



DEBATES OF THE SENATE

2nd SESSION • 41st PARLIAMENT • VOLUME 149 • NUMBER 125

OFFICIAL REPORT
(HANSARD)

Thursday, March 12, 2015

The Honourable PIERRE CLAUDE NOLIN
Speaker

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

Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
Publications Centre: David Reeves, National Press Building, Room 926, Tel. 613-947-0609

Published by the Senate
Available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, March 12, 2015

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

That is his legacy for the present and the future.

Prayers.

Hon. Senators: Hear, hear!

[Translation]

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

SENATORS' STATEMENTS

THE HONOURABLE PASCAL POIRIER

Hon. Rose-May Poirier: Honourable senators, I rise today to pay tribute to Pascal Poirier, who became the first Acadian to sit in the Senate 130 years ago. On March 9, 1885, this young man of 27 was appointed to the Senate by the first Prime Minister of Canada, John A. Macdonald.

Mr. Poirier was born on February 25, 1852, the 12th and youngest child of Simon and Ozithe. He received a classical education at the Collège Saint-Joseph in Memramcook under its founder, Father Camille Lefebvre. When Pascal was just 20, he was recommended for a position in the federal public service. In 1872, he was named the House of Commons postmaster. This did not stop him from pursuing his studies and becoming a lawyer and author, or from rallying the Acadians and becoming their advocate.

In collaboration with Pierre-Armand Landry and Father Marcel-François Richard, he worked to advance the cause of the Acadians. He was one of the organizers of the Acadian advocacy groups and was a member of the Acadian delegation to the Société Saint-Jean-Baptiste conferences held in 1874 and 1880.

He introduced the idea of Acadians having their own national holiday and promoted this concept by visiting the Acadian regions of Prince Edward Island, Nova Scotia and New Brunswick. Thanks to his dedication to this cause, we Acadians the world over celebrate our national holiday on August 15.

After he was appointed to the Senate, he continued his historical and linguistic research. He published the following works: *Le père Lefebvre en Acadie*, in 1898, *L'origine de l'Acadie*, in 1878, and *Le parler franco-acadien et ses origines*, in 1928.

In 1929, Pascal Poirier received the Alliance française's gold medal in recognition of his service to the French language. Pascal Poirier is still one of the most influential figures of the Acadian renaissance. Our culture, our history and our society grew and we were able to aspire to equal rights thanks to Pascal Poirier and the other defenders of the Acadian renaissance.

One hundred and thirty years later, all parts of Acadia are still growing and developing thanks to his battles, his tenacity and his vision of a better future for Acadia.

Hon. Paul E. McIntyre: Honourable senators, as we approach March 20, International Francophonie Day, it is a pleasure for me, as international president of the Assemblée parlementaire de la Francophonie, to speak here today.

The APF was created in 1967, and Canada is one of the founding members. The APF has members on four continents: Africa, America, Asia-Pacific and Europe. Based in Paris, it has 50 member branches, 15 associated branches and 16 observers.

The APF is an assembly that seeks to promote, among other things, the spread of the French language, democracy, the rule of law, good governance and human rights. The APF is a major forum for discussion and exchange among parliamentarians.

The Assemblée's work is carried out at a regular session once a year, by the Bureau, which is the APF's steering committee, and by the following standing committees: parliamentary affairs; cooperation and development; education, communication and cultural affairs; and finally, the political committee. Also part of the APF are a women's parliamentary network; the parliamentary network for the fight against HIV/AIDS, malaria and tuberculosis; and regional assemblies.

What makes this a leading association, and this is very important, is the fact that the APF is the consultative assembly of the Francophonie. The Francophonie consists of 220 million people around the world who speak French. The APF also brings together parliamentarians, but there is another organization, the OIF, the Organisation internationale de la Francophonie, that brings together countries and member governments.

One thing is certain: the objectives of the APF are in line with those of the OIF. As I said at the Francophonie Summit in Dakar last November:

... We will not achieve lasting peace only by looking for ways of avoiding war or resolving conflicts, because lasting peace is found primarily in elementary and high schools, colleges and universities, knowledge, culture, science and literature. Those are the greatest apostles of peace.

I will conclude by quoting the wise and beautiful words of an illustrious Acadian, Antonine Maillet:

The many faces of the Francophonie — Haitian, Québécois, African, Acadian — are all just as essential as the individual notes that make up a symphony.

Honourable senators, it is up to us now to compose that symphony.

Hon. Senators: Hear, hear!

