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THE HONOURABLE PIERRE CLAUDE NOLIN
ACTING SPEAKER

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THE SENATE

Wednesday, February 16, 2011

The Senate met at 1:30 p.m., the Honourable Pierre Claude Nolin, Acting Speaker, in the chair.

Prayers.

SENATORS' STATEMENTS

CANADIAN FOUNDATION FOR PHYSICALLY DISABLED PERSONS

Hon. Jim Munson: Honourable senators, I want to share today another example of the great work that is being done by senators in this chamber as they perform concrete actions to represent and promote the rights and interests of groups and individuals who might be overlooked otherwise, and how honourable senators are supporting these Canadians.

I had the great privilege, along with ten other senators, to participate last Saturday evening in a large fundraising initiative organized by the Canadian Foundation for Physically Disabled Persons. In 1987, Senator Vim Kochhar became its founding chair. He and his partner, Dorothy Price, are at the forefront of the foundation's ever-expanding work.

The CFPDP has initiated dozens of important projects and events, raising a total of \$21 million. The Great Valentine Gala is an annual event held in Toronto. This year was the twenty-seventh edition, which brought together 800 influential and inspiring individuals and organizations who are truly a community working to build a better world for Canadians who live with disabilities.

Some of the projects that have benefitted from the Great Valentine Gala fundraising include Rotary Cheshire Homes, North America's first apartment complex for people who are deaf-blind; the Canadian Helen Keller Centre, Canada's only centre established specifically for the deaf-blind community; and Paralympics sports, where the foundation is a sponsor of Canada's Paralympics team participation.

Every year at this gala, the King Clancy Awards are presented in recognition of personal achievement and important contributions in support of Canadians who live with a disability. This year, the recipients were some of Canada's inspirational 2010 Paralympics medal winners in Vancouver and Whistler.

Another of our honourable senators, Senator Joyce Fairbairn, is called by these heroic athletes their "patron saint." Senator Fairbairn was there in the 1990s when the Paralympics movement was born in Canada, and she has championed their cause every step of the way. From those pioneering steps to the successes we saw a year ago in Whistler and Vancouver, Senator Kochhar and Senator Fairbairn were involved in representing the interests and making sure the support was in place.

The contributions of Senator Kochhar and Senator Fairbairn to Paralympic sports have given the athletes the opportunity to show the power of sports to heal and inspire. Paralympic sports showcase for Canadians the disability community's very real abilities. This coming April 14, Senator Kochhar, again, and the Canadian Foundation for Physically Disabled Persons, along with others, will sponsor the Rolling Rampage wheelchair road race on Parliament Hill.

Senator Kochhar and I know that Canadians often confuse the Paralympics with the Special Olympics — the intellectually disabled athletes that I champion. However, it is our mission to keep building awareness of these two different but compelling movements where inspiration and hard work lead to powerful stories of individual and team achievements, and victories against many odds.

The work of Senator Kochhar and that of Dorothy Price is remarkable. We thank them both for their contributions.

MR. GEORGE BEVERLY SHEA

CONGRATULATIONS ON THE RECORDING ACADEMY LIFETIME ACHIEVEMENT AWARD

Hon. Donald Neil Plett: Honourable senators, I rise today both to pay tribute to and to congratulate a man who this past weekend was honoured with a Lifetime Achievement Award in conjunction with the 2011 Grammy Awards. Long-time Billy Graham Crusade soloist, Mr. George Beverly Shea, often referred to as "America's Beloved Gospel Singer," was honoured by The Recording Academy.

Mr. Shea, who recently turned 102, still performs publicly where and when he can. During his gospel music career spanning more than 80 years, he cut more than 70 albums of hymns, including compact discs with RCA and World Records. Mr. Shea also holds the Guinness World Record for singing in person to the most people — 220 million worldwide.

Honourable senators may be surprised to know that Mr. Shea was born and raised in Winchester, Ontario, about 50 kilometres south of the nation's capital, where he spent his early days singing at churches in the area where his father was a Methodist minister. In July 2009, Mr. Shea travelled to his home town of Winchester for a special tribute concert where he gave a brief but touching performance in his unwavering baritone voice.

Honourable senators, please join me in honouring a performer who lives life with the highest example of integrity and grace and who continues to this day to give back at every opportunity afforded to him.

NORTHWEST TERRITORIES

DEVOLUTION OF LAND, WATER AND RESOURCE MANAGEMENT

Hon. Nick G. Sibbeston: Honourable senators, a few weeks ago, the Governments of Canada and the Northwest Territories signed an agreement in principle to negotiate devolution. Devolution will transfer authority for the management of land, water and resources on Crown land from Canada to the GNWT. The agreement is a good thing. There are also provisions for resource revenue sharing.

This agreement is historic. Every premier of the NWT has aspired to transfer province-like powers from the federal government to the territorial governments. When negotiations are complete, the Government of the Northwest Territories will have virtually the same control over their resources as any province in southern Canada.

Two regional Aboriginal organizations signed on as parties to these negotiations. The remaining five Aboriginal groups in the North did not sign. They have expressed varying opposition to the agreement. Some feel it will impede their own land claim negotiations. Others feel the financial terms are not sufficient.

• (1340)

It is essential, however, for the Government of the Northwest Territories and all Aboriginal groups in the North to come to terms. I encourage them to be realistic, remembering that politics is the art of the possible.

Devolution of land and resources is not a surprise to anyone in the North. Three of the signed land claim agreements explicitly anticipate devolution. At one time or another, all Aboriginal groups have participated in the current negotiations that have been under way since 2001.

The agreement in principle makes it clear that Aboriginal rights will not be abrogated or derogated by the devolution process. When a conflict exists between a land claim or self-government agreement and the final devolution agreement, the former prevails. Moreover, devolution also impacts the management of Crown lands and not the jurisdiction Aboriginal people have negotiated over their lands.

The devolution process envisions government-to-government negotiations between the Government of the Northwest Territories and Aboriginal governments to coordinate management in their respective jurisdictions to promote economic development and ensure environmental protection. It also includes a process to share in the resource revenues that will come to the North as a result of devolution.

Devolution is not a new issue. It has been ongoing since the territorial governments moved North in 1967. The last major devolution — health services, the administration of justice and the management of forestry — occurred during my time in the Northwest Territories cabinet.

There were those at the time who opposed that devolution for many of the same reasons. Yet, because devolution gives control to the people of the North through time, hard work and made-in-the-North programs, people see the merits of devolution.

We have always said in the North, anything the federal government can do, we can do better in the North.

THE LATE RIGHT HONOURABLE ARTHUR MEIGHEN

UNVEILING OF OFFICIAL PORTRAIT

Hon. Michael A. Meighen: Honourable senators, I rise to express my gratitude to the Speaker in the other place and the Member of Parliament for Kingston and the Islands, the Honourable Peter Milliken.

As some honourable senators will know, at 4 p.m. today in the Reading Room, Speaker Milliken will host an event to officially unveil a prime ministerial portrait of my grandfather, the late Right Honourable Arthur Meighen.

Hon. Senators: Hear, hear.

Senator Meighen: One might ask why a ceremony would be taking place 51 years after Arthur Meighen's death and 85 years after he last held the office of Prime Minister of Canada. That would be a good question. After all, Arthur Meighen's official portrait has been hanging in the halls of the House of Commons, along with those of other prime ministers, for over half a century.

The answer, honourable senators, is that apparently the originally planned unveiling ceremony never took place due to the illness at the time of either my grandfather or Prime Minister Louis St. Laurent. This little-known fact was discovered and pointed out by Queen's University-based researcher and political historian Arthur Milnes, to whom I am extremely grateful.

Mr. Milnes, who recently completed a book of speeches entitled: *Unrevised and Unrepented II*, first proposed the idea of correcting this historical anomaly. When Speaker Milliken, who is Mr. Milnes' member of Parliament, was alerted to this idea, he moved heaven and earth — a power apparently unique to Speakers in the other place — to address this oversight and used the powers of his office to organize an official unveiling timed to coincide with the release of *Unrevised and Unrepented II*.

[Translation]

Honourable senators, Speaker Milliken has been the longest-serving speaker in Canada and is a true history buff. His efforts to celebrate and honour our heritage by organizing such a unique event are worthy of our support and most sincere congratulations.

I hope to see all of you later this afternoon, when we will take a moment to honour the life of a former prime minister who resided west of the Ontario border and of the artist who created the portrait.

[English]

Honourable senators, while we live in a country where we could and should do more to remember our historical figures and promote our collective history, it is thanks to the efforts of Speaker Milliken and Arthur Milnes that we will all have an opportunity to revisit the life of one such figure, the Right Honourable Arthur Meighen, and remember his dedication to and love for Canada.

Who knows, perhaps one day, official recognition of prime ministers such as Arthur Meighen — not to mention R.B. Bennett and others — will extend to having their own statues on Parliament Hill.

MR. TERRENCE DONNELLY

Hon. Francis William Mahovlich: Honourable senators, I rise today to pay tribute to a man who has dedicated his later years to making tremendous contributions not only to the people of Toronto and Canada, but indeed to the whole world. Terrence Donnelly is a man who has worked hard his whole life and has chosen to give away much of his fortune for the benefit of others.

