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The Honourable GEORGE J. FUREY,  
Speaker

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## THE SENATE

Wednesday, December 5, 2018

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

Prayers.

### SENATORS' STATEMENTS

#### MI'KMAQ AND MALISEET ART

**Hon. Carolyn Stewart Olsen:** Colleagues, I rise today to speak about the Mi'kmaq and Wolastoqey or Maliseet art.

On a recent visit to our provincial capital in Fredericton, I made a point of visiting the New Brunswick College of Craft and Design. I'd been reading of the work of our dedicated volunteers to bring more of our history to life.

Although my visit was unscheduled, I was warmly greeted by Charles Gaffney, who oversees the visual arts program, and Dan Robichaud, an instructor in the program. Mr. Gaffney is passionate about accurately recreating the culture of our First Peoples of the Maritimes. As a member of Tobique First Nation, he is keen to highlight the achievements of the Wolastoqey and Mi'kmaq people.

Fascinating new programs are being created. I've noticed much of the art that we see in our national galleries that comes from Indigenous communities reflects the customs of the plains and West Coast and not so much of the East Coast. The First Nations in the east have a rich and vibrant tradition that deserves more national recognition. New Brunswick is taking a leadership role by supporting our Indigenous artists, who are taking on an increasingly entrepreneurial role.

The Aboriginal arts program at the college invites students from both Indigenous and non-Indigenous backgrounds to get hands-on experience, recreating the art of New Brunswick's First Peoples. Indigenous artists in the program have seen their art showcased on the world stage. The work of eight of our artists was displayed and put up for purchase at the renowned Sculpture Objects Functional Art and Design Fair in Chicago.

During my visit to the college, I had the opportunity to meet one of the artists and observe her in action. Braelyn Cyr, from Campbellton, New Brunswick, displayed her beautifully constructed wampum pieces at the art exhibit. Wampum is an ancient form of Indigenous art that was used to record the history and legends of Indigenous people. It consists of intricately woven white and purple beads made from seashells. In the early colonial era it functioned as a form of money used in the growing trade between Europeans and First Nations communities.

Ms. Cyr was in the middle of creating a wampum display when I arrived. She generously took time away from her work to speak about how she creates her art and the significance it has for her.

I left the college with a high appreciation for the distinct traditions of New Brunswick's Indigenous peoples. Mr. Gaffney and Mr. Robichaud were kind enough to take their time to educate me about the broad range of First Nations art that exists in the Maritimes.

Visits like this show the great things that can be learned by all of us as senators, by taking a moment to visit the small museums and art galleries in our regions. I once again urge all senators to reach out to cultural organizations in the areas they represent. As regional representatives, it is our duty to work to preserve and promote the heritage that has been bequeathed to us by our ancestors. Thank you, senators.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of the Board of Directors of the First Nations Major Projects Coalition. They are the guests of the Honourable Senator Dyck.

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

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

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of volunteers from the Hill 70 Memorial Project and the Finding Fred Lee Project. They are the guests of the Honourable Senator Woo.

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

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

### FREDERICK LEE

**Hon. Yuen Pau Woo:** Honourable colleagues, today I rise to pay tribute to Private Frederick Lee and the soldiers who fought with him in a World War I battle that you likely will not have heard of.

In August 1917, a ferocious battle was waged just north of the city of Lens, France. Led by General Sir Arthur Currie, three divisions of the Canadian Corps successfully mounted an assault on German forces occupying the high ground known as "Hill 70." They held off an astonishing 21 counterattacks by an enemy that was determined to retake this position. The Canadians achieved a remarkable victory, but at the cost of some 9,000 casualties. There was no shortage of valour in this battle. Six Canadians were awarded the Victoria Cross for their actions at Hill 70, which is two more than the VCs awarded to Canadians at the more well-known battle of Vimy Ridge.

One casualty of the Hill 70 battle was a 20-year-old by the name of Frederick Lee. Mr. Lee was born in Kamloops and was a farmer before he enlisted with the 172nd Rocky Mountain Battalion in early 1916. The fact that anyone would volunteer to go to war is extraordinary in itself, but Mr. Lee's actions were all the more extraordinary because he did so for a country that did not recognize him as a citizen. The Chinese Immigration Act of 1885 denied him and other Chinese Canadians of the right to vote. Yet, he and some 200 other young men of Chinese descent volunteered to fight for Canada in the Great War.

Mr. Lee's story is one of many that underscore the role of Chinese Canadians in building this country at a time when they were not welcome in this country. Chinese Canadians have been part of Canada for as long as Confederation itself, yet it is commonplace to speak of the Chinese Canadian community as newcomers to Canada.

[Translation]

The fact is that Chinese Canadians contributed to the creation of a country by helping it break away from its colonial past. They built a railroad, opened up markets on the other side of the Pacific, brought jobs and prosperity to the frontier, and sometimes even gave their lives in the service of peace.

[English]

Much like the Battle of Hill 70, Frederick Lee was a forgotten piece of Canadian First World War history. It took a group of dedicated volunteers from the Hill 70 Memorial Project and the Finding Frederick Lee Project to shine a light on Hill 70 and the soldiers who sacrificed their lives at that battle. They include Jack Gin, Susan Everett, Sarah Murray, Colonel Mark Hutchings and Robert Baxter. I'm pleased to report to the chamber that their efforts have resulted in the establishment of the Battle of Hill 70 Memorial Park in Loos-en-Gohelle on land donated by French authorities near the original battle site.

• (1410)

The team has also produced a set of Hill 70 educational materials in English and French. These materials include period photographs, recruitment photos, official documents and a graphic novel.

Most of us will likely never have the opportunity to visit the memorial, but you can get a sense of it by visiting [www.Hill70.ca](http://www.Hill70.ca). My office has just sent the link to all senators, and I encourage you to help spread the word about this important event in Canadian military history.

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of guests of the Honourable Senator Busson; her sister, Janice Scott, accompanied by Ms. Shari Brooks.

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

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

[ Senator Woo ]

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Anil Arora, as well as Jack Jedwab and Nora Spinks. They are the guests of the Honourable Senator Dasko.

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

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

#### STATISTICS CANADA

##### ONE HUNDREDTH ANNIVERSARY

**Hon. Donna Dasko:** This year, 2018, marks the one hundredth anniversary of Statistics Canada. I'm pleased to stand here today to congratulate the agency and to say how proud we are as Canadians of this vital organization that is consistently ranked as one of the world's leading statistical agencies.

Over the next two days, this anniversary will be celebrated at a conference hosted by, among others, the Association of Canadian Studies led by President, and my dear friend, Jack Jedwab; the Vanier Institute of the Family, led by CEO Norah Spinks; and Statistics Canada, led by Chief Statistician Anil Arora, who are our guests in the gallery today.

I don't know about you, but I can't think of anything more exciting than two days of sessions that will look back at Canada over the past century and look into the future as well.

[Translation]

Since I first came to this chamber, I can say that not a day has passed that we haven't used data provided by Statistics Canada. Allow me to cite a few examples of this agency's work.

[English]

Think about the data from the monthly Labour Force Survey, where we learn about employment and unemployment in communities across the country. Think about the measurement of GDP, which is one of the primary measures used by decision-makers, financial and other institutions to evaluate the health of the economy. Think also about the Canadian census, which informs us about the evolution of society and provides the basis for policy-making.

The 97.8 per cent response rate achieved for the long-form census in 2016 is not just bragging rights but means that large and small communities across this country will have the information they need to plan health, education, transportation and social services in accordance with their community needs. It is also a great vote of confidence from Canadians.

There are many more examples. The agency has evolved considerably since the days of the old Dominion Bureau of Statistics of 1918, and it has evolved even further since 1666, which was the year that Jean Talon, our country's first statistician and, of course, the Intendant of New France,

conducted the first modern census. He was considered to be a man of vision, and I expect that he would be impressed, if a bit perplexed, at how data collection has evolved since his time.

In closing, I want to offer congratulations to Statistics Canada from all of us, which is 100 years old and counting. Thank you.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Randy Delorey, Minister of Health and Wellness for the Province of Nova Scotia, accompanied by Mrs. Mary Delorey. They are the guests of the Honourable Senator Coyle.

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

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

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Rahul Singh and Chantel Denise Kehoe. They are the guests of the Honourable Senator Omidvar.

