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OFFICIAL REPORT  
(HANSARD)

**Wednesday, April 29, 2009**



THE HONOURABLE ROSE-MARIE LOSIER-COOL  
SPEAKER *PRO TEMPORE*

## CONTENTS

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

## OFFICIAL REPORT

### CORRECTION

**Hon. Hugh Segal:** Honourable senators, I wonder if I could beg your indulgence to correct the record at page 685 of Hansard. In my enthusiasm about the role of Newfoundland in Confederation and the votes that Newfoundlanders were able to exercise in support of Confederation, I referred to Newfoundland as having enriched us all for centuries. Obviously I meant to say decades, and I would like the record corrected in that respect. However, when one reflects on how Newfoundlanders have engaged in vocal, vociferous, eloquent, elegant, compelling and consistent debate and discussion on an ongoing basis, it may seem like centuries to some, but it is decades, and we are grateful for every single decade that Newfoundland has been with us.

**The Hon. the Speaker *pro tempore*:** The correction has been noted.



## THE SENATE

Wednesday, April 29, 2009

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

Prayers.

[Translation]

### ROYAL ASSENT

The Hon. the Speaker *pro tempore* informed the Senate that the following communication had been received:

RIDEAU HALL

April 28, 2009

Mr. Speaker,

I have the honour to inform you that the Honourable Thomas Cromwell, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of the Governor General, signified royal assent by written declaration to the bill listed in the Schedule to this letter on the 28th day of April, 2009, at 4:59 p.m.

Yours sincerely,

Dorothy Grandmaître  
For the *Secretary to the Governor General*

The Honourable  
The Speaker of the Senate  
Ottawa

Bill assented to Tuesday, April 28, 2009:

An Act to implement the Free Trade Agreement between Canada and the States of the European Free Trade Association (Iceland, Liechtenstein, Norway, Switzerland), the Agreement on Agriculture between Canada and the Republic of Iceland, the Agreement on Agriculture between Canada and the Kingdom of Norway and the Agreement on Agriculture between Canada and the Swiss Confederation (*Bill C-2, Chapter 6, 2009*)

• (1335)

[English]

## SENATORS' STATEMENTS

HON. SHARON CARSTAIRS, P.C.

**Hon. Mobina S. B. Jaffer:** Honourable senators, I rise today to recognize one of our colleagues, Sharon Carstairs. Last week, in her capacity as the chair of the Special Senate Committee on

Aging, she tabled a formidable report on the implications of Canada's aging society.

She saw a need for the Senate to address this issue and she has worked hard to ensure that the needs of Canadian seniors are met. Her stellar work on this subject matter is no surprise, as her work on palliative care in Canada is legendary.

Today's tribute is in the honour of the anniversary of a spectacular career achievement. Honourable senators, it was 25 years ago that Senator Carstairs stepped into her first leadership role as the leader of the Manitoba Liberal Party. Sharon became leader of the Manitoba Liberal Party when it held no seats in the legislature, and would serve in this role unelected for two years before being elected for the constituency of River Heights in 1986. That year she was the only Liberal elected to the legislature.

Honourable senators, many would have given up; but two years later, Sharon Carstairs would reinvigorate the Manitoba Liberal Party and lead it to an unprecedented electoral success, the likes of which it has not seen since. The Liberal Party achieved official opposition status, with 20 of the 57 seats in the provincial legislature. In that moment, she shattered a huge glass ceiling for women as she stepped into her role as the first woman leader of the official opposition in a Canadian legislature.

During her time as leader of the Manitoba Liberals, I recall how selflessly she gave her time to help the British Columbia Liberal Party, then under the leadership of Gordon Wilson. At the time, I was working alongside him and recall being in awe of Sharon as she worked tirelessly for us. A friendship emerged right away, an enduring one that has brought me a great deal of comfort and counsel over the years as I have worked to build my political career.

When I was appointed to the Senate in 2001, I felt her kind and generous hand of mentorship. At the time, she was the Leader of the Government in the Senate. She personally chose my office, a comfortable fit for me right away. Sharon has stood by me through some of the toughest times in my life and I know she is a true friend.

My friend, Sharon, given all that you have achieved in your life, by now most people would be sitting on their laurels, but not you. You are now travelling all over the world to help free parliamentarians unjustly imprisoned by their governments. Some are alive today because of your work in this area.

Sharon, on your twenty-fifth anniversary of this career milestone, we salute you for the service you have given to Canada and Canadians.

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

[Translation]

### CANADA EXCELLENCE RESEARCH CHAIRS

**Hon. Suzanne Fortin-Duplessis:** Honourable senators, last week, the Conservative government announced the results of phase 1 of the first Canada Excellence Research Chairs competition. The goal of the program is to support the development of innovative ideas and cutting-edge research in Canada.

Prime Minister Stephen Harper recognizes the important role that research excellence plays in furthering innovation and competitiveness in Canada. With these exceptional proposals, Canada will play a lead role in developing innovative ideas that will address environmental, health, and other social challenges, while also improving Canada's economic competitiveness internationally.

• (1340)

The 40 proposals chosen, which had been submitted by 17 universities, were selected based on the highest standards of research excellence. The universities are now invited to nominate world-class researchers in phase 2 of the competition. The program funds up to 20 chairs that each receive up to \$10 million over 7 years, for a total investment of \$200 million.

The Canada Excellence Research Chairs program helps universities attract and retain the world's most accomplished and promising researchers working in the priority research areas of environmental sciences and technologies, natural resources and energy, health and related life sciences and technologies, and information and communication technologies.

This program once again underscores the Conservative government's determination and commitment to support Canadian research.

### FIFTH ANNUAL INVISIBLE RIBBON GALA

**Hon. Lucie Pépin:** Honourable senators, the Trenton Military Family Resource Centre will hold its fifth annual Invisible Ribbon Gala on Saturday, May 2. The event will feature a gourmet dinner, live and silent auctions and entertainment.

The Resource Centre's goals in holding the gala are to create awareness and broaden the base of support for military families within the community and to raise the necessary funds to continue delivering quality programs that help military families in Trenton.

I congratulate the staff of the Resource Centre, who work very hard every year to make this event a success.

This is an excellent opportunity for the people of Trenton to come together to celebrate the military family and show their appreciation to the men, women and children who wear the invisible uniform.

Honourable senators, I invite you to support this event. We know that the success of our soldiers' mission depends in large measure on how well their families are supported. This sort of event is a unique opportunity to show the partners or spouses and the children of our soldiers that we are aware of the role they play and the many sacrifices they are called on to make.

[English]

Honourable senators, I have raised this issue more than once in this forum: Support for the families of our brave military personnel can be shown in a number of ways. If you meet military spouses, please shake their hands and say how much you admire and respect the way they are coping.

The uniform worn by military spouses and their families is invisible, but they are on duty just the same — standing tall, uncomplaining, proud and courageous.

[Translation]

They work hard and assume their responsibilities with passion, which allows their military spouses to perform their own jobs well within the Canadian Forces.

I am delighted to once again have the opportunity to tell them just how much we appreciate them and the important contribution they make.

[English]

### TWENTY-THIRD ANNIVERSARY OF FIRST ARTIFICIAL HEART TRANSPLANT IN CANADA

**Hon. Donald H. Oliver:** Honourable senators, I rise today to call your attention to the twenty-third anniversary of a landmark event in Canadian history. It was on May 1, 1986, that Noëlla Leclair, a resident of Orléans, Ontario, became Canada's first artificial heart recipient.

A team of surgeons, led by our own colleague, the Honourable Senator Wilbert J. Keon, performed a three-and-a-half hour operation on Ms. Leclair, who had suffered three heart attacks in the span of four days in 1984. Senator Keon transplanted an artificial heart called a Jarvik 7-70 into Ms. Leclair's chest. The artificial device kept her alive for seven days until a donor's heart was available. One week later, Ms. Leclair received the heart of a 44-year-old man from Montreal, extending her life for another 20 years, until November 2006.

Thanks to Honourable Senator Keon and his team of surgeons, Noëlla Leclair lived until she was 61 — more than 20 years after that pioneering surgery.

• (1345)

Born in Sheenboro, Quebec, Senator Keon graduated from the University of Ottawa's medical school in 1961, and undertook postgraduate studies at the Montreal General Hospital. After working at the Toronto General Hospital and the Hospital for Sick Children, he spent a year at the Peter Bent Brigham Hospital and Harvard Medical Centre as a research and clinical associate. In 1969, he returned to Ottawa to join the cardiothoracic surgeon division of the Ottawa Civic Hospital, where he was asked to establish a heart institute.

His dream of building a cardiovascular institute became a reality in May 1976 when the University of Ottawa Heart Institute opened its doors, with half its space dedicated to research.

Today, the institute offers a complete spectrum of cardiac care, from initial referral to admission, treatment, recovery, rehabilitation, discharge and follow-up. In September 2003, the Heart Institute building was named in honour of Senator Keon.

More than 30 years after its foundation, the Heart Institute has developed into a world leader in the prevention and care of cardiovascular disease.

In 2007, Senator Keon was inducted into the Canadian Medical Hall of Fame in the “builder” category for his work with the foundation of the Heart Institute. He was also awarded the Canadian Medical Association’s highest honour in 2007, the Starr Award. The Canadian Medical Hall of Fame said:

Dr. Wilbert J. Keon is an exemplary Canadian and a world revered cardiac surgeon. He is regarded by colleagues as an icon and by patients as the essence of the caring spirit in medicine.

Honourable senators, I ask you to join me in congratulating Senator Keon on the twenty-third anniversary of his landmark heart transplant and for his countless contributions to the prevention and care of cardiovascular disease.

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

#### NATIONAL HOSPICE PALLIATIVE CARE WEEK

**Hon. Sharon Carstairs:** Honourable senators, National Hospice Palliative Care Week 2009 takes place from May 3 to May 9 and is a time to celebrate, recognize and share the achievements of hospice palliative care throughout the nation and to raise awareness of hospice palliative care.

The national Hike for Hospice will kick off the week on Sunday with hikes occurring across the country. This year’s theme is “Hospice palliative care: a human right.” It recognizes that all Canadians should have access to quality end-of-life care.

It is estimated that 37 per cent of Canadians now have access to hospice palliative care, a marked improvement since 1995 when the Senate learned through its study on euthanasia and assisted suicide that only 5 per cent of Canadians had access to integrated quality end-of-life care. That is the good news.

The bad news is that 63 per cent of Canadians still do not have access to quality end-of-life care.

We must use opportunities such as Palliative Care Week to continue to promote hospice palliative care so that all Canadians can have access to it.

Recently, the Special Senate Committee on Aging reported that it is important to allow people to age in the place of their choice. It is also important to provide the right services to allow people to

die in the place of their choice. Palliative care services are a key component of providing the care that is needed, at the time and place that it is needed. Palliative care also means ensuring that the compassionate care benefit under Employment Insurance makes it possible for Canadians to be with their gravely ill and dying family members for a sufficient number of weeks to provide the care that is required. It should be the right of every Canadian.

#### HUMBOLDT TELEGRAPH STATION

**Hon. Pamela Wallin:** Honourable senators, it is a pleasure to share a story of community spirit in my home province of Saskatchewan. It is a story of the perseverance and generosity of the local citizens of Humboldt.

Tomorrow, April 30, there will be an official announcement regarding the Humboldt telegraph station’s original historic site. The local citizens of Humboldt have raised all the funds to buy back the original site and they are now presenting this site, this piece of land, as a gift to the city. Every single cent was raised by the community through private donations.

This site was built in 1878 by George and Catherine Weldon as part of the original Dominion Telegraph Line. The Humboldt station played a pivotal role as a Canadian communications link.

Catherine Weldon was also one of the first female telegraph operators in Western Canada; she was a true western pioneer. The significance of this site will never be forgotten because of the initiative of the Humboldt community. It is an inspiring reminder and example of the power of people and communities working together.

Great job, Reverend Alvin Hingley, former mayor Dennis Korte and Ed Novecosky.

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• (1350)

[Translation]

#### ROUTINE PROCEEDINGS

##### PUBLIC SECTOR INTEGRITY COMMISSIONER

##### 2008-09 ANNUAL REPORT TABLED

**The Hon. the Speaker pro tempore:** Honourable senators, pursuant to section 38 of the Public Servants Disclosure Protection Act, I have the honour to table, in both official languages, the 2008-09 Annual Report of the Public Sector Integrity Commissioner.

[English]

## CANADIAN NATO PARLIAMENTARY ASSOCIATION

VISIT OF POLITICAL COMMITTEE SUB-COMMITTEE  
ON TRANSATLANTIC RELATIONS—  
SEPTEMBER 17-19, 2008—REPORT TABLED

**Hon. A. Raynell Andreychuk:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary Association to the Visit of the Political Committee Sub-committee on Transatlantic Relations, held in Warsaw, Poland, from September 17 to 19, 2008.

VISIT TO UNITED STATES BY DEFENCE AND  
SECURITY COMMITTEE—JANUARY 26-30, 2009—  
REPORT TABLED

**Hon. A. Raynell Andreychuk:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary Association to the Visit to the United States by the Defence and Security Committee, held in the United States of America, from January 26 to 30, 2009.

## DECLARATION ON STRENGTHENING THE FINANCIAL SYSTEM ADOPTED BY THE G20

### NOTICE OF INQUIRY

**Hon. Jeremiah S. Grafstein:** Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the following Declaration on Strengthening the Financial System, adopted by the G20 on April 2, 2009, at the London Summit:

### DECLARATION ON STRENGTHENING THE FINANCIAL SYSTEM-LONDON SUMMIT, 2 APRIL 2009

We, the Leaders of the G20, have taken, and will continue to take, action to strengthen regulation and supervision in line with the commitments we made in Washington to reform the regulation of the financial sector. Our principles are strengthening transparency and accountability, enhancing sound regulation, promoting integrity in financial markets and reinforcing international cooperation. The material in this declaration expands and provides further detail on the commitments in our statement. We published today a full progress report against each of the 47 actions set out in the Washington Action Plan. In particular, we have agreed the following major reforms.

