West Coast, the East Coast and, I am sure, people who do not live on the coasts.

• (1510)

Senator Murray: I will close by saying that my favourite lighthouse in northern Cape Breton ended up on St. Laurent Boulevard here, at the Canada Science and Technology Museum. I hope the honourable senator's lighthouse is spared the same fate, which it will be if we pass this bill.

Hon. Jack Austin: Regarding Bill S-220, I ask the leader whether it is the position of the government to support that bill.

Senator Comeau: Once it goes through the Senate, and once we send it eventually to committee, we will try to get an indication about whether the current government accepts this current bill. We will find out at that point. This is the process that we go through.

Senator Austin: Honourable senators, it would be of great assistance to this chamber and to those interested in lighthouses to know that the government supports the bill at least in principle so that we can apply ourselves to the task.

Senator Comeau: This kind of question eventually can be discussed at the committee; that is, whether the current minister accepts the principle of the bill. We are going through the process and we do not rush through bills quickly because —

Senator Mercer: Oh, we can take time?

Senator Comeau: Would Senator Mercer like to answer the question or would he like to hear what I have to say?

This bill will be treated with the due respect it deserves, as I indicated to Senator Murray a few minutes ago. I think it has great potential.

[Senator Comeau]

Senator Austin: I wanted to confirm, honourable senators, that, in accord with Senator Murray's comments, it is not only her former colleagues on that side or her present colleagues on the opposition side but even senators from British Columbia on this side who are aware of the impatience that Senator Carney can bring to any issue.

Senator Comeau: Senator Austin, I think, has indicated a reality of which a lot of people in this chamber are aware.

The Hon. the Speaker: Is it the agreement of the house that the matter stands adjourned in the name of Senator Comeau?

Hon. Senators: Agreed.

On motion of Senator Comeau, debate adjourned.

[Translation]

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Rompkey, P.C., for the second reading of Bill S-207, An Act to amend the Criminal Code (protection of children).—(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, the protection of children is a matter of utmost importance to all Canadians, which is why we must debate this bill in detail. I therefore move adjournment of the debate.

On motion of Senator Comeau, debate adjourned.

DRINKING WATER SOURCES BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Joyal, P.C., for the second reading of Bill S-208, An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future. —(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, protecting Canada's watersheds that will constitute sources of drinking water for future generations is very important to all Canadians. That is why this bill warrants a thorough debate and should receive our full attention. I therefore move adjournment of the debate.

On motion of Senator Comeau, debate adjourned.

[English]

NATIONAL PHILANTHROPY DAY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Joyal, P.C., for the second reading of Bill S-204, respecting a National Philanthropy Day.—(*Honourable Senator Prud'homme, P.C.*)

Hon. Terry M. Mercer: Honourable senators, as chair of a charitable foundation and someone who has been active in that field all my life, I believe this bill is a worthwhile endeavour. I was planning to speak to this bill after Senator Prud'homme. I notice that the item is to fall off the Order Paper tomorrow, so I would like to adjourn and reserve my time for next week when I intend to speak to the bill.

On motion of Senator Mercer, debate adjourned.

[Translation]

STATE IMMUNITY ACT—CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Tkachuk, seconded by the Honourable Senator Meighen, for the second reading of Bill S-218, An Act to amend the State Immunity Act and the Criminal Code (civil remedies for victims of terrorism).—(*Honourable Senator Meighen*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I rise today to speak about Bill S-218 introduced by Senator Tkachuk in June.

I would first like to thank our colleague for all the work he has done to bring his bill to the attention of the Senate and express his conviction that this legislation is absolutely necessary.

This is not the first time that such a bill is introduced by Senator Tkachuk. In the spring of 2005, he introduced Bill S-35 which, despite the differences between it and Bill S-218, had practically the same objective: defend victims' rights and provide them with a civil remedy against persons who engage in terrorist activity.

His efforts are starting to pay off, and he constantly reminds us of the benefits of this legislative measure. Two similar bills are currently on the Order Paper in the other place: one in the name of Liberal member Susan Caddis and the other in the name of Conservative member Nina Grewal.

The Standing Senate Committee on Banking, Trade and Commerce published an interim report on October 3, with recommendations for eliminating the loopholes that allow money laundering to occur and whose application could

contribute to limiting the funds terrorists can draw from to finance their activities.

All parliamentarians are unanimous in recognizing the importance of adopting measures to dry up the sources of funding used by terrorists and to help victims of terrorism. I hope this consensus will translate into legislative solutions that will benefit Canadians.

In his speech in the Senate on June 22, Senator Tkachuk provided the original context for introducing these bills. He explained it quite well, quoting David Hayer, a member of the B.C. Legislative Assembly, who said terrorism is all pervasive and touches us all in varying degrees.

Senator Tkachuk also pointed out that, in February 2002, Canada ratified the International Convention for the Suppression of the Financing of Terrorism, through UN Security Council resolution 1373. As the senator said:

...Article 2 of the convention obligates Canada, as a signatory, to take the necessary measures against any person that, by any means, directly or indirectly, unlawfully and wilfully, provides or collects funds with an intention that they should be used or in the knowledge that they are to be used in full or in part in order to carry out offences under the convention.

The reality is quite simple: we cannot escape terrorism. We are obliged to do everything in our power to dry up the funds used by terrorists to finance their activities.

I will digress for a moment just to give you an idea of the significant amounts of money used by terrorists.

• (1520)

Between 2004 and 2005, the Financial Transactions and Reports Analysis Centre of Canada, or FINTRAC, traced some \$180 million in transactions that were potentially related to terrorist activities.

The purpose of this legislative measure is to ensure that these monies, rather than serving terrorists, benefit the victims of terrorist activities. The bill essentially proposes two amendments to that end. First, it amends the State Immunity Act, adopted in 1982, to prevent foreign states that engage in terrorist activity from claiming immunity from the jurisdiction of Canadian courts. This is a radical departure from the current wording of the legislation, whereby proceedings may be brought against foreign states only for breach of a commercial contract. They enjoy immunity in matters of civil responsibility.

There is nothing really new about the amendment proposed in Bill S-218. The U.S. Terrorism Risk Insurance Act, for example, provides for the establishment of a system of shared public and private compensation for insured losses resulting from acts of terrorism. There have been cases where Americans have instituted proceedings against a state because of terrorist activities.

As Senator Tkachuk said:

When the Canadian government became aware of the damages that Canadians face through the breach of commercial contracts, it ensured that the State Immunity Act did not include absolute immunity with regard to

commercial activities. The same must be done to combat the state-sponsored terrorism that exists today to prevent foreign states that engage in terrorist activity from claiming immunity from the jurisdiction of the Canadian courts.

The debate on this bill will be useful because it will help us gain a better understanding of the extent to which Canadians are harmed by state-sponsored terrorism. By amending this legislation, we can put an end to these activities.

Bill S-218 amends the Criminal Code to provide victims who suffer loss or damage as a result of terrorist activity contrary to that act with a civil remedy against the person who engaged in the terrorist activity.

There are precedents for this in other jurisdictions. For example, British Columbia, Ontario, Manitoba and Alberta have introduced legislative measures giving their governments the right to seize the proceeds of criminal activities. British Columbia is seeking to authorize the conversion of these assets into a fund to compensate victims of crime.

According to our Criminal Code, courts can order an offender to compensate a victim. Section 737 of the Criminal Code also authorizes the court to impose a "victim surcharge" in addition to any other punishment imposed. The surcharge is deposited into a fund, as determined by each province or territory, to provide assistance to victims of crime.

Bill S-218 will apply "retroactively." It will not change the legal consequences of a past case, but it will change the future legal consequences of that case. This means it will be possible for victims of terrorist acts, such as the events of September 11, 2001, to initiate legal proceedings.

I would emphasize that this bill is in line with the government's commitment to reduce crime and support victims of crime. Bill S-218 deserves more thorough consideration. It is difficult to disagree with its underlying principles, which are that we must help victims of terrorism and stop those who commit these odious crimes.

I urge honourable senators to send Bill S-218 to committee, without delay, for further study. We want justice to be served. We want to do everything in our power to put a stop to terrorist activities. We want to fulfil our obligation under the International Convention for the Suppression of the Financing of Terrorism.

Bill S-218 gives us a tool with which to protect Canadians and fulfil our obligations. We must act immediately. We owe it to Canadians. For these reasons, I strongly support Senator Tkachuk's bill.

Hon. Michael A. Meighen: Honourable senators, I would first like to congratulate Senator Comeau on his speech. I have very little left to add, apart from expressing my support for Bill S-218.

[*English*]

Indeed, during the last session I supported a similar bill, Bill S-35, which unfortunately did not see the light of day and died on the Order Paper.

[Senator Comeau]

I last spoke on the issue a mere two weeks after the July 7, 2005, terrorist attacks in London. We were reminded once again of the constant threat of terrorism that our society faces on September 16 of this year when a Canadian lost his life in Thailand. Separatists had detonated bombs outside two shopping malls, a hotel, a pub and a cinema, taking the lives of innocent civilians. These types of attacks continue to threaten Canadians and like-minded nations in this new era of global terrorism.

[*Translation*]

Honourable senators, when such an incident occurs, it is more than the direct victims who suffer. Anytime Canadians are victims of terrorist activities, their family and friends, and Canada as a whole, all suffer with them.

The family and friends of the 154 Canadians killed in the Air India blast, and all Canadians from coast to coast to coast, continue to mourn their loss. Everyone who knew them will never forget those Canadians who lost their lives on September 11, 2001.