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

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

### GLOBALMEDIC

**Hon. Ratna Omidvar:** Colleagues, I rise today to pay tribute to the hundreds of paramedics, firefighters, police officers, doctors and nurses who spring into action when disaster strikes anywhere in the world, be it the disaster of the earthquake and tsunami in Indonesia in 2018, the floods in Trinidad and Tobago in 2017, or the ongoing disasters in Syrian cities, towns and villages.

As we know, when disaster strikes, the response must be rapid to save lives, both here and overseas. The key word here is “rapid.” It is no wonder, then, that it is a paramedic who has sprung into action to create a unique and high-impact Canadian response, including an internationally deployable rapid response team.

GlobalMedic is a Canadian charity founded by Mr. Rahul Singh, a Toronto paramedic who has been named by *Time* magazine to its 2010 list of the 100 most influential people in the world. GlobalMedic is often the first team and many times the only team to get critical interventions to people in time in threatening situations following disasters. GlobalMedic has led 198 missions in 68 countries in the 10 short years of its life.

Today, Mr. Singh, founder and Executive Director of GlobalMedic, is in Ottawa and in Parliament, and we have volunteered to help pack boxes of products for Indigenous

shelters to be distributed around the country. I packed such a box today and met Ms. Julie Colgan, who is a team leader at GlobalMedic. She has been a paramedic team leader for 14 years at GlobalMedic. She has led rapid deployment teams to Pakistan, Iraq, Philippines and Nepal, and every time she does that, she goes on unpaid leave.

I hope you will join me in commending these outstanding volunteers for the work they do for Canada and indeed for humanity.

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[Translation]

## ROUTINE PROCEEDINGS

### THE ESTIMATES, 2018-19

#### SUPPLEMENTARY ESTIMATES (A)—THIRTY-FIFTH REPORT OF NATIONAL FINANCE COMMITTEE TABLED

**Hon. Percy Mockler:** Honourable senators, I have the honour to table, in both official languages, the thirty-fifth report of the Standing Senate Committee on National Finance entitled *Final Report on the Supplementary Estimates (A), 2018-2019* and I move that the report be placed on the orders of the day for consideration at the next sitting of the Senate.

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

• (1420)

[English]

### NATIONAL SECURITY AND DEFENCE

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF NATIONAL SECURITY AND DEFENCE POLICIES, PRACTICES, CIRCUMSTANCES AND CAPABILITIES

**Hon. Gwen Boniface:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the orders of the Senate adopted on Tuesday, January 26, 2016, and Thursday, December 14, 2017, the date for the final report of the Standing Senate Committee on National Security and Defence in relation to its study on Canada’s national security and defense policies, practices, circumstances and capabilities be extended from December 31, 2018 to October 31, 2019.

## THE SENATE

### NOTICE OF MOTION TO CONDEMN THE CURRENT REGIME IN IRAN

**Hon. Linda Frum:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate:

- (a) strongly condemn the current regime in Iran for its ongoing human rights abuses and sponsorship of terrorism around the world, including its vocal and material support aimed at the destruction of the State of Israel;
- (b) condemn the recent statements made by Iran's President, Hassan Rouhani, calling Israel a "cancerous tumor" in the region;
- (c) call on the government to:
  - (i) demand that the Iranian Regime immediately release all Canadians and Canadian permanent residents who are currently detained in Iran, including Maryam Mombeini, the widow of Professor Kavous Sayed-Emami, and Saeed Malekpour, who has been imprisoned since 2008;
  - (ii) immediately designate the Islamic Revolutionary Guard Corps in its entirety as a listed terrorist entity under the Criminal Code of Canada; and
  - (iii) to utilize the *Justice for Victims of Corrupt Foreign Officials Act* (Sergei Magnitsky Law) to sanction Iranian government regime entities and individuals involved in egregious human rights abuses; and
- (d) stand with the people of Iran and recognize that they, like all people, have a fundamental right to freedom of conscience and religion, freedom of thought, belief, opinion, and expression, including freedom of the press and other forms of communication, freedom of peaceful assembly, and freedom of association.

## NATIONAL SECURITY AND DEFENCE

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF ISSUES CONCERNING VETERANS' AFFAIRS

**Hon. Gwen Boniface:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the orders of the Senate adopted on Thursday, January 28, 2016, and Thursday, December 14, 2017, the date for the final report of the Standing Senate Committee on National Security and Defence in relation to its study on the services and benefits provided to members of the Canadian Forces; to veterans; to members and former

members of the Royal Canadian Mounted Police and their families, be extended from December 31, 2018 to October 31, 2019.

## QUESTION PERIOD

### FINANCE

#### PARLIAMENT OF CANADA ACT AMENDMENTS

**Hon. Larry W. Smith (Leader of the Opposition):** Honourable senators, my question is for the government leader in the Senate and it concerns Parliament of Canada Act.

The Liberal Party 2015 election platform called omnibus budget bills an "undemocratic practice." Despite its promise, this government has shown a great enthusiasm for introducing omnibus bills. Bill C-86, the second omnibus budget bill this year, is 850 pages long.

Senator Harder, on behalf of the government for which you answer in this place, would you commit not to introduce changes to the Parliament of Canada Act within any omnibus legislation such as a budget implementation bill?

**Hon. Peter Harder (Government Representative in the Senate):** I would certainly not.

**Hon. Leo Housakos:** My question is also for the government leader in the Senate and it does concern the Parliament of Canada Act. Hopefully, we'll get a better answer, Senator Smith.

Senator Harder, prior to the introduction of any changes to the Parliament of Canada Act, would you and your government commit that all aspects of the act pertaining to the Senate of Canada will be tabled here for possible reform and review?

**Senator Harder:** That's a hypothetical question which I'm not prepared to answer at this point.

## DEMOCRATIC INSTITUTIONS

#### PARLIAMENT OF CANADA

**Hon. Leo Housakos:** Clearly not so hypothetical if we listen to some of the declarations you have made, Senator Woo has made, the Prime Minister has made and this government has made in public and in the last election, so far from hypothetical.

Senator Harder, would you commit that such a process would also include interested bodies from outside this chamber, most particularly the provinces and territories which this chamber represents? In the spirit of something Senator Woo said recently in the media about finishing the job, will your government finish

the job and make the appointment process truly independent by opening it up to provinces and territories to be part of the process?

**Hon. Peter Harder (Government Representative in the Senate):** I will make no such commitment.

[Translation]

## PUBLIC SAFETY

RAJ GREWAL

**Hon. Jean-Guy Dagenais:** Government Representative, I want to come back to the scandal involving MP Raj Grewal. As I said last week, I was personally informed 18 months ago, on May 31, 2017, that Mr. Grewal was under surveillance, yet the Prime Minister's Office says it found out scarcely a few weeks ago. That is unacceptable. I want to know if the RCMP is going to take the fall for this situation, as it did for the Prime Minister's trip to India, or if this is a major cover-up by the Prime Minister's Office.

[English]

**Hon. Peter Harder (Government Representative in the Senate):** The Prime Minister and other ministers have, in the other chamber, made it clear as to when they became aware of the issue of the honourable member of Parliament and they've taken appropriate action.

[Translation]

**Senator Dagenais:** Government Representative, I have a more specific question. Raj Grewal is a parliamentarian to whom Prime Minister Trudeau entrusted certain duties within the House of Commons Standing Committee on Finance. Canadians therefore have the right to know who loaned him the millions of dollars he lost at the casino and whether the lenders benefited or sought to benefit from his connections and his influence within the Liberal Party. Can the Leader of the Government tell us if clear answers to these troubling questions will soon be forthcoming?

[English]

**Senator Harder:** Clearly, if there are offences that have been committed, they will be investigated by the appropriate authorities.

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

CHINESE INVESTMENT IN CANADA

**Hon. Thanh Hai Ngo:** My question is for the Leader of the Government in the Senate. Last week, New Zealand officially barred Huawei from implementing technology based on national security grounds. Three of our Five Eyes allies have now recognized the surveillance threat that Huawei represents. The U.S., Australia and New Zealand have all identified Huawei's technology as a significant national security risk. That only

leaves Canada and the U.K. as the remaining Five Eyes partners to conclude the established security risk assessment on something quite obvious.

It is quite clear that Huawei can be called upon any time by the Chinese ruling party to spy and gather data on adversaries and competitors.