Born and raised in London, Ontario, he attended the University of Western Ontario and graduated with a degree in business administration. While attending Osgoode Hall Law School in Toronto, he was introduced to an unconventional businessman by the name of Colonel Harland Sanders, whom we all know as the founder of Kentucky Fried Chicken. The two worked together until Mr. Sanders' death in 1980, with Mr. Donnelly serving on the board of directors of KFC, in addition to helping the franchise chain expand from 50 restaurants to 750.

[Translation]

Today, he continues to work as a director for the Colonel Harland Sanders Charitable Organization, a charity that provides development assistance funds to various children's hospital projects across Canada, the United States and Mexico.

[English]

When Mr. Donnelly finally retired in 1997, he was unsure what to do with his time. A short while later, he was introduced to health care philanthropy, which has since become his life's calling. It has become his legacy.

His first substantial donation was given to St. Michael's Hospital to build research labs and restore a rundown part of the hospital. He later donated funds to help build a Centre for Cellular and Biomedical Research at the University of Toronto. At the beginning of February, it was announced he would give another \$12 million to help build a health science complex at the University of Toronto's Mississauga campus, where the medical doctors of tomorrow will be trained. His generous gift was the largest ever made to the Mississauga campus.

For all his generosity and support in making a difference in health care, he has been named to the Order of Ontario and has received an honorary doctor of law from the University of Toronto.

More than awards and accolades, however, he has become an inspiration to the students and faculty of these facilities. Even after he gives his financial contribution, he chooses to be part of the new and exciting changes going on at these locations by getting to know the research staff at the Centre for Cellular and Biomedical Research or by visiting the patients at St. Michael's Hospital. Terrence Donnelly has said that he gets tremendous joy out of giving and in watching his donations hard at work.

In the words of the dean of the University of Toronto's Faculty of Medicine, "He lives his contribution," which is something we should all aspire to.

ROUTINE PROCEEDINGS

COMMISSIONER OF LOBBYING

REPORT ON INVESTIGATION ON THE LOBBYING ACTIVITIES OF MICHAEL MCSWEENEY TABLED

The Hon. the Acting Speaker: Honourable senators, pursuant to section 10.5 of the Lobbying Act, I have the honour to table, in both official languages, the Report on Investigation on the lobbying activities of Michael McSweeney.

REPORT ON INVESTIGATION ON THE LOBBYING ACTIVITIES OF BRUCE RAWSON TABLED

The Hon. the Acting Speaker: Honourable senators, pursuant to section 10.5 of the Lobbying Act, I have the honour to table, in both official languages, the Report on Investigation on the lobbying activities of Bruce Rawson.

REPORT ON INVESTIGATION ON THE LOBBYING ACTIVITIES OF WILL STEWART TABLED

The Hon. the Acting Speaker: Honourable senators, pursuant to section 10.5 of the Lobbying Act, I have the honour to table, in both official languages, the Report on Investigation on the lobbying activities of Will Stewart.

• (1350)

QUESTION PERIOD

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

NORTHERN FOOD SUBSIDIES

Hon. Nick G. Sibbeston: Honourable senators, my question is for the Leader of the Government in the Senate and deals with food prices in the Arctic. The major focus of this government has been Arctic sovereignty. Critical to this sovereignty is the ability of Northern people to live and thrive in their communities.

Honourable senators, a recent story in *The Globe and Mail* pointed out the tremendous food prices in the communities of Arctic Bay and Nunavut. Prices have always been high, but seem to have spiked recently. Prices are also high in remote communities in the Northwest Territories. For example, one litre of milk in Ulukhaktok on Holman Island today costs \$4.35, compared to just over \$1 in Ottawa. Three pounds of apples cost \$10.84, compared to \$2.97 in Ottawa.

Honourable senators, until October 1, 2010, the Food Mail Program subsidized the cost of freight for a wide range of food items and hygiene products. A new program, Nutrition North Canada, subsidizing a shorter list of healthy foods, will come into effect on April 1, 2011. The six-month gap between the programs may have contributed to the spike in food prices.

Can the Leader of the Government provide information on the extent of food inflation in remote communities in the last six months, and tell this chamber how much prices are expected to fall when the new program comes into effect?

Can the Leader of the Government tell honourable senators how much the government is spending on the Nutrition North Canada program compared to the previous Food Mail Program?

Will the leader provide a list of food and hygiene items that were subsidized under the old program that will no longer be covered under the new program?

Can the leader tell me whether the "healthy food" list was compiled in consultation with Northerners or if it was compiled by Ottawa bureaucrats?

Honourable senators, I appreciate that the leader might not have all of the answers today, but she might, in due time, provide me with this information.

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Sibbeston for his many questions and for his insightful comment. Senator Sibbeston is correct in commenting that I do not have all of that information, but I will be happy to provide the honourable senator with as much information as possible.

As the honourable senator is aware, in our consultations with Northerners they said explicitly that they wanted a subsidy program focused on the most nutritious foods and a more accountable and transparent system.

When the Nutrition North Canada program comes into effect on April 1, as the honourable senator pointed out, it will ensure Northerners benefit from improved and increased access to nutrition and affordable foods. As honourable senators undoubtedly know, this program is based on an extensive engagement with Northerners.

Minister Duncan has met with the advisory board representing Nutrition North to discuss their mandate, which includes listening to Northerners, responding to their needs and being a voice for them in this important area.

I cannot debate the honourable senator's statements about the high cost of food in the North. When I was in Iqaluit and Inuvik, I was, as a Central Canada consumer, horrified at the prices Northerners pay. This is a great concern to all Canadians.

The Nutrition North Canada program will be advantageous. The work that Minister Duncan is doing with the various organizations is to ensure that food is nutritious and reasonably priced.

[Senator Sibbeston]

Honourable senators, I will take as notice the portion of the honourable senator's question dealing with the historical analysis of the products and the list of products contained in the new program.

[Translation]

INTERNATIONAL COOPERATION

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Hon. Roméo Antonius Dallaire: Honourable senators, my question is for the Leader of the Government in the Senate.

Canada is one of the world's middle powers. We are one of the 11 most powerful nations out of 194 in the world. Our work ethic is recognized around the globe. We are leaders in technology. We believe in human rights and have no imperialist ambitions to subjugate anyone. We are therefore an ideal neutral third party to help countries resolve their conflicts.

I ask honourable senators to think of a country a little further south of Egypt: Darfur. We have invested tens, if not hundreds of millions of dollars in development through CIDA in Darfur, where a burgeoning democracy has been recognized and where a third party is desperately needed to help that country emerge from the political impasse that is holding it back.

We speak their language and we are familiar with the region. We are in a perfect position to help that country. It is our duty to be there during these kinds of situations.

Why are we allowing France to continue making a mess of this situation? Why have we not yet responded to the United Nations' requests to come up with solutions to help this endangered democracy, which could degenerate into a humanitarian disaster?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I am not certain of Senator Dallaire's question and I will have to rely on the official transcript to understand the question and how to respond to it.

I will take Senator Dallaire's question as notice and respond when I have had a chance to assess the honourable senator's question.

Senator Dallaire: My question is why we are letting the Côte d'Ivoire fester, even though we believe in its democracy. The Côte d'Ivoire has been asking for help, internationally. We have invested so much in that country.

Honourable senators, we could send an emissary to Côte d'Ivoire. By the by, the emissary could be quite safe because he could fly there in our new red and white Airbus we bought for the air force. The emissary's plane would likely be recognized as a Red Cross plane or belonging to another NGO and, therefore would not be fearful of being shot down.

Honourable senators, can the Leader of the Government tell this chamber why we are not going to Côte d'Ivoire?

Senator LeBreton: Honourable senators, I will take that question as notice. I think the situation is a little more complicated than the honourable senator's description of current events. I will have to check, but I am not sure about what has been actually asked of Canada.

As was the case with the honourable senator's first question, I will take this question as notice.

HERITAGE

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION APPOINTMENT OF VICE-CHAIRPERSON

Hon. Pierre De Bané: Honourable senators, I wish to point out to the Honourable Leader of the Government in the Senate that I asked a number of questions yesterday to which I did not receive one answer. I am certain that no honourable senator would disagree that I did not obtain one answer to my queries.

• (1400)

Regarding the nomination of Mr. Pentefountas, I asked whether the Prime Minister had followed through on the promise he made in the Saguenay on September 17, 2008, that he would consult with the Government of Quebec before appointing the vice-chair of the CRTC. Sadly, I received no answer to that question.

Will the leader please inquire about this matter and consult her colleagues to provide a satisfactory answer to this question?

I ask again: Did the Prime Minister or the government consult the Government of Quebec before appointing Tom Pentefountas as vice-chair of the CRTC, as per the commitment of the Prime Minister of our country?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I was present when the Prime Minister talked about the CRTC. As there were concerns that CRTC chairs were always chosen from another part of the country, the Prime Minister's commitment was that the chair of the CRTC would alternate, and that there would be a vice-chair from the province of Quebec. I do not recall that the Prime Minister said "the Government of Quebec"; I recall him saying that he would consult with Quebecers.