#### Financial Stability Board

We have agreed that the Financial Stability Forum should be expanded, given a broadened mandate to promote financial stability, and re-established with a stronger institutional basis and enhanced capacity as the Financial Stability Board (FSB). The FSB will:

- assess vulnerabilities affecting the financial system, identify and oversee action needed to address them;
- promote co-ordination and information exchange among authorities responsible for financial stability;
- monitor and advise on market developments and their implications for regulatory policy;
- advise on and monitor best practice in meeting regulatory standards;
- undertake joint strategic reviews of the policy development work of the international Standard Setting Bodies to ensure their work is timely, coordinated, focused on priorities, and addressing gaps;
- set guidelines for, and support the establishment, functioning of, and participation in, supervisory colleges, including through ongoing identification of the most systemically important cross-border firms;
- support contingency planning for cross-border crisis management, particularly with respect to systemically important firms; and
- collaborate with the IMF to conduct Early Warning Exercises to identify and report to the IMFC and the G20 Finance Ministers and Central Bank Governors on the build up of macroeconomic and financial risks and the actions needed to address them.

Members of the FSB commit to pursue the maintenance of financial stability, enhance the openness and transparency of the financial sector, and implement international financial standards (including the 12 key International Standards and Codes), and agree to undergo periodic peer reviews, using among other evidence IMF / World Bank public Financial Sector Assessment Program reports. The FSB will elaborate and report on these commitments and the evaluation process.

We welcome the FSB's and IMF's commitment to intensify their collaboration, each complementing the other's role and mandate.

#### International cooperation

To strengthen international cooperation we have agreed:

- to establish the remaining supervisory colleges for significant cross-border firms by June 2009, building on the 28 already in place;
- to implement the FSF principles for cross-border crisis management immediately, and that home authorities of each major international financial institution should ensure that the group of authorities with a common interest in that financial institution meet at least annually;

- to support continued efforts by the IMF, FSB, World Bank, and BCBS to develop an international framework for cross-border bank resolution arrangements;
- the importance of further work and international cooperation on the subject of exit strategies;
- that the IMF and FSB should together launch an Early Warning Exercise at the 2009 Spring Meetings.

#### **Prudential regulation**

We have agreed to strengthen international frameworks for prudential regulation:

- until recovery is assured the international standard for the minimum level of capital should remain unchanged;
- where appropriate, capital buffers above the required minima should be allowed to decline to facilitate lending in deteriorating economic conditions;
- once recovery is assured, prudential regulatory standards should be strengthened. Buffers above regulatory minima should be increased and the quality of capital should be enhanced. Guidelines for harmonisation of the definition of capital should be produced by end 2009. The BCBS should review minimum levels of capital and develop recommendations in 2010;
- the FSB, BCBS, and CGFS, working with accounting standard setters, should take forward, with a deadline of end 2009, implementation of the recommendations published today to mitigate procyclicality, including a requirement for banks to build buffers of resources in good times that they can draw down when conditions deteriorate;
- risk-based capital requirements should be supplemented with a simple, transparent, non-risk based measure which is internationally comparable, properly takes into account off-balance sheet exposures, and can help contain the build-up of leverage in the banking system;
- the BCBS and authorities should take forward work on improving incentives for risk management of securitisation, including considering due diligence and quantitative retention requirements, by 2010;
- all G20 countries should progressively adopt the Basel II capital framework; and
- the BCBS and national authorities should develop and agree by 2010 a global framework for promoting stronger liquidity buffers at financial institutions, including cross-border institutions.

#### **The scope of regulation**

We have agreed that all systemically important financial institutions, markets, and instruments should be subject to an appropriate degree of regulation and oversight. In particular:

- we will amend our regulatory systems to ensure authorities are able to identify and take account of macro-prudential risks across the financial system including in the case of regulated banks, shadow banks, and private pools of capital to limit the build up of systemic risk. We call on the FSB to work with the BIS and international standard setters to develop macro-prudential tools and provide a report by autumn 2009;
- large and complex financial institutions require particularly careful oversight given their systemic importance;
- we will ensure that our national regulators possess the powers for gathering relevant information on all material financial institutions, markets, and instruments in order to assess the potential for their failure or severe stress to contribute to systemic risk. This will be done in close coordination at international level in order to achieve as much consistency as possible across jurisdictions;
- in order to prevent regulatory arbitrage, the IMF and the FSB will produce guidelines for national authorities to assess whether a financial institution, market, or an instrument is systemically important by the next meeting of our Finance Ministers and Central Bank Governors. These guidelines should focus on what institutions do rather than their legal form;
- hedge funds or their managers will be registered and will be required to disclose appropriate information on an ongoing basis to supervisors or regulators, including on their leverage, necessary for assessment of the systemic risks that they pose individually or collectively. Where appropriate, registration should be subject to a minimum size. They will be subject to oversight to ensure that they have adequate risk management. We ask the FSB to develop mechanisms for cooperation and information sharing between relevant authorities in order to ensure that effective oversight is maintained where a fund is located in a different jurisdiction from the manager. We will, cooperating through the FSB, develop measures that implement these principles by the end of 2009. We call on the FSB to report to the next meeting of our Finance Ministers and Central Bank Governors;
- supervisors should require that institutions which have hedge funds as their counterparties have effective risk management. This should include mechanisms to monitor the funds' leverage and set limits for single counterparty exposures;



- we will promote the standardisation and resilience of credit derivatives markets, in particular through the establishment of central clearing counterparties subject to effective regulation and supervision. We call on the industry to develop an action plan on standardisation by autumn 2009; and
- we will each review and adapt the boundaries of the regulatory framework regularly to keep pace with developments in the financial system and promote good practices and consistent approaches at the international level.

### **Compensation**

We have endorsed the principles on pay and compensation in significant financial institutions developed by the FSF to ensure compensation structures are consistent with firms' long-term goals and prudent risk taking. We have agreed that our national supervisors should ensure significant progress in the implementation of these principles by the 2009 remuneration round. The BCBS should integrate these principles into their risk management guidance by autumn 2009. The principles, which have today been published, require:

- firms' boards of directors to play an active role in the design, operation, and evaluation of compensation schemes;
- compensation arrangements, including bonuses, to properly reflect risk and the timing and composition of payments to be sensitive to the time horizon of risks. Payments should not be finalised over short periods where risks are realised over long periods; and
- firms to publicly disclose clear, comprehensive, and timely information about compensation. Stakeholders, including shareholders, should be adequately informed on a timely basis on compensation policies to exercise effective monitoring.

Supervisors will assess firms' compensation policies as part of their overall assessment of their soundness. Where necessary they will intervene with responses that can include increased capital requirements.

### **Tax havens and non-cooperative jurisdictions**

It is essential to protect public finances and international standards against the risks posed by non-cooperative jurisdictions. We call on all jurisdictions to adhere to the international standards in the prudential, tax, and AML/CFT areas. To this end, we call on the appropriate bodies to conduct and strengthen objective peer reviews, based on existing processes, including through the FSAP process.

We call on countries to adopt the international standard for information exchange endorsed by the G20 in 2004 and reflected in the UN Model Tax Convention. We note that the OECD has today published a list of countries assessed

by the Global Forum against the international standard for exchange of information. We welcome the new commitments made by a number of jurisdictions and encourage them to proceed swiftly with implementation.

We stand ready to take agreed action against those jurisdictions which do not meet international standards in relation to tax transparency. To this end we have agreed to develop a toolbox of effective counter measures for countries to consider, such as:

- increased disclosure requirements on the part of taxpayers and financial institutions to report transactions involving non-cooperative jurisdictions;
- withholding taxes in respect of a wide variety of payments;
- denying deductions in respect of expense payments to payees resident in a non-cooperative jurisdiction;
- reviewing tax treaty policy;
- asking international institutions and regional development banks to review their investment policies; and,
- giving extra weight to the principles of tax transparency and information exchange when designing bilateral aid programs.

We also agreed that consideration should be given to further options relating to financial relations with these jurisdictions.

We are committed to developing proposals, by end 2009, to make it easier for developing countries to secure the benefits of a new cooperative tax environment.

We are also committed to strengthened adherence to international prudential regulatory and supervisory standards. The IMF and the FSB in cooperation with international standard-setters will provide an assessment of implementation by relevant jurisdictions, building on existing FSAPs where they exist. We call on the FSB to develop a toolbox of measures to promote adherence to prudential standards and cooperation with jurisdictions.

We agreed that the FATF should revise and reinvigorate the review process for assessing compliance by jurisdictions with AML/CFT standards, using agreed evaluation reports where available.

We call upon the FSB and the FATF to report to the next G20 Finance Ministers and Central Bank Governors' meeting on adoption and implementation by countries.

### **Accounting standards**

We have agreed that the accounting standard setters should improve standards for the valuation of financial instruments based on their liquidity and investors' holding horizons, while reaffirming the framework of fair value accounting.

We also welcome the FSF recommendations on procyclicality that address accounting issues. We have agreed that accounting standard setters should take action by the end of 2009 to:

- reduce the complexity of accounting standards for financial instruments;
- strengthen accounting recognition of loan-loss provisions by incorporating a broader range of credit information;
- improve accounting standards for provisioning, off-balance sheet exposures and valuation uncertainty;
- achieve clarity and consistency in the application of valuation standards internationally, working with supervisors;
- make significant progress towards a single set of high quality global accounting standards; and,
- within the framework of the independent accounting standard setting process, improve involvement of stakeholders, including prudential regulators and emerging markets, through the IASB's constitutional review.

#### **Credit Rating Agencies**

We have agreed on more effective oversight of the activities of Credit Rating Agencies, as they are essential market participants. In particular, we have agreed that:

- all Credit Rating Agencies whose ratings are used for regulatory purposes should be subject to a regulatory oversight regime that includes registration. The regulatory oversight regime should be established by end 2009 and should be consistent with the IOSCO Code of Conduct Fundamentals. IOSCO should coordinate full compliance;
- national authorities will enforce compliance and require changes to a rating agency's practices and procedures for managing conflicts of interest and assuring the transparency and quality of the rating process. In particular, Credit Rating Agencies should differentiate ratings for structured products and provide full disclosure of their ratings track record and the information and assumptions that underpin the ratings process. The oversight framework should be consistent across jurisdictions with appropriate sharing of information between national authorities, including through IOSCO; and,
- the Basel Committee should take forward its review on the role of external ratings in prudential regulation and determine whether there are any adverse incentives that need to be addressed.

#### **Next Steps**

We instruct our Finance Ministers to complete the implementation of these decisions and the attached action plan. We have asked the FSB and the IMF to monitor

progress, working with the FATF and the Global Forum, and to provide a report to the next meeting of our Finance Ministers and Central Bank Governors.

### **FISHERIES ACT**

#### **CESSATION OF COMMERCIAL SEAL HUNT—PRESENTATION OF PETITION**

**Hon. Mac Harb:** Honourable senators, I have the honour to present a petition signed by residents in British Columbia requesting that the Government of Canada amend the Fisheries Act to end Canada's commercial seal hunt.

### **QUESTION PERIOD**

#### **HUMAN RESOURCES AND SKILLS DEVELOPMENT**

##### **EMPLOYMENT INSURANCE BENEFITS FOR SADIE AND MAURICE RICKETTS**

**Hon. Jane Cordy:** Honourable senators, my question is for the Leader of the Government in the Senate. Trooper Kyle Ricketts, a Canadian soldier from Newfoundland and Labrador, was critically injured by a roadside bomb on March 8 in Afghanistan. He has gone through a dozen or more reconstructive surgeries. Of course, his parents wanted to be with their son, as any parent would, while he went through the operations.

Mr. and Ms. Ricketts are seasonal workers and they were told that if they came to Ottawa to be with their son, they would be stripped of all their Employment Insurance benefits. Only one of the parents would be entitled compassionate leave, while the other would lose his or her benefits.

• (1355)

Minister Finley personally intervened. She assured the family that indeed, this would not happen and that they would both be able to be with their son and continue to receive benefits. Minister Finley's commitment was the following:

... the Ricketts' case has been resolved and they would get their benefits.

Then she added:

... it is obvious that Canadian soldiers and their loved ones deserve the best possible care and support when they need it, and this situation is no exception.

The military did fly Sadie and Maurice Ricketts to Ottawa to be with their son. Can the leader update us on what has happened since Minister Finley made her commitment to the Ricketts family?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, I will ask for an update on this matter and report to the Senate. I will request an immediate reply. Hopefully, I will have a detailed response for my honourable friend when we reconvene on Tuesday.

**Senator Cordy:** There was an update in the *Ottawa Citizen*, and the reality is that Minister Finley made a commitment to this family. I have also heard that Mr. and Ms. Ricketts were told in a phone call by Senator Wallin, who spoke on behalf of the government, that they will only receive one week of benefits. Trooper Ricketts' parents, who spent several weeks with him in Ottawa and who were told by the minister that they would get their benefits, are now being told that they will receive only one week. The family has also been told that they will have to repay benefits that were paid beyond one week. They will be forced to pay the money back.

Is this how we are going to treat the families of injured soldiers, and can Canadians not believe the promises made by the minister?

**Senator LeBreton:** I must confess, in all honesty, that I was not aware of this particular matter. It is obviously very serious. We are dealing with a family that has endured a significant amount of personal suffering.

I hear Senator Mercer. I do not think it is a matter that deserves unwarranted heckling.

I will do what I promised to do in my first answer. I will obtain as much information and explanation as possible. I will ask my cabinet colleague to provide this information as soon as possible, and I hope to have it when we return next week.