[*English*]

Canadians need the necessary means to bring those responsible for supporting terrorism to justice. Under the State Immunity Act, victims of terrorism and their survivors now lack the necessary means to hold foreign states accountable for supporting the killing of innocent Canadians. Currently, under the State Immunity Act, Canadians can hold to account foreign states that breach commercial contracts. This provision was not always the case. However, the State Immunity Act was amended and modernized to provide the tools necessary to deal with the breaches of contract. As I have stated before, it is time for the State Immunity Act to evolve once again in order to deal with the ever-growing threat of terrorism to our citizens.

Canadians should and must have the right to hold accountable those foreign states that sponsor terrorist activity. No longer should states be immune from the consequences of harbouring or permitting terrorist groups to train on their soil.

Bill S-218 will send a message to the entire international community that Canada is a country that does not stand for state-sponsored terrorism.

Bill S-218 improves upon the former Bill S-35. I support these small, yet significant, changes. For instance, the limitation period with respect to a terrorist attack will not begin to run until after a victim is capable of commencing a proceeding. Factors such as physical, mental or, indeed, psychological injuries, or being unaware of the identity of those responsible, would therefore not impede justice.

Judgments by a foreign court in favour of a person who has suffered from terrorist activity prohibited under the Criminal Code would be given full force and credit. These changes make Bill S-218 an even more powerful tool for those who seek justice.

Honourable senators, we are fighting a new kind of battle and Canadians require the necessary tools to hold those responsible for supporting terrorism accountable. In the present context, our nation's laws stand in the way of justice being done.

• (1530)

[*Translation*]

I encourage all honourable senators to support Bill S-218. Canada must send an unequivocal message to the world that we will not tolerate actions by foreign states that support terrorism. Bill S-218 sends that message loud and clear, and I ask you to support it.

[*English*]

The Hon. the Speaker: I advise the house that if Senator Tkachuk speaks now it will have the effect of closing the debate.

Hon. David Tkachuk: Honourable senators, I would like to thank Senator Grafstein and colleagues on the other side as well as colleagues on this side who have given support to this bill. I also thank Senator Meighen and Senator Comeau on this side for speaking on Bill S-218.

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Tkachuk, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.

CONSTITUTION ACT, 1867

REPORT OF SPECIAL COMMITTEE ON MOTION TO AMEND—DEBATE ADJOURNED

The Senate proceeded to consideration of the second report of the Special Senate Committee on Senate Reform (motion to amend the Constitution of Canada (western regional representation in the Senate), without amendment but with observations), presented in the Senate on October 26, 2006.—(*Honourable Senator Hays*)

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I move the adoption of this report.

[*Translation*]

Honourable senators, today we are examining the second report of the Special Senate Committee on Senate Reform, which deals with the Murray-Austin motion proposing to increase western regional representation in the Senate.

[*English*]

Honourable senators, although you are familiar with the Murray-Austin motion, at least I assume you are, our report having been on the Order Paper for a few days, I will explain for the record what provisions of the Constitution it addresses and my understanding of how the motion will proceed if adopted by the Senate.

Section 38(1) of the Constitution Act, 1982, provides the general amending formula for our Constitution. This section requires that the legislatures of at least two-thirds, or seven of the provinces, representing 50 per cent of the population, as well as the Senate and the House of Commons, pass resolutions authorizing amendments such as the one proposed by the Murray-Austin motion.

Furthermore, section 42 of the Constitution stipulates that an amendment to the Constitution in relation to the number of members by which a province is entitled to be represented in the Senate can only be made in accordance with section 38(1). Should this motion be adopted by the Senate, the next step, as Senator Murray noted on June 27, will be to refer it to the other legislatures, which is to say the House of Commons and the provincial assemblies, who would have three years to consider it as stipulated by section 38(1) of the Constitution.

Moreover, as Senator Murray underlined in his speech, provisions of what was Bill C-110 and is now the 1996 federal Constitutional Amendments Act on regional vetoes would not apply since the amendment is not proposed by a minister of the Crown.

Senator Murray and Senator Austin introduced their motion because they believe there is an imbalance in regional representation in the Senate that should be addressed and they propose a constitutional amendment that would create British Columbia as a fifth region and increase the number of western senators. Accordingly, if the resolution passes through all the required stages, British Columbia will have 12 senators from six, Alberta will have 10 from six, and Saskatchewan and Manitoba will each have seven from their current six.

I believe the intention behind the Murray-Austin motion to be in keeping with several precedents in our history. Indeed, since 1867 several changes have been made to the number and distribution of Senate seats. As we said in our report, most of these changes increased the size of the Senate as new provinces were added to the federation, starting with two senators for Manitoba in 1870, three senators for British Columbia in 1871 and four senators for Prince Edward Island in 1873. In 1887 the territory then known as the Northwest Territories was given two seats in the Senate. In 1905 the newly created provinces of Alberta and Saskatchewan were given four seats each.

Moreover, the addition of new provinces prompted an increase in the number of Senate seats assigned to some existing provinces while producing a reduction for others. The most important change, however, occurred in 1915, with the creation of a fourth division known as the West.

Other changes include the six Senate seats assigned to Newfoundland and Labrador upon its entry into our federation in 1949, along with the addition of two seats to the Northwest Territories and Yukon in 1975, and one seat for the newly created territory of Nunavut in 1999.

Although several changes have occurred in the number of Senate seats since 1867, this institution, as Senator Murray noted on June 27, has not evolved in more than 90 years with regard to western representation. Given the important economic expansion

and population increases in the west over the last several decades, it certainly seems that the issue of under-representation needs to be addressed sooner rather than later.

[*Translation*]

Honourable senators, although the members of our committee were not unanimous, most support the Murray-Austin motion.

As our report indicates, the members of this committee urge senators from all regions of Canada to support the motion, in order to give the government and the legislative assemblies a starting point for providing the western provinces with more equitable representation in the Senate.

[*English*]

Besides addressing western representation our committee also dealt with the issues of whether the motion went far enough, whether the distribution of Senate seats was a serious cause of alienation and whether the proposed new distribution would dilute representation of other regions of the country. None of the concerns raised caused the committee to change its support for the motion, although it did generate lively discussion.

To comment in passing, we are familiar with a number of modern proposals on the distribution of Senate seats. The Triple-E movement that is basically an Alberta movement for an equal, effective and elected Senate strongly recommends a Senate that has equal numbers from each province. In fact, the Charlottetown accord provided for equal numbers from each province but did not pass the test of a referendum.

We in the committee heard interesting discussion of another proposal under discussion. It was discussed primarily by Professor Resnick of the University of British Columbia. It would involve a model different from Triple-E or from the four or five regions proposed in the Murray-Austin motion. It is a model somewhat like the German Bundesrat where the provinces would be divided into the categories of large, medium and small and would be allocated, as they are in Germany with respect to the Länder, a certain number of seats according to their population. This model is very interesting and important, and hopefully this will become part of our longer-term discussion on this issue.

• (1540)

I have also noted that since the reallocation of Senate seats 90 years ago, we now have remarkable under-representation in the Senate from the West. It is interesting to look at that in the context of representation by population and, in particular, the effect of the constitutional guarantee of seats in the House no less than seats in the Senate and the Representation Act, 1985, which guarantees no fewer seats for a province than it held in 1976.

Honourable senators, if the Murray-Austin motion is adopted and then submitted to the federal and provincial assemblies, it would officially launch the amendment ratification process established by our Constitution which, as I mentioned earlier, has provision for a three-year deadline, along with the accompanying controversy and issues to which such a matter would give rise.

[Senator Hays]

However, aside from the motion's precise wording, an opportunity would also arise for a full and open discussion that would not be constrained by external deadlines. Some of the witnesses who testified before the committee suggested that exploratory discussions take place to sound out the opinion of Canadians and determine whether a consensus could be established on the broader issue of Senate reform. Members of the committee were optimistic and felt the time was right for such discussions, believing that the Murray-Austin motion's proposal to increase western representation offers an excellent starting point.

In support of that, Alberta's Minister of Intergovernmental Affairs, Gary Marr, demonstrated a degree of openness and optimism in this regard when he appeared before our committee. He said:

...on previous occasions, when attempts were made to reform the Senate, we came close, and compromise was made by all provinces. This situation, in the right circumstances, may be the case again at some point in the future.

Time will tell whether this is that point. In any event, that is the spirit behind the Murray-Austin motion and one which I applaud.

[*Translation*]

Honourable senators, the under-representation of the West in the Senate is a matter that must be dealt with seriously. As indicated in our report, the need to increase the proportion of seats attributed to the western provinces is a recurring theme in most of the main proposals for Senate reform brought forward over the past 40 years.

All the serious proposals since 1984 have had the goal of substantially increasing western representation in the Senate.

[*English*]

That concludes my remarks. I would be pleased to answer any questions.

Hon. David Tkachuk: I thank Senator Hays for that speech. On the question of the number of senators for each region, it is my understanding that prior to Confederation, when it was thought that Prince Edward Island would be part of the federation, an agreement was made for the Maritimes to have 24 senators. Therefore, in 1871, when Prince Edward Island joined the federation, they knew how many senators they would have.

At that time, the three Maritime provinces were recognized as a region and a fundamental decision was made to give equality to regions by giving them each an equal number of senators. There were 24 from Quebec, 24 from Ontario and 24 from the Maritimes.

Senator Hays: That is my understanding as well, honourable senators. Senator Tkachuk's example of Nova Scotia, New Brunswick and Prince Edward Island is an interesting one in that I believe it is the only example of provinces giving up seats that were allocated to them to accommodate another province. Prince Edward Island received two from each of Nova Scotia and New Brunswick. It is my understanding that that has happened at

no other time in our history. The willingness of the statesmen in Charlottetown to make that kind of accommodation is a remarkable example of the spirit of that time.