Can you tell us if the Government of Canada is aware of this Chinese law and if it will join its Five Eyes allies to ban Huawei from installing the next generation of mobile networks?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. He'll know that the Government of Canada has taken great steps, through its security network, of ensuring the integrity of our telecommunications system. We have had a different approach than the other countries to which the honourable senator has referred.

Notwithstanding that, the Government of Canada is undertaking a review to ensure that the integrity of the system, particularly in light of 5G, is one that continues to be well preserved. That review is under way. Obviously, this is a matter on which Canada is very reliant on the security services of the country and also consults broadly with our colleagues in other countries to ensure that we are collectively doing all we can to ensure the integrity of our telecommunications systems.

**Senator Ngo:** It's not only our Five Eyes partners expressing their concerns about Huawei. Germany, France and even Japan have also recognized the cybersecurity risks that Huawei technology represents to their national security. The Director of CSIS, David Vigneault, warned us in his first public speech yesterday about increased state-sponsored espionage that mainly targets our country and universities, even the government. He said:

By investing in your company — or by outright buying it — foreign state actors can gain access to everything you know and everything you own.

... by gaining access to Canadian companies, hostile foreign actors can use Canadian technology to build weapons that may be used against us or our allies.

He even defined international espionage as "the greatest threat to our prosperity and national interest."

Senator Harder, Canadians are anticipating their government to implement 5G mobile technology, but not to the detriment of their security and privacy. They deserve to know if the government will knowingly expose them to dangerous foreign threats and espionage.

• (1430)

Can you tell us when we can expect the Government of Canada to tell us if our mobile network platform will be controlled by China?

**Senator Harder:** I think it's important for the honourable senator and all senators to understand the different approach Canada has taken historically over protecting the integrity of our

telecommunications systems. That's not the approach that other countries have taken, and their systems are not as highly protected as ours.

Notwithstanding that, the Government of Canada, through the minister responsible, is undertaking an assurance that the integrity of our system will remain intact in the roll out of 5G. The Government of Canada is not doing 5G. It's the private sector of Canada.

[Translation]

## PUBLIC SAFETY

### CANNABIS REGULATIONS

**Hon. Claude Carignan:** My question is for the Leader of the Government in the Senate. According to today's edition of *La Presse*, two people facing criminal charges for the illegal production and possession of marijuana for the purpose of trafficking obtained licences from Health Canada to grow over 600 plants at home for medical purposes. Health Canada justified granting the licence on the grounds that investigations and charges are not enough to deny access to medical cannabis.

Senator, I thought the government's goal was to get criminals out of the cannabis market. Do you think people facing criminal charges for drug trafficking should be allowed to grow 600 plants in their basement?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his vigilance on these issues. Obviously I don't want to comment on a particular case that is in the course of prosecution. But let me reassure him and all senators of the integrity of the bill that we have passed. It is now the law of Canada. It is the view of the government that the enforcement of these provisions is important for the integrity of our legalization and strict control and regulation of cannabis.

[Translation]

## HEALTH

### CANNABIS REGULATIONS

**Hon. Claude Carignan:** Leader, it seems that this isn't an isolated case and that Health Canada is issuing more and more licences to people facing criminal charges for drug trafficking. Furthermore, in mid-November the Montreal police force dismantled a structured network of cocaine and legal cannabis production and distribution. One member of that network had a licence to produce medical cannabis but was selling his product on the black market. Surely that must sound familiar to you. That's precisely one of the issues raised during our study on cannabis legalization in relation to what is known as the grey market.

[ Senator Harder ]

Senator Harder, will Health Canada begin implementing measures to better monitor licence holders and the way their cannabis is used?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I want to assure the honourable senator that Health Canada is very vigilant to these matters and is taking steps which are appropriate and consistent with the law. As the government made clear when we proclaimed the act, this enforcement and introduction of the act would not overnight deal with all aspects of the black or indeed the grey market. It is the intention and the expectation of the government, working together with provinces and municipalities, to achieve that objective.

## ORDERS OF THE DAY

### CUSTOMS ACT

#### BILL TO AMEND—THIRD READING

**Hon. Mary Coyle** moved third reading of Bill C-21, An Act to amend the Customs Act, as amended.

She said: Honourable senators, I'm pleased to rise today to speak to Bill C-21, An Act to amend the Customs Act, at third reading. Bill C-21 implements phase four of the Beyond the Border Action Plan, as established by both Canada and the United States in December 2011.

Bill C-21 amends the Customs Act to allow the CBSA to receive basic information on people exiting Canada, either crossing a land border with the United States, or flying internationally through a Canadian airport. The type of information collected can be found on page 2 of a person's passport. That will be collected along with the time and place of departure.

Each day over 300,000 people cross the Canada-U.S. land border, and over 204,000 passengers fly out of Canadian airports to a variety of destinations around the world. The need to ensure an efficient border crossing for Canadians while maintaining the overall safety of Canadians is of vital importance and is at the heart of this piece of legislation.

For people leaving by land or by air, no additional steps or delays will be felt. At the land border, travellers would hand their passport to the U.S. border officer, as is the current practice. The information would be collected, again as per current practice. With the passage of Bill C-21, that data would be sent to the Canada Border Services Agency within a matter of minutes.

For those leaving by air, it would be the air carriers who would collect the basic data from passenger manifests and provide that to the CBSA before the departure of the flights.



I would like to thank Senators Gold, Housakos, and Dalphond, and members of National Security and Defence Committee for your work on this bill. As you have heard throughout the debate of this piece of legislation, Bill C-21 would help combat cross-border crime, address national security threats in a more efficient manner, increase the preventative measures in place regarding the export of controlled goods and further ensure the integrity of our government programs and immigration system.

Bill C-21 allows for a number of significant improvements to systems which are currently in place. This includes when an AMBER Alert is issued. Once the alert is delivered, the CBSA would be able to create a lookout for that child with all of the necessary information, including the suspected abductor and the affected child.

If an abductor is attempting to leave by air, we would be able to intercept that individual before the flight even takes off. If the abductor has already crossed a land border, we would know when the person left and from what border location in order to notify the RCMP and allow them to take the necessary steps to coordinate with their counterparts to find that child.

In cases of child abduction, time is the most critical factor. Bill C-21 will enhance our existing system in order to bring the children home or possibly to even prevent them from ever leaving the country.

To that end, the National Security and Defence Committee recommended that the government take active steps to ensure this process can be done in an effective manner. Moreover, they recommended the Government of Canada explore and adopt further measures to prevent child abductions by including information on child custody restrictions in the current CBSA database, as well as all issued AMBER Alerts in order to further ensure the safety of all Canadian children.

Time is also a critical factor in dealing with high-risk travellers. At the moment, people on what we call the no-fly list may be monitored as suspects by security personnel and can be denied boarding on flights as a means of preventing them from leaving the country to potentially join a terrorist organization abroad.

However, individuals who have not been added to the list, but who are currently being monitored by the RCMP or CSIS or others, may be able to leave the country. In these instances, the authorities have no way of gathering the necessary information at the moment on where they have gone and for how long. The passage of Bill C-21 would allow the CBSA to provide an advance warning to CSIS or the RCMP regarding those individuals and their whereabouts. If required, action could be taken to prevent them from leaving the country. If that action is not necessary, a record of their departure would be provided to the appropriate authorities to help in their ongoing investigations.

Bill C-21 also aids in combatting human trafficking. According to a 2017 report by the International Labour Organization and Walk Free Foundation, an estimated

24.9 million victims are currently trapped in modern-day slavery situations around the world. We may think that this serious 21st-century problem has little or nothing to do with Canada. However, between 2009 and 2016, there were a total of 1,220 police-reported incidents of human trafficking here in Canada. In fact, a young Cape Breton woman who had been a victim of human trafficking visited me in my office last week. Human trafficking can lead to enslavement, sexual assault and other forms of abuse, and it disproportionately affects women and children.

• (1440)

Bill C-21 will allow Canadian agencies to better track high-risk travellers and to follow their movements in order to detect the travel patterns that these types of crimes usually lead to in order to apprehend human traffickers more quickly and efficiently.

Bill C-21 also makes the immigration process more efficient and easier to manoeuvre for Canadian citizenship applicants by having in place a reliable system for collecting exit information to add to the entry information already gathered on those applying for citizenship.