#### COMPASSIONATE CARE BENEFITS

**Hon. Sharon Carstairs:** Yesterday, honourable senators, I specifically asked the Leader of the Government in the Senate if she would speak to the minister responsible for EI about enlarging Compassionate Care Benefits to include gravely ill as well as dying Canadians. My understanding is that the Ricketts have been refused the compassionate care benefit because their son is not dying; he is just gravely ill.

On the basis of that assessment, will the minister now commit to raising this matter with the Minister of HRSDC? Not only our report but many other reports have recommended that we have to change this benefit so that it includes not just dying Canadians but gravely ill Canadians.

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, as I just said to Senator Cordy, I am personally not familiar with this particular case. Obviously, this family is facing a great deal of stress. I want to ensure that all of the information has been properly reported, and I want to give my cabinet colleague the opportunity to respond to this serious matter in an appropriate way, without in any way creating more concern. I will be happy to make my colleague, the Honourable Diane Finley, aware of the representations made by Senator Carstairs on this matter.

• (1400)

#### PRIME MINISTER'S OFFICE

##### CONSULTANCY FEES

**Hon. Grant Mitchell:** Honourable senators, finally we get an answer on how much the Prime Minister has spent on American media consultants. However, quite contrary to what one would expect, we did not get that answer from the Prime Minister, from the Prime Minister's Office, or from Canada. The Canadian people got it through public disclosure mechanisms in the United States.

Could the Leader of the Government in the Senate tell us what part of transparency, accountability and openness this government does not understand when Canadians are forced to get information from a foreign country on what is a basic, easy question?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, the fact that the Prime Minister and the government uses the services of people to promote Canada's interests in the United States, or in fact in any other jurisdiction, is not a new practice. It has been done by many governments.

**Senator Duffy:** Prime Minister Pearson.

**Senator LeBreton:** That is right. I thank Senator Duffy for reminding me.

We had the example of Howard Dean speaking in Canada to members of the party opposite. The fact is that this practice has been carried on by other governments — a practice we have used to establish this relationship to promote Canada's interests in the United States — and it is something we will continue to do.

**Senator Mitchell:** Honourable senators, this is the first time we have had a straight answer in Question Period and it came from Mike Duffy. I am eternally optimistic.

Could the leader tell us whether she and the Prime Minister will beat the Americans in releasing the amount of money the Prime Minister has spent on U.S. consultants to deal with the "Buy American" clause?

**Senator LeBreton:** Honourable senators, I understand that the information about Mr. Fleischer was based on regular reporting. I am not even sure there have been any specific, formal requests to the Prime Minister's Office. This is not something from which we are hiding. Ari Fleischer did some work for the Prime Minister; so did Mike McCurry. There are all kinds of examples in the past and there will be in the future.

I point out, as I did the other day in the Senate, that after the visit to Canada in February of President Obama, John Manley strongly urged the government to step up its activities in the United States in terms of promoting Canadian interests there, and that is simply what we are doing. This is not an unusual practice.

I do not even see what the issue is here. We are using two very prominent individuals in the United States to promote the interests of Canada at a time in this global economic downturn when our interests, especially with our largest trading partner, are so crucial. I cannot imagine why anyone would have a problem with that.

**Senator Mitchell:** Honourable senators, the broader question here is the cover-up and the reluctance of the government, of the leader, to give us an answer. They are stonewalling. For what possible reason would she and Mr. Harper be afraid of releasing this information? It is not all that condemning of what they did or what they spent. Why do they not have the courage to release the information? Give us a straight answer.

**Senator LeBreton:** Honourable senators, there was no cover-up. We are not afraid of this information. I was asked a question and I did not have the material at hand. I will have to check the record. I will take the question as notice. We would have replied to the honourable senator's question. There is no cover-up; we are not afraid of anything.

• (1405)

**Senator Comeau:** Unlike the other guys.

**Senator LeBreton:** There is no big secret here. Obviously, by engaging these two high-profile public figures in Washington, there is absolutely no question of a cover-up or something we are trying to hide. When the senator asked me the question last week, I was not avoiding the question; I simply did not have the information, and I believe I took it upon myself to provide the information.

**Senator Comeau:** That is not good enough for him.

**Senator LeBreton:** There was a process in the United States where one of the individuals has filed this information. This is not a great secret, and I do not know what the big fuss is about.

**Hon. James S. Cowan (Leader of the Opposition):** Honourable senators, in the interests of openness, transparency and that kind of thing, when the leader makes her inquiries, can she obtain a copy of the contract and see whether it was a one-off consultancy contract or a continuing retainer?

I think many of us in this room have had experience with lobbyists and retaining people. Sometimes the contract is a single retainer, but more often it is a retainer over a period of time. I am interested to know whether this contract was a single payment or what might be a continuing series of payments.

**Senator LeBreton:** Honourable senators, in this particular case, these services were provided for the profile of Canada in the United States, but I think it is also on the public record that the Director of Communications in the Prime Minister's Office stated publicly that we would use the services of people like this in the future.

With regard to the specific work undertaken by Mr. McCurry and Mr. Fleischer prior to the G20 meeting in London, honourable senators will remember this work was with regard

to the Prime Minister going to Washington in advance of the G20 to promote Canada's interests, which I am sure we would all want the Prime Minister to do. I will obtain an answer to that question.

Senator Cowan must understand the Director of Communications is already on record as saying that in the future we will continue our endeavours, perhaps with these two gentlemen and others, to promote Canada's interests in the United States.

## INDUSTRY

### AUTOMOTIVE INNOVATION FUND

**Hon. Lorna Milne:** Honourable senators, on Monday in the other place, Minister Clement answered a question regarding the Conservative government's commitment to Canada's auto sector by stating:

Just before September 2008, this government made an announcement that it was working with Ford Canada on precisely the auto innovation fund. We are having continuing discussions with other automakers and those discussions are ongoing.

The Automotive Innovation Fund was announced in Budget 2008, 15 months ago, so I sincerely hope that the Leader of the Government in the Senate can tell honourable senators that more than one announcement has been made under that program.

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** As honourable senators would know, the whole question of the auto industry has evolved considerably with specific issues regarding Chrysler and General Motors. Ford Motor Company has not participated in this.

The Automotive Innovation Fund was established in Budget 2008, and \$250 million was provided over five years. Last fall, the first investment was announced at Ford's engine plant in Windsor, and that was a figure of \$80 million in support of a \$730 million Ford project.

The discussions with Chrysler and General Motors are ongoing. I think the Automotive Innovation Fund is very much part of this discussion. As honourable senators may know, the deadline for Chrysler is tomorrow, April 30, and for General Motors, the end of May.

• (1410)

I am sure the monies from the Automotive Innovation Fund will be involved in any future decisions that the Government of Canada makes. Of course, as I mentioned earlier, Minister Clement has worked closely with the Government of Ontario and the U.S. government as we work to keep Canada's share of the automotive industry at around the 20 per cent level, and the Automotive Innovation Fund is a part of our overall plans for not only the auto industry but also the parts manufacturers.

**Senator Milne:** Honourable senators, I thank the Leader of the Government in the Senate for that answer, but as we all know, thousands of auto worker jobs are presently at risk. In direct response to a question, the minister pointed out one loan

announcement made six months ago. My question addresses the \$80 million she spoke of from the \$250 million fund over five years. Has any of the \$80 million gone out the door to Ford?

**Senator LeBreton:** Honourable senators, when we make announcements, the money is there. We are working with the auto industry. An announcement was made, and I believe that Ford has accessed those funds. However, to be absolutely sure, I will ask my colleague, the Minister of Industry, the Honourable Tony Clement, to provide me with more details on all the government's plans for the Automotive Innovation Fund.

#### AUTOMOTIVE SECTOR JOB LOSSES

**Hon. Jeremiah S. Grafstein:** Honourable senators, the Leader of the Government in the Senate will recall that some months ago I raised the question of protectionism in the stimulus package in the United States and that, as a result of the package and the identification in the auto provisions, money in the United States will go only to cars made in the United States, not North America.

I have another important question for the Leader of the Government in the Senate due to her response to Senator Milne. We have heard in recent days that General Motors intends to chop its workforce in Canada materially from about a quarter of a million to around 40,000. I am not entirely clear on these figures, but the reduction is substantial. The same is true for Chrysler; I am not sure what the numbers are for Ford.

My question is not complicated. As a result of the provisions in the American stimulus package directed to auto making in America and the apparent restriction in the preamble that refers to cars made in the U.S., is Canada being penalized, in effect? Are Canadian subsidiaries of those two American companies being penalized so that a greater proportion of the job loss takes place in Canada rather than in the United States relative to our share of the North American marketplace?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, I do not believe there is any evidence of that. We can respond every day of the week to various reports and rumours. Minister Clement and members of the government are working closely with Chrysler Canada and General Motors and on a daily basis with Minister Clement's counterparts in the United States and the Province of Ontario. As I have said from the beginning, the goal is to secure and maintain Canada's 20-per-cent share of the auto industry, whatever that may be.

I do not think anyone watching the events occurring would delude themselves into thinking that we will somehow have the same auto industry. That will not be the case.

• (1415)

Regardless of what the auto industry will look like after the restructuring and the work the Canadian government and the Ontario government have been trying to accomplish, we are working to maintain our 20 per cent share of the auto industry. I believe the work is meeting with good success, bearing in mind that the Canadian marketplace does not, in any way, buy 20 per cent of our products; most of the products go to the United States.

The other important factor in the auto sector is the auto parts manufacturers, many of which are located in Canada. The auto parts industry is vital to the long-term survival of the whole auto industry, whether it be Ford, Honda or Toyota, even though we are dealing with Chrysler and General Motors, because those parts manufacturers also manufacture parts for all of the auto industry. Therefore, it is in no one's interest not to have the whole auto industry, including Chrysler and General Motors, survive all of this restructuring so that the industry, as a whole, emerges in a renewed way.

The auto industry will not look anything like it did in the past; the auto sector has changed dramatically. However, the aim of the government is to maintain that important 20 per cent share of the auto industry for Canada and Canadians. I am confident of the efforts of my colleague, Minister Clement, and his counterpart in Ontario.

[Translation]

#### OFFICIAL LANGUAGES

##### 2010 WINTER OLYMPIC GAMES

**Hon. Maria Chaput:** Honourable senators, my question is for the Leader of the Government in the Senate, and relates to the 2010 Vancouver Winter Olympic Games and respect for both official languages.

Most of the stakeholders and officials involved have the best possible intentions. That is certain. They are mindful of the Official Languages Act and want to respect it. The problem lies in the fact that no one seems to have the definitive authority needed to reach a decision, or actively move forward on a given issue, or come up with solutions to problems.

For instance, Industry Canada still has not delivered the money needed for one of the projects linked to the Games. The transfer is supposed to happen through the new infrastructure program, but it appears that there are new criteria. Apart from the minister responsible for Industry Canada, no one can actively make it happen.

Can the minister tell Prime Minister Harper that urgent action is needed to determine who will assume responsibility and then give that individual the authority to make definitive decisions? I can assure all honourable senators that, if this were the case, there would be far fewer problems.

[English]

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, of course, the Commissioner of Official Languages has recently been in the news, drawing to the attention of the government and Canadians the necessity of Canada's official languages policy being absolutely respected and utilized in all forms at the Olympics.

The suggestion is a good one, honourable senators, to have one individual person, be it a "him" or "her" — I was glad the honourable senator added "her" — be the go-to person to ensure that this respect for official languages happens. I will be happy to pass that suggestion on to the Prime Minister.

## TRANSPORT, INFRASTRUCTURE AND COMMUNITIES

### INFRASTRUCTURE FUNDING FOR AIRPORTS

**Hon. Catherine S. Callbeck:** Honourable senators, my question is directed to the Leader of the Government in the Senate. Members of the Atlantic Canada Airports Association were on Parliament Hill on Monday talking to parliamentarians about the importance of airports in our area. They said they had submitted 22 shovel-ready projects for consideration of funding in Budget 2009. However, the budget mentions virtually every type of transportation infrastructure except airports. Why were airports not mentioned? Can the leader assure us that they are, in fact, eligible for infrastructure funding?

• (1420)

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, I am not familiar with the projects mentioned by my honourable friend that were apparently submitted. I cannot imagine that any infrastructure project meeting the criteria would be excluded. I will refer the question to the minister responsible for infrastructure, the Minister of Transport, the Honourable John Baird, for a written response.

**Senator Callbeck:** I am glad that the leader will speak to the minister. I hope she will impress upon him the importance of the issue to Atlantic Canada.

Airports are vital to our regional transportation system and are essential to a high standard of living in Atlantic Canada. The 22 projects submitted are valued at \$182 million, which would mean many jobs for the area, economic development and investment in the sustainability of our transportation system.

When the leader is asking the minister about eligibility — and let us assume they are eligible — would she also inquire as to how quickly the airports might expect the infrastructure funding to flow?

**Senator LeBreton:** I will be happy to do that.

## FOREIGN AFFAIRS

### UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES—HUMAN RIGHTS

**Hon. Jim Munson:** Honourable senators, I realize we are coming to the end of Question Period. I will put two questions into one.

In September 2007, this government voted against the United Nations Declaration on the Rights of Indigenous Peoples. This week, our Human Rights Committee heard witnesses describe the human rights violations taking place in Aboriginal communities across this country, particularly violations against Aboriginal women. What is the government doing to protect the human rights of Aboriginal women, children and men?

In this process of consultation and cooperation, we also heard a sincere call for real collaboration and consultation in dealing with Universal Periodic Review of the UN Human Rights Council. The witnesses left this environment feeling that Aboriginal groups

and non-governmental organizations are window dressing and that they are not legitimate and serious stakeholders with important views to hear. What is the government doing to ensure real and sincere collaboration and consultation with Aboriginal groups and NGOs?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, with regard to the United Nations, I have said in this chamber before that we take our international commitments very seriously. Human rights are at the top of the agenda in all of our work internationally.

