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THE HONOURABLE DANIEL HAYS
SPEAKER

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THE SENATE

Wednesday, March 9, 2005

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

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before proceeding, we are privileged today to host guests in the gallery. I would first like to draw your attention to the presence in the gallery of Mr. Motaz Wasel Raslan, Chairman of the Canada Egypt Business Council. He is accompanied by His Excellency the Ambassador of the Arab Republic of Egypt, Dr. Mahmoud F. El-Saeed. They are guests of the Honourable Senator Marcel Prud'homme.

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

We are also privileged today to have in our gallery a group of delegates from the Chuvash Republic of the Russian Federation. They are: Serge Gaplikov, Chairman of the Cabinet and Premier; Nina Souslonova, Minister of Health; Peter Krasnov, Chief of the President's Administration and Minister of Culture; and the facilitator of the trip, the Honourable Mary Collins, PC, Health Policy Advisor for the World Health Organization in Moscow. They are the guests of the Honourable Senator Fairbairn.

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

SENATORS' STATEMENTS

CANADIAN ENGINEERING MEMORIAL FOUNDATION

Hon. Mac Harb: Honourable senators, last week we marked National Engineering Week, held every year to honour the many contributions made by engineers here in Canada and around the world. Almost every single aspect of our day-to-day lives is touched by the ingenuity and professionalism of engineers.

Honourable senators, there are more than 160,000 engineers in Canada, but only 10 per cent of that number are women. However, as an engineer myself, I am pleased to inform the honourable senators assembled here that there is a Canadian foundation dedicated to increasing the number of women participating in this important industry sector. That foundation is the Canadian Engineering Memorial Foundation.

[Translation]

The Canadian Engineering Memorial Foundation was created 15 years ago, in the aftermath of the École Polytechnique de Montreal tragedy of December 6, 1989. It honours the memory of the 14 women who lost their lives. Each year, the foundation provides scholarships to women studying engineering in

recognized universities. It seeks out extraordinary women who are already enrolled in an engineering faculty and helps them continue their studies and make a career in the field. The foundation's funding comes from the private sector and from the thousands of individuals who believe in its mission and the work it does.

[English]

CEMF is an excellent example of an organization that works through partnerships and alliances. One of its key supporters, the Canadian Council of Professional Engineers, is the national organization of provincial and territorial bodies that license Canada's 160,000 professional engineers.

CEMF believes that young girls must be encouraged to take a keen interest in science in elementary and secondary schools. This has led to another key partnership with Actua, an organization that runs science camps across Canada.

I wish to acknowledge and thank the Canadian Engineering Memorial Foundation and its partners for the work they do across our great country to encourage young women to pursue careers in engineering in Canada, and for promoting engineering as a career choice to all young people, regardless of gender.

CANADA-UNITED STATES RELATIONS

BOVINE SPONGIFORM ENCEPHALOPATHY— CLOSURE OF BORDER TO CANADIAN CATTLE

Hon. David Tkachuk: Honourable senators, last week the Senate Agriculture Committee travelled to Washington under the able leadership of Senator Fairbairn and Senator Gustafson. Our purpose was to reiterate Canada's position on BSE and softwood lumber.

While we were there, the Senate of the United States considered the following:

A joint resolution providing for Congressional disapproval of the rules submitted by the Department of Agriculture under Chapter 8 of title 5, United States Code, relating to risk zones for introduction of bovine spongiform encephalopathy.

The resolution was sponsored by Democratic Senator Kent Conrad and had eleven co-sponsors, eight of whom were Democrats. Voting yea to this resolution meant voting in favour of keeping the U.S. border closed to Canadian beef. Keep that thought foremost in your minds as I read the names of the following senators who supported the resolution. These are the names of those who voted against Canadian interests and against the interests of our beef producers.

Senator Charles Schumer, Democrat, voted yea; Senator Robert Byrd, Democrat, voted yea; Senator Chris Dodd, Democrat, voted yea; Senator Evan Bayh, Democrat, voted yea; Senator Barbara Boxer, Democrat, voted yea; Senator Diane Feinstein, Democrat, voted yea; Senator Daniel Akaka,

Democrat, voted yea; Senator Max Baucus, Democrat, voted yea; Senator Joseph Biden, Democrat, voted yea; Senator Jeff Bingaman, Democrat, voted yea; Senator Maria Cantwell, Democrat, voted yea; Senator Thomas Carper, Democrat, voted yea; Senator Kent Conrad, Democrat, voted yea; Senator Jon Corzine, Democrat, voted yea; Senator Mark Dayton, Democrat, voted yea; Senator Byron Dorgan, Democrat, voted yea; Senator Richard Durbin, Democrat, voted yea; Senator Tom Harkin, Democrat, voted yea; Senator Tim Johnson, Democrat, voted yea; Senator Herb Kohl, Democrat, voted yea; Senator Mary Landrieu, Democrat, voted yea; Senator Frank Lautenberg, Democrat, voted yea; Senator Patrick Leahy, Democrat, voted yea; Senator Carl Levin, Democrat, voted yea; Senator Barbara Mikulski, Democrat, voted yea; Senator Patty Murray, Democrat, voted yea; Senator Bill Nelson, Democrat, voted yea; Senator Jack Reed, Democrat, voted yea; Senator Harry Reid, Democrat, voted yea; Senator Ken Salazar, Democrat, voted yea; Senator Paul Sarbanes, Democrat, voted yea; Senator Debbie Stabenow, Democrat, voted yea; and Senator Ron Wyden, Democrat, voted yea.

I have just a few more Democrats to mention, honourable senators, but these ones deserve special notice:

Senator Joseph Lieberman, Democrat and 2000 vice-presidential running candidate of Al Gore voted yea.