[English]

2015 CANADA WINTER GAMES

Hon. Daniel Lang: Honourable senators, I rise to recognize the legacy of the Canada Winter Games and the hard work, dedication and sportsmanship it represents. As many of you know, the Canada Winter Games were held recently in Prince George, British Columbia. I'm proud to salute all the athletes across Canada who participated and won medals. I would like to especially recognize those athletes from Yukon who finished eighth out of all the provinces and territories.

The Canada Winter Games contribute to sport and athletic development and foster community pride across our country. This pride is embodied by those volunteers who organize the games, the territories and provinces that host the games, the coaches, the fans and, most important, the athletes who participate in the games.

This year 2,400 athletes participated from across the country.

• (1340)

In speaking of volunteers, I would like to recognize our colleague Senator Larry Smith, who volunteered many hours as chairman of the Canada Winter Games committee that organized the event in 2007, which was hosted by Yukon.

The territory, along with the City of Whitehorse and the federal government, financed and built the Canada Games Centre's multiplex in Whitehorse and made major improvements to other existing facilities. These facilities are being used by all Yukoners and play a vital role in encouraging young Yukoners to pursue athletic endeavours.

This year Team Yukon, comprising 100 athletes and coaches, was awarded the Jack Pelech Award for the second time, in recognition of competition, performance, good sportsmanship and a spirit of fair play, cooperation and friendship.

Colleagues, I would like to say job well done to our athletes, their families and their coaches. Yukoners who won medals included Knute Johnsgaard, Annah Hanthorn, Rachel Pettitt, Nadia Moser, Kendra Murray, Hannah Deuling and Natalie Erin Hynes.

Yukon's chef de mission, Trevor Twardochleb, summarized Yukon's second-best performance ever at these games when he said, "Through competition, people really see what we're made of, win or lose. It's a big deal because it speaks to the people of Yukon. We raise good kids through sports."

Please join me in expressing a special thank you to the people of Prince George, B.C., and the local volunteers for making these games a tremendous success.

I would like to close by saluting the legacy and spirit of the Canada Winter Games and recognizing all athletes who participated in the games, and I wish them all the best in their future athletic endeavours.

[Translation]

ROUTINE PROCEEDINGS

CANADIAN HUMAN RIGHTS COMMISSION

2014 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2014 Annual Report of the Canadian Human Rights Commission, pursuant to section 61 of the Canadian Human Rights Act and section 32 of the Employment Equity Act.

[English]

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

WESTBANK FIRST NATION SELF-GOVERNMENT AGREEMENT—2012-13 ANNUAL REPORT ON IMPLEMENTATION TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the Westbank First Nation Self-Government Agreement Annual Report on Implementation 2012-13.

[Translation]

TSAWWASSEN FIRST NATION FINAL AGREEMENT—2012-13 ANNUAL REPORT ON IMPLEMENTATION TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the 2012-13 Tsawwassen First Nation Final Agreement Implementation Annual Report.

[English]

ROUGE NATIONAL URBAN PARK BILL

ELEVENTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE PRESENTED

Hon. Richard Neufeld, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, March 12, 2015

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

ELEVENTH REPORT

Your committee, to which was referred Bill C-40, An Act respecting the Rouge National Urban Park, has, in obedience to the order of reference of Thursday, February 19, 2015, examined the said bill and now reports the same without amendment.

Respectfully submitted,

RICHARD NEUFELD
Chair

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

(On motion of Senator Neufeld, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

[*Translation*]

THE ESTIMATES, 2014-15

SUPPLEMENTARY ESTIMATES (C)— SIXTEENTH REPORT OF NATIONAL FINANCE COMMITTEE TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the sixteenth report of the Standing Senate Committee on National Finance on the expenditures set out in the Supplementary Estimates (C) for the fiscal year ending March 31, 2015.

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

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

[*English*]

ANTITERRORISM BILL, 2015

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE NATIONAL SECURITY AND DEFENCE COMMITTEE TO STUDY SUBJECT MATTER

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in accordance with rule 10-11(1), the Standing Senate Committee on National Security and Defence be authorized to examine the subject-matter of Bill C-51, An

Act to enact the Security of Canada Information Sharing Act and the Secure Air Travel Act, to amend the Criminal Code, the Canadian Security Intelligence Service Act and the Immigration and Refugee Protection Act and to make related and consequential amendments to other Acts, introduced in the House of Commons on January 30 2015, in advance of the said bill coming before the Senate;

That, for the months of March, April and May 2015:

- 1) the committee be authorized to meet for the purposes of this study, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto;
- 2) notwithstanding rule 12-18(2)(a), the committee be also authorized to meet for the purposes of this study, even though the Senate may be then adjourned for more than a day but less than a week;
- 3) pursuant to rule 12-18(2)(b)(i), the committee be also authorized to meet for the purposes of this study, even though the Senate may then be adjourned for more than a week; and

That, notwithstanding usual practices, the committee be authorized to deposit with the Clerk of the Senate its report on this study if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

VICTIMS BILL OF RIGHTS BILL

BILL TO AMEND—ALLOTMENT OF TIME— NOTICE OF MOTION

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I wish to advise the Senate that I was unable to reach an agreement with the Deputy Leader of the Opposition to allocate time on Bill C-32. Therefore, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to rule 7-2, not more than a further six hours of debate be allocated for consideration at second reading stage of Bill C-32, An Act to enact the Canadian Victims Bill of Rights and to amend certain Acts.

CANADIAN NATO PARLIAMENTARY ASSOCIATION

PARLIAMENTARY TRANSATLANTIC FORUM, DECEMBER 2-3, 2013—REPORT TABLED

Hon. A. Raynell Andreychuk: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canadian NATO Parliamentary Association respecting its participation at the Parliamentary Transatlantic Forum, held in Washington D.C., United States of America, from December 2 to 3, 2013.

• (1350)

QUESTION PERIOD

HEALTH

MENTAL HEALTH COMMISSION

Hon. James S. Cowan (Leader of the Opposition): Thank you, Your Honour. My question is for the Leader of the Government in the Senate, and I advised his office this morning that I was going to ask this question so that he would have an opportunity to consult and be in a position to answer it.

It has to do with the Mental Health Commission of Canada. To its credit, the government established the Mental Health Commission of Canada some years ago in response to the unanimous report of this Senate calling for that action. The Mental Health Commission has done excellent work, but its mandate expires in 2017.

As I and several other colleagues have asked you and your predecessor, as Leader of the Government in the Senate, on several occasions, will the government renew the mandate of the Mental Health Commission of Canada for a further period of time? You will understand that this is important because obviously the commission is coming to the end of its mandate, and that affects its ability to continue the excellent work that it has been doing and to properly plan for work, which would take place over a period of time, including the hiring and retention of staff. Can you advise this chamber as to the government's intention with respect to the Mental Health Commission of Canada?

[Translation]

Hon. Claude Carignan (Leader of the Government): Thank you for your question and also for advising my office, senator. As you know, our government is familiar with the very real impact of mental illness on Canadian families. We are very proud of having invested nearly \$1 billion in mental health research since 2006, including support for the Canada Brain Research Fund. As all honourable senators know, we created the Mental Health Commission of Canada, which developed a national strategy that recommends ways in which all levels of government, health care professionals, communities and individuals can work together and improve outcomes and services with respect to mental health and mental illness.

As for the commission's mandate, which is due to end in 2017, you probably already know that a number of proposals have been made to the government as part of the deliberations on the budget. I will not disclose what may or may not be in the budget, which will not be brought down before April. However, I will share your comments and your interest with the Minister of Finance. I will pass along the question today.

[English]

Senator Cowan: Thank you. I'm not sure whether the commission and those who support its work, as I do, will be reassured by your comments. I would ask you to urge upon your

cabinet colleagues the importance of an early decision. We are close to 2017. It is just around the corner in terms of the planning processes of this very important commission. If a decision is delayed much longer than this budget, which is due, I think, in April, there are serious consequences not just for the Mental Health Commission of Canada, but for the necessary work in terms of both the research and the coordination that that commission does. So I would ask you to urge upon your colleagues the importance of not just a positive decision on the pre-budget request, which has been submitted by the Mental Health Commission, not only for an extension of its mandate but also for an expansion of its mandate. It is critical to the important work that that commission is doing not only that the mandate be renewed, expanded and properly resourced, but also that the decision be taken at the earliest possible opportunity.

Will you undertake to convey those thoughts, which I'm sure are shared by many of us on all sides of this house, to your cabinet colleagues?

[Translation]

Senator Carignan: As I said, I'll share your comments with the Minister of Finance, as part of the budget preparations. I would, however, like to note that I wasn't a member of the Senate when the committee released its report, but I did look into it. In the report, entitled: *Out of the Shadows at Last*, the Social Affairs Committee made the following recommendation, and I quote:

Finally, consistent with its view that structural solutions to any problem should not be permanent, the Committee recommends that the Commission "sunset" in ten years.