Mr. Pentefountas went through a selection process with Canadian Heritage, and was deemed to be an extremely well-qualified and appropriate candidate. I reviewed Senator De Bané's question of yesterday and was reminded that he would have preferred another candidate. That is his right, but I believe that the era of "we are entitled to our entitlements" is over.

Senator De Bané: Honourable senators, I stress that I know no candidate. I only asked why a candidate who is a member of the Barreau du Québec, a professional engineer and member of the Association of Professional Engineers and Geoscientists of British Columbia, a candidate who has 25 years of experience in this field

and is currently a commissioner of the CRTC, was not considered. I did not propose anyone. I can provide the names of all those who applied, but I do not know any of the candidates. I have only their public curricula vitae.

As to the recollection of the Leader of the Government in the Senate, I can assure honourable senators that the Prime Minister said he would alternate between a francophone and an anglophone chair. That is why I said yesterday that the present chair, Mr. von Finckenstein, will retire in about 10 months, and I am concerned that the person the Prime Minister has appointed to vice-chair will be elevated to chair without prior experience.

I can assure honourable senators that the Prime Minister said he would consult with the Government of Quebec on that appointment. I invite the leader to read the dailies that were published in Quebec the day after his speech there.

Senator LeBreton: Senator De Bané obviously has information that I do not have if he is aware of all the individuals who applied for this position. The beauty of the system we have set up is that these positions are advertised and people can apply.

In the case of Mr. Tom Pentefountas, I repeat that he went through an independent and open selection process with the Department of Canadian Heritage, and was found to be well qualified. I am confident that with his strong background, he will make a positive contribution to the board.

With regard to who will replace Konrad von Finckenstein in a year and a half, or whenever his term at the CRTC is up, that is purely speculative. I have no clue who will replace Mr. von Finckenstein.

Senator De Bané: Honourable senators, the leader says that she has full confidence in the process that was put in place for the selection of the vice-chair. Will the leader then please answer as quickly as possible the two questions I put to her yesterday. First, I asked whether Mr. Pentefountas had submitted his CV prior to June 28. Second, I asked on what date Mr. Pentefountas met with the board of four people, two from the Privy Council Office, who interviewed the candidates.

The Leader of the Government in the Senate said that the process is impeccable, so I ask her to provide me with the answer to those two simple questions.

Senator LeBreton: As I said yesterday, I will not make a commitment in that regard. As I also said yesterday, I have some knowledge as to how this process works, although it has been vastly improved by our government since the Chrétien-Martin years, and even since the time of the Mulroney government.

Applications for these positions are dealt with by a secretariat in the Prime Minister's Office comprised of senior staff in the Privy Council Office. I formerly headed that secretariat and Senator Downe headed it under Mr. Chrétien. I will not impose upon the secretariat to provide information, and I am not sure that it is even legal to provide information when people apply for these positions.

I will tell the Minister of Canadian Heritage that Senator De Bané is opposed to the process and disagrees with the appointment of Mr. Pentefountas, although I am sure the department is well aware of that opposition already.

PRIVY COUNCIL OFFICE

GOVERNOR-IN-COUNCIL APPOINTMENTS PROCESS

Hon. Percy E. Downe: Honourable senators, the Leader of the Government in the Senate alleged that there have been improvements in the appointments process over what was done by the previous government. Can the leader outline what those improvements are?

Hon. Marjory LeBreton (Leader of the Government): In the case of quasi-judicial boards, there is now a rigorous process, unlike in the past. People must write exams and go through a process in the various departments concerned. I know people who have written those exams and have not been successful.

Also, appointments are properly advertised, and there is a much more rigorous vetting process. I believe the proof is in the pudding in that the appointments of this government have been accepted and supported by and large because we appoint people who are qualified to fill the positions to which they are appointed.

• (1410)

Senator Downe: If this were Sesame Street, “rigorous” would be the word of the day, I guess. My question was, what changes were made? I did not hear any changes in that answer. The Leader of the Government in the Senate indicated there were written examinations. Examinations were written before, for the parole board and a host of agencies in the department. If candidates did not pass the examinations, they could not be considered. Prime Minister Kim Campbell introduced the advertising of appointments, a practice other governments continued.

I heard many words. Can the Leader of the Government in the Senate be specific about what improvements, as she said in her earlier answer, have been made?

Senator LeBreton: Honourable senators, let us start with the Federal Accountability Act. Senator Downe headed this secretariat that deals with these appointments, as did I. I was acknowledging, and I thought that the honourable senator would acknowledge this fact as well, that over the years, the whole appointments process has improved.

I think the government of Prime Minister Harper has made great strides in the appointments process. For all the appointments, our criteria have been the qualifications for the appointments. That is what we have lived up to and that is why our appointments have been well received and supported generally, except, of course, by the members opposite.

[Senator LeBreton]

[Translation]

HERITAGE

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION APPOINTMENT OF VICE-CHAIRPERSON

Hon. Francis Fox: Honourable senators, I have another question for the Leader of the Government in the Senate. I would like to congratulate the government on how it proceeded, that is, in inviting candidates to apply and establishing a list of 15 criteria.

Of those 15 criteria, which ones did Mr. Pentefountas meet?

[English]

Hon. Marjory LeBreton (Leader of the Government): I did not hear the last part of the question.

Senator Fox: The government went out of its way to publish a series of 15 criteria on which to judge the candidates. Which of the criteria were met by Mr. Pentefountas, if any?

Senator LeBreton: Honourable senators, I repeat: Mr. Pentefountas went through an independent, open selection process conducted through the Department of Canadian Heritage. I am confident — obviously the honourable senator disagrees — the officials at Canadian Heritage and those who interviewed Mr. Pentefountas have approved his appointment. I believe he will prove to be an excellent person in this position, as is believed by the people who approved his appointment at Canadian Heritage.

Senator Fox: My question has nothing to do with Mr. Pentefountas as an individual. Why did the government go through all the trouble of publishing 15 criteria in the *Canada Gazette* if they were not planning to apply any of them? Why did they go through this process? Why did they not simply appoint Mr. Pentefountas with a committee in an absolutely discretionary manner? Why did the government publish 15 criteria if they did not intend to apply the criteria? If they applied the criteria, which of the criteria were met by the candidate?

Senator LeBreton: The honourable senator is making an assumption. Anyone has the right to apply for the position. The senator is making the assumption that somehow we did not consider the other candidates. I think that assumption is false.

[Translation]

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate. Does the Leader of the Government in the Senate realize that, according to the rules of the Barreau du Québec, a lawyer must not accept work unless he has the required qualifications?

Second, is the Leader of the Government in the Senate or her government aware of the fact that a complaint can be filed against this lawyer with the bar association for having accepted work in an area in which he has never practised?

[English]

Senator LeBreton: Honourable senators, that question is almost as bad as Senator De Bané's question yesterday for making assumptions — I have forgotten the word he used — to indicate that this person was not qualified. That assumption is insulting to people who are lawyers and to anyone who is a successful candidate for any position in government.

I think the term that Senator De Bané used yesterday was "ignorant." I suggest that for any of us to prejudge that an individual who has been appointed to whatever position is somehow ignorant because the person has not been in this position in the past, then we could probably clean out the Senate, because three quarters of senators would not be qualified to be in here, according to that criterion.

[Translation]

INTERNATIONAL COOPERATION

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY OVERSEAS PROGRAM FUNDING

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate. The Minister for International Cooperation cut funding for a Christian religious organization working in the area of social justice and human rights, which had received the support of the Canadian International Development Agency. The minister did not stop there; she then altered a document to falsify the record of her relations with CIDA officials. This conduct is unbecoming of a minister, who must show accountability, transparency and responsibility towards Parliament and Canadian citizens.

What will be the consequences for the minister for having misled Parliament and Canadians and how does she justify such an ill-considered action?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the minister has been clear in the House of Commons and in committee that she made this decision. These decisions are the responsibility of ministers. The decision was the right one. One of the things that we committed to when we formed the government was to ensure that monies that are expended for various programs would be directed to those who need it most, and, most of all, that we would be accountable to the Canadian taxpayers who provide this money for these programs.

Hon. Jane Cordy: Honourable senators, was the word "not" on the document when the minister signed it?

Senator LeBreton: I will repeat my answer. The answer is clearly obvious. The minister made the decision not to grant these funds. That is her job. The minister made the decision and she made it in the interests of the Canadian taxpayers who provide these funds. When we look at the outstanding work this minister has done in untying food aid and properly delivering money and services to the people who need it, rather than to people who talk about it, it is a commendable action on her behalf. She will continue to

perform her good work in assisting those groups in Africa and elsewhere that require assistance, while also being mindful of Canadian taxpayers. However, the minister is the minister, and the minister will make the decision.

Hon. Robert W. Peterson: Honourable senators, is the leader saying that the minister misleading Parliament and altering an official government document is condoned by her government?

Senator LeBreton: I am saying that the minister made the decision not to grant these funds. That decision is her right as a minister and that is why she is a minister. The minister is ultimately responsible for making these decisions. That is the decision the minister made and it was the right decision.