With this bill in place, applicants will no longer have to prove that they have spent at least 1,095 days in Canada over the space of the past five years. This information will automatically be provided to immigration officials. During the Senate committee meeting, the Immigration, Refugees and Citizenship Canada officials noted this would help address current delays in the system by speeding up processing times, and that's a good thing.

Likewise, certain federal programs have residency requirements. Thus, by gathering the exit data to complement the entry data we already collect, we are eliminating the possibility of abuses to these programs.

We have heard a number of times about the effects this bill may have on the snowbirds, but rest assured, colleagues, individuals who are already collecting old age benefits legally, such as Old Age Security, or OAS, would not be affected by Bill C-21.

Once an individual has been a resident of Canada for 20 years following the age of 18, OAS becomes fully portable regardless of where the person chooses to reside. Medicare eligibility would, similarly, not be affected since exit information would not be shared with the provinces.

Moreover, a significant component of Bill C-21 is the measures introduced to strengthen the CBSA's ability to manage the illegal movement of goods out of Canada. At the moment, the Customs Act only addresses goods being imported into the country, but as noted in the Auditor General's 2015 report, improvements are necessary regarding the export of goods across the Canada-U.S. border.

Approximately 140,000 cars and 28,000 trucks cross our border daily. In September 2018 alone, over 4.5 million individuals left Canada either by car, plane or another mode of transportation.

At present, a CBSA officer can only question a person leaving Canada on reasonable grounds or with respect to the transport of currency from Canada over \$10,000. As such, the new section 94 of the Customs Act introduced in Bill C-21 will allow CBSA officers to question travellers leaving Canada on other reasonable grounds of suspicion. This would enhance the CBSA's ability to prevent the export of prohibited, controlled or regulated goods leaving Canada.

The National Security and Defence Committee has held four meetings and met with 15 witnesses in their study of Bill C-21. A number of very important topics were explored within these meetings, including the strict limits to be put in place on the use and disclosure of the information gathered and the substance of the memoranda of understanding and privacy principles that will be drafted in order to enable the sharing of information between government bodies.

The topic of oversight for CBSA officials came up at the first meeting of the Senate Committee on National Security and Defence. The committee was told by the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness, that we should:

... expect to see in the weeks and months ahead further new legislation dealing with the proper oversight of CBSA.

On November 21, the committee heard from Daniel Therrien, the Privacy Commissioner of Canada regarding the general intent of this bill and to the amendment to the bill, which was passed by the House of Commons. This is related to the data retention period. On the bill itself, Mr. Therrien noted that:

[Translation]

I am generally satisfied that this border management initiative is based on important public policy objectives and the personal information in question is not particularly sensitive.

[English]

For the amendment, Mr. Therrien indicated that, in order to achieve greater legal certainty, section 93.1 should be amended in order to clarify that the data collected under sections 92 and 93 shall be retained by the agency for a period of not more than 15 years, so to a maximum of 15 years. He said:

It would be desirable ... to achieve greater legal certainty to amend section 93.1 to clarify that it applies only to CBSA and that it is a maximum period.

That is, the 15-year maximum period. I have personally verified with Mr. Therrien regarding the wording of the amendment agreed to by the committee and he agrees it captures his concern regarding the retention period for the CBSA.

[ Senator Coyle ]

Bill C-21 gained broad consensus from all parties in the House of Commons and we have heard a similar level of agreement in this chamber.

This bill will ensure that the CBSA will be able to continue to protect our borders with this new access to information on people leaving Canada, and enable law enforcement agencies to better react to time-sensitive situations, including cases of missing children and victims of human trafficking. It will also improve the CBSA's ability to prevent the export of prohibited, controlled or regulated goods leaving Canada.

Bill C-21 will allow Immigration, Refugees and Citizenship Canada to process applicants with more efficiency and help to ensure that eligibility requirements for government programs are being met.

Honourable senators, the time has come to close the information gap that exists in our current border operations. Bill C-21 is but one aspect of a larger national security strategy, but it is an essential one and I hope I have your support as we bring it to a vote.

Thank you, *welalioq*.

**Hon. Leo Housakos:** Honourable senators, I have been clear that, generally speaking, I do support this bill because I believe it is important for Canada to improve the way in which we move people and goods across the border with the United States while, at the same time, assisting law enforcement with things such as apprehending dangerous criminals and locating missing individuals.

That is why I must say again that I reiterate my frustrations with the way this government has handled this legislation. It begs the question: Why has it taken so long?

I think it is important to ask that question and, more importantly, genuinely seek an answer, because this has been a pattern with this government.

Bill C-21 has its roots under the previous government. That's how far back this goes. It implements an agreement that was concluded under the Harper government in 2015. The bill was introduced in the other place on June 15, 2016. And there it sat. It did not receive second reading in the House of Commons until more than a year later, in September 2017.

It came out of committee the following month and there it sat again, at report stage, for six months. The bill was not read a third time in the other place until June this year.

This legislation is a straightforward initiative designed to provide both countries with a reliable means of knowing when and where travellers leave the country. It will allow government agencies to know the same information about an individual who leaves the country as they currently know about an individual who enters the country.

However, it does so in such a way as not to cause an impact unnecessarily and, in actuality, will improve cross-border travel and trade between Canada and the United States.

We have a government that says it is committed to thinning the border and ensuring we have the measures in place for secure and trouble-free cross-border trade and travel. Yet Bill C-21 has languished in the House of Commons for over two years.

I have to compliment my colleagues in the Senate who have dealt with this legislation responsibly and expeditiously.

With all of that said, I reiterate my belief that the exchange of information that would be permitted under this legislation is clearly in Canada's national interest. Without this legislation, we risk American authorities moving to establish exit controls along our shared border, significantly inhibiting cross-border trade and traffic between Canada and the United States. Bill C-21 will also close a gap in the information currently available to Canadian law enforcement agencies.

• (1450)

It will assist police forces in such matters as arresting wanted criminals and locating missing persons, and will also enable the Canada Border Services Agency to know whether temporary residents and visitors have actually left the country. It will even assist in fighting fraud involving our important social programs.

There have been some privacy concerns raised about this legislation relating to information shared between various government organizations in both countries. Privacy is a fair concern, colleagues. Look no further than the breach of privacy being undertaken by the current government in allowing Statistics Canada to access your private banking information. As those concerns relate to C-21, it should be noted that exit information is already routinely collected by many other countries, including several of Canada's key allies such as the United Kingdom, Australia, New Zealand and other states. In this context, we need to understand that what is being proposed for Canada is not out of the ordinary.

Also, as I mentioned earlier, the type of information we are talking about is already being collected upon entry into Canada or the United States. All this legislation seeks to do is allow that information to be gathered upon exit.

Colleagues, Canadian and U.S. law enforcement agencies are already working together collaboratively. They have been for many decades and hopefully will continue to do so for many more.

We must continue to strengthen this cooperation and collaboration in order to protect the livelihood and security of all Canadians. That is why I have been and will remain extremely frustrated at the lethargic pace with which this government moves important legislation very slowly forward.

With that said, I reiterate my support for this legislation and implore my colleagues to allow this legislation to come to a vote as soon as possible in an effort to make up for some of the time that has unnecessarily been lost. Thank you, colleagues.

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

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill, as amended, read third time and passed.)

[Translation]

## FISHERIES ACT

BILL TO AMEND—SECOND READING—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Christmas, seconded by the Honourable Senator Deacon (*Ontario*), for the second reading of Bill C-68, An Act to amend the Fisheries Act and other Acts in consequence.

**Hon. Pierre-Hugues Boisvenu:** Honourable senators, today I want to speak to you about Bill C-68, An Act to amend the Fisheries Act and other Acts in consequence.

On February 6, the Minister of Fisheries, Oceans and the Canadian Coast Guard introduced this bill promising enhanced regulation and enforcement. Unfortunately, in his speech at second reading, he did not utter a single word about the towns and municipalities or the hydroelectric projects that will suffer the consequences of this ill-conceived legislation.

As you know, I spent almost 20 years working at the Quebec department responsible for the environment and wildlife, where federal encroachment on provincial jurisdiction was considered a very sensitive issue.

I think that we can all agree with the noble objectives of protecting the environment and, in particular, protecting fish stocks. I also understand that during this pre-election year, the federal government needs to improve its lacklustre record on keeping election promises. I know that its election platform included a promise to protect fish. Nonetheless, the Minister of Fisheries, Oceans and the Canadian Coast Guard should have taken the time to consider the impact of this bill before introducing it.