That was one of the committee's recommendations. However, I can assure you that the government will work closely with the Mental Health Commission on the best route to take. As I said, in assessing the many budget-related proposals, we will look at the choices that need to be made in the best interests of Canadians.

[English]

PUBLIC WORKS AND GOVERNMENT SERVICES

VICTIMS OF COMMUNISM MEMORIAL

Hon. Jim Munson: My question is to the Leader of the Government in the Senate. Honourable senators, just down the street, a massive monument is to be built on the grounds the Supreme Court and Library and Archives Canada; construction of a national memorial to the victims of communism will begin on the vacant lot between the two institutions in the coming months. We have heard a lot about that. Mr. Leader, nobody objects to the memorial, but there is concern in the country and in the city over its prominent location and the scale. It will occupy a 5,000-square-metre lot and feature a series of poles reaching 14 metres in height opposite the Bridge of Hope, which will be nearly as large. Incredibly, these dimensions have been scaled back from the original proposal.

For a long time, this land was intended to be the site of a new Federal Court building completing a judicial triad around the Supreme Court. But that was quietly pushed away, and the monument was approved in May 2012.

Public Works thought it would cost about \$1 million, but now the Ottawa architect, Barry Padolsky, indicated in an open letter to Prime Minister Harper that real estate experts that he spoke with estimated the value at \$16 million to \$30 million.

Mr. Leader, given the controversy surrounding this plan for the prominent, valuable plot of land along Confederation Boulevard, will your government reverse its decision and consider other locations for the memorial?

[Translation]

Hon. Claude Carignan (Leader of the Government): Senator, as you know, this monument will honour the more than 100 million lives that have been lost under communist regimes and will pay tribute to the Canadian ideals of freedom, democracy and human rights. In Canada, more than eight million people are from countries that suffered under communist regimes. In its 2010 Speech from the Throne, our government promised to honour the victims of communism, and we are pleased to be following through on that promise.

[English]

Senator Munson: No one objects to the idea of a monument in honour of these millions of victims around the world. I repeat, nobody. But I get from your answer that you have not changed your mind, or the government has not changed its mind, despite the fact that a lot of people just don't like the idea of having the monument there. Shirley Blumberg, a prominent Toronto architect and a member of the jury that reviewed designs for the memorial, revealed in December that she has a massive problem with the monument being built on such an "incredibly prominent, almost sacrosanct" site and questions both the feasibility and the estimated cost of the project. The same goes for the mayor of the city, Jim Watson, who believes the memorial will overshadow the Supreme Court and who described it as a blight. Then there is Chief Justice Beverley McLachlin who fears it "could send the wrong message within the judicial precinct, unintentionally conveying a sense of bleakness and brutality that is inconsistent with the space dedicated to the administration of justice."

• (1400)

Mr. Leader, with your government footing the majority of the estimated \$5.5 million cost of the project, what action will you take to address these legitimate concerns of these prominent people about this controversial memorial?

[Translation]

Senator Carignan: Senator, I believe that erecting a monument to commemorate the more than 100 million people who have lost their lives under communist regimes, a monument that also honours the Canadian ideals of freedom, democracy and human rights, is highly appropriate.

[Senator Munson]

[English]

Senator Munson: Speaking of victims and talking with everyday reality, Mr. Speaker and Mr. Leader, yes, of course we understand that the monument is intended to honour the victims of communism, but today in communist China there are many victims of communism. In fact, one could say there have been millions of victims there at a certain time in life; and today there are hundreds, if not thousands, jailed, as you talk about, human rights activists imprisoned because of their beliefs and values, as you described, like freedom of expression. This includes Nobel Peace Prize laureate Mr. Liu Xiaobo.

Besides building these controversial monuments, what has your government done lately for those who are being victimized by communism right now? What has your government done for those like Mr. Liu?

[Translation]

Senator Carignan: Senator, as you know, everything we do, particularly internationally, is done to promote Canadian ideals. For example, our government has taken strong positions internationally on what is happening in Ukraine and on the mission against the Islamic State terrorist group in Iraq and Syria.

[English]

Senator Munson: Just very briefly. That, with all great respect, is certainly not the answer that I think Canadians would want to hear. I asked a specific question. There is a Nobel Peace Prize winner in a prison in communist China, and we would like to have an idea if this government is talking about human rights publicly with the Chinese officials. The man still sits in a prison.

Mr. Leader, what about the Canadian Christian couple in China who operated a coffee shop near the border with North Korea? They were arrested last August. These are Canadians. Kevin and Julia Dawn Garratt are accused of spying. This is in a communist country. Are they victims of communism? She was released, but he remains behind bars.