• (1340)

Senator Barack Obama, Democrat, who many herald as the future of the Democratic Party of the United States, voted yea; Senator Edward Kennedy, Democrat, voted to keep the border closed; Senator Hillary Clinton, Democrat, voted to keep the border closed; and Senator John Kerry, Democrat, whom many members of the Liberal Party of Canada openly supported in the last presidential election, voted to keep the border closed. On March 21, I will present the rest of the list.

EARLY LEARNING AND CHILD CARE INITIATIVE

Hon. Marilyn Trenholme Counsell: Honourable senators, this is all about democracy for children. On February 25, 2005, Honourable Ralph Goodale, Minister of Finance, said:

...we made a commitment to work with the provinces and territories to build the foundations for a high-quality, universally inclusive, accessible and developmental early learning and child care initiative.

On February 15, 2005, in the House of Commons, the Honourable Ken Dryden, Minister of Social Development Canada, said:

We are agreeing on the principles of what kind of system we would like to see in every province and territory.

Earlier, on January 13, 2005, at York University, he said:

...we now have the remarkable opportunity to work on a national early learning and child care system...to actually help create something that doesn't exist...and if you can do it

right, then you will end up with something of substance... And that's the excitement of it...with a commitment of \$5 billion over five years...

So Canada begins — working together — to build the foundations for a new system of child care and development centres across this great nation: a Canadian initiative, a Canadian system, the Canadian way. What is fragmented now will become cohesive, strong and visionary, one step at a time. Minister Dryden said, on November 19, 2004, in Montreal: "The key I think is to get the principles right."

In this great federation, there will be differences in the system, but one thing stands out in every speech, as Minister Dryden said on November 12, 2004, in Winnipeg, a commitment to: "...quality, universally inclusive, accessible and developmental...strong measures of accountability...doing exactly what we promised."

As reported in the *Edmonton Journal* of March 5, 2005, into this picture, like a shot from behind the net, comes a publicly-traded U.S. investment firm ready to make "an overall impact...having a good business model...with plans for Canadian expansion in documents filed with U.S. security regulators in November." I believe it will take the kind of goaltending for which Ken Dryden is famous to guard the net to allow a truly Canadian system to develop step by step.

The kind of quality child care that Canadians want in their new system must "support optimal early brain development and physical development and set the base of learning, behaviour and health throughout the life cycle." Quality child care with an emphasis on social development is enormously beneficial to parents as they prepare their children for school. A love of books begins in the home and is greatly reinforced through quality child care. Creative play with games and numbers and with song and dance lets children believe in themselves. All of this and so much more reinforces good parenting through the experience and caring of well-trained staff devoted to families — staff whose salary comes ahead of profit. Yet the U.S. company describes its own niche: "computer skills, second language and math skills." Is this what Canadians want for their two-year olds?

If there is a place for big business — for profit — in our system, let it take second place to a vibrant, trustworthy and confident public system. Let it be said that quality child care is available to Canadian families because there is a child who needs and who will benefit from this program, not a child who gets through the door because a parent has money in a wallet.

The case for a made-in-Canada non-profit system was made even stronger by Margaret McCain and Roy Romanow. They said:

Child care...is not a commodity...not merely a business decision....The business of these organizations should be total fixation on the well being of the child.

Honourable senators, let us keep our eyes on Canada's new child care system and support Ken Dryden as he makes history again.

ROYAL CANADIAN MOUNTED POLICE

TRIBUTE TO SLAIN CONSTABLES

Hon. Gerry St. Germain: Honourable senators, last Thursday was a horrific day experienced by all Canadians with the loss of four of Canada's finest. The four members of the RCMP who were brutally murdered is a graphic reminder to all of us about how fragile peace and order can be in our society. We take it for granted, because we live in Canada that incidents of this nature just do not happen here; they happen elsewhere.

Constables Anthony Gordon, Peter Schiemann, Lionide Johnston and Brock Myrol have paid the ultimate price in service to their community and country. Tomorrow, members of the Senate, members of the House of Commons, many others and I will attend the memorial service to pay tribute to these brave, dedicated men. We will share with their families the great loss that they and all of Canada have experienced. I will attend carrying the experience of having been a peace officer in two of Canada's major cities. I know and lived these risks. I truly appreciate the commitment that these four officers offered in the service of the RCMP.

There is nothing more disturbing to a wife or a husband and children than a cruiser car arriving at the front door when a loved one is on duty in one of our respective police forces. This generally denotes that something traumatic has taken place in the lives of these individuals.

Honourable senators, I served four years on a police force in Manitoba. My police badge number was 34. My replacement who took on the number 34, was brutally shot and killed at the scene of a robbery just a couple of years into his service. All police officers face these dangers and do so proudly in service to their communities.

Senator Austin, in his tribute on Monday, mentioned that most of us will never face what these four officers were exposed to. My hope is that we in government will recognize that certain changes we can facilitate may eliminate a portion of the risk exposure to those we ask to ensure our safety and that of our families.

Policing is an honourable profession that allows society the peace of mind that we all seek in our lives. We thank the constables and their families for the greatest sacrifice of all. Our thoughts and our prayers go out to these families as we attempt to share with them their loss and grief. May God bless them and all of us.

OVERTAXATION

Hon. Donald H. Oliver: Honourable senators, Canadians continue to be overtaxed. According to *The Globe and Mail*, the take-home pay of the average Canadian has not risen in 15 years. Meanwhile, Canada's economic output per capita has risen 25.5 per cent since 1989, but the after-tax income of the average Canadian has risen only 3.6 per cent. To put it simply, Canadians are working harder but seeing less from our federal government.