With regard to the signing of the UN Declaration on the Rights of Indigenous Peoples, as I have said before, we were not prepared to sign this document, nor was the previous government, because it was inconsistent with the Constitution of this country, the rulings of the Supreme Court, the National Defence Act and policies under which we negotiate treaties. The declaration does not balance the rights of all Canadians.

The honourable senator also asked what this government has done in the area of human rights for our Aboriginal people. We have made many strides in this very area, including re-introducing legislation on the matrimonial rights of Aboriginal women. To list a few items where government action has resulted in significant benefit to Aboriginals, we are investing \$330 million in the First Nations Water and Wastewater Action Plan. It builds on our March 2006 plan that cut the number of high-risk systems by two thirds.

• (1425)

We have invested more than \$1 billion in housing in the North and on- and off-reserve. We are investing \$300 million in the First Nations Market Housing Fund, which opened for business in May 2008. We greatly enhanced the Aboriginal Skills and Employment Partnership program. We are working with Aboriginal groups and others in developing a new Aboriginal economic development framework. Budgets 2008 and 2009 made significant investments to strengthen First Nations and Inuit health programs and First Nations child and family services. We worked on education agreements with British Columbia and New Brunswick, and we are making investments in new schools. Recently, we announced two new programs that will help to reform and improve the success of First Nations education. We passed Bill C-30 to speed up specific claims and settle long-standing issues. In terms of basic human rights, we issued an apology to former students of residential schools, which no other level of government had ever done before this government. We made that apology on June 11, 2008.

[Translation]

## DELAYED ANSWER TO ORAL QUESTION

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table a delayed answer to the oral question raised by Senator Munson on March 26, 2009, concerning Indian Affairs and Northern Development, literacy and essential skills.

## INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

## LITERACY AND ESSENTIAL SKILLS

(Response to question raised by Hon. Jim Munson on March 26, 2009)

In Canada's federation, provinces and territories have the primary responsibility for education and training, including delivery of literacy programming. This is particularly the case at the K-12 level. Students in Nunavik are under the Quebec provincial system and, therefore, school-level literacy efforts are led by the province and the Kativik School Board.

Nevertheless, the Government of Canada recognizes that literacy skills are the foundation for learning — and for participation — in a knowledge-based economy and society. As a result, the federal government provides a wide range of programs in Nunavik that community recipients can use for literacy activities.

For example, resources can be accessed from the First Nations and Inuit Child Care Initiative (Human Resources and Skills Development Canada (HRSDC)), the Aboriginal Head Start in Urban and Northern Communities Program (Public Health Agency of Canada), the Youth Employment Strategy (HRSDC), and the Aboriginal Human Resources Development Strategy (HRSDC).

In addition to these existing programs, Minister Strahl — on behalf of the Government of Canada — signed the historic Inuit Education Accord in Iqaluit on April 2nd along with Mary Simon, President of Inuit Tapiriit Kanatami (Canada's national Inuit organization). The Accord is a 13 party agreement between Inuit of Canada, as represented by the Inuit Tapiriit Kanatami, and their partner organizations and governments, to establish a National Committee on Inuit Education.

The Committee will work together over a one-year period to develop a national strategy for improving educational opportunities and outcomes for Inuit learners. As part of this process, the Committee will be examining ways to improve literacy in Nunavik and in the other Inuit regions in Canada.

## ANSWER TO ORDER PAPER QUESTION TABLED

CANADIAN HERITAGE AND OFFICIAL LANGUAGES—  
CANADA SUMMER AND WINTER GAMES

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** tabled the answer to Question No. 10 on the Order Paper—by Senator Downe.

## ORDERS OF THE DAY

## ADJOURNMENT

## MOTION ADOPTED

**Hon. Gerald J. Comeau (Deputy Leader of the Government),** pursuant to notice of April 28, 2009, moved:

That when the Senate adjourns on Wednesday, April 29, 2009, it do stand adjourned until Tuesday, May 5, 2009, at 2 p.m.

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

(Motion agreed to.)

[English]

## BUSINESS OF THE SENATE

**Hon. Pamela Wallin:** Honourable senators, I ask leave to proceed to Motions, Item No. 61.

**The Hon. the Speaker pro tempore:** Honourable senators, is leave granted?

**Hon. Sharon Carstairs:** Honourable senators, before I agree to grant leave to proceed to this motion, I would like to know the reason for the request.

**The Hon. the Speaker pro tempore:** Will Senator Wallin provide an explanation?

**Senator Wallin:** Honourable senators, there is an urgency to adopt this motion. The Subcommittee on Veterans Affairs of the National Security and Defence Committee needs the order of reference adopted by the chamber and then delegated to the subcommittee by the main committee at Monday's meeting. Otherwise, we will not be able to hold a meeting of Veterans Affairs next Wednesday. Given that the house will not sit tomorrow and no other time is available, we have asked leave to proceed to the motion now.

**The Hon. the Speaker pro tempore:** Honourable senators, is leave granted?

**Hon. Senators:** Agreed.

## NATIONAL SECURITY AND DEFENCE

MOTION TO AUTHORIZE COMMITTEE TO STUDY  
SERVICES AND BENEFITS FOR MEMBERS  
AND VETERANS OF ARMED FORCES AND CURRENT  
AND FORMER MEMBERS OF THE RCMP,  
COMMEMORATIVE ACTIVITIES  
AND CHARTER ADOPTED

**Hon. Pamela Wallin,** for Senator Kenny, pursuant to notice of April 28, 2009, moved:

That the Standing Senate Committee on National Security and Defence be authorized to study:

- (a) services and benefits provided to members of the Canadian Forces; to veterans who have served honourably in Her Majesty's Canadian Armed Forces in the past; to members and former members of the Royal Canadian Mounted Police and its antecedents; and all of their families; and
- (b) commemorative activities undertaken by the Department of Veterans Affairs Canada, to keep alive for all Canadians, the memory of Canadian veterans' achievements and sacrifices; and
- (c) continuing implementation of the New Veterans Charter; and

That the committee report to the Senate no later than June 15, 2010 and that the committee retain all powers necessary to publicize its findings until 90 days after the tabling of the final report.

(Motion agreed to.)

• (1430)

## 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 Baker, P.C., for the second reading of Bill S-211, 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.

**Hon. Jeremiah S. Grafstein:** Honourable senators, Bill S-211 is an act to require the Minister of the Environment to establish, with the cooperation of the provinces, an agency with the power to identify and protect Canada's watersheds — water sources that will constitute sources of drinking water in the future. Let me quote from the preamble in the bill:

Whereas Canada's drinking water sources are threatened by land use and development that may have an impact on the quality of the water and its suitability as drinking water;

Whereas the need for clean, safe drinking water is increasing in all regions of Canada;

Whereas the legislative powers that relate to the protection of watershed areas are under both federal and provincial jurisdiction;

And whereas there is urgent need for federal and provincial governments to protect Canada's drinking water sources for the future . . .

Essentially, honourable senators, I will not try your patience unduly. Many of you have heard some of these arguments before, and therefore I will try to summarize where we stand as briefly as I can.

Bill S-211 has had a history in the Senate. It has been before the Senate for almost four years. It was introduced in session after session. In the last session, honourable senators will recall that we had a spirited discussion about the bill before it was turned over to committee. We agreed to pass the subject matter of the bill to the committee when we went to second reading.

Honourable senators will recall that Senator Nolin was concerned about certain constitutional aspects of the bill. I suggested we sort out those aspects in committee, as well as deal with other questions that he or other senators might have — including an adjacent or previous bill that might have overlapped this particular bill.

Two issues were addressed in committee. Honourable senators will recall that the bill was given a thorough examination, under the able chairmanship of Senator Banks, in the Standing Senate Committee on Energy, the Environment and Natural Resources. We had extensive hearings on November 22, November 27 and December 4, 2007.

I believe, on careful reading of that transcript, that all the concerns were addressed. Some senators were not totally satisfied, but at least there was a rational response to each concern that had been raised in the Senate and by other members.

I remind honourable senators, briefly, about the background and the rationale for this bill. This bill was to require the Minister of the Environment to establish, in cooperation with the provinces, an agency with power to identify, first of all, and then to protect, Canada's watersheds that will constitute sources of drinking water in the future.

Honourable senators will know of my other bill to amend the Food and Drugs Act — now Bill S-208 — to provide clean drinking water at the tap. Bill S-211, which we are discussing now, is an upstream bill; in effect, it is a companion piece to the clean drinking water bill.

The rationale did not come from me. It came from discussions and debates around the bill to amend the Food and Drugs Act from experts who said if we wanted to deal with clean drinking water, we must be holistic. We must not only deal with the downstream source when it comes out of the tap, but also with upstream sources.

Even though this bill is a companion bill, the two bills each stand on their own feet; in other words, delaying the passage of one does not affect the passage of the other. The two bills are completely separate and mutually exclusive. I do not want any senator to believe that the two are connected in any way or that one is tied to the other. They are not connected except with respect to overall process and policy.

Honourable senators, in article after article and in television programs in the last two or three years, water clearly has become, as the media experts say, "the new oil." Water is now as precious in a way as oil, and the cost of keeping water clean is increasing.



It is interesting to note that in October 2007, when the committee of the Senate was seized with the subject matter of this bill, Cirque du Soleil founder and one of Canada's outstanding Canadians, Guy Laliberté, pledged \$100 million over the next 25 years to a new foundation that he called the One Drop Foundation.

When I read the newspaper clipping, I also spoke to the executive director of the foundation, Michel Lamoureux, whom I happened to run into a few days before the hearings in 2007. He is well known in this chamber; I believe he previously worked for Senator Poulin as her assistant.

The press release from that foundation is clear. It says that Mr. Laliberté has dedicated \$100 million over the next 25 years to the One Drop Foundation, and he gave the following rationale:

No one can remain indifferent when we know that at least every eight seconds, a child dies from a disease caused by drinking contaminated water.

He was not referring to Canada; he was referring to global drinking water. This foundation will rebuild water wells and provide drinking water to poor countries.

When I brought the background of my bill to Mr. Lamoureux's attention, he was interested. In no way, shape or form do I want to appear to be a critic of Mr. Laliberté, his generosity or his efforts, because I think he is doing an astounding thing for the world. However, it strikes me as ironic that while we in Canada can support with our tax dollars a foundation for clean drinking water overseas, we do not have clean drinking water in some of our poorest and not-so-poor regions of Canada.

I hope to achieve common cause and to join forces with this foundation; to persuade them to assist us here in Canada with respect to these measures affecting water that we have before the Senate.

Let us take a quick look back. Canada is a blessed country. It is blessed because we are sovereign in terms of our resources, not only oil, but minerals, semi-precious and precious gems and other resources.

We also are sovereign over 7 per cent of the world's land mass. Canada has, within its borders, 9 per cent of the world's so-called renewable fresh water. I say "so-called" because until a few years ago, we believed that our fresh water was renewable; but it now appears that some of it may not be renewable.

Our water supply is not increasing or staying at the same level. Most experts say it is decreasing. It is decreasing because of pollution and chemicals; and, more important, leakage and, of course, the environment. This leakage, seepage or environmental reasons cause deep seepage in our fresh water system.

Look at the Great Lakes. This finding is anecdotal, but it is confirmed by a number of associations. I have had the honour of addressing the Great Lakes Water Association in Chicago and in Toronto. When people go to these meetings, honourable senators, they discover that the water level of the Great Lakes has dropped about 18 inches in the last few years.

In many resorts along the Great Lakes this summer, one will find that the facilities in the marinas are marooned because the water level is now 18 inches lower. That level varies up and down, but essentially it is lower. We now have a serious seepage and leakage problem from pollution, the environment and other reasons. Also, we all know the efforts by some Canadians to put provisions in our law to ensure that bulk attacks or bulk expropriation of our fresh water is not undertaken by the United States.

The purpose of this bill is at least to find out what is happening, to find out the facts. The purpose of the bill is not complicated. The purpose is to map the watersheds, these water sources of clean drinking water across the country. Believe it or not, honourable senators, we do not have, to this day — despite legislation and despite protestation by governments and ministers — an inventory of those watersheds.

● (1440)

Canada's population is less than half of 1 per cent of the world's population, so we have the greatest per capita allocation of fresh water in the world. This abundance of fresh water, in my view, is both a blessing and a curse. The blessings are clear: Water is an essential part of our life on this planet. The Department of Health tells us we need to drink eight glasses of clean drinking water each and every day to keep healthy.

The curse, honourable senators, is overabundance. We have become complacent with this vast resource. There is a myth that we help promulgate in our schools, and here, that we have limitless water. That is a myth. That is no longer the case. We are living by this previous myth. We have become too compliant and too complacent. We take this valuable resource for granted — and that resource is diminishing.

Why is there not a vocal lobby to preserve this precious national asset? In the last several years we have heard voices in the media. Article after article says the new oil is water. We have seen the media. We have heard environmentalists around the world talking about this. Why is it that we do not have a powerful lobby that knocks on our door, as many other lobbies do, day after day, to protect our water? We do have the Seven Sisters, or the so-called offspring of the Seven Sisters, the great oil companies. They are here. We have the big banks. They are here. We have the unions. They are here. We have ethnic groups. They are here in abundance. However, we do not have a fine, articulate, intelligent daily vocal lobby for water.

We do have the Sierra Club. We do have environmental groups and watershed groups, but they are not visible and powerful because they are underfunded.

There is a vested interest to protect and maintain oil in this country — we know about that — and drawing it out of the surface; yet, we do not have the Seven Sisters that will protect the water in this country. Why is that so? With rising economic, industrial and agricultural growth and increased housing added to the utilization of our water, as well as resources for recreation, all experts warn — and I repeat, honourable senators, all experts warn, and no one in the country speaks to the contrary — that it

is time for Canada to take a fuller account of its water, to take inventory of its own water that is fast becoming a diminishing or at least questionable resource.