I am not sure whether that region was called the Maritimes when it consisted of only Nova Scotia and New Brunswick and became the Atlantic region when Prince Edward Island came into the federation or whether the three provinces were called the Maritimes and the region became the Atlantic region when Newfoundland joined. In any event, it is known to me now as the Atlantic region, which is a simpler way of categorizing it post-1949.

Senator Tkachuk: I stand to be corrected, but I thought there was an agreement for 24 senators, that P.E.I. did not become part of Confederation, and that it just regained the senators it had lost in 1871 that were given to the two other provinces. Perhaps Senator Murray, who has been in the Maritimes a long time, could help us poor westerners through that.

Senator Oliver: He is an Ontario senator.

Senator Tkachuk: However, he spends a lot of time in Nova Scotia. That is his real love.

British Columbia will be recognized as one of five regions by virtue of being given a veto. Some of the discussion in the West about proper representation and equality has been about our lack of senators, considering our wide expanse and the fact that B.C. is recognized as a region in the Constitution.

Does the honourable senator support giving B.C. and the Prairies each 24 seats, therefore creating a regional balance that I believe would make most Canadians feel very positive about the direction in which the Senate is going?

Senator Hays: Senator Murray has commented in a helpful way, and I agree with him. The proposal would bring the Prairie region up to 24 — 10, seven and seven — with B.C. having 12 seats. It reflects the situation that occurred in the 1870s when the provinces of British Columbia and Manitoba originally joined the federation and did not receive six seats. They did not have six seats until 1915.

Throughout our history we have seen the allocation of Senate seats to provinces evolve until 1915 when the West was given 24 seats. The Murray-Austin motion is an invitation to revisit that situation almost 100 years later, but allocating 12 seats to B.C. rather than 24.

Currently, the province of British Columbia has one senator for every 700,000 people, compared to Alberta which has one senator per 500,000 people. Today, there is one senator for every 526,000 citizens in Ontario, one senator for every 500,000 citizens of Alberta, and one senator for every 700,000 British Columbians.

• (1550)

If Murray-Austin were implemented, it would smooth that out, perhaps not by looking at those statistics but by sensing that, if they went to 24, that would be quite distorted, that 12 is the number arrived at.

Senator Tkachuk: There should not be 24 in the picture, and I certainly do not buy the message that senators should be allotted on the basis of population. Senators should be allotted on the basis of lack of population. That was the whole idea. Alberta is getting many more members in the House of Commons because its population is growing. At the same time, it is getting more senators. Saskatchewan and Manitoba, having a million people, are getting only one more. I would buy three times eight for 24 on the basis of equality and, certainly, on the basis that B.C. should have 24. However, with respect to the idea of allotting senators by population, perhaps Ontario should have 100, certainly, as compared to Prince Edward Island. That is exactly where we are going with this formula where senators will be chosen on the basis of population rather than on the equal regions being given an equal number of senators, which was the original intent in 1867, and this thing is taking it out of whack.

Senator Hays: That is a very good point of discussion.

Senator Tkachuk: It is!

Senator Hays: Honourable senators will recall that Senator Adams said that, based on territory, Nunavut should have three senators. I am not sure whether we would go there. In any event, if the number is based on land mass, then that would make some sense.

If we use historical numbers, we have the suggestion to make some changes that would be much appreciated in the West and would make sense to me at the present time, even on a stand-alone basis.

However, it is a combination of things: area, the economy and the passage of time since an adjustment was made. Of course, Bill C-110, the regional veto act, which is quoted at length in our materials that were distributed by the Library of Parliament, makes the case for B.C. being a region. Having made that case, Senator Murray and Senator Austin have come up with, as we did in the 1870s and later in 1915, a very practical suggestion. I am sure it takes into consideration, to some degree, population. I do not think there is any hard and fast rule on population.

With regard to the House of Commons, there is not true representation by population there, either. I would not interfere with that in any way. However, we do not look at that strictly in terms of population. We recognize the historic right of some provinces to more seats than they would be entitled to by just dividing the number of seats in the House of Commons by the population. Murray-Austin does not interfere with that, which is probably a good idea.

Hon. Lowell Murray: Honourable senators, the only way I can do what I want to do and remain within the rules is to ask whether Senator Hays would mind reminding Senator Tkachuk of a couple of matters. I cannot ask Senator Tkachuk a question.

It is the point that Senator Hays has just made, with regard to representation by population in the House of Commons, which is certainly modified rep by pop. Senator Tkachuk mentioned Alberta, and it is supposedly growing and, I am sure, will be growing representation in the House of Commons. However, because it is modified rep by pop over there, Alberta, British Columbia and Ontario are the only three provinces that are not overrepresented in the House of Commons.

With regard to the question of whether it should be 12 or 24 senators from British Columbia, I would defer to Senator Austin on the matter. We came to the conclusion that the formula we came up with was more likely to attract the necessary support. However, if Senator Hays would remind Senator Tkachuk that if another and better consensus emerges, Senator Austin and I will be quick to clamber aboard the band wagon.

Senator Hays: Senator Murray can take it as said.

The honourable senator raised the issue of the House seats. Using the current population, if one were to divide Canada's population by 308 seats, there would be 105,000 per seat. As Senator Murray said, British Columbia, Alberta and Ontario are underrepresented by that measure, where each of them has an average number of 119,000 per riding, compared to what it would be if we had true rep by pop throughout the country of 105,000. Saskatchewan has 70,000 per seat.

Perhaps it has been the genius of Canada, or I am not sure what. It reflects what we do in so many ways. We do not follow a precise, rigid rule. We tend to have flexibility, and it has served us well. The Murray-Austin motion demonstrates that kind of flexibility.

Senator Tkachuk: I do not argue with the fact that there should be more senators. What I argue with is that there is a principle behind how many senators each region should have. If Western Canada is a region, then it should have 24. However, if we say that B.C. should have 12, Alberta should have 10 and Saskatchewan and Manitoba should have seven each, as soon as that can of worms is open, we are treating people differently. I am not interested in the West receiving the crumbs given by somebody as if they are giving the Prairies and B.C. something. They are not giving anybody anything. We either have a principle that we follow, and if B.C. is recognized as a region, then it should get 24. If the Prairies are recognized as a region, they should get 24, and they should be equally divided between the three prairie provinces. That is my argument, and it is a strong argument to make. Senator Murray would find a lot of consensus for that argument in this place. I do not think anybody in Eastern Canada, Ontario or Quebec wants to deny equal representation amongst all five regions in Canada, which would go a long way to keeping the country together.

Senator Hays: The argument of the honourable senator is an example of why it can be difficult to reach agreement on these matters. That is probably why we have now focused not on divisions but rather on provinces as the base. Professor Resnick's comments were helpful in support of that, and, of course, the strongest movement we have had in modern times on Senate reform is the one that the honourable senator alluded to, the Triple-E movement, which is the same for each province. It was achieved in the Charlottetown Accord, but at a very high price, by increasing the number of House seats in each of Ontario and Quebec by the number of Senate seats that they would lose, if I am not mistaken.

I would not trade a Senate seat for a House seat today. However, you can do these things. They are hard, but too much rigidity can make it difficult to reach agreement. I appreciate the motion of Senator Murray and Senator Austin recognizing the Canadian tradition of flexibility.

[Senator Murray]

• (1600)

Hon. Terry M. Mercer: I have a question for Senator Hays. I am concerned that any time we talk about Senate reform and changing how this place is configured, we get into the discussion of representation by population. That is not what this place is about. Senator Tkachuk and I do agree it is about regions. If British Columbia is to be a region then I look forward to the day of having 18 more Senator Campbells in this place. That ought to end the debate on that.

I am concerned that the fundamental principle, from my point of view, is the Maritimes. There are two definitions of people from east of Quebec. There are Maritimers such as those of us from the great province of Nova Scotia, from New Brunswick and from Prince Edward Island. Then there is another province further east called Newfoundland. When you put the four of us together, we are Atlantic Provinces and Atlantic Canadians with 30 senators.

However, when we came into Confederation, the original provinces, Ontario, Quebec, Nova Scotia and New Brunswick, were a region, as defined at the beginning. I love the topic of Senate reform because listening to the public, they condemn Mr. Martin, Mr. Chrétien, Mr. Trudeau, Mr. Pearson, Mr. Mulroney and everyone else for the inequity of this place, but no one talks about good old Sir John A. It was not his fault either. He did not know that regions would evolve. He did not know there was oil in Alberta. He did not know we would have a Pacific gateway to the Far East or that the Okanagan would develop the way it did.

My question is: How do you protect the region of the Maritimes? This question is also important to Quebec. We see these 24 seats as giving us an equal status in the Senate and this is the only place we will be equal. We will never, ever be equal in the House of Commons in numbers because our population will never grow that large, certainly not in the foreseeable future. How do you maintain our strength and importance in this place when you talk about population, expanding regions and perhaps making another province a single region? How do we maintain the balance for the Maritimes?

Senator Hays: It depends on what you mean by balance. Many of these models for Senate reform, none that we have spent any time on, involve a major reallocation of seats that would interfere with constitutional guarantees with House seats no fewer than Senate seats and so on. We should protect the Maritime region, the Atlantic region.

However, we cannot have change and no change at the same time. We have had a long period of no change and I think we need to be prepared to change and to make adjustments. The Murray-Austin motion gives us strength. We have had 100 years without change, but at some point there will be change; it will become more and more of an issue. It is not a huge issue now, which is why it is a great time to have it under discussion.