The Globe and Mail stated in a February 26 editorial that federal spending is due to rise to \$194.5 billion in 2009. This is an 82 per cent increase since 1998. Government spending will have nearly doubled in little over a decade. The 2005 budget attempted to help low-income Canadians by promising to increase the basic personal exemption to \$10,000 by 2010, five years from now. However, this so-called tax cut will save Canadian taxpayers a mere \$16 in 2006. The Executive Director of the National Anti-Poverty Organization recently stated that lowering the personal income tax exemption is the least effective way to deliver tax cuts to poor people because less than 4 per cent of the benefits of this tax measure go to lower income families.

In the same period, the total revenues earned by the federal government through personal income tax will rise from \$89 billion in 2005 to \$120 billion by 2010, according to the February 28 editorial in the *Halifax Chronicle Herald*. In effect, the federal government will receive an income tax bonus equal to the entire income tax revenue of 2004.

Over the next five years, Canadians will pay an additional \$23 billion in GST and \$6 billion in Employment Insurance premiums.

• (1350)

Between 2003 and 2004, the average Canadian family experienced a \$1,327 increase in their total tax bill. At least 40 per cent of this growth was the result of increases in social security, pension, medical and hospital taxes, according to the Fraser Institute.

The Fraser Institute estimates that last year all income earned by Canadians prior to June 28 was used to pay the total tax bill imposed on them by all levels of government — federal, provincial and local. The tax cuts outlined in the 2005 Budget are totally inadequate to meet the needs and expectations of Canadians. Canadians demand better.

[Translation]

ROUTINE PROCEEDINGS

TRANSPORT AND COMMUNICATIONS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Joan Fraser: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That, pursuant to rule 95(3)(a), the Standing Senate Committee on Transport and Communications be authorized to meet on Monday, March 21, 2005, even though the Senate may then be adjourned for a period exceeding one week.

[English]

THE SENATE

NOTICE OF MOTION TO AUTHORIZE SELECT COMMITTEES TO MEET DURING ADJOURNMENT OF THE SENATE

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

That the Standing Senate Committees on Human Rights, National Security and Defence and Official Languages be empowered, in accordance with rule 95(3), to sit on Monday, March 21, 2005, even though the Senate may then be adjourned for a period exceeding one week.

QUESTION PERIOD

TRANSPORT

NORTHUMBERLAND FERRY SERVICE— FUNDING CUTBACKS

Hon. Donald H. Oliver: Honourable senators, my question for the Leader of the Government in the Senate deals with support for the service of Northumberland Ferries Limited. It was reported in today's Charlottetown *Guardian* that Transport Canada wants to reduce its financial support for the Northumberland ferry service between Woods Island, Prince Edward Island and Caribou, Nova Scotia. This ferry service, which has provided an essential facility to travellers in Atlantic Canada for decades, will be discontinued if its funding is cut off by the federal government.

The Guardian reports that the Premier of Prince Edward Island recently sent a strongly worded letter to the Prime Minister asking him to intervene to save the Northumberland ferry service.

Could the Leader of the Government in the Senate please explain the government's rationale for reducing its support for this vital component of Atlantic Canada's transportation infrastructure?

Hon. Jack Austin (Leader of the Government): Honourable senators, I am not aware that any reduction is being proposed. I have been informed that a five-year agreement with a private sector company is under negotiation.

Senator Oliver: Honourable senators, Northumberland Ferries Limited moves 475,000 passengers, 176,000 passenger vehicles and 21,000 commercial trucks every single year, so clearly any reduction in ferry service could have a disastrous economic consequence on the Atlantic region. Is Transport Canada sufficiently sensitized to the impact that reduced ferry service could have on the Atlantic region?

Senator Austin: Honourable senators, I believe that Transport Canada is very much aware of the economic rationale for the service. It is, as I have said, negotiating an agreement that will supply the services that the market requires.

ROYAL CANADIAN MOUNTED POLICE

CLOSURE OF EDMONTON FORENSIC LABORATORY

Hon. Gerald J. Comeau: Honourable senators, my question is directed to the Leader of the Government in the Senate. The RCMP is closing down its forensic laboratory in Edmonton, one of six across the country, as part of its effort to pay for the long list of new spending announced in last month's budget.

On Friday, February 25, the *Edmonton Sun* quoted Dave Hepworth, a retired RCMP forensics expert, as follows:

They closed down the evidence recovery units in Edmonton and Regina in 2003 and centralized them in Ottawa... So police services in those regions lost that local expertise.

The backlog of DNA tests gets longer every year, because they won't invest the resources into getting it done. The trend is toward centralizing everything in Vancouver and Ottawa...

Increasing times for DNA testing may lessen the possibility of a conviction.

Would the Leader of the Government undertake to ask his cabinet colleagues to reconsider this questionable decision?

Hon. Jack Austin (Leader of the Government): Honourable senators, I am advised that there will be no reduction in testing and no loss of time by the measures to which Senator Comeau has referred. Centralizing services will allow enhanced capacity through the concentration of people working together with their technological backgrounds.

Senator Comeau: Honourable senators, I note that the leader did not refer to the loss of local expertise in those areas.

There were over 1,000 unprocessed and unopened DNA service requests at RCMP forensics laboratories and the DNA data bank at the end of 2004. The changes suggested in Bill C-13 will increase the number of offences for which a DNA sample will be taken, expanding the amount of work done by the lab even further.

How will these labs cope with the increased workload when they are already operating under a backlog? How will they cope when the Edmonton laboratory is closed? Is it the intention of the government to deliver results in a timely fashion by relying on private labs to do the work that was done by government labs in the past?

Senator Austin: I will inquire with respect to the honourable senator's two questions and try to provide a response as a delayed answer at an early time.