During my time at the environment and wildlife department, I couldn't help but notice the often vast differences between electoral promises of environmental protection and what those promises translated to on the ground. When discussing environmental or other matters in this house, I can't help but notice that the government increasingly disregards provincial jurisdictions. Instead of having a transparent discussion with the provinces about its real political motives, the federal government

always comes up with minor legislation that seeks to encroach on matters of provincial jurisdiction, such as waterway management, and then, especially in Quebec.

I should also point out that municipalities will be adversely affected by this bill, especially in Quebec. I had the opportunity to work closely with municipalities on various issues. In Quebec, small municipalities often have very limited budgets. When the time comes to build projects on waterways, environmental issues come up, such as fish habitat or shoreline protection. Municipalities are already dealing with a multitude of regulations.

Bill C-68, which was introduced by the Minister of Fisheries, Oceans and the Canadian Coast Guard, could increase regulation, cause confusion and even create illegal situations, if only inadvertently.

Jean Piette, an expert in environmental law and senior adviser at Norton Rose Fulbright, wrote the following about Bill C-68 in March 2018, and I quote:

This will allow the federal government to further regulate projects of all kinds, including industrial, municipal and even government projects that are likely to affect fish. This new federal involvement in activities that have traditionally been regulated through permits issued under provincial laws could result in more environmental red tape for businesses and public bodies.

I have to admit that I wouldn't want to be back working at the Quebec environment and wildlife department after this bill is passed. My former colleagues will have to deal with new regulations, including federal regulations that are being heaped upon the already fragile shoulders of the municipalities.

In his March 2018 analysis, Mr. Piette said, and again I quote:

It will be interesting to follow the work of the standing committee of the House of Commons to which the bill will be referred, especially if it holds public hearings on the bill.

I look at the witnesses who appeared at the House of Commons committee and not a single municipality from Quebec is represented. To me, that is essential. All of the companies involved in environmental protection that testified sounded the alarm. In the brief it submitted to the committee on May 16, the Quebec Business Council on the Environment touched on the practical consequences of this bill, and I quote:

In the context of the fishery, an approach based on the protection of "fish" as opposed to "populations" of fish means that the accidental killing of any fish without prior authorization can be interpreted as an offence under the Act. However, the death of fish from the same population, if it can be shown not to endanger the survival of that population, should not be considered grounds for criminal proceedings, particularly when it results from the routine and diligent carrying on of works, undertakings or activities.

In my experience, this bill lays out a bureaucratic vision of fauna management that has very little to do with the reality on the ground.

I know the Federation of Canadian Municipalities testified before the House of Commons too. Unfortunately, it did not convey the unique perspective of small- and medium-sized municipalities, especially those in Quebec. The Federation of Canadian Municipalities emphasized that municipal infrastructure projects inevitably have an impact on fish, but we now have development strategies to minimize that impact. According to the FCM:

... the changes alone will cause delays for municipalities in carrying out routine maintenance or the building of infrastructure with minimum impact on fish habitat.

I would add that this bill also discourages small individual development initiatives along waterways. Not a single citizens' cooperative was among the House of Commons witnesses. I am also thinking of the farmers who are such an important part of our municipalities.

If we look at this bill as a whole, all kinds of stakeholders at the municipal level will be affected, including businesses, municipalities and farmers.

With respect to hydro development, I would like to say a few words about Quebec, a province that, as you know, has invested a lot of money in hydroelectric projects in recent decades. These projects help reduce greenhouse gas emissions, and we Quebecers are very proud of them.

• (1500)

However, to quote Sergio Marchi, President and CEO of the Canadian Electricity Association, "Bill C-68 represents one step forward but two steps back."

In a statement issued the day Bill C-68 was tabled in the House of Commons, the association pointed out that the measures will, and I quote:

... result in greater uncertainties for existing and new facilities, and unduly delay and/or discourage investment in energy projects ...

As I said yesterday in reference to another bill, the economy will once again be taking a back seat to the environment.

The association goes on to say, and I quote:

Bill C-68 is a missed opportunity for the federal government to anchor the Fisheries Act on a reasonable, population-based approach rather than focusing on individual fish, and to clearly define fisheries management objectives.

In closing, honourable senators, a few weeks ago, I highlighted the problems raised by Bill C-69, which places a significant burden on economic development, especially in Quebec. I then pointed out potential obstacles to hydroelectric projects in Quebec.

When I look at Bill C-68 today, I see another series of obstacles the federal government is imposing, this time not only on the provinces but also on the municipalities and proponents who want to build hydroelectric projects in Quebec. If I were fisheries minister, I wouldn't be comfortable introducing and defending such a bill.

That's why I believe that Bill C-68 could have brought about some positive change. Unfortunately, the 2018 bill is a step backwards compared to our efforts in 2012, when we improved fisheries management in Quebec, for example, on the issue of waterways management. This bill has failed and doesn't deserve to pass. Thank you.

(On motion of Senator Martin, debate adjourned.)

## INTERNATIONAL MOTHER LANGUAGE DAY BILL

### SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Cordy, for the second reading of Bill S-247, An Act to establish International Mother Language Day.

**Hon. Ghislain Maltais:** I would like to say a few words on Bill S-247; since it has but three clauses, it would be difficult to give a long speech. This bill, An Act to establish International Mother Language Day, is an initiative of Senator Jaffer, and I congratulate her on it.

In a country where over 130 languages are spoken, I think it's important to preserve that diversity. Need I remind the chamber that we are 36 million Canadians and all immigrants? We all came from somewhere and we all have the language spoken by our mother and our father in our hearts, regardless of our nationality. The Senate is a shining example of this phenomenon. How many nationalities are represented here? We may have two official languages, but Canadians of all backgrounds are not prohibited from having their own mother language.

For example, in Quebec City, where 99.8 per cent of the population is francophone, there are small enclaves of Irish people, such as Stoneham, where the former Prime Minister of Canada, the Right Honourable Brian Mulroney, was born. There is also the region of Bury, a small area with Scottish descendants. The Loyalists settled in the Eastern Townships and maintained their language and culture. Of course they adapted to the climate and the francophone environment. I am also thinking of the

people on the Lower North Shore, in my former riding, near Newfoundland. They, too, have kept their language and culture. These are people who learned to live together.

One's mother language is also one's culture, a culture that one never loses. No matter where we live, a country that wants to crush a culture and a language only destroys itself. Canada's strength, from Newfoundland to Victoria, was that the people were able to understand one another and to get along well. Naturally, this isn't always easy, it's not always a walk in the park, but it can be done. Canada is proof of that.

Ultimately, what's important about our mother language is that it perpetuates who we are. We can never forget it. We pass it on to our children and grandchildren and to future generations. We have striking examples of that. In my region, the First Nations consisting of Montagnais, Cree and Innu transmit their culture through their mother language and not books. They don't have books, but they have a culture, their celebrations, their marriage ceremonies and their rituals to mark the passage from adolescence to adulthood. They have an extraordinary culture, and yet, they cannot quote Victor Hugo or Shakespeare because they're not familiar with these authors. However, they've been handed down this great culture, which resides in their hearts.

All Canadians who speak a language other than the two official languages have the duty to pass Canadian culture on to each of their children and grandchildren, even if they live outside the country, since there are even some grandparents here whose grandchildren live in China. Regardless of who we are, that is our duty. One's mother language is one's living language, the language spoken, the language that enables us to live together, that enables us to work, to earn our keep and to build this country. It's the language of business. It's the language that enables us to earn a living. The language that we inherit from our mother is the language that brings us together as a family from generation to generation so that we can truly flourish in this wonderful country that is Canada. Thank you, honourable senators.

[English]

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

### REFERRED TO COMMITTEE

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

(On motion of Senator Mercer, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

• (1510)

## SIKH HERITAGE MONTH BILL

### SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Marwah, seconded by the Honourable Senator Harder, P.C., for the second reading of Bill C-376, An Act to designate the month of April as Sikh Heritage Month.

**Hon. Salma Ataullahjan:** Honourable senators, I rise today to speak as critic to Bill C-376, An Act to designate the month of April as Sikh Heritage Month.