I am in favour of full and fair protection for the historic rights of the Maritime and Atlantic region, but at the same time if it means that we simply never change the Senate or the number of seats in the Senate, I think over time that would be a dangerous approach.

Senator Mercer: My final question.

The Hon. the Speaker: I wonder whether Senator Mercer would let me make a procedural observation for the house.

I think it is important that all honourable senators are focused on the fact that the motion that is before us is to adopt the second report of the special committee. The effect of adopting that would be like adopting the report of another committee that is seized with a bill. If that report comes in from another committee with no amendments we adopt that, and it means the bill has been adopted at report stage.

However, with a bill, there is one more step and that is third reading of the bill. In this instance, my understanding of the procedure is that if the report was to be adopted it would be to adopt the resolution. There is no third reading phase. I wanted all honourable senators to be fully aware of that.

Senator Oliver: All they are looking at was the subject matter.

Senator Mercer: The comments of the Speaker tie in with my final comment to Senator Hays. Are you happy with the piecemeal way that we are going about Senate reform? We are talking about the Austin-Murray motion, about limiting terms of senators to eight years or however it will end up when we finish with that bill. We have heard from the Prime Minister publicly musing about some form of election process, formal or informal, in the provinces to select replacements for the vacant seats in this place.

Are you happy that we are approaching Senate reform piecemeal? Does it not make more sense to say that we all accept the need for changes to Western Canada, maybe we do need term limits on senators' terms and yes, maybe we do want to talk about elections. Perhaps, then, we want to talk about our responsibilities as representatives of regions. Yes, maybe we want to talk about the fact that if we are elected and we are effective and maybe equal, then what other powers do we have that we presently do not have. How are the powers that rest in the national Parliament distributed so that this place has a different power, or do we get some powers from the provinces?

I was content that the council of first ministers evolved and has taken some of the powers. How do you feel about this piecemeal approach? To me it seems silly. I think it is political from the point of view of the current government, and I think we are better off standing back and attempting to do the whole package right. We will talk about an elected Senate; we will talk about an equal Senate; and we will talk about an effective Senate. We will make sure we cover all the bases, then come back to this place with a proposal that covers all of this package, not just fixing a problem in British Columbia, in the Prairies and with term limits.

Senator Hays: I am almost happy, if I can put it that way, because it is an opportunity to talk about the enormous challenge we face in institutional reform in Canada. I think that we do not talk about it enough in a dispassionate way. We often wait until there is a grievance. The 1982 Constitution Act gave rise to a grievance in Quebec and also attracted a grievance in Western Canada, which was the heart of the Triple-E movement.

I agree with you the reform of the Senate is a major project and once you get into it you become drawn into all elements of it. I do not think what Senator Murray and Senator Austin propose does that. I think that the matter is a stand-alone one that could be taken under consideration and would address, before it becomes a huge issue, the under-representation in the Senate of the Western provinces.

• (1610)

When the Minister of Intergovernmental Affairs for Ontario was here, she said do not do anything — a little bit like the honourable senator's comment — and if you do anything, give us more seats. She said, "We want rep by pop in the Senate. We have 30-some odd per cent of the population and 22 per cent of the Senate seats; we want to have 30 per cent of the Senate seats." I suspect that that is a negotiating position more than a real final position.

Anyway, I think it is good we are talking about it in a context where there is not a huge amount at stake. Whether it succeeds or not will not be a big issue, but it does introduce the subject and, hopefully, takes us along the way to something that is much needed, that is, understanding and appreciating that things are unlikely to remain the same. The protections we built in the 1870s and the early 1900s are important, but now, in the 21st century, it is an appropriate time to look at them and see if there are some adjustments that would head off problems down the line.

Senator Oliver mentioned that it was a subject-matter study, when the Speaker explained what was happening here — that the study of Bill S-4 was a subject-matter study; it is not. This was a reference to the committee of the resolution moved by Senator Murray and seconded by Senator Austin to increase seats and create a new division.

[*Translation*]

Hon. Pierre Claude Nolin: Honourable senators, the last part of Senator Hays' reply is of interest to me. I agree that the historical evolution of Canada requires that the way we look at our institutions must evolve as well.

That being said, I would like to remind you that proportionality between Quebec and Ontario changed during the time of the union. Although Quebec had the plurality, during that entire period Ontario rejected a central government for reasons that are obvious to us but were also obvious to the Quebecers who were negotiating. This gave rise to the compromise of a Parliament with a first chamber having proportional representation and a second chamber where Ontario and Quebec would be equal.

Given the last part of your answer, do you believe that we must distance ourselves from the nature of this compromise in order to evolve or — and I add my voice to that of my colleagues from Atlantic Canada — must we re-examine this compromise to draw maximum benefit from it without losing sight of its importance, given that it resulted in the birth of Canada?

[*English*]

Senator Hays: Compromises are important. We need to make compromises, and we have, and they should be respected.

The Representation Act, 1985, is an important one for Quebec. It came in when a new Conservative government was formed after 1984. As I said earlier, it guaranteed provinces no fewer seats than they had in 1976, which was based on the 1971 census.

Quebec has, as I understand it, 75 seats. Had there not been that compromise, Quebec would have 65 seats — and that was important to Quebec. It addressed a concern at the time and represented an important compromise at that moment.

There will be the need to make compromises in the future. In this particular case, it is not as pressing; but it is, in the case of Murray-Austin, a moment for reflection on what is happening in the provinces of British Columbia and Alberta, in particular. There is some advisability of looking at it on a proactive basis.

Is it a compromise? Of course. It would be a compromise, as well, because it would reduce Quebec's percentage of seats in the Senate — but not by a lot. I think part of the reasoning of Murray-Austin, and part of the reason for 12 and not 24 for British Columbia, is that it could be done without a remarkable change in terms of the compromises of the past. I do not know whether that helps or not.

Senator Nolin: I have no problem with compromise. Where I have at least a question mark is about great compromise. It is known as “the great compromise” that gave birth to Canada.

That is why — if we look into the rebalancing, because that is exactly what the report is proposing — it raises a question for Atlantic Canada. The honourable senator just mentioned the reaction from Ontario, as well. I can assume what the reaction was from Quebec.

We cannot isolate proportionality and say that we are going to solve that and, after that, rejig all the powers and the structure of the institution.

My mind is not fixed on whether we should only go that way, and fix the rest afterwards, or whether we should fix everything at the same time. That is why I had a question. History is there to help us try to understand where we are trying to go. That is why, for me, the great compromise was the beginning of everything. I do not think we can separate ourselves from trying to understand why French Canadians, not only in Quebec but also outside the Province of Quebec, fought for that great compromise. Therefore, I do not think we can forget that — but I can be convinced otherwise.

Senator Hays: I will just agree with you. I do not think we should forget that compromise. We should respect it and continue on in the spirit of that compromise.

The country has changed and requires us to rethink some of those things that were well settled at that time with a group of enlightened leaders who were prepared to recognize competing interests and finding ways of respecting them. At the same time, there must be a will to support the federation and to make it successful. The great tribute to what they did is the success of this country today — but it is not static.

[Senator Hays]

There come periods in our history when we must go back and seek the same enlightenment, the same kind of spirit to re-examine and readjust. We will, at some point, reach that again. I think Senators Murray and Austin's motion is kind of a harbinger of that or a way of being proactive.

[*Translation*]

Hon. Pierrette Ringuette: Honourable senators, I must admit that I have started to read the document released by the committee and that I have some serious questions on a number of items.

First, we have before us today a motion to change the fundamental composition of this chamber while, last May, I put forward a motion to have the Senate focus on its fundamental duties toward the regions and minorities in this country. My motion is still on the Order Paper and has not even been referred to a committee yet. Today's motion was tabled at the end of June 2006 and is already at report stage. It is a motion that calls for constitutional changes.

Something is happening in this chamber that I do not like. I cannot accept that motions fundamental to the current operation of this chamber are delayed, while others calling for constitutional changes are passed with great speed. That is the first change.

Second, I remember quite well my involvement in the negotiations in Charlottetown, where Senate seats were redistributed and the Atlantic provinces gave up seats in the Senate to ensure that we got a new Constitution and that Quebec was recognized, and so forth.

• (1620)

Only one Canadian province voted against the Charlottetown Accord, and that was Alberta. I remember it well. Today, this motion recommends granting them more seats.

More importantly though, such a fundamental change to our Parliament would dramatically change the House of Commons and the Senate.

Allow me to review how representation by population has evolved in Parliament. Forty years ago, from 1953 to 1957, there were 268 members in the House of Commons. Now, 40 years later, there are 308. Forty seats have been added to the House of Commons in the past 40 years. I am quite certain that not one of those additional seats in the House of Commons represents a riding anywhere east of Montreal, and probably not even east of Ottawa.

We are talking about a parliamentary system with two Houses, but both Houses of Parliament cannot be based on the same representation because that would betray our history and the solemn commitment made in the earliest days of our federation.

Currently, Manitoba, Saskatchewan, Alberta and British Columbia account for 30 per cent of the seats in the House of Commons and they would account for 30.8 per cent of the seats in the Senate if the changes proposed in this motion go through, which is an increase of 0.8 per cent.

Quebec holds 24 per cent of the seats in the House of Commons. The proposed changes would reduce Quebec's representation in the Senate by 2.3 per cent to 20.5 per cent.

Ontario holds 34 per cent of the seats in the House of Commons. The proposed changes would reduce its representation in the Senate by 2.3 per cent to 20.5 per cent.

Finally, Atlantic Canada, which holds 10.4 per cent of the seats in the House of Commons, would be left with 7.4 per cent of the seats in the Senate — 3 per cent fewer than it has now — if the proposed changes go through.