Honourable senators, I speak here for 100 per cent of the experts. I have not heard any expert, not one, disagree with this contention.

The Great Lakes, the single largest source of fresh water in the world, contained — I say “contained” because we do not know this anymore — 18 per cent of the world’s total fresh water at least four or five years ago, but much of it is polluted.

I discovered 20 years ago when in Chicago at a meeting of Great Lakes mayors that there were 36 heavily polluted hot spots along the Great Lakes. Canada and the United States entered into an agreement, a treaty with the provinces, a contractual relationship, a treaty relationship, a political relationship — I will not get into the fine details — and guess where we are today, some 20 years later? Of the 36 centres of pollution, the last count I had was that 12 had been addressed. Canada did some of them, as did the Americans.

Several years ago the United States was preparing a water restoration bill that required \$20 billion of appropriations from the U.S. Congress. That bill was led by Rahm Emanuel, who is now Chief of Staff to President Obama. That bill has gone nowhere because the \$20 billion was never appropriated. Hopefully, some of the American stimulus package might be allocated, but we do not know if that is the case. In any event, we are where we are.

It is not safe to make the calculation any longer that the Great Lakes contain 18 per cent of the world’s fresh water in terms of volume. One per cent is currently not renewable, according to the most recent scientific sources. We can no longer take for granted the sustainability of the Great Lakes for each and every citizen in the Great Lakes Basin — the jewel of our country — and beyond.

Given this diminishing resource, economic measurements should start to come into play. How should groundwater, aquifers and watersheds, which are now paramount sources, be shared? With a limitless resource, we do not have to worry about sharing. Everyone can have a fair share. However, when the resource is diminishing, in comes government and in comes policy because in a democratic society we have to decide how we share a diminishing resource.

In Alberta, there is a huge water crisis. For every barrel of oil, four barrels of water are needed in order to bring the oil out of the oil sands. Some say twelve barrels, others say six, others say eight; let us just say four. It may be more, but at least four barrels of water are required for every barrel of oil.

Among the agriculture, oil and health communities, how do we share this diminishing, precious resource called water? How can we hope to share it if we do not know how much we have or where it is?

The idea of this bill, very simply, is to get the facts: facts before policy. I was always taught by my great mentor, Pierre Elliott Trudeau, to find out the facts first and then come up with a solution. Facts first. We do not know.

Genius, I was told, is a glimpse into the obvious. One does not have to be a genius to first get the facts. How do we find out how much and where and what? For a moment, let us share models of allocation between farmers and settlers, between industry and recreation, and between oil and minerals and others as our water abundance decreases; but we cannot do that without knowing how much we have.

Honourable senators, recent public opinion polls have demonstrated, and I urge all members of the house on both sides who are indifferent to this bill — and there are many of my bills that senators are indifferent to — hallelujah!

**Senator Segal:** Say it is not so!

**Senator Grafstein:** The honourable senator is talking like my wife. She knows.

I urge senators on both sides to look at the polls. We are not moved by our conscience any longer in this chamber. We are moved by the polls, so let us look at the polls. What do the polls say? They say the same thing — that water is emerging as almost the number one issue in Canada. Just this year we have heard that some cities are thinking of banning bottled water. That is not a bad idea. However, if we ban it, what will we be left with when we cannot guarantee the cleanliness of the water from the end of the tap? We ban bottled water, but we cannot guarantee to each and every Canadian that clean drinking water will flow out of the tap. How ironic is that?

We started this long crusade — I do not like using the word “crusade,” as it has some undesirable aspects in some corners. It is a mission. When we started this mission, water was in the mud. Water has now come out of the mud.

We have heard an astounding and supportive hallelujah to Senator Keon, with which I agree, but he will be surprised to find out that water now rivals medicare in this country because people are becoming concerned about this compelling problem. This is in no way, shape or form meant to diminish the honourable senator’s outstanding acts of leadership in the field of medicine.

As parliamentarians and politicians, we value public opinion. We should take this rising phenomenon into account to justify in some measure this Senate. We heard from Senator Segal that it is important to justify and legitimize our work here, so would it not be nice if we took a rising issue that concerns the public and encapsulate it in a bill, when the other place refuses to act? Would that not be a pleasing result specifically for new senators so they can go home and tell their wives how hard they are working in the Senate?

**Senator LeBreton:** And husbands.

**Senator Grafstein:** Yes — spouses, friends, countrymen, relationships, wives, alternates. I want to be politically correct.

Water is near the top of the polls in terms of concern for each and every Canadian.

• (1450)

Bill S-211 is designed to allow the Minister of the Environment, in conjunction with provincial counterparts, to map out water aquifers across the country. This bill is a cost-effective and cooperative way to map, measure and create a national inventory of our most precious resource. Once completed, this inventory, open and transparent, will ensure that water resources are developed in a fair, equitable and careful way, to be shared by all sectors of our society based on their paramount needs.

Let me relate an extraordinary story from my home province of Ontario. It is well known that one of the major watersheds in the Greater Toronto Area is the Oak Ridges Moraine. This moraine services much of the clean drinking water in Toronto. It was also discovered, as Senator Di Nino knows, that several developers in Toronto had acquired sites there and were starting to build on that moraine. The Province of Ontario woke up and discovered that the moraine was targeted for development. The Liberals in Ontario woke up, and the Province of Ontario decided that the situation was a crisis. They passed emergency legislation to prohibit building on that moraine. It struck me as rather curious that building would occur on this precious resource when there is ample place to build elsewhere in the province and in the GTA. Furthermore, the construction would affect the rights of every resident of Ontario, particularly each and every resident of Toronto, who would be denied access to this precious resource.

Water is a problem wherever we go. However, the problem is no longer local. Water is now a national problem because it affects the entire country. Water has emerged as a national macroeconomic as well as a microeconomic problem. If we do not manage this resource, honourable senators, and take steps to enhance the sustainability, we will unconsciously compromise the future of Canadians. I urge honourable senators to adopt this measure in second reading before Canada's fresh water resources are diminished beyond renovation and sustainability.

If we address the situation now, we can save a precious resource from atrophy, benign neglect and deterioration. Canada's water supply will not run dry if we are careful and transparent, and if we protect its sustainability for future generations.

I have been told that the subject matter of this bill is under study by the government. That news is good, but it is not new news because three previous governments and now this government have all told me the same thing; namely, that they are studying this particular matter. Good for them. We are told that the government will continue to study this matter, and I believe they will continue to do so until the water is too low to do anything about.

This bill is not a question for further study; this bill is a question for action.

When I spoke in conjunction with the clean drinking water bill, the act to amend the Food and Drugs Act to provide clean drinking water, the Gordon Water Group of Concerned Scientists and Citizens brought their most recent study to my office. I read that 55-page document, and I quoted it before in my previous address on second reading of the amendment to the Food and Drugs Act to provide clean drinking water. The study is called *Changing the Flow: A Blueprint for Federal Action on Freshwater*,

and I urge honourable senators to read it in conjunction with this bill. The study involved every major environmental group and scientist with respect to their interest and studies in the water system. The document is a prestigious and impressive report, and I will give you brief quotations from it.

On page iii, part of the preface is called "Thinking Like a Watershed," and it states:

Because watershed boundaries seldom coincide with political boundaries, we need to take better account of watersheds in our decision-making.

Watershed-based management requires an appreciation of the complex interactions that occur between the natural hydrological system and human activities.

The paragraph continues:

... urban development, commercial and agricultural operations all impact the quantity and quality of both surface and groundwater. The complexity of these interactions means that our future management approaches need to be more integrated, precautionary and adaptive than they have tended to be in the past.

On page 12, under the headline, "The Economic Importance of Fresh Water," the text states:

The measurable contribution of water to Canada's economy is estimated between \$7.5 and \$23 billion annually, values comparable to agricultural production and other major economic sectors

I point to those who are experts in this chamber. Water outstrips agriculture and other industrial sectors.

The paragraph continues:

A prime example of the importance of freshwater to Canada's economy is the Great Lakes-St. Lawrence River region. This region supports 45 per cent of Canada's industrial capacity and 25 per cent of its agricultural capacity, and contributes \$180 billion to Canada-U.S. trade annually. The lakes sustain a \$100 million commercial fishing industry and a \$350 million recreational fishing industry and every year 1.5 million recreational boats enjoy the Great Lakes.

The report goes on to deal with one more important topic, and the heading is interesting. The topic is right up Senator Nolin's alley because he brought the provincial aspect of this subject matter to the attention of the Senate, and I thank him for that. The quote is found on page 21 and states: What happened to the federal water policy of 1987?

Ralph Pentland, who assisted me and encouraged me to draft this particular bill, is one of Canada's outstanding experts who has appeared before our committee in the past. Formerly a senior bureaucrat involved with water in the federal bureaucracy, he

co-authored this blueprint and was a member of the Gordon Water Group. He was responsible for drafting the federal water policy in 1987.

Ralph Pentland describes the policy rise and fall in this way: In early 1984, federal environment minister, the late and revered Charles Caccia — I say “revered” because he was a good friend of ours — recognized that many of the water issues that would confront Canadians over the next several decades could not possibly be addressed without effective federal leadership. That was in 1987, 20 years ago.

Accordingly, he appointed a three-person inquiry on federal water policy, and the inquiry was instructed to consult widely and report back in 18 months. The Pearse inquiry submitted its final report, *Currents of Change*, in September of 1985. That was 22 years ago. The study states:

Over the following years, I chaired an Inter-departmental Task Force, which carefully considered the inquiry’s recommendations, and developed a Federal Water Policy which then Environment Minister Tom McMillan tabled in the House of Commons in November 1987.

We have gone from a Liberal minister to a Conservative minister, and, of course, now we are back to a Conservative minister from a Liberal minister.

Shortly thereafter, the Canada Water Preservation Bill was tabled in the house, promising to prohibit water exports, and the government’s green plan promised billions of dollars — that was back in 1987 — which I do not think were ever allocated or spent. We made the promise and we heightened the expectations that the problem was solved, but we did not put our money where our mouth was.

By the way, I am not critical of this government only; I am critical of this government and previous governments. They have all said the same thing — We are with you — but they did not put their money where their mouth is, or show action or leadership.

Canadians’ hopes were raised when the government said, at that time, that they would finally address a number of serious water and environmental problems. However, their hopes were dashed. In 1987, the federal water policy included over 100 well thought out amendments and commitments. I point out to honourable senators opposite that few of those commitments were ever met in any meaningful way. Again, I cast no aspersions. It was non-partisan. Both sides were benignly negligent in not dealing with this matter.

• (1500)

At that time, the water export bill was never passed. Most of the planned green plan dollars evaporated — a nice word — and through the 1990s Canada plummeted from the middle of the pack of countries in the Organisation for Economic Co-operation and Development in terms of per capita environmental expenditures to somewhere near the bottom.

[ Senator Grafstein ]

I will conclude with the rest of the quote from this section:

Since the National Energy Program fiasco in the 1980s —

We all remember that quite well, honourable senators. Take a look at the scars.

— the federal government has been particularly gun-shy about treading on provincial toes regarding resource matters.

That is indeed a great tragedy because water is not just a provincial resource; it is both a key ecological integrator across many jurisdictional boundaries —

— as I have tried to point out painstakingly in these comments —

— and a critically important, strategic national resource.

A constructive way to look at the turf war question is to start from the assumption that neither the federal nor provincial governments have the total “powers” per se. What they do have is frequently overlapping constitutionally-defined “responsibilities” to the same citizens, many of which are not being met.

We have a crisis, honourable senators — a stasis. It is not working. We do not have a water policy in Canada. We have partial legislation on the books, but it is not enforced.

Again, I thank every member of the Energy and Natural Resources Committee under the leadership of Senator Banks. The committee has followed this issue as assiduously as anyone in this country.

Senator Banks’ responsibilities have been turned over to my great friend Senator Angus. I would hope that he, known for his missionary zeal in many areas, might take on this mission, as Senator Banks did, to do things in the national interest.

Honourable senators, this matter then went to committee. As I pointed out, a major issue was raised by my good colleague and friend, now the constitutional watchdog from the province of Quebec, Senator Nolin. By the way, I do not quarrel with his responsibilities to be a constitutional watchdog, as some of us are, but he has been assiduous. Therefore, he raised the question of constitutionality, and we agreed in good, non-partisan spirit that we would not pass the principle of the bill but would pass the subject matter of the bill to committee.

I will quote from the committee proceedings of November 27, 2007. Senators will recall we had a very spirited discussion just a few days ago about constitutional opinions. I quote from the government, on page 1850 of the committee hearings of the Energy, Environment and Natural Resources Committee chaired by my colleague Senator Banks. The government official was Henry Schultz, Senior Counsel, Legal Services, Department of Justice. He said:

First, as regards its constitutionality, we reviewed this bill from the perspective of division of legislative jurisdiction between the federal and provincial governments. We have not identified any objection to this bill on division-of-powers grounds.

Therefore, the question of constitutionality is gone. We now have an opinion by the law officers of the Crown, which we did not have before, that it is constitutional. The major objection raised by Senator Nolin was answered in committee.

Honourable senators, I have some startling news, hot from the committee two years ago. We have learned that the government had been mapping the aquifers. We discovered in the learned evidence before Senator Banks' committee that it is believed that 30 aquifers or watersheds are the sources of clean drinking water across the country. That is very good news. We now know there are at least 30. By the way, this was discovered some years ago.

What is the bad news? As of the committee hearing in 2007, we discovered that the government was committed with zeal to finish the mission of mapping these aquifers. When will that mapping be completed? That would be in 2030. I am not sure how many senators will be in this chamber in 2030, and I do not know where I will be in 2030, but I certainly will not be here. Perhaps Senator Brazeau will be here, but I cannot think of anyone else. Will Senator Ringuette be here? Good. Perhaps two vestigial remains will be here, but our job, honourable senators, is to do something in our time.