At nearly 500,000, Canada is home to the largest Sikh population outside of India. As such, April is proclaimed as Sikh Heritage Month in the provinces of Ontario, Alberta and British Columbia. It is believed that Kesur Singh, a risaldar-major in the British India Army, was the first Sikh to settle in Canada after arriving in Vancouver with a group of Sikh military officers in 1897. By 1906, there were approximately 1,500 Sikhs living in Canada.

In 1911, the first *gurdwara* in North America, the Gur Sikh Temple, was built in Abbotsford, British Columbia, welcoming Sikhs and non-Sikhs alike from across the province to the opening event. This type of welcoming spirit was not unique. Inclusiveness forms a part of Sikh heritage, as does their promotion of human rights.

Further, from the emergence of Sikhism, the Sikhs rejected caste-based discrimination — a cultural and religious system where people are seen as having more or less value and dignity based on their birth — in favour of universal human equality. Names were an indicator of caste background. Therefore, in order to remove those discriminatory indicators, Guru Gobind Singh assigned the last name Singh to Sikh men and Kaur to Sikh women, thereby eliminating caste background in the furtherance of inequality.

Not only did early Sikhs fight against discrimination; they also stood up for freedom of religion for everyone, not solely for those who shared their faith. Known as advocates for equality, one of the strengths of the Sikh community lies in how supportive they are of one another. With social equality in mind, Langar was established as a place where Sikhs and members of other faiths would come together, regardless of their social station or background, to enjoy a free meal at a *gurdwara*.

I have fond memories of being in a *gurdwara* in Brampton, Ontario, sharing a meal with members of the Sikh community and people of many ethnicities, cultures and walks of life.

In Sikhism, men and women are viewed as two sides of the same human coin. In 1499, the founder of Sikhism, Guru Nanak, purportedly opined that it is “women who keep the race going. We should not consider women as lesser, as from women are

born leaders and kings.” According to the principle of Sikhism, women have the same souls as men and can participate in all religious, cultural, social and secular activities.

Guru Nanak was the first to proclaim the equality of men and women. Sikh history portrays women as equals to men in service, sacrifice, bravery and devotion. Many immigrant populations in Canada admire the Sikh community for their commitment to remaining in touch with their language and culture. They have been at the forefront in the struggle for the right to bear their religious symbols.

Sikhs have also made a significant contribution to the Canadian economy and are represented in all professional fields.

As Senator Marwah eloquently said:

The story of the Sikh community in Canada is, in fact, just a story of Canada. It is a story of brave soldiers who fought in both world wars to defend democracy. It is a story of early settlers and pioneers who worked in agricultural lands, mines, lumber mills and railroads. It is a story of entrenching equality, fairness and justice in this land. It is a story of becoming contributing members in all walks of life, whether it be in business, arts, sport, media, philanthropy and politics.

I would like to thank Member of Parliament Sukh Dhaliwal who introduced Bill C-376 in the House of Commons, as well as Senator Sabi Marwah for his role as sponsor of the bill in the Senate. As MP Dhaliwal said at second reading in the House:

The history of Sikhs in Canada is a story of compassion, hard work, persistence and giving back.

Honourable senators, I support this bill and ask that you do so as well.

**The Hon. the Speaker *pro tempore*:** Are senators ready for the question?

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

### REFERRED TO COMMITTEE

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

(On motion of Senator Marwah, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

[Translation]

## SENATE MODERNIZATION

### FIRST REPORT OF SPECIAL COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the first report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward*, deposited with the Clerk of the Senate on October 4, 2016.

**Hon. Leo Housakos:** Colleagues, I would like to pay tribute to my friend Pierre Claude Nolin, who left us too soon. Today we are celebrating the fourth anniversary of Senator Nolin's appointment as Speaker of the Senate. He held that position for only four and a half months, but his name always comes up when we talk about our institution, whether it be its current state, its roles, its structure or its future. That's no coincidence. Senator Nolin thought a great deal about those and other related issues. I'd like to share some of my personal experiences with him and some of the things he taught me.

I like to say that I learned about politics at Pierre Claude's knee. Obviously, that's an exaggeration, but the novice activist that I was in the 1980s learned a lot from that veteran, despite his young age. Pierre Claude always gave generously of his time and teachings to young Progressive Conservatives. I want to take this opportunity to dispel some of the myths that have been spread by people who didn't know him very well, if at all, and yet do not hesitate to use him to promote ideas he himself never advocated.

If I had to choose one word to describe Pierre Claude Nolin's career, it would be loyalty. Back in his University of Ottawa days, Pierre Claude was known as PC for Pierre Claude, of course, but also for Progressive Conservative. He got involved early in life, and he was true blue during the party's lean years in Quebec from the 1970s to the early 1980s. One of Joe Clark's few Quebec supporters at the 1976 convention, he then played a key role in Brian Mulroney's victorious leadership race in 1983 and in the Progressive Conservative Party's resounding victories in 1984 and 1988.

Prime Minister Mulroney appointed Senator Nolin to the Senate in 1993 on the strength of his respect for the rule of law and institutions, his boundless energy, and his remarkable tenacity. In particular, Prime Minister Mulroney recognized his loyalty to his political family. Pierre Claude remained faithful through the Progressive Conservative Party's toughest times. Among other things, he was national co-chair of the 1997 election campaign along with our colleague Senator David Tkachuk.

• (1520)

I would like to point out the unifying role Senator Nolin played in the reuniting of Conservative forces in the 2000s, and his persistence in ensuring that Quebec find its rightful place therein and that this reality be included in our regulations.

Senator Nolin was a member of a partisan caucus in the Senate from start to finish. It was a privilege for him to be able to share with his colleagues from all over the country, to be able to influence them and better understand their position. For him, independent thought didn't mean being a lone wolf. Politics, and not just political sparring but everything pertaining to the implementation of public policy, is a team effort where sharing ideas at all levels becomes critically important. He often told me how happy he was to be able to meet the party leader every Wednesday to be able to share his ideas. For many years, Quebec representation within caucus was minimal or non-existent. The role of Quebec Conservative senators, led by Senator Nolin, was crucial to the evolution of Prime Minister Harper's thinking on issues related to Quebec.

I think it bears repeating that debates in Ottawa are not limited to either chamber. They also happen in caucus. It's no coincidence that parliamentarians end up in parliamentary groups in every democratic country in the world. Some would have us believe that there's something wrong with participating in such groups, that senators shouldn't mingle with MPs for fear of being influenced, as though the opposite could not be true, as though the contribution of three or four senators from Alberta within the Liberal caucus would not help Prime Minister Trudeau better understand the aspirations of that province.

Senator Nolin faithfully participated in his party's caucus, not out of obligation, but because he saw this as the perfect opportunity to influence public debate. I believe that's the primary role of every senator.

Senator Nolin's career was also defined by his loyalty to Quebec and Canada.

Throughout his time in the Senate, and even before that in his political life, he fought to get Quebec's specificity recognized. To Senator Nolin, the fact that Quebec was a distinct nation was not a theoretical concept, but an historical reality.

We see it every day. Defending the rights of francophones in Canada is an ongoing battle and Pierre Claude was often on the front lines. Like any francophone parliamentarian in Ottawa, Senator Nolin endured his share of francophobic insults, but in spite of it all, he never backed down.

For Pierre Claude, Quebec's place was in Canada, in a federal system that helps it to grow. Senator Nolin played a key role in the 1995 referendum on Quebec sovereignty as an organizer for the "no" forces. He was unfailingly loyal to Canada.

For Quebec parliamentarians, Senator Nolin was an example of how they could defend the interests of Quebec and francophones without calling into question their commitment to Canada and of how a senator can play his or her role of defending regional interests while still respecting the national interest.

Pierre Claude Nolin served in the Senate for nearly 22 years. He held a number of positions and sat on many different committees, which helped him to develop his personal view on our institution, its role and the improvements that should be made to the way it operates.

Esteemed colleagues, I'd like to emphasize that point. The Senator Nolin we knew in 2015 was not the same Senator Nolin who was appointed in 1993. He took the time to learn before formulating his thoughts about the Senate. I find it odd that some people, who have just barely been appointed to an organization as complex as the Senate, feel that they're already in a position to prescribe changes without taking the time to understand how the Senate works or acquire any historical perspective. I don't have anything against those who want to contribute to the modernization of the Senate. However, I take exception to the fact that they're doing so on the premise that all those who sat in this institution for the past 150 years weren't as smart or as honest as those who joined recently or on the premise that nothing of value was accomplished here before 2016.