With 10 per cent of the seats in the House of Commons and 28 per cent of the seats in the Senate, the people of the Atlantic region are already having difficulty making their needs known and making themselves heard by the federal government, regardless of the party in power.

In this context, how can one imagine that, with such a reduction in the number of Senate seats — and we are not likely to get more seats in the House of Commons — we could possibly assert our rights and our needs any more aptly?

We must ask ourselves fundamental questions, and I am doing just that. I ask this question in the context of this debate and I anxiously await a response.

[English]

Senator Hays: Perhaps I will deal with a point raised by the honourable senator and her initiative in the Senate to change the orientation in the Senate so that it has greater regional representation.

Senator Ringuette: It is so senators can do their jobs.

Senator Hays: If the Senate is not receiving the attention it needs, that is the fault of senators, who should, therefore, pay more attention and do something to bring the matter forward. I cannot apologize for doing the work on this. We received the reference, we did it, and it is done. Senator Ringuette says that it highlights the fact that a lot of other work in the Senate has not been done. The answer to that is to get busy and do the other work.

I understand the senator's point to be that increasing the number of seats anywhere in the country would change the percentage of seats that the Maritime region and New Brunswick would have. It would affect the region's power in the Senate. The only way not to have that problem is not to change the number of seats. Senator Nolin and others have touched on the history of our country in the report, and I touched on it in my remarks. We dealt with that problem when we brought more seats to the West when the provinces of Manitoba and British Columbia were added between 1870 and 1915. At that time, discussions were entered into, as we are doing today, to address the specific needs of a region that are not being met and how they can be better addressed.

Therefore, I do not have an answer. If we change one seat in the Senate, we will change the percentages. We need to look at the concerns and grievances of the different regions and try to address them at the same time, which is Senator Mercer's point. The

minute you get into this, you get into the larger issues. The experience of trying to do comprehensive reform has produced no change in the Senate in 140 years, and we have not had much incremental change either.

In answer to Senator Mercer's question, I said that I am almost happy. I am glad to talk about it because, like him, we have many passionate people from my region who express themselves as Senator Mercer does. The sooner we recognize that passion, direct it positively — because it has the potential to be otherwise — and enter into discussions to try to make accommodations that we need for change, the better off we will be. This particular motion proposes a change that brings that issue to the table. We are talking about it together, and certainly we have much more to say, and that is healthy.

[Translation]

Senator Ringuette: I have a supplementary question. Essentially, my question concerns representation by population in the Atlantic provinces.

I am reminded of my experiences during the discussions on the Meech Lake Accord and the Charlottetown Accord, and I know from the testimony before your committee and from the media, that Ontario and Quebec do not want any changes with respect to representation.

Those provinces could not possibly agree with a 2.3 per cent decrease, although, if we look at the percentage of population, Ontario's population is greater than that of Quebec. If we are going to meddle with these tools, we must not be naïve. We have been debating this issue for 20 years, and from one region to the next, a consensus cannot be reached. Among other fears, I am afraid we are, once again, opening Pandora's box.

• (1630)

[English]

Senator Hays: I do not know that it has ever been closed. The Honourable Senator Ringuette feels aggrieved by the fact that she does not have more now. We had projections in our materials of populations going up to 2031. British Columbia's population is presently at 4.3 million, and in 2031 they will have 5.5 million citizens.

As those dynamics change with the growth of the economy, I was reading that in 2008 Alberta will have a bigger GDP than Quebec. We cannot let those forecasts go by without taking into consideration how passions in those areas develop.

Therefore, if we want to continue this extraordinarily successful federation we presently have, where in the past we have been able to address these differences and make changes and respect one another's legitimate objectives, at times we may leave it a bit too long and then change becomes more difficult.

I do not have a problem talking about this. In fact, I think it is healthy to do so. I am happy to know the honourable senator's feelings, and hopefully I have made an impact by expressing myself as well.

Hon. Francis William Mahovlich: Honourable senators, I have reviewed the report. I realize that no one has spoken for Ontario, although I know that one or two members on the committee are from Ontario.

We cannot hold the cap on forever. In 1931, Maple Leaf Gardens was built. There were 500,000 people in Toronto at that time. Montreal had a larger population. Today there are 2.5 million people just in the city of Toronto, and that is not including Mississauga, Oakville, Burlington or Oshawa.

We have big problems in Toronto like you would not believe. We have murders there like we have never experienced previously. We need representation.

Even if we must divide Ontario into two regions, we cannot be listening to someone from Saskatoon telling us about regions. Ontario is large enough to have two regions. We need about 48 senators to properly represent Ontario.

Senator Hays: That may be the way to go. We have two rep by pop houses, but that was not the original idea. The honourable senator has an advantage of the redistributions in the House of Commons as far as Ontario is concerned.

In my answer to Senator Ringuette, I outlined that in our materials we have population projections extending to 2031. At that time, Ontario will have a projected population of over 16 million, which means there would be 672,000 Ontarians for every Senate seat. British Columbia at that time is projected to have a population of 5.5 million, and it will have roughly a million people per every Senate seat.

I know that is not the way to look at the issue, but I am speaking in terms of the strength of the economy and growth. You are better off starting out with 24 than with six, which reflects British Columbia's situation. When looking at the representation in the House of Commons, because of Ontario's population, they will always have at least a third or more.

Senator Mahovlich: The honourable senator can do a lot with figures. I know that. I have had a lot of experience with figures. The point is that Ontario is larger, more populated, has more problems and needs more representation. I just wanted to speak for Ontario.

Hon. Consiglio Di Nino: Honourable senators, this discussion is long overdue. I suspect that if we had engaged in this discussion over the years, we would likely not be dealing with some of the issues we are dealing with today.

On motion of Senator Di Nino, debate adjourned.

STATE OF LITERACY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fairbairn, P.C., calling the attention of the Senate to the State of Literacy in Canada, which will give every

Senator in this Chamber the opportunity to speak out on an issue in our country that is often forgotten.—(*Honourable Senator Cochrane*)

Hon. Ethel Cochrane: Honourable senators, I would like to add my voice to the inquiry into the state of literacy in Canada.

At the outset, I wish to commend our honourable colleague, Senator Fairbairn, for initiating this important debate. I know that she is a genuine and passionate supporter of the literacy movement and, like many of us here, is driven by a desire to see all Canadians benefit from improved literacy skills.

It has troubled me deeply that talk about literacy in recent weeks has been, in my opinion, shrouded by politics. I feel very sincerely that our attention has focused too sharply on the recent literacy spending announcements by the new government and the supposed untruths that have been propagated about them.

More importantly, however, by adopting this focus, we have turned our energies away from the people behind the statistics: the learners, the volunteer tutors and the people in the literacy network. The struggles of these people, especially the millions of Canadians whose literacy skills rank at unacceptably low levels, are far too great and leave too deep of a mark on our country to be exploited for partisan purposes.

Today I would like to shift the attention of this chamber to where I believe it rightfully belongs; back to the people behind the numbers. I would like to share a few stories with you to help humanize an issue that has become mired in political rhetoric and confusing data.

I will start with Dianne Smith's story. It is a very powerful one. To continue the theme identified by Senator Segal and others, it inspires hope.

I had the honour and the privilege of meeting Dianne last year at Literacy Action Day on Parliament Hill. She told us about the role that literacy has played in her life.

Dianne had spent most of her life burdened by weak reading skills. As a child in school, she remembers getting strapped by her teacher; a punishment that was not uncommon at that time. She was often scared and nervous in the classroom. Her reading suffered as a result. She was under great stress because she felt she simply could not read fast enough and she could not understand what she was reading.

As honourable senators know, it is simply not enough to be able to voice the words on the page. You must also comprehend the meaning.

Later in life, after years of hard work, Dianne realized she needed to, and I am quoting her, "work smarter rather than harder." She also felt compelled to set a good example for her children, so she found a volunteer in her community who tutored her one-on-one and later went on to Holland College.

On the day before her fiftieth birthday, she obtained her GED. That stands for General Education Development certificate. That was in 1999. She continued her schooling, along with working in

the home-care field, and ultimately decided that she wanted to start her own business. In 2002, Dianne opened Smith Lodge, a licensed community care home that she owns and operates.

Honourable senators, this summer I had an opportunity to visit Dianne in Prince Edward Island. She took me on a tour of Smith Lodge. I can tell you it was simply second to none. It does not surprise me that business is booming for her and she has already expanded her facility.

• (1640)

As I toured the premises, talking with residents and taking in all the details, I was struck by the fact that not so long ago this opportunity would not have existed for Dianne. Despite her many talents and abilities, she simply did not have the literacy skills. Yet, today, she has a thriving business, employs 15 people, provides an important service to her clientele, a home for 27 people, and makes a significant contribution in her community. Such astounding success could never have been hers had she not improved her literacy skills. Not only did she realize her goal of working smarter rather than harder, she also set a wonderful example for her children. In fact, they both pursued post-secondary education themselves.

Let me tell you about another literacy learner, this one from my own community. Jamie Garland's story provides another great example because it illustrates how someone can spend years in the school system but still function at a low literacy level. I know those of us who have not faced similar challenges in our own lives often lack insight into the realities of such situations. Jamie is 25 years old and says, "Reading was a problem for me from early on. Teachers or friends would read for me, and I relied on my memory for the answers in exams. They would advance me every year, even though I could not read." When her mother passed away, Jamie's family moved, and she was transferred to a new school. She says, "A few weeks before final exams, teachers told me I should quit school because they did not give verbal exams. Having to quit school after all the years of struggling was heart breaking. It felt like my whole youth was a waste of time."