Hon. Gerry St. Germain: Honourable senators, would the Leader of the Government in the Senate bring to cabinet the recommendation that some of the funds used for the gun registry be diverted to the service that Senator Comeau raised, which has been proven to solve crimes and resolve many injustices that have taken place in this country? I think that would be a better utilization of funds than registering grandma's .22 rifle.

Senator Austin: Honourable senators, in pursuing the answer to Senator Comeau's question, I will seek to satisfy myself that DNA testing facilities are adequate, in the view of the senior people who use those services, to ensure that tests are done in a timely way.

With respect to Senator St. Germain's question, I do not see the relationship between the two programs.

CITIZENSHIP AND IMMIGRATION

WORK PERMIT PROGRAM FOR EXOTIC DANCERS

Hon. David Tkachuk: Honourable senators, on December 1 of last year, the federal government announced the cancellation of a controversial program granting work visas to foreign exotic dancers. At that time, the Minister of Citizenship and Immigration, Joe Volpe, was the Minister of Human Resources, and he told reporters that "the program has been cancelled" and "no way is it going to be done under my watch."

We have now learned that Minister Volpe gave an interview to the television program *W5* in which he acknowledged that the program is still in existence. In Question Period, I believe you said that the program was cancelled as well. I have two questions for the Leader of the Government in the Senate. First, why does the government still consider exotic dancing a viable category for granting a work visa. Second, why were Canadians told this program had come to an end when clearly, according to the minister, it had not?

• (1400)

Hon. Jack Austin (Leader of the Government): Honourable senators, as far as I know, there is no specific program with respect to exotic dancers coming to Canada under work permits. However, I will make inquiries in that regard. As with other cases, there may be an employment opportunity where no Canadian wishes to accept that type of employment. I am referring to legal employment.

There are broad and general rules with respect to shortages of people in various employment categories. I will make inquiries into the subject in the hopes that I can supply an answer that is satisfactory to both sides of this chamber.

Senator Tkachuk: Last December, former Immigration Minister Judy Sgro gave an interview to *The Globe and Mail* in which she said that her department has been trying to cancel the program since 1999, but had met with resistance from the Department of Human Resources and Skills Development. Despite all the assurances of the cancellation of the program from the Prime Minister and the Deputy Prime Minister, as well as the current and former Minister of Immigration, this practice is somehow still in place.

Could the Leader of the Government in the Senate tell us if the department officials have overruled the wishes of the Prime Minister and the Minister of Citizenship and Immigration in this respect?

Senator Austin: Honourable senators, it should be understood that the human resources department has a statutory obligation to provide, when requested by an employer, an opinion as to whether the entry of a worker or workers might adversely affect the Canadian labour market.

Citizenship and Immigration Canada is responsible for issuing work permits to foreign workers, but must ensure that those applicants have proper documentation, meet health and security criteria and have the qualifications to perform the job. Those are the statutory provisions. There is no exemption that allows a minister to deny a person entry into the country to do exotic dancing if all the terms are met and no Canadian is prepared to perform the job. On the other hand, it is clear that the government applies these rules very carefully.

PRIVY COUNCIL OFFICE

REJECTION OF APPOINTMENT OF MR. GLEN MURRAY AS CHAIRMAN OF THE NATIONAL ROUND TABLE ON THE ENVIRONMENT AND ECONOMY

Hon. Terry Stratton (Deputy Leader of the Opposition): My question is for the Leader of the Government in the Senate. I would like to quote from an article in today's *Winnipeg Free Press* which states:

Former Winnipeg mayor Glen Murray yesterday became the first casualty of Prime Minister Paul Martin's patronage review process when a Commons committee rejected his appointment to head a federal environmental advisory board.

Murray's fate as the nominated chairman of the National Round Table on the Environment and Economy now rests with the prime minister, who is not bound by the verdict of the House of Commons environmental committee.

The reason for the decision of the committee was that Mr. Murray has insufficient experience in environmentally related fields and, therefore, should not assume this post.

The next step for the Prime Minister should be easy. After all, he is the same person who has pledged to get rid of the democratic deficit, to eliminate cronyism and to increase the decision-making ability of members of Parliament.

Could the Leader of the Government in the Senate tell us if the Prime Minister will ignore the will of a parliamentary committee and appoint Glen Murray?

Hon. Jack Austin (Leader of the Government): Honourable senators, I have nothing to tell the chamber at the moment. I hope that answer is succinct enough.

Senator Stratton: That is very succinct and I thank the honourable senator for that.

This proves the point I made earlier of Mr. Murray's lack of experience in the environmental field, and that is the reason for his rejection by that committee.

Senator Austin: With respect to Senator Stratton's supplementary question, I would point out the political makeup of the committee in question.

INTERNATIONAL TRADE

UNITED STATES— IMPOSITION OF TAX ON HOG INDUSTRY

Hon. Leonard J. Gustafson: My question is for the Leader of the Government in the Senate. Are the Americans collecting the tax that has been imposed on hogs, which I understand amounts to about 10 per cent of the cost of the hog, which is about \$16 per animal? Are there negotiations on the part of the government and hog producers to deal with that duty? Given the fact that we have all these other problems — BSE and so on — farmers are facing some very difficult situations.

Hon. Jack Austin (Leader of the Government): Honourable senators, I am not surprised to receive this question from Senator Gustafson. In connection with the March 7, 2005, U.S. Department of Commerce final determination on countervail and dumping investigations with respect to Canadian live hog exports to the United States, the government is deeply disappointed that the Department of Commerce has upheld a dumping determination that Canadian exports of live swine to the U.S. are being sold at less than fair value.