In light of the fact of making a big deal with this monument — which will be built in Ottawa somewhere, someplace, I guess — is your government pressing for his release? What is being done to help this victim of communism?

[Translation]

Senator Carignan: With respect to Kevin and Julia Garratt, we are pleased with the recent decision to free Ms. Garratt on bail, but we remain very concerned about Mr. Garratt's detention. We have taken this case to the highest authorities, and we will continue to discuss this matter with Chinese representatives. Members of the consular staff have regular communication with the Garratts, and we are trying to maintain contact with them to provide them with consular support.

With respect to Martin Lee, who is the leader of the Hong Kong democracy movement, as the senator knows, committees are independent bodies of the other place. They set

their own schedule and are free to invite any witnesses they wish. With respect to the pro-democracy demonstrations, Canada continues to support the rule of law and the democratic aspirations of the people of Hong Kong.

We recently voiced our concerns about the treatment of political dissidents to the Chinese authorities, and our government will always adopt an approach based on foreign policy principles that promotes Canadian values around the world. That is actually the objective of the monument you mentioned.

[English]

Hon. Marjory LeBreton: As a supplementary on the monument to the victims of communism, which, reading the press around Ottawa, you would think was a nation-wide story; it's very much an Ottawa elite story. Having said that, anyone who would describe a monument to the victims of communism as a blight, is a shocking statement.

One of the arguments in the Ottawa realm is about the proposed Federal Court building on this site. Can the Leader of the Government in the Senate confirm that the decision to cancel the Federal Court building on that site was made in 2005, before this government took office?

[Translation]

Senator Carignan: Senator, I believe that you are well informed about this matter. You are right to raise this point in your question.

The tribute to more than 100 million people who lost their lives under communist regimes must be a dignified one. Furthermore, this monument will defend, promote and honour the Canadian values of freedom, democracy and human rights. That is an entirely appropriate location for promoting those values.

NATIONAL REVENUE

TAXATION AGREEMENT WITH UNITED STATES

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate.

After the budget was passed last February, I did some research on Canada-U.S. negotiations related to taxation.

I wrote to all the Canadian banks, including those affected by FATCA, the Foreign Account Tax Compliance Act, which applies to Canadians who still have U.S. citizenship. I asked these banks for information about the implementation of this agreement with the United States.

One of the letters I received stated the following:

[English]

One billion dollars, and there are significant ongoing costs in the tens of millions of dollars for the industry annually.

[Translation]

That is just one of the letters I received.

When we studied the budget, we were unaware of the extent of the costs to our Canadian institutions, which amount to more than one billion dollars.

Leader, now that we know how much this is costing, can you tell us what the government has done to reduce those costs and protect Canadians who still also have American citizenship against these abusive tax measures?

Hon. Claude Carignan (Leader of the Government): Senator, as you know, the intergovernmental agreement uses the framework in effect under the Canada—U.S. Tax Convention. It also ensures that information is gathered and used in accordance with Canada's privacy laws and that any information exchanged is protected by the Canada—U.S. Tax Convention. The Canada Revenue Agency will continue to administer the intergovernmental agreement and its implementation while the matter is before the courts.

Senator Hervieux-Payette: It must be said that when we pass a budget, we do not have all the information. This information is very important because we are talking about billions of dollars for the Canadian economy.

Where do the billions of dollars in profits made by the banks every year go? They usually go into the pension funds that have invested in those banks. Therefore, it is Canadian citizens for the most part who are punished by this measure. We weren't at all aware of the scope of the costs associated with this measure.

• (1410)

I would like to know what you're going to do to reduce this burden, now that we know how much it costs, and how you're going to fix the situation, to help Canadian citizens who are now stuck with a measure they weren't ever told about. Have you started negotiating with tax officials in the United States? We always hear about extraterritorial tax measures for Canadians. Some people wrote to me and told me that they had been in Canada for 40 years and were going to have to sell their house to pay what the American government is asking for. They are retired and will no longer be able to set foot in the United States if they don't pay the hundreds of thousands of dollars they've been ordered to pay by the American government. All this is because they weren't told that they'd be penalized so excessively by taking on dual citizenship.

What does the government plan to do to ensure that Canadians of American origin won't be penalized, and how does it plan to significantly decrease the burden on our financial institutions?

Senator Carignan: Senator, I disagree. I think that the intergovernmental agreement protects Canadians and Canadian financial institutions from the tax withholding provisions in the Foreign Account Tax Compliance Act, or FATCA, which was enacted by the United States.