After leaving school, Jamie had a child and then worked at Fort McMurray for a while where, she explains, "It was very hard for a single mom with a literacy problem to maintain health and living for myself and daughter." She decided to go back to school because she wanted desperately to be able to read bedtime stories to her daughter. She wanted a better education. She felt it would lead to a higher paying job and a more comfortable life for her daughter. Above all, she wanted to be able to pick up a book and read to her, something many of us take for granted.

I would like to read for you in Jamie's own words some of the benefits that she has seen as a result of her hard work in the classroom. She says, "I have better speaking skills. I get to travel and meet new people. I have an award for trying my best at school. My self-esteem is up. I can teach things to my daughter and read to my daughter a lot more."

This is something else that she adds: "I know my daughter will have a good education. I will make sure of it, so she doesn't have to struggle with literacy. She will be able to look to her mom's deeds as an inspiration... I will have a better future because of my education. My daughter will have a better future because of my education. That makes all the hard work worthwhile."

I could not agree with her more, and I could not say it better myself. Jamie's story highlights a reality for many children. They live in homes where there is simply little or no reading. Fortunately, there are programs and centres around the country that match volunteer tutors with children and adults who sometimes lack the resources to be able to read at home. These programs simply could not exist without the significant contributions and the gifts of volunteers.

Amanda Marchment is one of many Canadians who freely gives of her time to help promote literacy in her community. She is a reading practice volunteer with the Toronto Public Library's "Leading to Reading" program. For the last five years, she has set aside one evening a week to help young children with reading challenges. Over the years, she has worked with three different students, each one from an immigrant family and each one facing serious difficulties with reading in their primary school classes. For example, the children that volunteers like Amanda help could have reading skills already a full year or maybe two behind their classmates and behind their grade level.

Amanda is proud of the great improvements she has seen firsthand in these children. While the reading practice builds the students' reading abilities, she says one of the most impressive changes she observes is in their attitude. She notes that, as reading skills improve, so too do attitudes toward reading. While in the beginning the children are distant and reluctant learners, by the end they are eager. They really want to be at the sessions, and they continue their practice reading even when they go home.

This example, honourable senators, reminds us why literacy skills are so important at an early age. It is all well and good for children, especially those who are new to Canada and new to our official languages, to learn to read and write in school, but we need to foster an environment where these children can be supported in their reading at home. Programs like these clearly illustrate how building confidence and instilling a love of reading in children early on in their education will encourage them to be ambassadors for literacy in their own lives and in their families.

I should like to give honourable senators a sense of the people and the organizations that provide front-line literacy action in my province. Tom Dawe is one prime example from St. John's. He has a Master's degree in education and, as executive director of Teachers on Wheels for the last 13 years, he has worked really hard to build a career in the literacy field. The organization that he leads has been active in the community for more than three decades, and the organization has seen significant changes in the profile of the typical client in that time. In the 1980s, Tom says senior-aged men comprised the main demographic of learners. Now it is younger women and heads of single-parent families; women like Jamie from my earlier example.

While the organization has not compiled numbers recently, Tom says that, anecdotally, demand for literacy help today is as high, and maybe even higher, than it ever was. Despite changing demographics, some aspects of the literacy issue have not changed at all. One need look no further than the important role confidentiality plays in supporting learners in their work. He notes that he cannot call the homes of clients because husbands and wives do not know that their spouses have difficulty with literacy or have enrolled in one-on-one tutoring. This point is important to highlight. Many people with low literacy levels

simply do not admit or feel they cannot admit that they have reading and writing difficulties. As I have said in this chamber before, Jacques Demers is a classic example. This secrecy makes it difficult, if not impossible, to compile accurate numbers and get a true picture of the magnitude of the challenge out there.

While Teachers on Wheels is a well-established adult literacy organization in St. John's, Newfoundland and Labrador, Tom is the group's only staff member. As such, he is responsible for program management and for the implementation of projects. He performs these duties and more, under the supervision of five people. They are a volunteer board of directors. The organization survives on an annual budget of \$70,000, with about half from the federal government. This is the level of funding we are talking about here. This program represents a \$35,000 investment from federal coffers. In my view, this is an area where political spin can distract us from reality.

Honourable senators, I have seen their financial statements. The statements are publicly available. I can tell you where they spend the money. They spend it on basic operations, paying rent, phone, Internet service, electricity and insurance.

• (1650)

It is paying a humble salary for this great educator, Tom, in the low \$50,000 range, to someone with extensive professional credentials and experience. It is paying for postage, for printing materials, as well as textbooks and workbooks for the adult learner.

I have heard some cynics say that organizations like these are spending significant funds on extras, such as travel. I was interested in seeing for myself whether that was indeed true. I can tell honourable senators unequivocally that this particular group has spent \$356 and \$206 in the last two years respectively. I know that other groups have larger travel budgets, which typically reflect the province-wide nature of their services, but in cases from my province, at least, these costs appear meagre.

Frankly, honourable senators, much of the remarkable work that is done in literacy costs Canadian taxpayers very little. As a taxpayer, I must say that I feel I am getting unparalleled value for my money when it comes to literacy spending. Truly, much of the work in this field is performed at no cost, by dedicated volunteers.

At last count, there were 25 volunteer tutors at Teachers on Wheels, and not surprisingly, they are always looking for more. Tom suggests that one area where the government could play a very powerful role — and one that I do not think I have ever heard mentioned — is in raising public awareness about the need for literacy volunteers. He says that, although he currently has just 25 volunteer tutors, his work would be the same if he had 100.

Governments could provide support for volunteers and help organizations like Teachers on Wheels to attract and train new volunteers. This is what Tom says: "If they really want to do something about literacy, then help us with volunteers. Help us get more people out there tutoring. That would really make a difference."

Another significant literacy service provider in my community is the Newfoundland and Labrador Laubach Literacy Council. Melanie Callahan is the executive director, and her organization,

just like Tom's, has an annual budget of around \$70,000. It is funded roughly 60:40 between the federal and provincial governments. However, it should be noted that provincial funding is often tied to federal funding, so that if there are less federal funds committed, the provincial funds will also be reduced.

As a provincial organization with 21 councils in communities on both the island and the mainland, Melanie's organization is required to travel more than Tom's. She visits with councils at sites across the province and is responsible for training. She also oversees the annual meeting and conference.

Currently, Laubach has a couple of hundred volunteers in our province. Over the years, Laubach has trained literally thousands. At the moment, there are about 200 active tutor pairs that have been facilitated by the organization.

In about a week, Newfoundland and Labrador Laubach Literacy Council will host its annual general meeting in Corner Brook. They expect to have 100 volunteers from communities across the province in attendance. This meeting provides an opportunity, annually, to get together to exchange ideas and information and to share experiences, concerns and knowledge. The meeting also provides an annual opportunity for training.

Honourable senators, I have learned that members of these local councils have been fundraising. They have been selling tickets on prizes, and they have been selling cookies and baked goods to fund their way to the AGM. I should like to stress that it is activities like these, not strictly tax dollars, that provide the financial means for participation in meetings like this.

These volunteers are working hard, not only to help learners in a one-on-one setting, but to improve the literacy services that are available by promoting training and information exchanges among tutors. I think very often it is easy to lose sight of the great work that volunteers are called to do. It is clear that the burden and responsibilities placed on these people is great, and yet we all benefit when they accept the challenge to serve.

Honourable senators, I would be remiss if I did not comment on the recent cuts to literacy funding.

The Hon. the Speaker *pro tempore*: Honourable Senator Cochrane, I am sorry to interrupt you. Are you asking for more time?

Senator Cochrane: Yes, five more minutes.

The Hon. the Speaker *pro tempore*: Is it agreed?

Hon. Senators: Agreed.

Senator Cochrane: The Honourable Leader of the Government in the Senate has made assurances to me, and has repeated numerous times, as have others in the government, that no programs will be cut as a result of this \$17.7 million.

Indeed, I regard media reports out of Prince Edward Island yesterday — which indicated that the federal government has approved the P.E.I. literacy association's proposal for two-year funding — as evidence of that commitment to literacy. Just this afternoon, I learned that Literacy Newfoundland and Labrador

has been informed by HRSD officials that they will move ahead with reviewing all proposals that were submitted under all federal literacy funding streams on September 15.

As they understand it, the review will be done in partnership with the provincial government. It has always been that way. The Minister of HRSD will be providing additional guidance in the review process to ensure tangible results, and that is fine.

I applaud this and I hope the fears voiced by literacy advocates across this country are now put to rest.

Honourable senators, I believe Canada's lagging literacy rates constitute a national tragedy. We simply need to do better and we need to do more. We need to harmonize the efforts being made across the country and we need clear, measurable indicators of progress.

The key to success, I believe, may be as simple as bringing all the appropriate stakeholders in the country together to sit around the same table. This is the discussion that can and should take place.

Honourable senators, I wanted to speak today to give voice to people like Jamie and Dianne and to commend the efforts of all those working in the literacy field. I know in the current climate it has seemed a thankless job to many of them, especially over the past few weeks. These stories and experiences need to be shared, and that is why this inquiry is so important.

Hon. Senators: Hear, hear!

On motion of Senator Robichaud, debate adjourned.