**Senator Segal:** I will be here until 2021.

**Senator Grafstein:** Senator Segal will be out of luck, too. He will not be here to see the culmination of the zeal of the federal government to map the aquifers.

Finally, honourable senators, I do not want to make light of this, but we have another problem that came to our attention in the very good cross-examination of officials. We also discovered that under an overlapping bill, which I believe is functus and many officials agreed with me — certainly Ralph Pentland who, in effect, was the author and the administrator of the previous bill, the Canada Water Act — it needed fresh impetus and fresh political will. He told us that under that act the bureaucracy was mandated every year to receive a progress report so we would know what they were doing — by the way, we will have a stimulus package, we will have accountability and we are going to find out. In the bill, there is a mandate for the department to issue a report every year. When was the last report, Senator Banks?

**Senator Banks:** Never.

**Senator Grafstein:** The last report was in 2003. The mandate of having an up-to-date report to find out where the precious asset of water was going, and the progress, was never completed. What did the Auditor General say about that? Well, she is too busy looking at other things. However, I think this is a pretty important issue.

By the way, the Auditor General did look at the question of clean drinking water and came to the conclusion that the responsible department was not fulfilling its mandate to keep the guidelines up to date — not the regulations — for clean drinking water. Therefore, we do not have a water policy. It is time that we had a water policy. This is not a costly bill.

I would like to pass along one last anecdote, having heard laborious testimony from these honest and forthright bureaucrats, who are strapped for money and tell us that until

the year 2030 they will not be able to complete their work. This summer I was in Washington, D.C., at a meeting of American governors, and I attended a workshop on the question of water and environmental issues. We heard testimony from a group in the United States that had decided to use modern technology to map America. Senator Moore recalls that I was astounded to hear this. I spoke to the experts there, and then I spoke to Martin O'Malley, the outstanding Governor of Maryland. We will hear great things from Governor O'Malley. He is a comer in the American establishment.

I spoke to Governor O'Malley and I listened at that workshop because there is much to learn from our American colleagues. I discovered to my amazement that he had a presentation, and the presentation was a map of Maryland. On the map, which was done by satellite in the most recent radar technology, they had mapped the water, the green areas, the forests; every inch of Maryland was mapped on a colour-coded map, including water sources. Governor Edward Rendell of Pennsylvania was consulting with Governor O'Malley to see if he could do that for his state.

Honourable senators, the technology is here. The good news is that we do not have to wait until we leave the Senate. We can do something in the next year or so to get this done. The way to get this done is to move this bill to committee, call back the officials, and let them rebut everything I say. I will rebut everything they say and honourable senators can decide whether they really believe that Canada has a future in preserving its water.

I believe water is our most precious possession aside from our liberty. Liberty first, water second. Please support this bill.

• (1510)

**Hon. Hector Daniel Lang:** Honourable senators, I want to express my appreciation to Senator Grafstein. I can see the honourable senator is very passionate about and believes very strongly in the issue he has brought before the house. I appreciate the information Senator Grafstein has brought forward because, when I am in a position to debate this bill, it will help me to bring forward the position from this side of the house.

Therefore, I move the adjournment of the debate.

(On motion of Senator Lang, debate adjourned.)

## INCOME TAX ACT EXCISE TAX ACT

BILL TO AMEND—SECOND READING—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Watt, seconded by the Honourable Senator Eggleton, P.C., for the second reading of Bill S-227, An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik).

**Hon. Richard Neufeld:** Honourable senators, I am pleased to speak today on Bill S-227, tax relief for Nunavik. The bill proposes preferential tax treatment to residents of Nunavik through the personal, sales and excise tax systems.

Personal income tax relief would be provided by establishing Nunavik as a special zone under the Northern Residents Deduction and providing up to a \$70 daily deduction for Nunavik residents in addition to existing deductions. The bill would apply a zero per cent GST rate on the supply of goods and services and would also exempt petroleum fuels purchased in Nunavik from federal excise taxes.

In discussing this bill, there are a number of important points to keep in mind. First, considerable tax relief is already available to residents of Nunavik through the Northern Residents Deduction and through current provisions of the Excise Tax Act. Second, providing further tax relief to Nunavik residents, but nothing to Canadians in other similar regions, raises fairness issues. Third, this bill would impose a significant fiscal shift at a time of great economic uncertainty. Fourth, the Government of Canada already provides significant support to all provinces and territories. Finally, actions recently announced by the government in the economic action plan, including the significant tax relief introduced by this government, will boost confidence and economic growth, and support Canadians in all regions.

Honourable senators, let me deal with each of these issues in turn, starting with an overview of the tax assistance that is already available to residents of Nunavik and other Canadians living in northern and isolated regions.

The Northern Residents Deduction provides a daily residency deduction that recognizes the higher costs of living in the North. This deduction aims at drawing skilled labour to northern and isolated communities by significantly reducing the tax burden of northern residents. The Northern Residents Deduction is based on a zonal system: Residents who live in the prescribed northern zone qualify for the full amounts of the deduction, while those living in the intermediate zone qualify for one-half the amount.

Nunavik is part of the northern zone and its residents are eligible for the full amounts of the Northern Residents Deduction. As part of the government's comprehensive northern strategy, Budget 2008 proposed a 10 per cent increase in the residency component of the Northern Residents Deduction. In particular, the maximum daily residency deduction was increased from \$15 to \$16.50. This increase brought the maximum annual amount of the residency deduction to \$6,022 from \$5,475 for residents of the northern zone, including those residents living in Nunavik.

At the time, Yellowknife mayor, Gord Van Tighem, strongly congratulated our government for this tremendous initiative, remarking, "That's something we've been asking for a significant period of time. The move will mean more spending into local economies and further reduce the cost of living."

In addition, the Northern Residents Deduction provides a deduction for two employer-provided vacation trips per year, as well as unlimited employer-provided medical travel. Budget 2008

increases in the Northern Residents Deduction represents about \$10 million in additional tax relief in the 2009-10 and subsequent taxation years.

Over all, for 2009-10, the Northern Residents Deduction will provide about \$155 million in total tax relief to individuals living in the entire designated region. Certain provisions of the Excise Tax Act also already provide significant tax relief in favour of commercial transportation and remote communities.

For example, diesel fuel and aviation fuel are subject to a reduced rate of federal excise tax of four cents per litre, as opposed to 10 cents per litre for gasoline. This reduced rate of excise tax on diesel fuel and aviation fuel recognizes the importance of these fuels for businesses. This is especially important in rural and remote regions of Canada where it is necessary to transport goods, equipment and people over vast distances.

As well, federal excise tax is fully relieved for diesel fuel that is used either as heating oil or to generate electricity. Again, this relief is important in remote and rural regions of Canada where diesel fuel may be used for home heating and where it is necessary to use diesel generators to provide electricity.

This brings me to my second consideration, namely, whether it is fair to provide significant tax relief to residents of Nunavik alone and not to other northern residents, or all Canadians.

Allow me to explain, starting with the proposal for the Northern Residents Deduction as set out in this bill. The residency deduction component for residents of Nunavik would rise about five times. An increase in the deduction of this size would certainly be a source of inequity, not only between Nunavik residents and those who live in the south, but also between Nunavik and the other parts of the North. Why is this so? As I mentioned a moment ago, the proposal is to target this increase to Nunavik residents only.

For example, the proposed increase would allow someone in Nunavik to earn close to \$43,000 without paying taxes, while someone living elsewhere in the North — say, Nunavut — would only be allowed to earn about \$17,400 tax-free.

As anyone can see, this would be unfair to other residents of the North as well as to other taxpayers in general who would not have access to such a generous deduction. The same is true with respect to the GST and excise tax proposals included in this bill.

Let us recall that this bill proposes a zero per cent GST rate on the supply of goods and services in Nunavik. It also proposes a federal excise tax exemption on petroleum and fuels sold or purchased in Nunavik.

How could the government justify a measure that would create this scale of inequity in the tax system?

Honourable senators, my third concern with the bill in the fiscal costs, which go well beyond Bill S-227. The direct cost of the personal income tax changes proposed in Bill S-227 would be \$15 million annually. That being said, it would be very hard to imagine targeting such generous tax relief only to the residents

of Nunavik and not having to extend it to all of those currently eligible for the Northern Residents Deduction. However, extending it would increase the total to over \$300 million annually.

On my fourth point, I would like to review the many other ways by which this government supports the residents of Nunavik. For instance, in January of 2008, the government announced \$9.7 million in funding for health projects to improve the health of Canada's Inuit, as well as supporting an Inuit-specific mental wellness team and an Office of Inuit Health. These initiatives will help approximately 48,000 Inuit living in Canada.

My fifth and last point is that, given the effects of the global recession, Canadians are concerned about their businesses, their jobs and their savings. The government has listened to these concerns and will do what it takes to keep our economy moving and to help Canadians in this time of extraordinary challenges.

• (1520)

One important element of the government's Economic Action Plan is its agenda of tax relief aimed at creating a tax system that rewards Canadians for realizing their full potential and improving their standard of living.

Budget 2009 proposes significant new personal income tax relief that will provide immediate benefits such as: increasing the basic personal amount — the amount all Canadians can earn without paying federal income tax; increasing the upper limit of the two lowest personal income tax brackets so that Canadians can earn more before paying higher taxes; effectively doubling the total tax relief provided by the Working Income Tax Benefit by providing an additional \$580 million for the 2009 and subsequent taxation years; providing further tax relief to seniors by increasing the Age Credit amount by \$1,000 for 2009 and subsequent taxation years; and providing tax measures to help Canadians purchase and improve their homes.

Nunavik residents, along with other Canadians, also benefit from the significant tax relief provided by this government and the economy will benefit as well.

As the Retail Council of Canada recently stated, Budget 2009 "tax changes will put money back in the pockets of Canadians, boosting confidence and encouraging spending, which is critical to the retail sector and Canada's overall economic recovery."

Indeed, since coming into office, the government has taken action that will provide huge tax relief to Canadians over 2008-09 and the following five fiscal years, including \$20 billion in personal income tax relief in Budget 2009.

Honourable senators, this government certainly agrees that residents of Nunavik deserve tax relief, as do all Canadians. That is why it has cut taxes in every way it collects them.

However, tax relief needs to be responsible and fair, which the measures proposed under Bill S-227 clearly are not. Bill S-227 is unsustainable and unjust. How could this government justify providing special tax preferences to Nunavik residents and denying them to other northern residents living in similar

situations? Bill S-227 is unaffordable during this period of economic uncertainty. Its direct and indirect total impact could easily exceed \$300 million annually.

It is for these reasons, honourable senators, that I am unable to support Bill S-227. I trust that my colleagues will agree with the points I have raised today and will oppose the bill.

(On motion of Senator Tardif, debate adjourned.)

## FOOD AND DRUGS ACT

### BILL TO AMEND—SECOND READING

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 amend the Food and Drugs Act (clean drinking water).

**Hon. John D. Wallace:** Honourable senators, I commend Senator Grafstein for his unwavering commitment to addressing the issue of safe drinking water, clearly an issue of importance to all Canadians. We have an important role to play in addressing matters that impact the health, economy and environment of Canadians. With this role comes a responsibility to ensure we advance positions that will clearly lead to improvements to the status quo and that are based on a sound understanding of the associated costs and benefits.

On the matter of today's debate on Bill S-208, we must also consider the position of provinces and territories that manage drinking water in our process for formulating recommendations and calls for change. Let me outline two key questions that should be considered, the answers to which ought to call for sober second thought on how we may wish to proceed.

First, how safe is Canada's drinking water now and are there regulations and enforcement regimes in place to protect the health of Canadians? Second, would a federally regulated system be more effective or merely add another layer of bureaucracy and impose significant costs while harming federal-provincial-territorial collaboration and relations?

Have we, in fact, conducted a thorough and rigorous analysis of these points and reached conclusions that allow us to make a responsible decision? I do not believe this to be the case. Rather, we were focusing on a hot-button issue and are proposing a solution that is not grounded in fact, one that will lead to no improvement in protecting the health and safety of Canadians.

How safe is Canada's drinking water? This is really the crux of the issue. My honourable colleague Senator Grafstein originally brought this same bill forward in 2001, shortly after the Walkerton tragedy. In the last six years, the bill has not changed, nor have the arguments put forward by Senator Grafstein in sponsoring the bill. In reality, Walkerton was a wake-up call and all governments across Canada have made significant changes to their drinking water management regimes to strengthen regulations and better protect the quality of drinking water.

Let me clear up what appears to be a misconception that we only have voluntary guidelines in place. All provinces and territories use the Guidelines for Canadian Drinking Water Quality as the basis for their own enforceable regulatory regimes, effectively applying common national standards that are implemented according to each jurisdiction's priorities and needs as it pertains to protecting the health of its citizens. The guidelines, therefore, are developed nationally but are applied provincially and locally as enforceable standards through regulation or through licensing of treatment plants.

Is the system perfect or do we have outstanding challenges? Quite simply, it is not perfect and we do have challenges to address.

A premise of Bill S-208 is that by having federal regulations, we could provide equal access for all Canadians to clean drinking water. Although adverse drinking water events can occur in large cities, these are extremely rare and are generally a short-term problem related to a drinking water treatment plant or distribution system.

Indeed, the major challenge for communities, large and small, is replacing or upgrading aging or inadequate infrastructure. This is not a problem resolved by regulation. The significant investments in infrastructure highlighted in the government's budget include water and wastewater treatment projects and are a practical approach for achieving real improvements to our water systems across the country.