The position of Canada from the beginning of the investigation is that our exports of Canadian live hogs are fairly traded. At this point, any party involved in the investigation can request a binding binational panel review under the famous chapter 19 of the North American Free Trade Agreement. Canada would also consider challenging the Department of Commerce determination as we believe that it is inconsistent with World Trade Organization obligations.

Senator Gustafson: Do I understand that there is a challenge taking place by our officials?

Senator Austin: A challenge is now being considered. The decision was only handed down on March 7. Senator Gustafson will have to give us a few days to consider all the elements that flow from that decision.

AGRICULTURE AND AGRI-FOOD

BOVINE SPONGIFORM ENCEPHALOPATHY— AID TO CATTLE INDUSTRY— CULLING OF OLDER ANIMALS

Hon. Gerry St. Germain: I have another question on agriculture for the Leader of the Government in the Senate. In the past, honourable senators, I have asked questions in regard to the herd rationalization program or the culling of the older part of the herd for cow-calf operations on ranches. I explicitly say "ranches" because the dairy industry has a certain amount of flexibility. Under supply management they have been able to increase the price of the product. I do not want to take anything away from the dairy industry or pit one sector against the other, but, in a cow-calf scenario, these people are price takers. These older

cows are of little value. I cited a previous occasion where a cow was shipped in, and an invoice was paid for 99 cents, as opposed to receiving nothing for the cow after auction fees and shipping.

• (1410)

I would urge and ask the Leader of the Government in the Senate to take forward to cabinet the recommendation that we cull about 700,000 to 800,000 older cows at a price of around \$500 a head. That would really help the ranchers and, at the same time, eliminate part of the problem. Would he consider taking that suggestion forward?

Hon. Jack Austin (Leader of the Government): Honourable Senators, I would be very pleased to move forward information in this chamber on dealing with the culling of older animals. I do not have much in the way of specific information I can give today. I know the issue is complicated. We have a managing-older-animals program, but I do not have enough information about it at hand to answer the honourable senator's concerns. I know there are many issues on which the industry is being consulted, particularly questions about the impact on the food industry of additional supplies, should that, in effect, be the result of a program. There are also, of course, questions with respect to how our packing capacity might handle those animals or, alternatively, the simple destruction of those animals and some form of compensation. I will return to this subject.

Senator St. Germain: I wish His Honour could ask the government leader a supplementary question because he knows this industry most likely better than any of us. I say this with the greatest of respect because he comes from a family of ranchers, and others here come from ranching families as well.

Honourable senators, there are people out there, like myself, who, before BSE, would invest in cattle, but not now. In regard to the rationalization of the herd or the culling, I do not believe we should put that meat into the food chain. I think these animals have to be done away with in a manner that does not disturb the food chain. I know this may sound brutal, but it is the only way we can handle the situation practically. Possibly the leader could take that recommendation forward as well, that, as opposed to putting these animals into the feed chain and moving them into the abattoir, they be put down and buried.

Senator Austin: Honourable senators, I will seek to provide the chamber with a delayed answer dealing with the culling of older animals. Senator St. Germain can then ask questions on the basis of that information.

CANADA-UNITED STATES RELATIONS

MISSILE DEFENCE PROGRAM— DOCUMENTATION ON PROPOSAL

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, I would like to return to the missile defence file. It was reported that Canada was considering signing on to missile defence and then the decision was taken not to sign on. Is the signing on or the potential signing on a metaphor, or was there and is there, in existence, a real document that could have been signed or not signed?

Hon. Jack Austin (Leader of the Government): Honourable senators, the government has taken its decision, which is now well known, on missile defence, and that is not to participate. It announced its decision, and the basis on which that was made is, of course, a part of the cabinet process and cabinet confidentiality.

Senator Kinsella: Are there any public documents in existence that relate to what the United States government was proposing and what the Government of Canada was considering? Are there any public documents, or documents that could be made public?

Senator Austin: Honourable senators, Senator Kinsella will have to search the website.

[Translation]

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

MEETING, JANUARY 29-30, 2005—REPORT TABLED

Leave having been given to revert to Tabling of Reports from Inter-Parliamentary Delegations:

Hon. Rose-Marie Losier-Cool: Honourable senators, pursuant to rule 23(6), I have the honour to present, in both official languages, the report of the Canadian delegation of the Assemblée parlementaire de la Francophonie, the APF, concerning its participation in the meeting of the APF bureau, held in Hue, Vietnam, on January 29 and 30, 2005.

[English]

ORDERS OF THE DAY

STATISTICS ACT

BILL TO AMEND—THIRD READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Rompkey, P.C., seconded by the Honourable Senator Losier-Cool, for the third reading of Bill S-18, to amend the Statistics Act.

Hon. Gerald J. Comeau: Honourable senators, this may well be the last time I get to speak on this subject, and I must admit I am disappointed that the sponsor of the bill did not deem it important enough to speak at third reading. The deputy leader might indicate when and if she intends to defend this bill, or if she is so confident that it will be rubber-stamped by the majority that she does not even need to bother to speak at third reading.

In the Census Act, and on the census forms themselves, there is clear, unambiguous language that the responses will be kept confidential. I will not go into the whole subject, but it is worth repeating what is on the form. I quote:

...by law, Statistics Canada must protect the confidentiality of the personal information you provide. Our employees, including census takers, are personally liable to a fine or imprisonment should they break the confidentiality of your information.

This is signed by the Chief Statistician, Ivan Fellegi. This is repeated again at the end of the form. I will not bother to go into the relevant sections of the act, which is now in place. The secrecy provisions are there, and these are to be repealed in Bill S-18, the so-called breaking of the promise.