Senator Nolin certainly wasn't afraid to challenge the established order, for example with the Committee on Drugs that we've talked about so much. He believed, and quite rightly, that the Senate was the ideal forum for this kind of public debate because it brought more complex discussions to the fore. After more than two years of studies, meetings, hearings and writing, the committee produced a report that became a landmark in the history of the Senate, a report that provided plenty of food for thought, as we saw during the study on Bill C-45. I'm told that over 70,000 copies of the report were distributed. After this report came out, Senator Nolin participated in more than 100 conferences and seminars around the world.

This is a striking example of the useful role the Senate can play. It should be noted, however, that Senator Nolin didn't achieve this by staying on the sidelines and insisting on remaining independent. He managed to persuade his colleagues to allocate the necessary resources and participate in his work. He proved that we don't need to wait for some illusory Senate reform to use the Senate to advance public policy. As you've probably guessed, I don't agree with Pierre Claude on the drug issue, but I recognize the Senate's contribution, and his in particular, to the debate on the matter.

In his final days, as cancer continued to ravage his body, PC Nolin decided that his work as a senator was not over. He still wanted to contribute to his Senate, as he used to say.

He used his too-short term as Speaker to advance the institution and preserve the progress already made. As Speaker *pro tempore* at the time, I was able to work closely with Senator Nolin, including on some of the initiatives that he introduced based on his strategic vision.

When the Auditor General decided that he was going to define senators' functions as being strictly legislative, Speaker Nolin wrote two letters to Mr. Ferguson stating that the Senate alone has the ability to define which of the senators' activities fall under parliamentary business. He thought that senators could only be independent if the Senate itself were independent. It was unthinkable to him that a third party — an officer of Parliament, to boot — would be able to dictate how parliamentarians should carry out their duties. As he put it, "The Senate is an independent institution that is subject to the Constitution of Canada and the Parliament of Canada Act, and to no other authority."

[ Senator Housakos ]

Speaker Nolin held a press conference in the Senate Chamber to prove that we were willing to be transparent. He set up a general caucus for all senators, without party affiliation, to show that senators could be collegial and belong to different groups. He held regular joint meetings with the caucus leaders and proposed a number of changes to the administrative rules to show that Senate reform is possible from within.

Speaker Nolin's untimely passing drove me to pursue what he had started. We were constantly engaged in conversation, which fortunately gave me a good sense of his objectives and his strong convictions about the institution. I completely agreed with him, so the transition was seamless.

Esteemed colleagues, those were some thoughts on Senator Nolin's career and legacy.

He would surely remind us that all kinds of suggestions to change our institution have been made in the past 150 years, and the ones that were implemented are the ones that marked an evolution, not a revolution, in how the Senate works.

I think he'd be disappointed to see this false debate over whether some senators are more independent than others. In his mind, parliamentarians were not independent simply because they called themselves independent. Parliamentarians are independent when the institution they serve is independent, when they are free to join the parliamentary group of their choice and free to express themselves. Parliamentarians are independent when they can speak freely in favour of their ideas, their region, their country and their political party.

• (1530)

I honour the memory of my friend Pierre Claude, and I hope he will continue to guide me in my work as a senator. Thank you, Pierre Claude.

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

(On motion of Senator Martin, debate adjourned.)

[English]

## RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

TENTH REPORT OF COMMITTEE—  
DEBATE ADJOURNED

The Senate proceeded to consideration of the tenth report of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *Develop and propose amendments to the Rules of the Senate to establish the Standing Committee on Audit and Oversight*, presented in the Senate on November 29, 2018.

**Hon. Leo Housakos** moved the adoption of the report.

He said: Honourable colleagues, I rise today to speak to the tenth report of the Standing Committee on Rules, Procedures, and the Rights of Parliament. The Rules Committee report comes to the Senate as a follow-up to the adoption of the twenty-first



report of the Standing Committee on Internal Economy, Budgets and Administration presented in the Senate on November 27, 2017. CIBA's report recommended the establishment of a standing committee on audit and oversight and called on the rules committee to:

Develop and propose amendments to the *Rules of the Senate* and any other necessary modifications to the Rules to establish the Standing Committee on Audit and Oversight, with five members, and develop its general mandate consistent with the audit and oversight principles and best practices contained in the fifth report of the Subcommittee on the Senate Estimates, including an authorization to consider issues on its own initiative.

CIBA's report and the recommendations it contains were adopted by the Senate on March 27, 2018. Consequently, the Rules Committee's mandate was to implement the will of the Senate as reflected in the adoption of the CIBA report.

The changes we have proposed are straightforward and consistent with the mandate and structure envisioned in the twenty-first report of the Internal Economy Committee, as well as the fifth report of its Subcommittee on the Senate Estimates, which was attached to the report of CIBA.

Specifically, the Rules Committee's report recommends the establishment of the Subcommittee on Audit and Oversight, consisting of five members; prohibits cross-membership between the Audit and Oversight Committee and the Internal Economy Committee; gives this new committee a mandate to deal with the Senate's internal and external audit requirements; sets its quorum; and gives it certain other powers to ensure it can continue its work irrespective of the Senate's sitting schedule.

The fifth report of the Subcommittee on the Senate Estimates noted the Internal Economy Committee would need to propose amendments to the Senate Administrative Rules. Those changes are solely within the purview of CIBA, though the report does note certain areas that should be addressed.

Finally, there was a discussion within the Rules Committee as to whether this new Audit and Oversight Committee should have external members. However, the Rules Committee does not have the mandate under our order of reference to study membership and, as such, the committee recommends the Internal Economy Committee, at its discretion, again consider this matter and, if necessary, provide recommendations. Thank you, colleagues.

(On motion of Senator Gold, debate adjourned.)

### STUDY ON MARITIME SEARCH AND RESCUE ACTIVITIES

#### ELEVENTH REPORT OF FISHERIES AND OCEANS COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

The Senate proceeded to consideration of the eleventh report of the Standing Senate Committee on Fisheries and Oceans, entitled *When Every Minute Counts — Maritime Search and Rescue*, deposited with the Clerk of the Senate on November 29, 2018.

**Hon. Fabian Manning** moved:

That the eleventh report of the Standing Senate Committee on Fisheries and Oceans, deposited with the Clerk of the Senate on November 29, 2018, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Fisheries, Oceans and the Canadian Coast Guard being identified as minister responsible, in collaboration with the Minister of National Defence, for responding to the report.

He said: Honourable senators, I wish to thank committee colleagues for working on this report over the past two years. We were pleased to present the report last week. The response has been very positive. We looked across the country, especially to the North in relation to search and rescue issues that we face in our country. Our recommendations outline some of the challenges in the North and on the East Coast. We believe that if the government takes into consideration the things we have recommended it will not only save time, which is very important, but it will save lives. Several of our recommendations have to do with trying to reduce search time. Certainly anyone to whom we talk or who has appeared before us, especially people involved in search and rescue, think that if we can find ways to reduce search time we can save lives.

We put forward such things as looking at the absence of reaching out to the private sector to complement what we offer from the Department of National Defence and the Department of Fisheries and Oceans in regard to search and rescue. We looked at putting personalized beacons on boats of all sizes and all fishing vessels across the country so that the location of a distress call can be found very quickly. We also looked at training for personnel. We have a college in Nova Scotia that provides top-notch training, but when we talk to people on the West Coast, and especially in the North, there were concerns with the distance they would have to travel and some of the language barriers they face.

There are 17 recommendations in all. It is a very thorough report. We believe that over time we will receive some positive news from both the Minister of Fisheries and ministers in other departments who are tasked with looking at the concerns we have. We were pleased to hear yesterday that the Government of Newfoundland and Labrador is going to carry out their own inquiry into search and rescue in the province and they are going to use our report as a basis to do that. I thought that was a positive thing to come out of our report.

We received wide media coverage. All of the senators on the committee were involved in various media interviews across the country talking about our report and promoting it. The report was adopted unanimously by all members of the committee. On some of the important challenges, I think we have put forward some concrete recommendations to the government to consider. I look forward to hearing back from the government.