• (1420)

Senator Peterson: Honourable senators, I am not questioning the right of the minister to make decisions, but she misled Parliament and altered an official document. Is the leader condoning that?

Senator LeBreton: I am simply saying that the minister stated in the House of Commons and in committee that she made this decision and I believe, as do most reasonable people, that it was the right decision.

ORDERS OF THE DAY

OFFICIAL LANGUAGES ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Chaput, seconded by the Honourable Senator Mahovlich, for the second reading of Bill S-220, An Act to amend the Official Languages Act (communications with and services to the public).

Hon. Andrée Champagne: Honourable senators, I know that Senator Marshall took the adjournment on this item, but with her permission, I would like to speak to it at this time.

[Translation]

Honourable senators, before preparing my notes for my contribution to this debate, I carefully reread all that has been said in this chamber about S-220. It was introduced by our colleague, the Chair of the Standing Senate Committee on Official Languages, the tireless Senator Maria Chaput from Manitoba, on June 15, 2010.

My first reaction to this bill was very positive and it was reinforced by an experience I had at the Winnipeg airport in early September.

I was preparing to return to Montreal after attending a meeting of the chairs of the America region of the Assemblée parlementaire de la Francophonie. My flight was delayed by about 30 minutes and so I thought I would phone home so that my husband, who was going to pick me up, would not have to wait unnecessarily for me. While I was on the phone, I heard something like an announcement for passengers and I saw all those who had been patiently waiting with me quickly leave the gate. I went to the counter and asked them to repeat the announcement. As I had not spoken a word of English for a number of days, I instinctively spoke in French. And what was the clerk's response?

[English]

"Don't you speak English? That is your problem."

[Translation]

After taking a deep breath, I calmly added:

[English]

"I do understand English, sir, but I was on the phone and did not hear you well enough."

He finally told me that there was a change of gates and that, honourable senators, could have turned out to be a real problem. Had I not understood English, I might have missed my flight.

[Translation]

The fact is that Air Canada, a private company still subject to the Official Languages Act, does not think it is important to always ensure that its communications and services are available in both our official languages across Canada. I have no doubt that our colleague, who quite often has to use that airport, has had to suffer this same affront on occasion. This is a situation that needs to be corrected, of course, for her and for all the others.

Is a bill like S-220 the solution? I have my doubts. Air Canada received government assistance to ensure that a good number of its employees were bilingual. Can we ask as much of the private companies that have to be competitive but are not receiving the same funding that would be necessary if we wanted to make them subject to this law?

If, as Bill S-220 would require, all transportation companies were subject to the Official Languages Act, how many unilingual anglophone employees would be at risk of losing their jobs? What is more, would the francophones successfully employed there have been hired without at least some knowledge of English?

A unanimous motion in this chamber calling on the government to rein in Air Canada might be just as useful, and would avoid all the sudden upsets and costs that Bill S-220 would cause.

Bill S-220 calls for all members of the RCMP who patrol portions of the Trans-Canada Highway to be bilingual.

Another point addressed by almost every participant in the debate, whether talking about transportation companies or the RCMP, is the problem with the all-important phrase in the

current act, "where there is significant demand." That will never be easy to assess with any accuracy. Allow me to provide a rather personal example.

A few decades ago, I entered into an exogamous marriage. At the time, the term "mixed marriage" was also used, but it usually described a union between people of different religions, which was not my case.

Over the years, this gave me the opportunity to improve my knowledge of English. I should add that I was lucky enough throughout my studies to have excellent teachers. When our children were born, their mother tongue was French, even though they grew up constantly hearing the English that I continued to speak to their unilingual anglophone father.

Our children were enrolled in French elementary and secondary schools. Quebec's Bill 101 did not exist then, but it would have allowed them to go to English school because their father studied at an English school in Canada. We chose French school.

My children were five and seven when we moved to a different part of Montreal where there was a mix of English and French families.

I would like to share a story. The day we moved, I was unpacking when my five-year-old daughter came to me crying, saying, "Mommy, I want to go back home, to where we used to live. All of the kids here speak English." I said, "Listen, Lili, I am very busy unpacking so that we can eat supper and sleep comfortably tonight. You have heard English since you were born. Go back outside and play. Soon enough you will be able to talk to them and understand them."

In less time than it took me to tell that story, all of the children in the neighbourhood were bilingual, whether they went to French or English school.

Later, my daughter chose to go to CEGEP in French and her brother enrolled in Dawson College because he wanted to take courses that were available there.

• (1430)

The only other option at that time was a CEGEP in Saguenay, which was far from home for my teenage son. When it came time to go to university, my son Patrick was accepted in film studies at Ryerson, in Toronto. Liliane finished her studies at Concordia in theatre and translation. Today, they are both perfectly bilingual, more bilingual than I am, and that makes me very proud.

I have always had a difficult time answering the census question about which language is spoken in the home. I always spoke French to my children and English to their father. So what was I supposed to answer? I agree with our colleagues and the commissioner, Mr. Fraser, when they say that arithmetic cannot be the only criterion used to determine where there is sufficient demand. In the small community where we lived, the institutions, schools, recreation and health care were all available in both languages. Were there two minority communities in our Montreal suburb?

[Senator Champagne]

When it comes to newcomers, our discussions and action often centre on the importance of their integration into the community. However, when it comes to Canadians living in minority language communities, we say that they are fighting assimilation. One day we will have to define exactly where the line is between integration and assimilation.

It comes as no big surprise that, in her speech, Senator Jaffer again made reference to the Vancouver Olympic Games. Like everyone, I was very disappointed by the place French was given in the opening ceremonies. A poem by François-Xavier Garneau translated into English, read by Donald Sutherland and dubbed by another actor, did not incorporate any elements of French. The fact that, one year later, we are blaming Céline Dion, who was going through a high-risk pregnancy, or Gilles Vigneault, a Quebec poet who is certainly just as passionate about independence as he is about words, shows that the organizers either truly washed their hands of francophone Canada or that they had very little imagination. Who was consulted to obtain these results?

However, as our commissioner and Mr. Couchepin, the Grand Témoin de la Francophonie, have said, the presence of French was remarkable in other places, for instance, on signage and at the various sites. Canada hosted the most francophone Olympic Games in history. We can enjoy full bragging rights even if our pride was a little bit hurt during the opening ceremonies.

The Official Languages Act is already 40 years old. It has been amended several times. Strangely enough, the various speeches have hardly mentioned the most recent changes, those made to Part VII, under which government departments and organizations are required to take positive and tangible measures to improve the situation of both French and English official language minority communities.

All those who appeared before the Standing Senate Committee on Official Languages had a great deal of difficulty expressing how they define positive measures. Should the latest amendments have been more specific and given examples or suggestions? Despite all this, we have seen great improvements across the country, thus the title of our report, *We can still do better*.

In one of his latest reports, Commissioner Fraser praised the magnificent work done by Service Canada in complying with the Official Languages Act. We are also all aware of the efforts made by our government to promote the training of its employees in both official languages.

Coming back to Bill S-220 specifically, it is shocking to see how wide-ranging it is. Even though our colleague has repeated that the changes required by Bill S-220 would be minor, a careful reading shows the complete opposite. Bill S-220 would have repercussions for the private sector and even at the provincial and municipal levels. There would be considerable costs for the federal government. Since this private Senate bill does not have the authority to require any government spending, Senator Chaput will no doubt have to find a way to explain where the necessary funds would come from. Which existing programs in the linguistic roadmap would she be prepared to see have their budgets slashed or disappear completely? Her Bill S-220 does not say a word about that, nor did her speech.

Bill S-220 is very broad and wide-ranging. It affects air, maritime and rail transport, whether these are public or private sector services. It would require that all RCMP officers along the Trans-Canada Highway be bilingual and implies that both languages should be spoken in our post offices. Do some of Senator Chaput's complaints deserve solutions, at least ones to mitigate the damages? Without a doubt. However, is Bill S-220 the solution? Everyone believes in doing the right thing, but as the saying goes, "You may get more than you asked for."

We must continue to encourage our government's efforts to give minority language communities the help they need, whether they are in Quebec or elsewhere in Canada. Simply allowing them to survive is not enough. We must encourage them to develop and ensure that they mature fully. Would a legislative committee be able to make Bill S-220 acceptable to the government? Time will tell. I know that I will be watching closely.

Hon. Maria Chaput: Honourable senators, first, I would like to sincerely thank Senator Champagne for participating in this debate. Whether she is speaking in committee or here in the Senate, she is always elegant and kind, even if the message is very clear.

Senator Champagne knows — I have already spoken to her about it — that with Bill S-220, my primary objective is to create a debate, first in second reading in the Senate, and then in a Senate committee, on a bill that has the support of all francophone and Acadian communities in Canada. It is very relevant because it will support the vitality of communities across Canada. I realize that you think it is ambitious. However, I would just like to add that in Manitoba we say, "Nothing ventured, nothing gained."

Bill S-220 amends Part IV of the Official Languages Act; its regulations date back to 1992 and have never been amended. We wish to amend Part IV, which does not fulfill the objectives of the Official Languages Act; it consists of half measures. We must find concrete solutions that will enhance the vitality of communities and counter the assimilation that continues to take its toll and that we must reluctantly suffer.