• (1700)

[*Translation*]

HUMAN RIGHTS

MOTION TO AUTHORIZE COMMITTEE TO STUDY ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE 2005 DECLARATION ON ANTI-SEMITISM AND INTOLERANCE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Stollery:

That the following Resolution on Combating Anti-Semitism which was adopted unanimously at the 14th Annual Session of the OSCE Parliamentary Association, in which Canada participated in Washington on July 5, 2005, be referred to the Standing Senate Committee on Human Rights for consideration and that the Committee table its final report no later than October 30, 2006:

RESOLUTION ON COMBATING ANTI-SEMITISM

Recalling the resolutions on anti-Semitism by the OSCE Parliamentary Assembly, which were unanimously passed at the annual meetings in Berlin in 2002, in Rotterdam in 2003 and in Edinburgh in 2004,

1. Referring to the commitments made by the participating states emerging from the OSCE conferences in Vienna (June 2003), Berlin (April 2004) and Brussels (September 2004) regarding legal, political and educational efforts to fight anti-Semitism, ensuring "that Jews in the OSCE region can live their lives free of discrimination, harassment and violence",
2. Welcoming the convening of the Conference on Anti-Semitism and on Other Forms of Intolerance in Cordoba, Spain in June 2005,
3. Commending the appointment and continuing role of the three Personal Representatives of the Chairman-in-Office of the OSCE on Combating Anti-Semitism, on Combating Intolerance and Discrimination against Muslims, and on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, reflecting the distinct role of each in addressing these separate issues in the OSCE region,
4. Reaffirming the view expressed in earlier resolutions that anti-Semitism constitutes a threat to fundamental human rights and to democratic values and hence to the security in the OSCE region,
5. Emphasizing the importance of permanent monitoring mechanisms of incidents of anti-Semitism at a national level, as well as the need for public condemnations, energetic police work and vigorous prosecutions,

The Parliamentary Assembly of the OSCE:

6. Urges OSCE participating states to adopt national uniform definitions for monitoring and collecting information about anti-Semitism and hate crimes along the lines of the January 2005 EUMC Working Definition of Anti-Semitism and to familiarize officials, civil servants and others working in the public sphere with these definitions so that incidents can be quickly identified and recorded;
7. Recommends that OSCE participating states establish national data collection and monitoring mechanisms and improve information-sharing among national government authorities, local officials, and civil society representatives, as well as exchange data and best practices with other OSCE participating states;
8. Urges OSCE participating states to publicize data on anti-Semitic incidents in a timely manner as well as report the information to the OSCE Office for Democratic Institutions and Human Rights (ODIHR);

9. Recommends that ODIHR publicize its data on anti-Semitic crimes and hate crimes on a regular basis, highlight best practices, as well as initiate programs with a particular focus in the areas of police, law enforcement, and education;
10. Calls upon national governments to allot adequate resources to the monitoring of anti-Semitism, including the appointment of national ombudspersons or special representatives;
11. Emphasizes the need to broaden the involvement of civil society representatives in the collection, analysis and publication of data on anti-Semitism and related violence;
12. Calls on the national delegations of the OSCE Parliamentary Assembly to ensure that regular debates on the subject of anti-Semitism are conducted in their parliaments and furthermore to support public awareness campaigns on the threat to democracy posed by acts of anti-Semitic hatred, detailing best practices to combat this threat;
13. Calls on the national delegations of the OSCE Parliamentary Assembly to submit written reports at the 2006 Annual Session on the activities of their parliaments with regard to combating anti-Semitism;
14. Calls on the OSCE participating states to develop educational material and teacher training methods to counter contemporary forms of anti-Semitism, as well as update programs on Holocaust education;
15. Urges both the national parliaments and governments of OSCE participating states to review their national laws;
16. Urges the OSCE participating states to improve security at Jewish sites and other locations that are potential targets of anti-Semitic attacks in coordination with the representatives of these communities.—(*Honourable Senator Segal*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, all Canadians find anti-Semitism deplorable. It is important for us, honourable senators, to speak out on this issue. I believe that all senators should condemn such behaviour.

I will likely wish to speak about this subject again in future. However, I would like to adjourn the debate, in my name, to a later date.

On motion of Senator Comeau, debate adjourned.

THE SENATE

MOTION TO URGE GOVERNMENT TO STUDY IMPACT OF LEGISLATION ON REGIONS AND MINORITIES—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Cordy:

That the Senate urge the government to accompany all government bills by a social and economical impact study on regions and minorities in accordance to the Senate's role of representation and protection of minorities and regions.
—(*Honourable Senator Tkachuk*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, the social and economic impact of decisions made in Ottawa is definitely another matter for our attention. I know that many of you, including Senator Tkachuk, are interested in this matter.

For my part, I have very little to say on this subject. For that reason, I would like to adjourn the debate, in my name, to a later date.

On motion of Senator Comeau, debate adjourned.

[*English*]

FISHING INDUSTRY IN NUNAVUT

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Adams calling the attention of the Senate to issues concerning the fishing industry in Nunavut related to the use of fishing royalties, methods of catch, foreign involvement and a proposed audit of Inuit benefit from the fishery.
—(*Honourable Senator Fraser*)

Hon. Elizabeth Hubley: Honourable senators, as an Atlantic Canadian, I feel compelled to speak in support of Senator Adams and the attempts being made by the Inuit people to realize greater economic benefit from the Nunavut turbot fishery. It is an important issue for all of us and I would now like to adjourn the debate in my name and speak to it later in the time I have left.

On motion of Senator Hubley, debate adjourned.

CONTRIBUTIONS OF THE HONOURABLE HOWARD CHARLES GREEN TO CANADIAN PUBLIC LIFE

INQUIRY—DEBATE ADJOURNED

Hon. Lowell Murray rose pursuant to notice of October 30, 2006:

That he will call the attention of the Senate to the faithful and exemplary service to Canada, during his entire adult lifetime, of the late Honourable Howard Charles Green of British Columbia.

He said: Honourable senators, should I pause for a moment so that those who wish to head for the airport or elsewhere may now leave? I do not intend to adjourn the debate after a moment's intervention but, rather, to make the speech which I had intended to make.

Senator Comeau: They will not go to the airport; we are sitting tomorrow.

Senator Murray: Yes, we are sitting tomorrow. I had forgotten.

Honourable senators, I prepared a notice of inquiry last week. However, once Senator Segal had spoken so well on the subject during Senators' Statements, I decided it was no longer necessary to pursue it. Later, I was persuaded by two considerations to go ahead with this inquiry.

First, several honourable senators indicated to me that they, too, wished to offer their appreciation of the life and public career of the late Honourable Howard Green. Second, the decision to name a building in Vancouver for Mr. Green is now being reconsidered by an advisory committee at the direction of the Minister of Public Works and Government Services. I would hope that these speeches in the Senate, together with public interventions by other Canadians, will help place matters in their proper perspective and ensure that Howard Green is honoured as he should be.

As to his views regarding Japanese Canadians during World War II, Mr. Green was dead wrong and he had plenty of company being wrong. Canada was to some degree in the grip of hysteria, not for the first time — and not, as the intervening years have sadly shown, for the last time. The political class, from the federal government on down, responded hysterically — not for the first time and, sadly, not for the last time.

Most MPs, particularly those from British Columbia, supported and in some cases called for the action taken by the government of Prime Minister Mackenzie King. Those British Columbia MPs included the federal minister, the Honourable Ian Mackenzie; the great provincial and great federal CCF parliamentarian Harold Winch; and they included Mr. Green. I am told on good authority that the only British Columbia MP who opposed the government's action was the late Angus MacInnis, long-time MP for Vancouver East and Vancouver Queensway, whose widow Grace MacInnis later served in the House of Commons.

Howard Green ought to be judged, as all of us would want to be judged, in light of our entire careers and of our total contribution. By any reasonable standard, that judgment on Howard Green's service can only be overwhelmingly positive.

I knew Howard Green personally. I knew him in Ottawa and in Vancouver, for I had been chief of staff to one of his British Columbia cabinet colleagues, the Honourable Davie Fulton. I knew Mr. Green the way a young political assistant would know a senior minister, which is to say we were not on first name terms — at least I did not call him by his first name. I should say that among his many attractive qualities was a warm and encouraging attitude to young people. Those of my generation who served in his ministerial office or worked on his campaigns in Vancouver revered him.

I admired him also because he was steadfast in his convictions and indefatigable in defending them. The late Blair Fraser, the journalist, once described Howard Green as the lone pine of Parliament Hill because he stood apart and would not bend. Mr. Green had been one of that small and, I think, heroic band of

Conservatives who kept their party alive in Canada through the most daunting circumstances from 1935 when he was first elected, through all the war years and through three losing elections in the post-war period. With nothing but their own stubborn intelligence and determination, they became formidable parliamentarians in the House of Commons and discharged their constitutional duty as Her Majesty's Loyal Opposition loyally and with great effectiveness. Howard Green, and later John Diefenbaker, George Drew, George Pearkes, Douglas Harkness, Gordon Churchill, Davie Fulton, Léon Balcer, Ellen Fairclough, Alfred Brooks and George Nowlan fought on, underpaid, understaffed — and, as it turned out, greatly underrated — until eventually they turned the tide.

I say to the Minister of Public Works and Government Services: If there is any institutional memory in his department, the Honourable Howard Green must have a place of honour. By the mid-1950s, the culture of the Department of Public Works had not much changed since the days of poor old Sir Hector Langevin, who had been tainted by the Pacific scandal at the beginning of his career and the McGreevy scandal at the end of his career and whose name today adorns the very seat of power in Ottawa, the Langevin Block. Prime Minister St. Laurent was determined to clean up Public Works and to that end appointed Robert Winters as minister and Major-General H. A. Young as deputy minister. The Winters-Young team made a good start at it, and Howard Green finished the job with the redoubtable General Young at his side.

On the very first day in June 1957 that the new government took office after 22 years in the desert, Mr. Green — to the consternation of many — declared that there would be no political patronage in the awarding of Public Works contracts, and he proved to be as good as his word. Those were the days.