Over the course of our negotiations we obtained some significant concessions, including with respect to the exemption of certain accounts, such as registered retirement savings plans, registered disability savings plans and tax-free savings accounts, and returns filed under FATCA. The agreement doesn't impose any new taxes and doesn't increase any existing taxes. Furthermore, the Canada Revenue Agency will not help the IRS collect American penalties.

The senator knows that this matter is currently before the courts, and as a result I cannot comment further.

Senator Hervieux-Payette: I would appreciate it if you could verify the status of this matter and come back to us with a response as to what measures we can take for Canadian citizens crossing the border, who could be arrested and thrown in jail for not paying taxes that they didn't even know they owed.

How are you going to deal with this issue? Are you in talks with the U.S. government to ensure that this type of thing doesn't happen to any Canadian, regardless of their origin, especially in the case of a citizen who left the United States, moved to Canada and obtained Canadian citizenship? That person will not be able to visit their family because if they know about this situation, they will stay here in Canada and if they don't, then they will be arrested.

What are you going to do to correct such unusual situations?

Senator Carignan: As I said, senator, there were negotiations and concessions were made. Significant gains were made, such as the exemption of certain accounts, including retirement savings plans, disability savings plans and tax-free accounts. These accounts were excluded. Again, the agreement does not impose any new taxes and does not increase any existing taxes, and CRA will not help the IRS collect American penalties.

That being said, as the matter is before the courts, you know full well that I cannot elaborate further.

Senator Hervieux-Payette: My final question is as follows: What are you going to do to help these Canadian citizens give up their American citizenship and to end this harassment? I am told that it is extremely expensive to apply to give up one's American citizenship and that it is very hard to do so. We are talking about people who are older, generally.

Will your government take action, and above all, will it help people to extricate themselves from a provision that they were never told about?

Senator Carignan: I think that is the same question and so the answer is the same.

[English]

ORDERS OF THE DAY

RED TAPE REDUCTION BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Black, seconded by the Honourable Senator Wells, for the second reading of Bill C-21, An Act to control the administrative burden that regulations impose on businesses.

Hon. Paul J. Massicotte: Honourable senators, today I rise as the official critic to present my views, and moreover my support in principle, of Bill C-21, An Act to control the administrative burden that regulations impose on businesses, also known as the "Red Tape Reduction Act."

This bill requires the government to seek an equal reduction of a regulatory burden for each new regulation that it proposes.

[Translation]

Having worked in the private sector for several decades — too many, perhaps — I am all too familiar with the regulations businesses have to comply with. Imagine the heavy administrative burden that they place on small business owners, like my parents, who ran the general store in a small village and did not have the resources or the skills required to master the language they needed to use to complete the various forms and comply with the regulations imposed by the government.

[English]

Let me start by making it very clear that many government laws and regulations applicable to business have immense merit to the betterment of our society. For example, there are those dealing with public goods, those relating to the environment, our security, and those establishing the rules of the game pertaining to business conduct in the interests of our society at large. In fact, the proposed bill makes it very clear that the application of this bill must not compromise public health, public safety or the Canadian economy.

Nonetheless, often overlooked in the creation or maintenance of the many government regulations are the burden and hidden costs to businesses, which often seriously impede their efficiency and competitiveness. These costs and the resulting higher prices are then transferred to our society at large.

[Translation]

It is important to understand that the burden of our laws and regulations is often more of a detriment than a new tax or direct charges.

Martin Baily from the Brookings Institution conducted a series of studies to determine why productivity in specific industries was higher in some countries than in others. He found that regulations played a major role in reducing competition among businesses, with the consequence being that inefficient companies were surviving longer than they should.

We all know that our future well-being depends on the increasing productivity and competitiveness of our businesses, since those are the basic conditions for encouraging new long-term investments, promoting innovation and creating new jobs.

Changing regulations has little effect on economic growth in the short term. However, in the long term, regulations that are good for business will make a difference. One study showed that more jobs are created in American states that minimize the taxes and regulations they impose. Internationally, the countries that rank highest in the World Bank's surveys on their ability to do business grow more rapidly.

As the Canadian Chamber of Commerce indicated in its 2011 submission to the Red Tape Reduction Commission:

We need to shift from zero tolerance-process focused enforcement to an outcome sensitive approach.

There is no management accountability framework for regulators who create delays or make mistakes in their instructions, which means that businesses have to absorb all of the costs of the administrative burden.