My question is as follows: do you not believe that Bill S-220 is pertinent, as it would clarify the obligations of the federal government and support the vitality of communities?

Senator Champagne: Would honourable senators grant me another five minutes to answer Senator Chaput's question?

Hon. Senators: Yes.

Senator Champagne: Thank you, honourable senators. As I mentioned in my presentation, I understand very well that many people would like the law to be tightened up. The major problem with Bill S-220 is that it heads off in every direction and wants to touch on every issue at the same time. I believe that perhaps, here in the Senate or in committee, we should find a better way to identify the areas where the numbers warrant or demand is significant.

• (1440)

All of this definitely causes a problem. Yet, nowhere in the honourable senator's speech did she mention where the money might come from to cover the costs associated with this bill, or which programs within the roadmap she would like to cut in order to obtain the money required.

I understand that there are some difficulties. In committee, we looked at several situations, we heard from several official language minority communities and we saw the problems. However, I do not think that trying to resolve everything at once 40 years later will really solve these problems. Some people really appreciate the programs that we would have to cut from the roadmap. Would they be okay with seeing them disappear? I doubt it. We have to make a choice. Perhaps we do need to tighten our belts, but that does not mean we have to cut everything; pull back a little and strengthen certain points, yes, but not turn everything upside down overnight.

Senator Chaput: The debate before us has to do with referring the bill to committee. I do wish to amend an act, but before we implement and apply this amendment, we must hear from witnesses so they can share their point of view and explain why certain things will not be possible. We will hear representatives from the departments and the community. Would the honourable senator not agree that this debate should be happening in committee? Her government could then propose amendments and we could discuss how they should be implemented. Thus, if there were any choices to be made, priorities would have to be established first. Does the honourable senator not agree that this should happen in committee?

Senator Champagne: I think the Deputy Leader has already assured the honourable senator that this bill will be referred to committee. There is no way we will let it die on the Order Paper. However, I am happy to hear the honourable senator say that she does not really expect everything in this bill to be accepted overnight, because we need to find the financial resources that could make all this possible. I thank the honourable senator for listening to me. I think she knew pretty much what I was going to say. While I support doing what is best, I think there are limits to everything.

Hon. Fernand Robichaud: Honourable senators, I thought I understood from the end of Senator Champagne's speech and from her response to Senator Chaput that she completely agrees that this bill should be sent to committee. That means that she agrees with the Deputy Leader of the Government who, some time ago, assured us that he was in favour of sending this bill to committee. I am therefore wondering if the time has come for this bill to be sent to committee.

Senator Champagne: It is not my decision, but I know that there are other senators who also wish to speak. Senator Chaput, who introduced this bill, initially told us in her first sentence that what she really wanted was to provoke a debate. So let us continue the debate. I am certain that someone else will want to move adjournment of the debate. We will continue to discuss the bill and, when the time comes, we will send it to committee. As I said at the end of my speech, I would like to be one of those who sit on the committee and I will listen very carefully with a very open mind.

(On motion of Senator Marshall, debate adjourned, on division.)

[Senator Champagne]

GOVERNANCE OF CANADIAN BUSINESSES EMERGENCY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Tardif, for the second reading of Bill S-205, An Act to provide the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis that is undermining Canada's economic stability.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, since Senator Gerstein is currently absent, I wish to move the adjournment in his name for the remainder of his speaking time.

(On motion of Senator Comeau, for Senator Gerstein, debate adjourned.)

[English]

STUDY ON ISSUES RELATING TO FEDERAL GOVERNMENT'S CURRENT AND EVOLVING POLICY FRAMEWORK FOR MANAGING FISHERIES AND OCEANS

SIXTH REPORT OF FISHERIES AND OCEANS COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Rompkey, P.C., seconded by the Honourable Senator Tardif, for the adoption of the sixth report (interim) of the Standing Senate Committee on Fisheries and Oceans, entitled: *Seeing the Light: Report on Staffed Lighthouses in Newfoundland and Labrador and British Columbia*, deposited with the Clerk of the Senate on December 20, 2010.

Hon. Elizabeth Hubley: Honourable senators, I would like to add a few short comments to the debate of this report concerning the de-staffing of lighthouses on the east and west coasts.

Lighthouses evoke strong emotions in us, certainly as icons of beauty along our coastline that evoke the romance of the sea, but, more practically, they represent safety and protection. Whether Canadians are on the water for fishing, shipping, or recreation, lighthouses have an essential role to play as aids to navigation.

The decision of whether or not to de-staff these lighthouses must take into account the variety of important roles lightkeepers fill. Staffed lighthouses in British Columbia and Newfoundland and Labrador offer a variety of complementary services, such as search and rescue, assisting mariners in distress and weather monitoring for air and sea. Lightkeepers already provide services unrelated to marine safety but benefit government agencies and the public. Lightkeepers assist in scientific and climate change research; maintain seismic monitoring equipment; and report

sightings of threatened or endangered species such as whales, dolphins and sea turtles. Staffed light stations are also involved in the RCMP's Coastal Watch Program, which assists in identifying persons, vessels, vehicles, and aircraft that may constitute a threat to Canada's national security, or may be involved in illegal activities.

Honourable senators, lightkeepers told the committee that they felt that in addition to maintaining the light, they could also undertake other duties or expand activities they already perform. In some cases, lightkeepers already play a role in tourism, assisting hikers where the lighthouse is in a park, and managing plant resources in delicate ecological areas. However, the true value is their efforts in saving lives, by maintaining the light, assisting in search and rescue, and providing immediate, accurate weather and sea state conditions to approaching mariners and aviators.

I had the pleasure of visiting both coasts as part of the fact-finding visits the committee undertook for this study. I was fortunate to visit some of those lighthouses, which have stood for decades protecting our coasts and those people who make their living from the sea. I was struck by the remoteness of some of these lighthouses, and the multi-faceted role lightkeepers play.

• (1450)

Although the Coast Guard proposed the de-staffing as a cost-saving measure, the committee was convinced by the overwhelming testimony we heard from coast to coast that staffed light stations play an essential role that cannot be filled with automated stations. Automated equipment is seen to be unable to compare with the certainty, reliability, knowledge and judgment of an experienced lightkeeper. Fishermen, in particular, expressed concerns to the committee that the new automated lights were insufficiently bright and less reliable than the staffed lights.

Nonetheless, advancements in technology, current needs and cost all must play a part in determining the fate of each lighthouse. Yet, each light station is unique. Its placement, purpose, benefits, costs and importance must be evaluated individually on a station-by-station basis, with input from the lightkeepers themselves and from the community. The committee strongly recommends that the government's one-size-fits-all approach to de-staffing must be reconsidered.

The government's all-or-nothing approach is also disturbing in relation to the recent decision to declare over 1,000 light stations surplus under the Heritage Lighthouse Protection Act. The sheer number of lighthouses declared surplus is staggering. In my view, the certainty that lights on a metal tower can always be equally effective as traditional lighthouses is still in question. Furthermore, it is unclear if the community has had sufficient understanding of the process regarding protecting surplus lighthouses. In addition, the states of disrepair some of these lighthouses have fallen into threaten the viability of community groups assuming responsibility for their future. These issues and others must be examined as part of our ongoing study into the implementation of the Heritage Lighthouse Protection Act.

In conclusion, honourable senators, I commend the committee's report on de-staffing to the chamber and encourage the government to consult broadly on a light-station-by-

light-station-basis, and examine the opportunities presented by staffed light stations before any further action is taken to de-staff lighthouses.

(On motion of Senator Patterson, debate adjourned.)

GOVERNMENT PROMISES

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cowan calling the attention of the Senate to the litany of broken promises by the Harper administration, beginning with the broken promise on income trusts, which devastated the retirement savings of so many Canadian seniors.

Hon. Doug Finley: Honourable senators, it is with great disappointment that I rise to speak today on this publicity stunt. I had not planned to speak on this item until I read Senator Cowan's comments in the media expressing the fact that this inquiry is part of a 10- or 12-day comprehensive program by the Liberal Party to "reveal" the broken promises.

Stunts like this one not only give our party more examples of the desperate need to reform the Senate, but they provide more ammunition for Canadians who want to abolish the place.

Honourable senators, it used to be said that the only certainties in life are death and taxes. To this list we can now add Liberal rhetoric and hypocrisy.

I understand that the last five years have been tough on the Liberal Party. The self-proclaimed "natural governing party" has been out of power for five years. Even Frank Graves and EKOS polls are showing Liberal Party numbers heading south. Their leader makes them long for the "glory" days and the high polling days of Stéphane Dion. They cannot comprehend how Canadians would allow Stephen Harper to serve longer than Lester B. Pearson.

Honourable senators, make no mistake; Senator Cowan has a tough job. I do not envy him, because we are not giving him enough material. There has not been a boondoggle at Human Resources and Skills Development Canada or a gun registry boondoggle. Stephen Harper would never dream of profiting from shady real estate deals using his influence as Prime Minister, for example, in the Shawinigate affair. None of our ministers have given visas to strippers who volunteered on their campaigns. No government contracts have been given to former boyfriends or girlfriends of cabinet ministers. Our senators are not living in Mexico or being charged with fraud.