In early December 2006, Health Canada worked with its provincial and territorial counterparts to document the number of boil water advisories across Canada and provide this information to the Standing Senate Committee on Energy, the Environment and Natural Resources. In March 2008, the Canadian Medical Association reported that there were 1,766 boil water advisories in place. Certainly, the fact that any community is under a boil water advisory is something we all need to be concerned about.

In assessing the risk, it is clear that small community water supplies are where most problems — that is, boil water advisories — in fact occur. Would federal regulation of drinking water eliminate or reduce boil water advisories? In reality, regulations cannot solve the problem of resources and capacity. All orders of government in Canada are facing this challenge, even though regulatory regimes are in place. In fact, this problem exists worldwide — in the U.S., the European Union and, obviously, in developing countries.

These small communities lack capacity and resources for protecting source water and in treating drinking water to a level equivalent to large communities. The issuance of boil water advisories is a protective measure to reduce people's exposure to risks from drinking water. However, it is not a solution to a very serious problem.

Small communities face challenges such as inadequate treatment and distribution systems, lack of trained and certified operators, reduced capability for monitoring, reduced access to testing at accredited laboratories, and little capacity for source water protection. The number of boil water advisories in place needs to be addressed.

Honourable senators, resolution will not happen through regulation, but through national and international initiatives to develop best management practices, tools and communications to address the fundamental challenges.

No order of government can solve the challenges of small community drinking water supplies through regulation. It will take resources, innovation and commitment.

• (1530)

We cannot guarantee safe drinking water by creating criminal offences for failing to comply with standards. Senator Grafstein made the case that unsafe drinking water is common and that it imposes a significant cost on our health care system. The evidence for this claim is not apparent. It is important to note that we have not experienced an outbreak of waterborne illness since Walkerton in 2000 and North Battleford in 2001. This lack of outbreak does not mean that unsafe drinking water on occasion does not cause illness, but it is a clear indication that the level of illness is extremely small, compared to the illness caused by other sources. In considering the future of this bill, let us ensure that we are realistic in terms of its scope, application and what it will achieve.

The second point is whether a federally regulated system will be a better system or simply a duplication and intrusion into an already effective management regime run collaboratively by all orders of government. Provinces and territories traditionally have exercised full authority for managing and regulating the supply of drinking water for their citizens. Senator Grafstein has indicated that Bill S-208 is a no-cost bill because it requires only an oversight role by the federal government. I believe this statement is an oversimplification. A responsible government would not limit its role to one of oversight alone but would be required to ensure enforcement, a compliance mechanism and a level of accountability. As well, regulations would be required, which involve significant costs because current enforcement and compliance resources supporting the Food and Drugs Act would not begin to cover this role. Regulation of community drinking water supplies would require a different management regime, knowledge and skill set than the regulation that food requires. There is no crossover in roles or skills between management of food and drinking water. In other words, each area would require a separate regime.

Given that approximately 40,000 community water supplies across Canada would be captured by this bill, the enforcement and compliance costs would be significant. Provinces and territories have such regimes in place, and the regimes are working. It has been suggested that agreements with other orders of government could be put in place to fulfill federal responsibilities related to Bill S-208 to reduce duplication and costs for the federal government. However, we need to be aware that neither the current Food and Drugs Act nor the amendments proposed in Bill S-208 allow the federal government to transfer or delegate its responsibilities.

It is likely that the provinces would expect appropriate resources to support delegation of duties. There has been no assessment of potential costs and duplication associated with the above, or with the challenges associated with transition to a new regulatory regime. Also, there has been no assessment of potential



liabilities for the federal government associated with significant infrastructure requirements. Communities are hard-pressed to fund infrastructure upgrades. The current approach, which includes the promotion of full-cost pricing and cost-shared Canada infrastructure funding programs, needs to be continued. However, it is important to remember that the small communities face the largest challenges in addressing infrastructure and capacity needs, which will require special attention, not simply regulation.

Bill S-208 is straightforward and simple because it relies on surgical amendments to an existing statute. However, this bill creates a whole new area of responsibility for the federal government. Would this new system be more effective? Honourable senators, I believe the answer is, clearly, no. The level of protection and investment made currently by provinces and territories in protecting drinking water is significant. Following Walkerton, provinces and territories developed strategies and requirements to protect the quality of drinking water from source to tap. Provinces and territories are addressing watershed management, operation certification, treatment plant construction and design, reporting requirements, and emergency response and planning. Provinces have made their legislation, regulations and policies more stringent over the past five years. They have invested significant resources to ensure that these improvements are successful, and that their actions are transparent and accountable to all citizens.

Imposing a new federal regulatory regime is unnecessary and duplicative and would lead to deterioration in federal-provincial relations. While it may be constitutionally possible to regulate drinking water as a food under the Food and Drugs Act, it would be seen by provinces and territories as an intrusion into an area of traditional provincial-territorial responsibility, where provinces and territories have made significant investments and progress. The government could face legal challenges requiring significant resources and time.

While seemingly simple, Bill S-208 would have a profound impact on the way in which drinking water is managed in Canada. Given this reality, one would expect that views would be solicited from provinces, territories, communities, academic experts, drinking water operators and others who focus on the provision of safe drinking water. This important step needs to be taken.

Honourable senators, as I stated previously, the major challenge for large and small communities is replacing and upgrading aging or inadequate infrastructure. Many of us know from experience, as I know from my community, that the major difficulty with replacing or upgrading infrastructure is funding. Many funding models are being looked at, some of which potentially involve public-private partnerships. Some people in our communities are concerned with what could appear to be the privatization of the sale of water. Certainly, that concern is legitimate. Water is a necessity of life, as we all know, and must be maintained for the benefit of all. It is not and should never be a product that is bought and sold for profit. We all agree with that view.

Having said that, I remind honourable senators that one of the significant elements in Bill S-208 is the proposal to change the definition of "food" to include drinking water. Drinking water would fit the definition of food and, as we know, food

products are bought and sold for profit. For the most part, food products fall under the control of the private sector. I suggest to Senator Grafstein that if we were to begin by changing the definition of food to include drinking water, we could begin a descent down a slippery slope. I suggest that many — the overwhelming majority of people in this country — would be strongly opposed to the buying and selling of water for profit.

Honourable senators, we must ensure that all our decisions support responsible government, economic realities and the best interests of Canadians. Based on the evidence before us, I am convinced that Bill S-208 fails this test and cannot be supported.

**Hon. Jeremiah S. Grafstein:** I have a couple of brief questions. The honourable senator fairly raises factual issues that are not best determined in the house but rather in committee. I hope that the honourable senator will support referring this bill to committee. It can be on division so that principles are adapted. Each issue has a factual base. One issue is the question of how safe water is. Recent facts about the safety of our water system have been provided by the Walter Gordon organization. Representatives could give evidence before the committee. As well, there is the question of the nature of regulation and whether the power of regulation has an impact on behaviour. The committee could address that important matter and the question of cost to the federal system of discovered and undiscovered water illnesses in terms of both productivity and actual health losses.

There is no question that we have recent evidence from the Aboriginal communities that at least one third of the Aboriginal communities are still at high risk, and that information is a presented fact. As well, there is the question of relative costs to a system as they relate to the overall cost to, or impact on, the economy and the health of the whole.

• (1540)

The honourable senator has raised these issues. He and I have a different perspective on the facts, but I hope honourable senators allow me, the honourable senator, the government and others to present evidence to the committee and let the committee decide. The committee is geared to opine on facts. I hope the honourable senator agrees that sending the bill to committee would be a useful way to resolve these factual differences between us.

**Senator Wallace:** There is no question that the issue of water safety is near and dear to the hearts of all of us. Water safety must be the objective. Whatever the result of this bill and whatever else occurs in the future, we must move in the direction of providing our citizens with the best quality of drinking water possible. I am in total agreement with that view. The issues are not easy, and they require input from experts who are more knowledgeable than I am.

I agree that committee would be the place for that type of detailed review and consideration to take place. I am sure the review will be interesting when it occurs.

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

**Hon. Senators:** Agreed.

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

(Motion agreed to and bill read second time, on division.)

#### REFERRED TO COMMITTEE

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

**Hon. Jeremiah S. Grafstein:** I move that the bill be sent to the Standing Senate Committee on Energy, the Environment and Natural Resources.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** On division.

(On motion of Senator Grafstein, bill referred to Standing Senate Committee on Energy, the Environment and Natural Resources, on division.)

[Translation]

#### CONFLICT OF INTEREST FOR SENATORS

##### BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—SECOND REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Committee on Conflict of Interest for Senators (*budget—mandate pursuant to rule 86(1)(1)—power to hire staff*), presented in the Senate on April 28, 2009.

**Hon. Serge Joyal** moved adoption of the report.

**Hon. Marcel Prud'homme:** My question is for the chair of the Standing Senate Committee on Conflict of Interest. Is the funding requested for the purpose of hiring staff in order to conduct a new study on conflict of interest for senators? I am just asking because we want to be kept apprised of the atmosphere in that committee.

**Senator Joyal:** Honourable senators, the committee's annual budget has not changed in the past three years.

The purpose of this budget is to ensure that the committee has the ability—and I am choosing my words carefully—to seek legal counsel concerning its responsibilities in conducting inquiries or research that may be necessary in a given case.

The committee is not currently involved in such a case, nor is it conducting any approved inquiries as provided for in section 44 of the Conflict of Interest Code for Senators. However, for the purpose of good governance, we want to have access to the funds should we need them to avoid any delay between the time a case comes before the committee and the time funds become available.

I want to emphasize that we will not be conducting another review of the Conflict of Interest Code for Senators. The committee did that last year. It submitted its report in June, and the honourable senators approved the report. We have

already reviewed the code, as set out in the rules. According to the committee's rules, there are to be no further reviews of the code for several years, unless there is a need for one. That is why we are requesting that the funds be made available.

This provision has been in place for three years now, and we have not yet had to use the funds. This is really just in case. We are not asking for the money because of any cases before us that would require the use of these funds to retain the services of outside counsel.

**Senator Prud'homme:** Brilliant, as usual.

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

(Motion agreed to and report adopted.)

[English]

#### THE SENATE

##### MOTION TO RECOGNIZE APRIL 25 ANNUALLY AS WORLD MALARIA DAY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Eggleton, P.C.:

That the Senate recognize and endorse April 25th annually as World Malaria Day.

**Hon. Consiglio Di Nino:** Honourable senators, let me begin by congratulating Senator Jaffer on her initiative. Malaria, arguably a preventable problem that claims millions of lives a year, mostly children, is still one of the world's greatest health challenges. Is that because it mainly affects third world countries, away from the ever-present public lens that scrutinizes the Western World? Indeed, honourable senators, if the dying children were White, would the problem be as large or last as long?

Despite the long-known cure, quinine, and simple but effective preventable measures such as bed nets that cost only several dollars, malaria still takes too many lives. It seems to me that our so-called efforts have indeed been what the title of the 2007 Standing Senate Committee on Foreign Affairs and International Trade report on Africa suggests: a failure.

Honourable senators, Africa's climate renders that continent the world's hotbed for malaria. Of more than 1 million malaria-related deaths in Africa each year, some 90 per cent occur in sub-Saharan Africa, the great majority of them among children under the age of five. As the Senate committee reported, these deaths are mostly preventable. For nearly 150 years, quinine has been used effectively to treat malaria. Moreover, in malaria prevention, the use of affordable, long-lasting, insecticide-treated bed nets and, according to testimony received, the spraying of DDT insecticides in small amounts on the inner walls of people's homes have proven effective.

• (1550)

Compounding difficulties in dealing with malaria in Africa is the continued drain of health professionals leaving the continent for better opportunities in wealthier countries, referred to by some whom we talked to in Africa as the developed world's pillaging of Africa's human resources.

A comprehensive solution by the international community to the crisis of malaria is desperately needed. The committee recommended that a key element of this response should be to ensure needy countries "obtain access to affordable generic drugs deemed to be essential." When the committee toured a pharmaceutical company, PHARMAKINA, in Bukavu, the Democratic Republic of Congo, we were told that the company could not get World Bank assistance to buy petroleum-based inputs because it was competing with international drug companies. This is totally unacceptable.

Among the other recommendations the committee report made, it included that in order: to help sub-Saharan Africa deal with serious health crises, Canada should assume a leadership role in encouraging the international community to:

Take new initiatives to drastically reduce the threat of malaria and provide medication for those afflicted with the disease;

Ensure that its Official Development Assistance includes significant investment in inexpensive insecticide-treated mosquito nets and in the spraying of DDT on interior walls of African homes in the low-lying tropical areas where malaria is typically present;

The report also suggested that the provision of bed nets be made a priority and commercial partners who can produce them be found.

Honourable senators, praise must go to those who are committed to eradicating this problem — people such as Melinda and Bill Gates, as well as Belinda Stronach, among others. They are making a difference and saving lives; and most importantly, by their actions, they are shining a bright light on this devastating Third World problem.

Honourable senators, I join in this debate not because I believe that recognizing World Malaria Day will solve the problem — I frankly do not believe that — but because I strongly feel that the developed world has been irresponsible in its duty to deal with this serious health issue.

Honourable senators, malaria is to a large degree preventable. Millions of lives could be saved. The world could be made safer for all of us. Yet, year after year, after continually applying band-aid solutions, we continue to witness a tragedy and mostly shrug. It is time for a change.

(On motion of Senator Andreychuk, debate adjourned.)