[English]

Businesses lobby for many things they should not have: handouts from the taxpayer and handicaps imposed on their rivals. However it's hard to find fault in our plea for simpler rules, swifter bureaucratic decisions, government websites that a normal person can navigate and officials who actually answer the phone.

Another 2015 report said a costly and complex Canadian tax system is one of the top 10 barriers to competitiveness, both for businesses that need to meet compliance costs and for governments that must administer and enforce convoluted tax laws.

• (1420)

According to a study by the Fraser Institute, an enormous \$14 billion to \$18 billion a year is required to comply with the Canadian tax system.

In this respect we are seeing a trend where emerging countries seem to be reducing the red tape, whereas developing countries have been strengthening the regulatory regime.

The Global Competitiveness Report 2014, published by the World Economic Forum, ranked Canada only 39 out of 144 countries assessed on a burden of government regulation,

meriting only a 3.8 out of 7, 7 being the least cumbersome. Not good enough, in my opinion, and if we don't improve on this matter, this could severely impact our economic outcomes.

I have reviewed the bill and assessed the *2012-2013 Scorecard Report: Implementing the Red Tape Reduction Action Plan*, a progress report prepared by the government as to the results emanating from their internal application of the principles proposed by this bill.

The results are real, a clear indication that we are heading in the right direction in order to reduce cumbersome and costly administrative regulations for businesses operating in Canada. But to ensure some permanency through government implementation and the necessary change of culture which will hopefully emanate from this approach, I also agree that these principles are best pursued by an act of Parliament.

[Translation]

I believe that this bill will contribute to this awareness and this progress. It remains to be seen whether the proposed bill will be as effective as it could be. I hope that the committee tasked with studying it in depth will help us better appreciate the details of the bill and, hopefully, improve it. In conclusion, I support the passage of this bill and I urge you to do the same.

[English]

I look forward to hearing and considering any contrary views and arguments. Thank you.

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

Hon. Senators: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Black, seconded by the Honourable Senator Wells that this bill be read a second time. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

The Hon. the Speaker: Carried.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Black, bill referred to the Standing Senate Committee on National Finance.)

ADJOURNMENT

MOTION ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of March 11, 2015, moved:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, March 24, 2015 at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

STUDY ON CHALLENGES AND POTENTIAL SOLUTIONS RELATING TO FIRST NATIONS INFRASTRUCTURE ON RESERVES

EIGHTH REPORT OF ABORIGINAL PEOPLES COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the eighth report of the Standing Senate Committee on Aboriginal Peoples entitled: *Housing on First Nation Reserves: Challenges and Successes*, tabled in the Senate on February 17, 2015.

Hon. Scott Tannas: Honourable senators, I just want to say a few words on this interim report which our committee has been working very hard on for 16 months.

The communities that we've seen and the testimony we have heard have truly been eye-opening for many members of our committee, and nobody more so than me. There is clearly a stark contrast between First Nation communities that are well off, innovative and thriving, and communities that have absolutely horrible living conditions. In our tour of communities, we saw, frankly, a few grand mansions. We saw a number of lovely typical middle-class subdivisions, and we saw far too many shacks and sheds that made you want to cry.

We make it clear in the interim report that there is no one-size-fits-all solution to housing on reserves for the communities who are trying to cope with housing issues. I'm not standing here to talk about one solution that I think is the solution, but I did want to offer an observation. It's in the report, and I just wanted to bring a little bit of a highlight to it as you read it and consider it.

It's clear from the evidence that there is a very strong correlation between the economic situation and the employment situation in a First Nation community and their housing. First Nations with high employment rates and some of their own-source revenue coming from economic development issues

or resource sharing and so on have very high-quality housing, the kind of housing that we're accustomed to off reserve in the rest of Canada. By contrast, the reserves with low employment rates, with little or no own-source revenue have the poorest housing.

In some cases, First Nation communities have very poor housing. They're remote, and there are very limited employment opportunities or economic development opportunities, and we absolutely have to respond to the need there. But there are also some communities that have very low employment rates, high unemployment rates, where the economic development opportunities have not yet been fully taken advantage of. Part of what we need to focus on is providing opportunities for economic development which leads to employment, which leads to better housing.

Probably one of Canada's most luminous First Nation leaders is Chief Clarence Louie at the Osoyoos First Nation in British Columbia. He said it best when he said there is no better social program than a job. That is the essence of his leadership and his actions. He is very quick to say that employment and economic development are the absolute foundation of that community's success and his, frankly, singular focus as a leader. We need to learn from that, and part of the recommendations we bring forward need to recognize this idea of economic development and employment.