Furthermore, there has not been a sponsorship scandal. Remember that scandal — tales of taxpayers' money being shuffled into the Liberal Party and the pockets of their friends via brown paper bags? Rather than spend time talking about errors, let us talk about where the \$40 million went.

We have made Senator Cowan's life difficult because there has been none of that type of Liberal scandal and corruption under our watch. Yet the Liberals, despite their promises of civility, have decided to go on a planned long-range offensive with this inquiry.

This effort clearly would be orchestrated by Michael Ignatieff and Peter Donolo, who would rather play games and force an unnecessary election than talk about the economy — the most important issue to Canadians.

Honourable senators, let me make this clear: the Conservative Party does not want an election. Our choice is to govern the country in the clear and successful path that we have followed for five years. Canadians agree with us. Canadians do not want a disruptive, untimely and expensive election.

We do not think that this offensive is either sound or useful, but, like anyone so massively attacked, we might possibly respond. It is possible that, over the next period of time, we will not only refute and counter the Liberal rhetoric, but we will remind Canadians of the multitude of broken Liberal promises — governments from the past — the scandals and the ineptness that characterized the self-proclaimed golden years of the Chrétien-Martin governments, where, one might add, many of these Liberal senators served time in cabinet.

We may also recount amazing private and potentially destructive deliberations within the Liberal cabinet, and we may take time to analyze incisively the litany of current and recent promises that the current Liberal opposition has made — and we are not in an election yet.

Honourable senators, the Liberals evidently want to use this chamber as a launching pad for a nakedly partisan attack on this government. Why: because they do not have the fundraising skills or the general popularity to raise the money to take their message, paid on their own dime, to Canadians directly. Typically, the sponsorship party will use the taxpayers' money to provide them with a platform to do so.

This chamber could better use its time discussing and debating matters of real interest to Canadians, like the economy, the safety of our communities, preventing human smuggling, safe drinking water for Aboriginals and creating jobs for Canadians.

The Senate, I have learned, is a place where I can learn, grow and contribute to the important and pressing matters of the day. Only last week, Senator Cools made an excellent, well-researched, thought-provoking speech on Bill C-232. I learned more about the history and the precedence of the Senate through one presentation than I ever thought possible.

• (1500)

Honourable senators, the party of entitlement would rather choose to waste the Senate's valuable time trying to place their party and unpopular leader into a position to force an unnecessary election. Over the next few weeks, if the Liberals persist in this bizarre ploy as suggested in the media by Senator Cowan, they can count on a response.

The symbol, the icon, nay the bible of broken promises in Canada is none other than the Red Book. Paul Martin once was quoted as having said, "Screw the Red Book" — evidence that the Liberals never had any plan to keep their promises in the first place. This book was a great lie designed cynically to compel Canadian voters to vote for a party that had no intention of living up to its content.

[Senator Finley]

The Goods and Services Tax, to quote Prime Minister Chrétien, "will be gone in two years." That was in November, 1993.

Child care and the promise to build 50,000 spaces a year up to 150,000; where are they?

Renegotiating the North American Free Trade Agreement, NAFTA: For sure, the Red Book said they would renegotiate both the Free Trade Agreement and NAFTA.

Replacing the Sea King helicopters: "Why is the government spending this money on a Cadillac system we don't need?" said Jean Chrétien in 1993.

Ethics: "Open government will be the watchword of the Liberal program." That was 1993. "If government is to play a positive role in society, as it must, honesty and integrity in our political institutions must be restored."

This Red Book designed a legacy of entitlement that later would stun a nation. Unlike the Chrétien government, who was elected on the Red Book and ignored it, our government was elected on five priorities in 2006: the Accountability Act; cutting the GST; cracking down on crime; increasing financial assistance to parents; and fixing the fiscal imbalance and working with the provinces to establish patient wait time guarantees.

With no thanks to the Liberal Senate, the government passed the Accountability Act in December 2006. This act ensures that the government is accountable to Canadians and not to Liberal friends and Liberal interest groups.

That was a promise made; promise kept.

We pledged to cut the GST by two points — a tax that the Liberals had promised to abolish 13 years prior. On July 1, 2006, the GST went from 7 per cent to 6 per cent. On January 1, 2008, the GST went from 6 per cent to 5 per cent.

That was a promise made; promise kept.

We promised to end the revolving door of a Liberal justice system. Although the hug-a-thug coalition is still fighting us on over 20 important crime bills, in the last five years we have passed 18 bills to strengthen our laws and keep our communities safer.

That was a promise made; promise kept.

Our party promised to give parents a choice in child care by creating the Universal Child Care Benefit. The tax-and-spend Liberal Party told us it would be wasted on beer and popcorn. Canadian parents now receive \$100 per month for over 2 million children and still have a choice in child care.

That was a promise made; promise kept.

After years of balancing the budget by slashing health care transfers and downloading onto the backs of the provinces, our government pledged to correct the fiscal imbalance and ensure that patient wait time guarantees were established. Budget 2007 corrected the fiscal imbalance, and we have implemented wait time guarantees for patients in every province and territory.

That was a promise made; promise kept.

In conclusion, honourable senators, I repeat that this Conservative government respects the wishes of Canadians: no election; keep working on the economy; continue to create jobs for today and tomorrow; make our communities safer; and strengthen our military. Those things are our commitment. I ask Liberal senators to respect their own call for civility. Abandon this phony stunt and settle down to pass the considerable amount of proposed legislation that is before us or coming soon.

Hon. Joseph A. Day: Honourable senators will note that this matter was adjourned in the name of Senator Cordy. I have spoken to the honourable senator, and she does not object to my speaking at this time; I am sure that the honourable senator opposite afforded her the same courtesy. When I finish my comments, if honourable senators are agreed, I will adjourn the debate in the name of Senator Cordy.

Honourable senators, I thank Senator Finley for setting the tone for the debate on this inquiry. I may not adopt the same tone, and honourable senators will understand why.

I rise to enter the debate on Senator Cowan's inquiry. Honourable senators will remember that when the current government came to power, it did so promising a new era of transparency and accountability and telling Canadians that it only would make promises that it could keep and that Canadians could rest assured that they would keep all of their promises.

Honourable senators, five years later we see that this promise was the greatest broken promise of all. Senator Cowan has reminded us of the broken promise on income trusts, which destroyed the lives and life savings of so many of our senior citizens.

Honourable senators, I want to talk about a different promise, which was set out in the Conservative Party's 2006 federal election platform: the promise to establish a public appointments commission. The wording from the platform states that a Conservative government will:

Establish a Public Appointments Commission to set merit-based requirements for appointments to government boards, commissions, and agencies, to ensure that competitions for posts are widely publicized and fairly conducted.

Honourable senators will recall the discussion that took place during Question Period and, had that been commission been established, it would have saved the embarrassment that was evident in the answers given by the Honourable Leader of the Government in the Senate.

I am sure that all honourable senators remember the promise that partisanship was to be a thing of the past, at least in terms of government appointments to boards and agencies. Mr. Harper, the candidate, promised Canadians solemnly that if elected, he would establish a new public appointments commission to take partisan politics out of the appointment process.

Candidate Harper was elected by Canadians who embraced this platform. Prime Minister Harper then introduced his much-touted Bill C-2, the proposed accountability act, which included provisions authorizing the Governor-in-Council to appoint the public appointments commission.

So far so good, honourable senators. However, on careful examination of Bill C-2, we discovered that this promise had become discretionary. The proposed legislation stated that the Governor-in-Council may establish a commission. I was a critic on this piece of proposed legislation, as a member of the Standing Senate Committee on Legal and Constitutional Affairs when Bill C-2 was studied.

The committee proposed an amendment to make it mandatory for the Governor-in-Council to appoint a public appointments commission. The amendment was passed by the committee and passed by the Senate as a whole, but was rejected by the government when the bill was sent back to the other place. Many honourable senators liked the idea of ensuring merit appointments to boards and agencies, duplicating the merit principle that exists in the public service, which works well.

Honourable senators, the government rejected the proposed amendment in the other place. They said the amendment "would limit the capacity of the Governor-in-Council to organize the machinery of government" and "as such are unacceptable."

• (1510)

What happened with respect to the commission after Bill C-2 was passed, honourable senators? Prime Minister Harper never did exercise his discretion to establish a public appointments commission.

It is true that he put forward a name of a candidate to chair a proposed public appointments commission. This was a process set up by Mr. Harper before Bill C-2 was passed. Under those old rules, committee members of the other place considered the proposal and, in their wisdom, disagreed with the proposed chair of the public appointments commission and rejected the name.

Honourable senators, the Prime Minister abruptly announced that he was scrapping the idea of a commission altogether. If he did not get to choose his candidate, then the public appointments commission was not to be. The Prime Minister said that no other candidate would be put forward. There was apparently no other man or woman in the entire country who was qualified to do the job. The Prime Minister took his marbles and went home. He went back to 24 Sussex, the keys to which he obtained on the strength of a platform which he was now breaking.