Mr. Fellegi appeared before the Standing Senate Committee on Social Affairs, Science and Technology on February 24, 2005, where he informed us that he has now decided to support the breaking of the promise. I asked him how he could justify this change in position. His pitiful excuse was that he had received advice from the Department of Justice Canada that the promise might not stand up in court. Suddenly, Justice Canada informed him that it had changed its perspective and that his promise might be challenged in court. He therefore took the advice of Justice Canada, and he did a complete reversal from what had been the department's position earlier. Mr. Fellegi now expects Canadians to trust his future written promises: Trust the government; we will have your best interests at heart. Disregard the fact that we have just broken faith with everybody who has ever filled a census form since 1918. We are from government. We are here to help.

The pitiful excuse was that if the promise is not broken, this might go before the court, and the court would break our promise for us. This is to suggest that the courts are above Parliament. Parliament, therefore, is no longer supreme. The courts can break a confidence between Parliament and its citizens. He explained that he is not a lawyer, and he can break his promise because Justice has reversed its position. He may well hide behind his fear of the courts, but can we, as Parliament, be reduced to breaking promises because of our fear of the courts? Regarding his advice from Justice Canada, these are the very same lawyers who drafted the infamous Pearson bill, which would have denied Canadians their right to seek remedy in the courts.

The second witness who appeared before the committee was the Privacy Commissioner of Canada. One would have hoped and expected that this office would be the last line of defence for the privacy of Canadians. Finally, we would have a champion of privacy rights, ready to stand on guard for our privacy. Wrong. Her area of concern was the so-called consent provision of Bill S-18. She ignored or did not even bother to reflect on the breaking of the promise. In response to my question, she responded:

I was drawing to the honourable senator's attention the operational challenge of obtaining consent from Canadians. That is our contribution to this particular initiative.

She was not referring to the breaking of the promise, the consent provision.

I asked very specifically about breaking the promise. My question was:

Why does it become historical after 92 years? Why is that the magic number? Why is it not 50 or 25 years? At what point would you say that a document that was not to be released would become releasable?

• (1420)

The following is the response of the official responsible for the protection of privacy of Canadians, the person with the sacred trust of a very high office, an officer of Parliament whom we appointed and rely on to protect the privacy of Canadians. Ms. Stoddart replied: "That is obviously an arbitrary date." That is a direct quote.

In other words, she accepts the premise that in fact a promise can be broken. Confidential information on Canadians can be made available and it is simply an arbitrary opinion as to when the promise is no longer valid. This is supposedly the defender of Canadians against the prying eyes of the state in our private lives — the person who guards against release of our private information in supposedly secure state archives.

Her biggest concern is with the consent provisions of this new piece of legislation. The consent provision is in fact another promise: We will again make another promise that we will hope this is confidential.

Some will suggest that I am being alarmist by suggesting that the privacy of Canadians is compromised by breaking the promise of confidentiality, but the Privacy Commissioner herself justifies breaking the promise. She said:

I am concerned by that, Senator Comeau, but in being concerned you have to look at what is the remedy to these kinds of concerns, and what are a whole series of public issues that have to be weighed.

This is akin to saying that we can break faith with Canadians for the greater good; the end justifies the means. One might even say a few eggs have to be broken if you are to make an omelette.

Someone suggested that this is Canada. Canadians have nothing to fear. We have the safeguards, the Charter protection, and so on. Go and explain that to Maher Arar. Review the file on what happened to reporter Juliet O'Neill. Let us ask those who have been held in custody by ministerial security certificates. Review the file on the eight-year vendetta against the former Prime Minister.

Let us not forget that these census files hold extremely sensitive and private information on people's nationality, ethnicity and religious origins. Think of the bonanza that would be in the hands of gung-ho security people.

Am I wrong to raise the alarm? On the issue of the consent provision, which was the section of interest to the Chief Statistician and the Privacy Commissioner, the issue I raised at committee was with regard to the person filling out the census response on behalf of family members. The census form basically asks someone to answer on behalf of the rest of the family. The Privacy Commissioner responded:

The question of operationalization, putting into operation these consent provisions, is a challenging

question and we have raised these issues with Statistics Canada.... We are in new territory.

She has raised the alarm, yet supports the bill. This is our Privacy Commissioner; this is our Officer of Parliament. It is pretty sloppy.

Here is what Mr. Fellegi had to say on this issue:

If you are answering on behalf of other people, please consult each person.

This is what he says will be on the form. The next question on the form asks: "Does this person agree?"

Picture this: We have Dad filling out the census form. He goes to his wife to seek her consent and she says, "Yes, I consent." He goes to the 12-year-old and says, "Can I report on your behalf?" The 12-year-old says, "Yes, of course." He then goes on to seek the consent of the three-year-old. The three-year-old says, "Yes, Dad, I give consent on my behalf."

Who is writing this stuff? This is absolutely awful.

I would ask senators to seriously consider the integrity of the future census responses given the manner in which we are handling our promises of confidentiality and the sloppy preparation of future census consent provisions.

Will Canadians not be justified in questioning the current promises in this new bill given our shabby treatment of the promises of the last bill? Will Canadians not be justified to think twice before they respond candidly and truthfully to private questions about their religion, ethnicity and national origins? Think about it.

These forms were meant initially to provide information to planners, to people who distribute money throughout Canada, to determine which groups we should be paying more attention to. If the integrity of the census response is under question because we can no longer trust the Chief Statistician, the Privacy Commissioner and ourselves to not break the promise, what kind of responses will we get? In the old days we used to call it GIGO, referring to computer language for "garbage in, garbage out."

Canadians would be entirely justified to sue the government, in my view, either individually or by class action, when their private census records become public. If I were a lawyer, I would be seeking out those individuals right now. There are thousands of them still out there, alive and well and, in my view, very willing to sue the government when this information becomes public.