• (1430)

One thing that I also want to mention that ties to that is home ownership. The want, the need and the facilitation of home ownership goes hand in hand with employment and economic development. There is no question. I wanted to point that out.

I want to say also how honoured I am to be a participant in this study, and I look forward to working together with my Senate colleagues to provide this house and, hopefully, the government of the day and of the future with some strong, thoughtful recommendations to improve what is clearly an urgent and important situation.

Hon. Wilfred P. Moore: Honourable senators, I have the pleasure of serving on the Aboriginal Peoples Committee with Senator Tannas, and so much of what he said here today is at the core of what we found and of what we have to do.

We were on some reserves where people didn't have the \$200 a month to pay rent, so they were evicted and others moved into their houses. There were condemned buildings and, as Senator Tannas said, sheds on these reserves that people moved into as their homes. If you see that, you count your own blessings every day. Some of these homes had mould literally three or four feet up the wall.

We've gone in there and the department has funded the construction of homes without adherence to national building codes. So right off the bat these people are starting behind the eight ball. It wouldn't have taken much to have had proper materials and design. With many of these homes in the North, you open the door and you're right in the living space; there is no porch or break from the weather.

Here's a sad one: We were on one reserve in northern Ontario. The department insisted they spend \$200,000 on street signs. I mean, they had water trouble, sewage trouble and housing trouble, and they had to spend \$200,000 on street signs. It's those types of things that drive you crazy when you're out there trying to do the right thing for the greater good.

There are some wonderful examples, though, of terrific management, foresight and drive. Senator Tannas mentioned the tribe in Osoyoos that were wonderful. Membertou, in my province of Nova Scotia, has it together. In Kelowna and Kamloops, these people have good vision and management, and they are sticking to the plan. They don't squander their funds; they are looking for deals and they are getting deals from people off reserve, whether it's wineries or other businesses. People in Membertou are looking at some deals out West.

They are great entrepreneurs. All they need is a chance. The dignity of a job and taking home that paycheque every week would do a lot to turn this around. There are some wonderful opportunities with resource lands, but these bands have to get together with a unified voice and work with the development companies that could help them so they can retain some ownership revenues and own-source revenues, and start to do some of the stuff that Senator Tannas talked about.

It's a real wake-up call to be on some of these First Nation reserves and to see what they're living with. You can readily see what has to be done, and there is a lot to be done. But this interim report was quite an eye-opener for me and I would urge honourable colleagues to look at it.

(On motion of Senator Raine, debate adjourned.)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

SIXTH REPORT OF COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator White, seconded by the Honourable Senator Andreychuk, for the adoption of the sixth report of the Standing Committee on Rules, Procedures and the Rights of Parliament (Amendments to the *Rules of the Senate*), presented in the Senate on October 21, 2014.

Hon. Elizabeth (Beth) Marshall: I would like to take the adjournment in my name.

(On motion of Senator Marshall, debate adjourned.)

THE SENATE

MOTION TO URGE THE GOVERNMENT OF VENEZUELA TO IMMEDIATELY END ALL UNLAWFUL ACTS OF VIOLENCE AND REPRESSION AGAINST CIVILIANS ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Andreychuk, seconded by the Honourable Senator Johnson:

That the Senate of Canada take note of the ongoing tensions in the Bolivarian Republic of Venezuela, and that it urge the Government of Venezuela to:

1. immediately end all unlawful acts of violence and repression against civilians, including the activities of armed civilian groups, and
2. commit to meaningful and inclusive dialogue centred on the need to:
 - (a) restore the rule of law and constitutionalism, including the independence of the judiciary and other state institutions;
 - (b) respect and uphold international human rights obligations, including the freedoms of expression and the press; and,
 - (c) take swift and appropriate measures to curb inflation, corruption and lawlessness, and to ensure the safety and wellbeing of all Venezuelans.

That the Senate of Canada further encourage all parties and parliamentarians in Venezuela to:

1. encourage their supporters to refrain from violence and the destruction of public and private property; and,
2. commit to dialogue aimed at achieving a political solution to the current crisis and its causes.

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.)

ROLE IN PROTECTING MINORITIES—
INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Nolin calling the attention of the Senate to its role in protecting minorities.

Hon. Yonah Martin (Deputy Leader of the Government): I move the adjournment of the debate in my name.

(On motion of Senator Martin, debate adjourned.)

(The Senate adjourned until Tuesday, March 24, 2015, at 2 p.m.)

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