Subsequent to this, honourable senators, Bill C-2 was passed with a provision still in it for a public appointments commission, with an advisory role in Parliament and not a mandatory "yes" or "no" for the appointment. Parliament, therefore, was still involved, but not to the same extent.

Then, honourable senators, in an apparent change of heart, the Prime Minister actually repeated the promise to establish a public appointments commission in the 2008 election platform. It states:

We will appoint members to the Public Appointments Commission. . . . A re-elected Conservative government will ensure that the Public Appointments Commission gets up and running.

That is in the 2008 Conservative platform, honourable senators; but one has to conclude that there was never any intention to fulfill that promise. Here we are in 2011 and we still have no public appointments commission. Promises made, promises broken.

This government has also promised to be fiscally conservative, honourable senators — that is with a small “c.” I suspect we may hear a whole lot of speeches on the broken promises alone with respect to fiscal responsibility.

The government has actually managed to spend millions of dollars on this nonexistent, non-appointed commission. That is true, honourable senators. This nonexistent commission has a bureaucracy and a secretariat. It has appropriated more than \$1.5 million in the past three years to run a fictional commission and the secretariat, which is sitting there waiting for the commissioners to be appointed.

Meanwhile, Prime Minister Harper has earned the title of “patronage king” for his thousands — literally thousands, some 4,670 — of patronage appointments that have been made with flagrant disregard for the election promise to Canadians.

Some Hon. Senators: Shame, shame.

Senator Day: Appointments that would have taken place through this commission, honourable senators. Appointments that continue to raise concerns as boards and agencies are being filled with well-connected friends of prominent Conservatives, including senior staff to the Prime Minister, Conservative Party donors and unsuccessful candidates.

However, honourable senators, I do not want you to misunderstand this statement. Just because someone participates in the political process, it should not be a reason for excluding that person from consideration to an appointment. However, that person should also be qualified for the appointment, quite apart from his or her political affiliation.

The problem, honourable senators, as you have seen from the questions that were asked during Question Period with respect to the CRTC, is that there is no independent commission to ensure that the appointment is based on merit. Hence, the public quite naturally lacks confidence in the appointment process and otherwise qualified individuals are tainted with the “political hack” brush. This is not good for the political process and this is not good for the governance of our country.

The Leader of the Government in the Senate, honourable senators, stalwartly maintains that her government fully intends to live up to the commitment to appoint a public appointments commission. She said that in December 2009 in response to a question I asked of her.

Clearly, Canadians deserve more, honourable senators. Surely two elections, five years and almost 5,000 appointments later, it is not too soon to expect Mr. Harper to fulfill a two-time election campaign promise.

Honourable senators, it is time for honesty, clarity and accountability. If the Harper government has a sense of honour, it would immediately engage in discussions with the opposition

parties to find an acceptable candidate who had the confidence of Parliament for this important job and who both sides of this chamber accepted. Until then, honourable senators, Canadians have but another promise made and another promise broken.

Honourable senators, just like the fixed election dates, the promise will be gone with a whim.

Some Hon. Senators: Hear, hear.

(On motion of Senator Cordy, debate adjourned.)

FIFTH ANNIVERSARY OF CURRENT GOVERNMENT

INQUIRY—DEBATE ADJOURNED

Hon. Grant Mitchell rose pursuant to notice of February 10, 2011:

That he will call the attention of the Senate to issues related to the 5th anniversary of the Government.

He said: Honourable senators, I rise to answer a statement made by Senator Finley several days ago — three minutes in which he tried to make a case for there somehow being an occasion to celebrate five years of Conservative government and Mr. Harper’s regime in this country.

• (1520)

We all want to welcome back to the Senate a colleague who has had a difficult time with health issues, and it was great to see Senator Finley stomping, snorting and breaking some China once again — the old warrior never giving up. It strikes me that the harder the old warrior fights, the more he knows he is wrong. Senator Finley reflects the single most piercing, core, deep-hearted value of this government: when in trouble, attack to distract.

Honourable senators, three minutes later, after arguments so light that they are stuck on the top of this ceiling, I was struck to observe that never has so much been concluded on so little evidence in such a short period of time.

Senator Finley began by lauding his leader and saying that his leader had stuck to the belief that hard-working Canadians pay too much in taxes and that income taxes have been cut across the board.

Honourable senators, let us put that into perspective. When our side left government, we had reduced the lowest level of income tax from 15.5 per cent to 15 per cent. The first thing this government did when it came to income tax was to increase it back to 15.5 per cent. Some years later, this government reduced it to 15 per cent, taking credit for having reduced taxes. What is the saying? “It is like being born on third base and thinking you hit a triple.”

In Senator Finley’s second point about taxes, the honourable senator laments the tax burden of hard-working Canadian people. Honourable senators, whose taxes have they cut most? It is not

the taxes of those of hard-working Canadians, despite the fact that income tax cuts to middle-income and lower-income Canadians have much greater reverberations throughout the economy. Rather, they are cutting corporate taxes by \$6 billion. How many hard-working foreign owners of those corporations are being rewarded with corporate tax cuts that will not stimulate an economy like income tax cuts to Canadian middle-income and lower-income families would, and in a much greater way?

Honourable senators, Senator Finley goes on about the GST. How long do we have to listen to the GST hyperbole? Senator Finley should be reminded that many members of his Senate caucus were not only in the House of Commons at the time the GST came in but voted for the GST in this house. He has had five years to do away with the GST. His government is in power, so why does he not do it? He continues to do what this government does.

The second thing this government does is attack to distract. A subset of that is to blame something on a government that is no longer there and that they can fix because he is in power. Senator Finley has the responsibility, and the power to back it up. Why does he not do it? Stifle the rhetoric and act. Make decisions — decisions that follow from you are trying to blame others for not doing or for having done.

Finally, honourable senators, when talking about tax increases, let us talk about a \$56 billion tax increase that is a deferred tax increase to future generations. It is every bit a tax increase. However, the horror of it is that his government has just increased that tax by borrowing \$56 billion. It is beyond belief how the honourable senator can stand in this house and not, on a five-year anniversary, make reference to the fact that his government has been the least fiscally responsible government perhaps in the history of this country.

Senator Finley also argues this “tough on crime” agenda. We keep hearing that; we hear great spin. “Tough on crime.” “Hug-a-thug.” “Hug-a-thug coalition.” “Loose on truth” would be another one. “Revolving door justice.” They are very good on the spin.

Honourable senators, let us again look at a couple of fundamental, substantive points. First, we have been given no idea what such a “tough on crime” agenda will cost. Estimates put the first two major crime bills at about \$18 billion extra. That is not just capital expenditure; some of that is one-time, and some will go on for a long time. That is \$18 billion.

They know how desperately that represents poor economic fiscal management. How do we know they know that? They will not tell anyone what the real facts are or, worse yet, they do not know the real facts. This government is bringing in legislation that will create a huge burden on the future on our fiscal regime and they are unaware of what that burden will be.

Why do we have a \$56 billion deficit? We have a \$56 billion deficit because they do not know how to budget; they do not budget in advance. We saw that in the Defence Committee this week with the Shiprider agreement, Bill S-13. This government has no idea what it will cost, but insists on bringing in the

legislation. It is all the more galling because they are bringing in billions of dollars of “prison reform” that will not work. They say they will help victims. They will only create more victims, because these people will not be rehabilitated. They will go out after \$18 billion of excessive, absolutely unnecessary expenditure and create more, not fewer, victims. Mark my words.

Never before has so much been concluded on so little evidence in such a short period of time.

When Senator Finley attacks to distract, what is he trying to distract us from? Let me begin to list the items. I do not blame him for doing so, because it is horrifyingly embarrassing, if one could actually embarrass this government.

[Translation]

Over the past five years, the cost of living has increased faster than income for many Canadian families. Generally speaking, the cost of living has risen by 9 per cent since the Conservatives came to power. Growing costs and lost jobs mean that many Canadian families have had to make do with less or resort to borrowing money in order to make ends meet. The GDP per capita has decreased by 1.3 per cent since the Harper government came to power.

[English]

Honourable senators, the standard of living of Canadians has diminished 1.3 per cent per capita since this government took over five years ago. That is quite a record.

Canadians are more in debt today than they were five years ago. For the first time in 12 years, Canadians are more in debt than Americans. The average Canadian carries a debt equivalent of one and half times their after-tax income. Great fiscal regime; great economic management. Canadians are more in debt per capita, relative to our economy, than perhaps ever before. They are certainly in debt at one and half times their after-tax income.

In the past five years, the debt Canadian families carry relative to their disposable income has risen by 20 per cent. Well done. The honourable senator's government put Canadians further in debt. Canadian household consumer debt is now the worst among the 20 most advanced countries in the OECD. Do not tell us that we are outperforming other countries economically; because where it really counts — in the homes and among the families of our country — we are way behind. We are behind the 20 most advanced countries in the OECD.

Since the Conservatives came to power, personal bankruptcies are up more than 33 per cent compared to the highest levels since records were publicly announced. We are talking results. We are not talking rhetoric. We are not talking spin. We are not talking catchy phrases. We are talking results that matter where Canadians live: They live with their kids, their grandkids and their families and they worry about their futures. They do not have a government that worries about their futures.