The bill is not completely negative. There are some good intentions in this bill, such as that, henceforth, the availability of Canadian census information would be more in line with what other countries provide in terms of releasing their census information after a certain number of years. Countries such as the U.S., Great Britain, Australia and others do in fact, after a number of years, release their census records because they never had a "forever" provision in their legislation to protect them.

I propose an amendment that would allow keeping the promise made over the years to Canadians who signed the forms between 1918 and 2004. It would allow Mr. Fellegi to keep his promise and the promises of his predecessors. It would eliminate the potential breach of faith with Canadians over all these years, and after 2004 the census forms might be released, depending on the consent provisions, which are still, as I suggested earlier, quite iffy, given that the head of the family signs on behalf of the individuals. My amendment would keep the promises made to Canadians between 1918 and 2004.

MOTION IN AMENDMENT

Hon. Gerald J. Comeau: Therefore, honourable senators, I move:

That Bill S-18 be not now read a third time but that it be amended in clause 1, on page 1, by replacing line 8, with the following:

“between 1910 and 1918 is no longer subject to”.

On motion of Senator Rompkey, debate adjourned.

• (1430)

FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS ACT

BILL TO AMEND—THIRD READING

Hon. Paul J. Massicotte moved third reading of Bill C-24, to amend the Federal-Provincial Fiscal Arrangements Act and to make consequential amendments to other Acts (fiscal equalization payments to the provinces and funding to the territories).

Hon. Donald H. Oliver: Honourable senators, I wish to add some final remarks to the debate on Bill C-24, to amend the Federal-Provincial Fiscal Arrangements Act, as it relates to fiscal equalization payments to the provinces and funding to the territories.

During the second reading debate on February 22, I outlined the constitutional importance of Bill C-24. I will not repeat what I said then.

I do, however, wish to relate to honourable senators some of the important concerns expressed to the Standing Senate Committee on National Finance during our examination of Bill C-24 and the future of the equalization process in Canada.

On Monday, March 7, the committee heard from representatives from the Provinces of Saskatchewan and Prince Edward Island. The Honourable Harry Van Mulligen, Saskatchewan's Minister of Finance and the Honourable Mitchell Murphy, Provincial Treasurer for the Province of Prince Edward Island, agreed with the content of Bill C-24 and

did not ask for amendments to the bill. The bill was reported without amendment, on division. What was clear, honourable senators, was that both provinces were extremely concerned about the future of the equalization program in Canada and where it may be heading.

On February 23, the Parliamentary Secretary to the Minister of Finance, the Honourable John McKay, testified before the Standing Senate Committee on National Finance. In his opening remarks he said that the new framework of Bill C-24 would establish an independent advisory panel of experts to provide advice on how the equalization and territorial formula financing, or TFF, arrangements should be allocated in 2006-07, and beyond.

During our hearings on March 7, both provincial representatives expressed concern that this advisory panel would or might provide the federal government with the authority “to potentially re-write the equalization formula for Canada.” The advisory panel would, *inter alia*, evaluate current practices for measuring fiscal disparities among provinces and territories; examine alternative approaches, such as those based on aggregate macroeconomic indicators — such as GDP, for example — or expenditure needs; review the evolution of fiscal disparities among provinces and the costs of providing services in the territories to help governments and citizens evaluate the overall level of support for equalization and TFF; and advise whether the Government of Canada should establish a permanent independent body to advise it on the allocation of equalization and TFF. In other words, we would forget the formula but have a new, permanent, independent body that would give advice on how it should be done.

The panel would consist of “four members, including the chairman, appointed by the federal government. Two members would be appointed by the provinces.” One story that appeared in the newspapers yesterday indicated that there were still differences among the provinces as to who would be the provinces’ representatives on this extremely important panel.

During the committee meeting, I asked the provincial treasurer of Prince Edward Island to tell us, since equalization is a federal program, and therefore the federal government is not really obligated to receive approval from the provinces, how confident he was that the current equalization formula would remain intact. His response was the following:

I do not believe the provinces ever endorsed the idea of opening the program to so major a potential change. We have a real concern about the possible outcomes of a new equalization arrangement....

We are not supportive of changing from a representative tax system and adopting a macro approach.

He made it clear that the provinces are extremely concerned about the future of this process if it is controlled solely by the federal government. Mr. Murphy went on to say:

Given the political nature of future allocations, one can foresee the federal government being resistant to making appropriate reallocations within the formula. We think the consequence of the new formula is that the willingness of the federal government to consider a move away from a representative tax system would be in keeping with the need to reduce the level of reallocations in the new system.

Based on the committee's hearings, it is clear that the provinces do not want the federal government to rewrite the equalization formula.

With this in mind, I would call honourable senators' attention to the bold two-inch headline in yesterday's *National Post* which read, "Premiers Want Cash." The article, written by Anne Dawson and Joe Paraskevas of Ottawa, reported that the "federal government was under fire yesterday" from several provinces concerned about the future of equalization in Canada.

Douglas Brown, a fellow of the Institute of Intergovernmental Relations at Queen's University, stated in the *National Post* that "it is incumbent on the government to consult directly with the provinces, and listen to everyone's concerns," when it relates to equalization formula. He continued:

There is no one-size-fits-all federalism formula. Canada is so diverse. The regions have different needs. It is incumbent on the government to listen to everyone's complaints.

One must wonder what the intentions of the federal government will be with respect to the current equalization formula, given the current demands of several provinces to receive what they call a fair and equitable equalization agreement.