## FISHERIES AND OCEANS

### STUDY ON ISSUES RELATING TO FEDERAL GOVERNMENT'S CURRENT AND EVOLVING POLICY FOR MANAGING FISHERIES AND OCEANS— COMMITTEE AUTHORIZED TO DEPOSIT REPORT WITH CLERK DURING ADJOURNMENT OF THE SENATE

Leave having been given to revert to Notices of Motions:

**Hon. Fernand Robichaud:** Honourable senators, with leave of the Senate, and notwithstanding rule 58(1)(i), I move:

That notwithstanding the Order of the Senate adopted on March 12, 2009, the Standing Senate Committee on Fisheries and Oceans, which was authorized to examine and to report on issues relating to the federal government's current and evolving policy framework for managing Canada's fisheries and oceans, be empowered to deposit a report with the Clerk of the Senate between April 30, 2009 and May 4, 2009 inclusive, if the Senate is not sitting; and that the report be deemed to have been tabled in the Senate.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

### MOTION TO AUTHORIZE COMMITTEE TO STUDY ACCESSIBILITY OF POST-SECONDARY EDUCATION—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Callbeck, seconded by the Honourable Senator Corbin:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the accessibility of post-secondary education in Canada, including but not limited to:

- (a) analysis of the current barriers in post-secondary education, such as geography, family income levels, means of financing for students, debt levels and challenges faced specifically by Aboriginal students;
- (b) evaluation of the current mechanisms for students to fund post-secondary education, such as Canada Student Loans Program, Canada Student Grants Program, Canada Access Grants, funding for Aboriginal students, Canada Learning Bonds, and Registered Education Savings Plans;
- (c) examination of the current federal/provincial transfer mechanism for post-secondary education;
- (d) evaluation of the potential establishment of a dedicated transfer for post-secondary education; and

(e) any other matters related to the study; and

That the Committee submit its final report no later than December 31, 2010, and that the Committee retain until June 30, 2011, all powers necessary to publicize its findings.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I will backtrack. The Leader of the Opposition and I had a discussion on this matter today and I believe we will look at this in more detail. I wish to adjourn this item until next week.

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

(On motion of Senator Comeau, debate adjourned.)

### FOREIGN AFFAIRS

#### MOTION TO URGE THE GOVERNMENT OF CANADA TO FACILITATE SETTLEMENT IN CANADA OF AFGHAN NATIONALS WHO HELPED CANADA—ORDER STANDS

On Inquiry No. 44, by the Honourable Senator Segal:

That,

Whereas Canada's efforts in the diplomatic, military, political and economic reconstruction of Afghanistan have been assisted and served by Afghans who work

alongside our military, who staff our embassy, and who work with Canadian firms and non-governmental organizations; and

Whereas there is no better way to express our gratitude to these individuals who are friends of Canada than to welcome them to settle in Canada;

That the Senate urge the Government of Canada to develop and implement a program to facilitate the settlement in Canada of Afghan nationals who have helped Canada during our engagement in Afghanistan; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

**Hon. Hugh Segal:** Honourable senators, I did want to speak on this matter today. However, I take note of the clock and what I understand to be the normative Wednesday rule. Therefore, I will stand this item and speak to it at some later date, if that is acceptable.

(Order stands.)

(The Senate adjourned until Tuesday, May 5, 2009, at 2 p.m.)

# THE SENATE OF CANADA

## PROGRESS OF LEGISLATION

(indicates the status of a bill by showing the date on which each stage has been **completed**)

**(2nd Session, 40th Parliament)**

**Wednesday, April 29, 2009**

(\*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)

### GOVERNMENT BILLS (SENATE)

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-2	An Act to amend the Customs Act	09/01/29	09/03/03	National Security and Defence	09/03/31	1	09/04/23		
S-3	An Act to amend the Energy Efficiency Act	09/01/29	09/02/24	Energy, the Environment and Natural Resources	09/03/11	0	09/03/12		
S-4	An Act to amend the Criminal Code (identity theft and related misconduct)	09/03/31							
S-5	An Act to amend the Criminal Code and another Act	09/04/01							
S-6	An Act to amend the Canada Elections Act (accountability with respect to political loans)	09/04/28							

### GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-2	An Act to implement the Free Trade Agreement between Canada and the States of the European Free Trade Association (Iceland, Liechtenstein, Norway, Switzerland), the Agreement on Agriculture between Canada and the Republic of Iceland, the Agreement on Agriculture between Canada and the Kingdom of Norway and the Agreement on Agriculture between Canada and the Swiss Confederation	09/03/31	09/04/22	Foreign Affairs and International Trade	09/04/23	0	09/04/28	*09/04/29	6/09
C-5	An Act to amend the Indian Oil and Gas Act	09/04/21	09/04/23	Aboriginal Peoples					
C-9	An Act to amend the Transportation of Dangerous Goods Act, 1992	09/03/26	09/04/28	Transport and Communications					
C-10	An Act to implement certain provisions of the budget tabled in Parliament on January 27, 2009 and related fiscal measures	09/03/04	09/03/05	National Finance	09/03/12	0	09/03/12	*09/03/12	2/09

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-12	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 ( <i>Appropriation Act No. 4, 2008-2009</i> )	09/02/12	09/02/24	—	—	—	09/02/26	09/02/26	1/09
C-14	An Act to amend the Criminal Code (organized crime and protection of justice system participants)	09/04/28							
C-17	An Act to recognize Beechwood Cemetery as the national cemetery of Canada	09/03/10	09/03/12	Social Affairs, Science and Technology	09/04/02	0	09/04/02	*09/04/23	5/09
C-21	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 ( <i>Appropriation Act No. 5, 2008-2009</i> )	09/03/24	09/03/25	—	—	—	09/03/26	*09/03/26	3/09
C-22	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2010 ( <i>Appropriation Act No. 1, 2009-2010</i> )	09/03/24	09/03/25	—	—	—	09/03/26	*09/03/26	4/09

## COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.

## SENATE PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-201	An Act to amend the Library and Archives of Canada Act (National Portrait Gallery) (Sen. Grafstein)	09/01/27							
S-202	An Act to amend the Canada Elections Act (repeal of fixed election dates) (Sen. Murray, P.C.)	09/01/27							
S-203	An Act to amend the Business Development Bank of Canada Act (municipal infrastructure bonds) and to make a consequential amendment to another Act (Sen. Grafstein)	09/01/27							
S-204	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	09/01/27							
S-205	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	09/01/27	09/03/31	Legal and Constitutional Affairs					
S-206	An Act respecting the office of the Commissioner of the Environment and Sustainable Development (Sen. McCoy)	09/01/27							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-207	An Act to amend the Employment Insurance Act (foreign postings) (Sen. Carstairs, P.C.)	09/01/27	Bill withdrawn pursuant to Speaker's Ruling 09/02/24						
S-208	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	09/01/27	09/04/29	Energy, the Environment and Natural Resources					
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Herveux-Payette, P.C.)	09/01/27							
S-210	An Act respecting World Autism Awareness Day (Sen. Munson)	09/01/27	09/03/03	Social Affairs, Science and Technology					
S-211	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 (Sen. Grafstein)	09/01/27							
S-212	An Act to amend the Canadian Environmental Protection Act, 1999 (Sen. Banks)	09/01/27							
S-213	An Act to amend the Income Tax Act (carbon offset tax credit) (Sen. Mitchell)	09/01/27							
S-214	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	09/01/27							
S-215	An Act to amend the Constitution Act, 1867 (Property qualifications of Senators) (Sen. Banks)	09/01/27	09/03/24	Legal and Constitutional Affairs					
S-216	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (Involvement of Parliament) (Sen. Banks)	09/01/27	09/03/11	Energy, the Environment and Natural Resources	09/04/02	0	09/04/23		
S-217	An Act respecting a National Philanthropy Day (Sen. Grafstein)	09/01/27							
S-218	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	09/01/29							
S-219	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	09/02/03							
S-220	An Act respecting commercial electronic messages (Sen. Goldstein)	09/02/03	09/04/02	Transport and Communications					
S-221	An Act to amend the Financial Administration Act (borrowing of money) (Sen. Murray, P.C.)	09/02/04							





## CONTENTS

Wednesday, April 29, 2009

PAGE	PAGE
<b>SENATORS' STATEMENTS</b>	<b>Industry</b>
<b>Hon. Sharon Carstairs, P.C.</b>	Automotive Innovation Fund.
Hon. Mobina S. B. Jaffer . . . . .	Hon. Lorna Milne . . . . . 704
696	Hon. Marjory LeBreton . . . . . 704
<b>Canada Excellence Research Chairs</b>	Automotive Sector Job Losses.
Hon. Suzanne Fortin-Duplessis . . . . .	Hon. Jeremiah S. Grafstein . . . . . 705
697	Hon. Marjory LeBreton . . . . . 705
<b>Fifth Annual Invisible Ribbon Gala</b>	<b>Official Languages</b>
Hon. Lucie Pépin . . . . .	2010 Winter Olympic Games.
697	Hon. Maria Chaput . . . . . 705
<b>Twenty-third Anniversary of First Artificial</b>	Hon. Marjory LeBreton . . . . . 705
<b>Heart Transplant in Canada</b>	<b>Transport, Infrastructure and Communities</b>
Hon. Donald H. Oliver . . . . .	Infrastructure Funding for Airports.
697	Hon. Catherine S. Callbeck . . . . . 706
<b>National Hospice Palliative Care Week</b>	Hon. Marjory LeBreton . . . . . 706
Hon. Sharon Carstairs . . . . .	<b>Foreign Affairs</b>
698	United Nations Declaration on the Rights of Indigenous Peoples—
<b>Humboldt Telegraph Station</b>	Human Rights.
Hon. Pamela Wallin . . . . .	Hon. Jim Munson . . . . . 706
698	Hon. Marjory LeBreton . . . . . 706
<hr/>	<b>Delayed Answer to Oral Question</b>
<b>ROUTINE PROCEEDINGS</b>	Hon. Gerald J. Comeau . . . . . 706
<b>Public Sector Integrity Commissioner</b>	<b>Indian Affairs and Northern Development</b>
2008-09 Annual Report Tabled . . . . .	Literacy and Essential Skills.
698	Question by Senator Munson.
<b>Canadian NATO Parliamentary Association</b>	Hon. Gerald J. Comeau (Delayed Answer) . . . . . 707
Visit of Political Committee Sub-committee on Transatlantic	<b>Answer to Order Paper Question Tabled</b>
Relations—September 17-19, 2008—Report Tabled.	Canadian Heritage and Official Languages—
Hon. A. Raynell Andreychuk . . . . .	Canada Summer and Winter Games.
699	Hon. Gerald J. Comeau . . . . . 707
Visit to United States by Defence and Security Committee—	<hr/>
January 26-30, 2009—Report Tabled.	<b>ORDERS OF THE DAY</b>
Hon. A. Raynell Andreychuk . . . . .	<b>Adjournment</b>
699	Motion Adopted.
<b>Declaration on Strengthening the Financial System Adopted</b>	Hon. Gerald J. Comeau . . . . . 707
<b>by the G20</b>	<b>Business of the Senate</b>
Notice of Inquiry.	Hon. Pamela Wallin . . . . . 707
Hon. Jeremiah S. Grafstein . . . . .	Hon. Sharon Carstairs . . . . . 707
699	<b>National Security and Defence</b>
<b>Fisheries Act</b>	Motion to Authorize Committee to Study Services and Benefits
Cessation of Commercial Seal Hunt—Presentation of Petition.	for Members and Veterans of Armed Forces and Current and
Hon. Mac Harb . . . . .	Former Members of the RCMP, Commemorative Activities
702	and Charter Adopted.
<hr/>	Hon. Pamela Wallin . . . . . 707
<b>QUESTION PERIOD</b>	<b>Drinking Water Sources Bill (Bill S-211)</b>
<b>Human Resources and Skills Development</b>	Second Reading—Debate Continued.
Employment Insurance Benefits for Sadie and Maurice Ricketts.	Hon. Jeremiah S. Grafstein . . . . . 708
Hon. Jane Cordy . . . . .	Hon. Hector Daniel Lang . . . . . 713
702	<b>Income Tax Act</b>
Hon. Marjory LeBreton . . . . .	<b>Excise Tax Act (Bill S-227)</b>
703	Bill to Amend—Second Reading—Debate Continued.
Compassionate Care Benefits.	Hon. Richard Neufeld . . . . . 714
Hon. Sharon Carstairs . . . . .	
703	
Hon. Marjory LeBreton . . . . .	
703	
<b>Prime Minister's Office</b>	
Consultancy Fees.	
Hon. Grant Mitchell . . . . .	
703	
Hon. Marjory LeBreton . . . . .	
703	
Hon. James S. Cowan . . . . .	
704	

	PAGE
<b>Food and Drugs Act (Bill S-208)</b>	
Bill to Amend—Second Reading.	
Hon. John D. Wallace . . . . .	715
Hon. Jeremiah S. Grafstein . . . . .	717
Referred to Committee.	
Hon. Jeremiah S. Grafstein . . . . .	718
Hon. Gerald J. Comeau . . . . .	718
<b>Conflict of Interest for Senators</b>	
Budget and Authorization to Engage Services—	
Second Report of Committee Adopted.	
Hon. Serge Joyal . . . . .	718
Hon. Marcel Prud'homme. . . . .	718
<b>The Senate</b>	
Motion to Recognize April 25 Annually as World Malaria Day—	
Debate Continued.	
Hon. Consiglio Di Nino . . . . .	718

	PAGE
<b>Fisheries and Oceans</b>	
Study on Issues Relating to Federal Government's Current and	
Evolving Policy for Managing Fisheries and Oceans—	
Committee Authorized to Deposit Report with Clerk during	
Adjournment of the Senate.	
Hon. Fernand Robichaud . . . . .	719
<b>Social Affairs, Science and Technology</b>	
Motion to Authorize Committee to Study Accessibility	
of Post-Secondary Education—Debate Continued.	
Hon. Gerald J. Comeau . . . . .	720
<b>Foreign Affairs</b>	
Motion to Urge the Government of Canada to Facilitate	
Settlement in Canada of Afghan Nationals	
Who Helped Canada—Order Stands.	
Hon. Hugh Segal . . . . .	720
<b>Progress of Legislation</b> . . . . .	i





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