I was going to say — perhaps there would be too much levity — that by the time Fulton and I got there in 1962, there was no fun left in the department.

In his statement last Thursday, Senator Segal spoke of Mr. Green's commitment as external affairs minister and of his tireless international work in the cause of nuclear disarmament. It must be said that disarmament was not a high priority in the country or in the government when he became minister. He created a disarmament division in the department and by the time he left office four years later, that issue was front and centre in government, Parliament and the country. In achieving this, Howard Green made common cause with citizens and organizations in whose company more traditional politicians would not usually be found.

[*Translation*]

This son of British Columbia quickly realized that the decolonization of francophone Africa presented Canada with an opportunity to make new allies in the United Nations and new connections abroad for French Canadians. His determination to establish diplomatic relations with these new francophone nations was stalled by the conspicuous absence of a critical mass of francophones in our diplomatic service. To correct the problem, a new language policy would need to be established. In the meantime, the minister found a way to improvise by appointing ambassadors with multiple mandates to ensure that Canada was represented in the new francophone African nations.

Mr. Green also recognized the growing importance of foreign aid in the foreign policies of industrialized nations. It was he who created the External Aid Office as part of the old Department of External Affairs. That office is now known as CIDA.

• (1710)

[English]

During the debate in the Commons about the dispatch of troops to Cyprus some years after Mr. Green had left Parliament, Prime Minister Pearson reflected on the difficulties government and Parliament confront in such matters, and he referred to the decision of an earlier government regarding the Congo. Said Mr. Pearson: "It is not inappropriate for me to recall tonight that in those days one of the strongest and most sincere supporters of the United Nations action in this field was the man who was secretary of state for external affairs in those days, Mr. Howard Green."

Honourable senators, the unnecessary and unfortunate controversy that arose following the naming of a federal building in Vancouver in his honour may yet have served a good purpose in that it provides occasion for some of us to express our appreciation and for others to more fully understand the truly exemplary and faithful service and the lasting contribution to our country of the Honourable Howard Charles Green, an outstanding parliamentarian and a fine man.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I was going to take the adjournment of the debate in the name of Senator Campbell, but I believe Senator Downe has a question.

Hon. Percy Downe: Honourable senators, I did not know Mr. Green, but I have listened to the speeches about him. It is important to emphasize that, when he spoke, he spoke in the period in which he lived. Those of us who have read about various times in Canadian politics know that at different times there are different contemporary views that are not accepted today. The senator covered that in his early statement, that he was wrong at the time. His view today might be very different.

I have always been concerned that the naming of federal buildings seems to be restricted to the names of former politicians. Many Canadians who have made contributions to this country do not have a building named after them. There are many great examples. In Charlottetown, there is the Daniel J. MacDonald Building. Mr. MacDonald was a former Minister of Veterans Affairs. He suffered injuries in the Second World War. It is a good building. My old friend Joe Ghiz has a building named after him in Summerside, although I am not sure a politician would want a tax office named after him. That was a good choice as well.

The recent naming of the new federal building in Charlottetown created a controversy. Using the same procedure Senator Murray mentioned earlier, maybe he could pass on to the Leader of the Government in the Senate who might pass on to the Minister of Public Works that we should consider broadening the base beyond politicians. There are many people who could have a federal building named after them. Most of the politicians in this

country have been men; therefore, most of the buildings have been named for male politicians. By expanding the base, we could have more buildings named for women.

In Prince Edward Island, I suggested — and this shows my limited influence — the name of Georgina Pope, who, as many people know, is considered the Florence Nightingale of the Canadian military. Ms. Pope was born in Charlottetown. She had an outstanding career in the Boer War and the First World War. She died in Charlottetown in 1938. Her brother, incidentally, served as private secretary to Sir John A. Macdonald. Thus, this was not a partisan recommendation.

I support Mr. Green and the initiative, based upon the comments I have heard. Would Senator Murray consider recommending to the committee that they expand the base of the people they consider for this consideration?

Senator Murray: I would gladly do that, honourable senators. I presume my friend is not speaking of the particular committee and the particular building that I hope will be named after Mr. Green, as the government and the committee had earlier recommended and intended.

Now that I reflect on it, I think advisory committees are set up on each occasion. It would be worthwhile for the government to consider for all of these committees a set, not of regulations but of guidelines, that would emphasize gender, for one thing, the number of women who have contributed mightily to the country, but also the occupations and contributions outside of politics and public service that ought to be recognized in public buildings.

While Senator Downe was speaking, my mind was ranging over the public buildings I know, trying to find exception to the rule he has put forward, and I have not been able to recall one, although there are some. Speaking of worthy politicians, I saw only today — I had not realized it — that a facility in Newfoundland and Labrador is named after our former colleague Bill Petten, because of the contribution he made to a particular piece of legislation going through having to do with our jurisdiction in the fishery. I had not known that until this morning.

Senator Downe: Honourable senators, for greater clarity, I am not opposed to including politicians from the naming of future buildings. For example, we have in this chamber a colleague, Senator Callbeck, who was the first woman ever to win an election for a provincial government. Some day, and we hope it will be decades from now, there will have to be a building named after her.

That is the good news. The bad news is that, since she won that election, no other woman has ever done that.

There will be times where former politicians will have buildings named after them, but we have gone too far one way. These buildings are funded by Canadian taxpayers' dollars and we should consider expanding the base.

Hon. Lorna Milne: If I may, instead of a question, I shall direct a suggestion to Senator Murray; that he suggest to his former cohort, the Leader of the Government in the Senate, that perhaps they should consider naming a building after a female politician, and I suggest Agnes McPhail.

[Senator Murray]

Senator Murray: What about Ellen Fairclough?

Hon. Mobina S. B. Jaffer: I wish to thank the Honourable Senator Murray for his eloquent speech.

The Hon. the Speaker *pro tempore*: The time for Senator Murray has expired. Is the honourable senator asking for more time?

Senator Murray: Yes.

The Hon. the Speaker *pro tempore*: You have five minutes. You may proceed with your question, Senator Jaffer.

Senator Murray: It is not clear to me whether Senator Jaffer wishes to intervene in the debate or whether she is asking a question.

Senator Jaffer: Honourable senators, I am asking a question.

Of course, I did not have the pleasure of knowing Mr. Green so I am keeping my ears open as to what my colleagues say about him. However, I also want to share with honourable senators the pain that my community, a substantial community in British Columbia, feels about the discrimination that existed at that time. I can tell honourable senators that when Prime Minister Mulroney heard the pain and gave redress, there was much healing in my community; so there is the challenge that my community will feel pain when they see this building. I share with you that there is still pain on this issue.

However, I want to ask Senator Murray, given that I regard him to be a statesman in this house, whether he thinks we have learned any lessons from that period, where there was feeling against the Japanese. I believe we are facing some of the same challenges at this time against a certain community. Can the honourable senator share some of the lessons we have learned from that period?

Senator Murray: Senator, with regard to the first point, I do not think, as I suggested and Senator Segal suggested, that it is at all fair to single out one person who happened to be a member of Parliament and supported the position of the government at the time when there were so many others, and when, as Senator Downe has said, it is hardly appropriate or useful to judge these people on the basis of what I hope are our standards today.

• (1720)

More important, in regard to the second question Senator Jaffer asked as to whether we have learned, sometimes I wonder what we have learned and whether we have learned much. That being said, the fact of the matter is that in today's climate, there is less chance of hysteria taking over than there was. In the event that it does, we have legal safeguards that were not present in those days. God forgive me, I never thought I would say a word in their defence, but we do have a much more independent and alert media.

On motion of Senator Fraser, for Senator Campbell, debate adjourned.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Ethel Cochrane, for Senator Banks, pursuant to notice of October 31, 2006, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources have the power to sit at 5:00 p.m., Tuesday, November 7, 2006, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

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

Hon. Senators: Agreed.

Motion agreed to.

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO REFER DOCUMENTS FROM PREVIOUS PARLIAMENTS TO STUDY ON BILL S-213

Hon. Joan Fraser (Deputy Leader of the Opposition), for Senator Bryden, pursuant to notice of November 1, 2006, moved:

That the papers and evidence received and taken by the Standing Senate Committee on Legal and Constitutional Affairs in relation to:

- Bill C-15B, An Act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act during the First Session of the Thirty-Seventh Parliament;
- Bill C-10, An Act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act, and Bill C-10B, Act to amend the Criminal Code (cruelty to animals) during the Second Session of the Thirty-Seventh Parliament;
- Bill C-22, An Act to amend the Criminal Code (cruelty to animals) during the Third Session of the Thirty-Seventh Parliament; and
- Bill S-24, An Act to amend the Criminal Code (cruelty to animals) during the First Session of the Thirty-Eighth Parliament;

be referred to the Committee for its study on Bill S-213, An Act to amend the Criminal Code (cruelty to animals).

Motion agreed to.

[*Translation*]

OFFICIAL LANGUAGES

COMMITTEE AUTHORIZED TO MEET
DURING SITTING OF THE SENATE

Hon. Maria Chaput, pursuant to notice of November 1, 2006, moved:

That the Standing Senate Committee on Official Languages have the power to sit on Monday, November 6, 2006 at 4:00 p.m., even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I would like to know why the committee would have to meet during the sitting of the Senate.

Senator Chaput: Honourable senators, our meetings are scheduled on Mondays, from 4 p.m. to 6 p.m. That is the only time we can meet. Next Monday, we will be welcoming the honourable Josée Verner and the new Commissioner of Official Languages.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Friday, November 3, 2006, at 9 a.m.

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