Senator Finley, listen to this because you need to hear this.

[Translation]

Under the government of Stephen Harper, families have taken on a greater share of the cost of health care. Compared to 2005, Canadian families were paying 29 per cent more in 2009 for a growing list of health care expenses that are not covered, such as prescription drugs and private insurance.

Today, the average Canadian personally pays 17 per cent more for pharmaceutical products than in 2006. Families are increasingly relying on each other for care. Over 40 per cent of family caregivers use personal savings to survive and 65 per cent of them have an annual family income of less than \$45,000.

[English]

Honourable senators, high-quality full-time jobs have disappeared under Mr. Harper's government. I think the word Senator Finley used was that it was a "momentous occasion" — a momentous occasion — to celebrate five years of Mr. Harper. I guess if you were one of the Canadians who has lost a high-quality full-time job, you would not think it was a momentous occasion.

• (1530)

Under the Conservatives, low-quality part-time jobs have been created at a rate three times faster than full-time jobs. That is an accomplishment. Since the start of the recession in 2008, the economy has lost 76,000 full-time jobs, which have been replaced by 121,000 part-time alternatives. Unemployment in Canada is 25 per cent higher today than it was five years ago. That is 280,000 more Canadians unemployed than there were five years ago. That is quite a momentous occasion. Why do you not get up and celebrate that one, Senator Finley?

Under the Harper government, families are finding it tougher to support their children's futures. We do worry about our children. I know that every one of us here believes in family values.

In a comparison of child care services available to parents in the 25 most-developed countries, UNICEF ranked Canada dead last in terms of quality of and access to child care spaces. We failed in nine of their ten categories.

Average undergraduate university tuition has risen by over 20 per cent in the past five years with no comparable increase in federal funding or federal student aid. The future is education. Nearly three quarters of parents now believe they will be unable to afford post-secondary education for their children.

It is very telling to listen to this statistic: 16 per cent of low-income students now plan to delay additional studies because of the level of debt they have. For low-income families, debt is one of the most powerful inhibitors to post-secondary education.

Student borrowing from the federal government has reached the highest level in its history and is at \$15 billion. We are graduating students with mortgages, but no houses.

[Senator Mitchell]

Under Mr. Harper, the federal government is borrowing money to pay for increased spending. There was an excellent column today by Dan Gardner in the *Ottawa Citizen*. He explicitly said, and I quote, "This government is incompetent."

If one ever wanted to see an incompetent government, look at the fiscal record of this government. They do not mention that in their three-minute statements celebrating five years of Mr. Harper.

Here is what we have to celebrate: In just five years under Stephen Harper, the Conservatives turned Canada's \$12 billion budgetary surplus into a \$56 billion deficit. That is a \$68 billion turnaround. There is no doubt that that takes a lot of effort.

Under Mr. Harper, the annual government programs spending increased by \$80 billion on a \$200 billion base budget. That is a 40 per cent increase in expenditures. We have seen a massive increase in the salaries of public servants and in the number of public servants under this regime.

The Conservatives took the country into deficit before the recession began. One should not listen to those who say this is all due to the recession, because it is not. It happened eight months before the recession began and before the government even admitted there would be a recession. They also got rid of the surplus, so that was a \$68 billion turnaround.

Since we all know this, I am repeating only for emphasis.

In 2010-11, the government spent \$1 billion on a G20 photo op, \$16 billion on an untendered deal for stealth fighters, \$6 billion on corporate tax cuts, and \$18 billion on new prisons and the effects of new crime legislation. We could go on.

There is literally no control of this government's expenditures, and frequently we get a clear indication that they do not even know what legislation will cost when they bring it in.

Canada's combined federal, provincial, territorial and municipal debt under this government is 83.4 per cent of gross domestic product. It is only marginally better than that of the United States, which is at 84.4 per cent, and they are known for their ability to create debt. It is worse than that of Australia, Germany and the United Kingdom, places and economies with which we have always compared relatively favourably.

The Hon. the Acting Speaker: The honourable senator's time has expired.

Senator Mitchell: Could I have five more minutes?

Senator Comeau: Five minutes.

Senator Mitchell: Thank you very much.

By 2016, at the end of the Conservatives' five-year deficit projections, each Canadian will have a \$17,200 share of the federal debt. A family of five will be in the hole to the tune of \$85,000. That is great.

[Translation]

In five years, Canada has gone from world leader to a nation isolated on the world stage.

[English]

I will not go on for long about that. We know that under this government we have lost our stature, our presence and our influence in the world. There are all kinds of ways in which that has happened, but it is an indication of fundamental incompetence in dealing with our place in the world and in establishing our international relations.

There are many reasons why this has occurred. We see the ad with Mr. Harper working all by himself, with no friends and no team. His desk is covered with piles of paper, and he is signing things. It is a middle management technique to have piles of paper. He is probably putting "nots" on documents and following up on all his ministers rather than delegating. That is one reason that we do not have strong leaderships at that level.

He is worried about getting special reports on signs for stimulus packages. Who is worrying about Israel, health care, education and Afghanistan when the Prime Minister is worrying about signs? We are talking about focus and the ability of a leader to delegate to strong people — if they can attract and hold them — and there are serious questions about that.

This question is partly rhetorical: If the president of Honda hated cars, what kind of company would Honda be? If the Prime Minister of Canada hates government, what kind of government would he create? He would create a government that is sometimes incompetent, if not often or always, frequently indifferent, usually irresponsible and invariably ideological, and we would have the kind of results that I have just listed that demonstrate very clearly that the last five years are nothing to celebrate, particularly if one is a middle- or lower-income Canadian struggling to build a future for one's family.

(On motion of Senator Finley, debate adjourned.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO STUDY THE PROGRESS IN IMPLEMENTING THE 2004 10-YEAR PLAN TO STRENGTHEN HEALTH CARE

Hon. Art Eggleton, pursuant to notice of February 15, 2011, moved:

That, pursuant to Section 25.9 of the *Federal-Provincial Fiscal Arrangements Act*, the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the progress in implementing the 2004 10-Year Plan to Strengthen Health Care; and,

That the Committee submit its final report no later than October 31, 2011, and that the Committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

He said: Honourable senators, I will take only a minute to tell you a bit about this. A letter was received by both myself and the Deputy Chair of the Standing Senate Committee on Social Affairs, Science and Technology, Senator Ogilvie, from the Minister of Health, the Honourable Minister Leona Aglukkaq, asking us to look at the health accord pursuant to section 25.9 of the Federal-Provincial Fiscal Arrangements Act.

That act provides for the review of the ten-year plan to strengthen health care that was adopted in 2004. It provides for three-year reviews, the first to take place in March of 2008, and that was in fact conducted by the House of Commons committee at that time. The second review is the one referred to in this motion. The minister has asked our committee to carry out that review, so I recommend to the Senate that we do so.

This is an extremely important issue for Canadians. The accord will expire in 2014 and there are a number of key issues that need to be looked at. They were looked at in 2008 and will be looked at again. They include reducing wait times; improving access; strategic health human resources, an action plan on doctors and nurses, et cetera; home care; primary health care reform, including electronic health records and telehealth; access to care in the North; the national pharmaceutical strategy; prevention and promotion in public health; health research and innovation; accountability and reporting to citizens; and dispute avoidance and resolution. Those are the 10 main components of the accord, and we are designing our meetings around those 10 main components, but obviously, it is a wide-ranging examination.

• (1540)

The study will commence, if approved by the Senate, before March 31, which is what is required by the legislation, but we will take a little extra time to do all of this. We anticipate having about a dozen meetings, and we will have the hearings completed by the summer adjournment, which would be about the middle of June. The report would be prepared over the summertime and presented in the fall. That is, of course, if we do not have an election, which would bring everything to a halt, should it happen. That is the schedule we are working on, and this resolution gives us to the end of October to file a report.

This says a great deal about our Social Affairs, Science and Technology Committee as well as the Senate in general in terms of the quality of reports and studies that are done. This particular committee, under its previous chair, Senator Kirby, prepared some well-regarded reports on health care and on mental health issues. We certainly want to continue that tradition by providing a quality report. We want to contribute well to a national conversation about these major issues on health care that we face in the years ahead.

With that, I move the adoption of the motion.

The Hon. the Acting Speaker: Are senators ready for the question?

Some Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*Translation*]

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO STUDY RESEARCH AND INNOVATION EFFORTS IN THE AGRICULTURAL SECTOR

Hon. Percy Mockler, pursuant to notice of February 15, 2011, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report on research

and innovation in the agricultural sector. In particular, the Committee shall be authorized to examine research and development efforts in the context of:

- (a) developing new markets;
- (b) enhancing agricultural sustainability; and
- (c) improving food diversity and security

That the Committee submit its final report to the Senate no later than March 31, 2012 and that the Committee retain until September 30, 2012 all powers necessary to publicize its findings.

(Motion agreed to.)

(The Senate adjourned until Thursday, February 17, 2011, at 1:30 p.m.)

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