To give some idea of the size of this country — because sometimes we forget when we are in our own little bubbles — but we have three joint rescue centres: in Halifax, Nova Scotia; in Trenton, Ontario; and in Victoria, British Columbia. The Halifax centre covers 5 million square kilometres, it includes all

of the Atlantic provinces, as well as Easter Quebec and the southern part of Baffin Island. Trenton covers 10 million square kilometres, encompassing the bulk of the country's land mass and extends east to Quebec City and west to the Alberta border; from south to north, it extends from the Canada-United States border to the North Pole. That is one large area they are trying to cover. Lastly, Victoria covers 2 million square kilometres of British Columbia, the Yukon and adjacent waters.

Last year, these three regions responded to 6,100 maritime search and rescue calls. On an average day, 27 search and rescue incidents occur, saving 15 lives.

We believe the study was important to have completed in the Senate. We look forward to some positive news from the government in the future. Thank you.

**The Hon. the Speaker:** Senator Gold, a question?

**Hon. Marc Gold:** No, on debate.

**The Hon. the Speaker:** Senator Gold, on debate.

**Senator Gold:** Honourable senators, I wanted to add my voice to that of Senator Manning. As deputy chair of the committee, I want to thank all members of the committee past and present for their hard work. I want to thank all the witnesses from across the country, on our three coasts and in between, who assisted us in our deliberations.

• (1540)

I want to thank the chair for having brought this study to the attention of the Senate and carrying it forward with exemplary skill, humour and fairness. Fundamentally, I want to thank and express our appreciation to the members of the Canadian Coast Guard, the Canadian Armed Forces, the Canadian Coast Guard Auxiliary and all of the volunteers — individuals and different groups — who in many cases are the first responders, saving lives each and every day in this country.

As we are approaching 4 o'clock and to steal from the title of our report, *When Every Minute Counts*, I will simply say I support this report and urge you all to do the same.

**Hon. Jim Munson:** Honourable senators, I also thank the leadership of Senator Manning in this regard, and the work of Senator Gold as a member of the steering committee in dealing with this report. It has taken a wee bit of time, but every minute does count when it comes to this kind of report.

To echo the sentiments of how well this subject was received in the media from coast to coast to coast, we do want the Government of Canada to listen. We have some unique and innovative ideas of search and rescue, particularly the creation of a pilot project using the private sector with the Coast Guard, which does a good job, the military and, of course, fisheries.

However, I want to say that sometimes we have a tendency to forget who worked here and what they have done in terms of their work here. I want to single out Senator Elizabeth Hubley and Senator Charlie Watt, after many years of work in the

Senate, always working on the side of the Senate and always working with other groups and caucuses in making the Senate a better place.

If Senator Hubley is listening in P.E.I. and if Senator Watt is listening in Kuujuaq, I want them to know that other senators acknowledge your incredible devotion and work with the Fisheries Committee, and your past work in the Senate.

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

**Hon. Senators:** Agreed.

(Motion agreed to and report adopted.)

## CHALLENGES OF LITERACY AND ESSENTIAL SKILLS FOR THE TWENTY-FIRST CENTURY

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Bellemare, calling the attention of the Senate to the challenges of literacy and essential skills for the 21st century in Canada, the provinces and the territories.

**Hon. Ratna Omidvar:** Honourable senators, I move the adjournment of the debate in the name of Senator McCallum.

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

(On motion of Senator Omidvar, for Senator McCallum, debate adjourned.)

## THE HONOURABLE BETTY UNGER

### INQUIRY—DEBATE CONCLUDED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Martin, calling the attention of the Senate to the career of the Honourable Senator Unger.

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, I rise today to pay tribute to our former colleague, the Honourable Senator Betty Unger, who retired from the Senate of Canada on August 20, 2018. Prior to entering politics, Betty dedicated her life to helping others as a registered nurse and founded and operated a successful Alberta nursing services company with offices located in Edmonton, Red Deer and Calgary.

After 25 years of service, Betty sold her company but continued to give back to her community through her work on several provincial and community boards, including the Western Catholic Reporter, the Greater Edmonton Foundation, the finance

and administration committee of St. Joseph's Basilica and as a long-time member and supporter of the Catholic Women's League.

In regard to her political career, Betty first ran in 2000 as the Canadian Alliance candidate in Edmonton West, winning on election day only to be narrowly defeated, once all the votes were counted, by Anne McLellan, who went on to become a minister.

Betty was then elected by the people of Alberta in the 2004 Senate nominee election, becoming the first Albertan woman to be elected as a senator in waiting. On January 6, 2012, then Prime Minister Stephen Harper appointed Betty Unger to the Senate of Canada to represent her province of Alberta.

As a senator, Betty worked tirelessly, advocating on important bills and issues, representing Albertans and Canadians as a dedicated member of our Conservative caucus and on various committees.

On a personal level, as deputy leader of our caucus, I have had opportunities to work closely with nearly every colleague in my group, including Betty Unger, on bills, motions or issues close to their hearts. What I can say about our former colleague is that she is a woman of strong faith who fiercely defended Alberta's interests and upheld principles with conviction. Her strength was truly put to the test when, towards the end of her Senate tenure, she lost not one but two brothers within the span of a week. Even in the face of such grief, I know she was thinking of us and would have wanted to be here — I did feel her presence — as we debated the marijuana legislation, which she fiercely opposed. We missed her then and her absence is felt to this day.

Honourable senators, please join me in remembering our former colleague and in sending Betty and her family best wishes and good health as her journey continues in her retirement.

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

**Hon. Gwen Boniface:** Honourable senators, it's my great pleasure to rise and speak today about former Senator Betty Unger. My comments will be brief because I got to know Senator Unger in a very short while when our time in the Senate overlapped. I had the great privilege of having an office across the hall from Betty's. Not only was she across the aisle but she was across the hall.

I found Senator Unger to be welcoming, kind, generous with her insights and open to very interesting conversations from our discussions on the cannabis bill to her concern for the well-being of communities, and particularly youth across Canada. Senator Unger was wise, unassuming, gentle and, at the same time, very firm in her perspectives.

I did not want to let this opportunity go by without expressing my appreciation to Senator Unger and her staff for assisting me and my staff as we settled into this place. I salute Betty for her

work in the Senate and wish her all the very best in her retirement.

**The Hon. the Speaker:** If no other senator wishes to speak, this item is considered debated.

(Debate concluded.)

• (1550)

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

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

On Motion No. 387 by the Honourable A. Raynell Andreychuk:

That the Standing Senate Committee on Foreign Affairs and International Trade have the power to meet on Tuesday, October 23, 2018, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

**Hon. A. Raynell Andreychuk:** Honourable senators, this motion relates to sitting while the Senate sits. However, events have passed us by, and I wish to withdraw the motion.

(Notice of motion withdrawn.)

### COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON THE STUDY OF THE IMPACT AND UTILIZATION OF CANADIAN CULTURE AND ARTS IN CANADIAN FOREIGN POLICY AND DIPLOMACY

**Hon. A. Raynell Andreychuk,** pursuant to notice of November 29, 2018, moved:

That, notwithstanding the order of the Senate adopted on Thursday, March 22, 2018, the date for the final report of the Standing Senate Committee on Foreign Affairs and International Trade in relation to its study on the impact and utilization of Canadian culture and arts in Canadian foreign policy and diplomacy, and other related matters, be extended from December 31, 2018 to April 30, 2019.

She said: I move the motion standing in my name.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

**LIFE OF NEVAEH DENINE**

INQUIRY—DEBATE ADJOURNED

**Hon. Fabian Manning** rose pursuant to notice of September 26, 2018:

That he will call the attention of the Senate to the life of Nevaeh Denine.

He said: Honourable senators, I note that this item is at day 15. I'm not ready to speak at this time. Therefore, I move the adjournment of the debate in my name for the balance of my time.

(On motion of Senator Manning, debate adjourned.)

**Hon. Senators:** Agreed.

**NEWFOUNDLAND AND LABRADOR'S CONTRIBUTION  
TO THE ARMED FORCES DURING THE  
WAR IN AFGHANISTAN**

INQUIRY—DEBATE ADJOURNED

**Hon. Fabian Manning:** rose pursuant to notice of September 27, 2018:

That he will call the attention of the Senate to Newfoundland and Labrador's contribution to the Armed Forces with reference to the war in Afghanistan.

He said: Honourable senators, I note this item is at day 15 and I'm not ready to speak at this time. Therefore, I move the adjournment of debate in my name for the balance of my time.

(On motion of Senator Manning, debate adjourned.)

*(At 3:52 p.m., the Senate was continued until tomorrow at 1:30 p.m.)*

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