Both the representatives from Saskatchewan and Prince Edward Island, throughout their hearings, paid great tribute to the Standing Senate Committee on National Finance, which was formerly chaired by Senator Murray, and the extensive work that the committee did in looking at the formula and at the idea of having a 10-province approach rather than a five-province approach. They paid tribute to the work that the committee had done on equalization. It would be their hope that the Senate would continue to be a watchdog to ensure that the current equalization framework is not susceptible to being transformed, or rewritten, by a federal panel that does not take into consideration the needs of all the provinces.

As I said in my second reading remarks, the current equalization formula is an important constitutionally enshrined process, widely supported and needed in Canada.

Hon. Jack Austin (Leader of the Government): Honourable senators, I wish to ask a question.

In the evidence before the committee, was it made clear what differences existed among the provinces with respect to the appointment of their two members of the panel? Was there anything given to you about their difficulties, apart from the fact that there were difficulties?

Senator Oliver: Honourable senators, the questions were posed and two of the witnesses conferred off the record and talked about it, but they did not put on the record anything about it. One

of the reasons, honourable senators, is that it was not yet public who the other members were to be, or who was even being considered. I do not think that they wanted to put it on the record. The question was posed, and there was a private discussion among some of the witnesses, but it did not go on the record; and they did not give the reasons why there was a disagreement among the provinces as to the choice of provincial representatives.

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

Some Hon. Senators: Question!

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

Senator Murray: On division.

Motion agreed to, on division, and bill read third time and passed.

• (1440)

[Translation]

FINANCIAL ADMINISTRATION ACT CANADA SCHOOL OF PUBLIC SERVICE ACT OFFICIAL LANGUAGES ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Pierrette Ringuette moved the second reading of Bill C-8, to amend the Financial Administration Act, the Canada School of Public Service Act and the Official Languages Act.

She said: Honourable senators, I am very pleased to move second reading today of Bill C-8, concerning the Public Service Human Resources Management Agency of Canada.

This bill was recently adopted at third reading by the other place. Although it essentially deals with the machinery of government and is intended to provide legislative confirmation for the Orders-in-Council of December 12, 2003, which established the agency, this bill is a turning point in the administration of the public service.

Therefore, before I go into the details of this bill, I would first like to highlight its importance and list its advantages.

Allow me, if you will, to go back to the recent origin of the agency and talk about its mandate, the primary functions transferred to it and its priority.

First, as I already mentioned, the agency was established by Order-in-Council as part of the government reorganization on December 12, 2003. The agency reports to the President of the Treasury Board, and its purpose is to modernize and foster ongoing excellence in human resources management and leadership throughout the public service.

It was essentially created to rejuvenate, strengthen and modernize human resources management in the public service, a field in which most practices and procedures had not changed in nearly four decades. In order to carry out this ambitious mandate, the agency has assumed most of the human resource management functions formerly belonging to the Treasury Board Secretariat and the Public Service Commission.

One of the objectives of this governmental reorganization was to reinforce the convergence and the capability of these organizations, which have a central role to play in strengthening overall public sector administration.

That is precisely why the Treasury Board was streamlined and the Public Service Human Resources Management Agency was created. Once streamlined, the Treasury Board Secretariat will be able to focus on administration, management of expenditures and its duties as comptroller, which is a priority for Canadians. Conversely, the new agency will be able to focus essentially on human resources management, including the implementation of the Public Service Modernization Act, formerly Bill C-25, which we adopted last year, and the enforcement of the highest ethics standards throughout the public service, which are also priorities for Canadians.

You will probably remember that before December 12, 2003, most of these functions, whether they related to human or financial resources, were administered by a single entity: the Treasury Board Secretariat. Before the reorganization, this secretariat had to simultaneously manage numerous complex issues related to human and financial resources, including official languages.

However, in a rapidly evolving and increasingly complex environment, such a diverse series of responsibilities became too onerous, thereby hindering efficiency and effectiveness. The reorganization of December 12, 2003, corrected this.

Now, we have more focused and more visible organizations with a clearer mandate, for which the Treasury Board is still the employer but that are now better able to concentrate their expertise and energy on their own priorities.

As a result, today, the agency incorporates the functions needed to lead the way forward and constitutes the necessary central focus to promote and support a style of human resources management and leadership that is modern, effective and results-based throughout the public service, while ensuring respect for the highest standards with regard to integrity, transparency and accountability.

These functions include implementing the new Public Service Modernization Act, which received Royal Assent on November 7, 2003; development and management of government planning and accountability systems for human resources; reform and management of the public service classification system; management of employment policy; management of professional development programs for managerial staff; implementation of the Values and Ethics Code for the Public Service; and implementation of the Employment Equity Act and the Official Languages Act.

In 2005-06, among other priorities, the agency plans to work with its partners to introduce two major components of the Public Service Modernization Act: the new Public Service Staff Relations Act, in April; and the new Public Service Employment Act, in December.

To further this modernization, the agency will reinforce its legislation through non-legislative measures, including reforming the classification system, establishing a more effective integrated planning system for human resources and activities, developing a more vigorous accountability system in terms of human resources management, and helping the departments and agencies adopt more up-to-date, more cost-effective and better integrated methods for delivering human resources services.

In addition, but still related to modernization, the agency will try to rejuvenate and integrate professional development programs for managerial staff recently transferred from the Public Service Commission. The resulting increased consistency will facilitate the training of the leaders of tomorrow.

[English]

This leads to another of the agency's key responsibilities: promoting values and ethics in the public service. Specifically, the agency actively supports the departments and agencies in their efforts to integrate the new values and ethics code for the public service. The agency is also responsible for supporting the government in the development and ultimately in the implementation of the public servants disclosure bill currently being debated in the other place.

• (1450)

Finally, with regard to the Employment Equity Act and the Official Languages Act, the agency is focused on making targeted improvements in each of these areas while developing simplified and more effective tools to make the task easier for departments and agencies. As you can see, the agency is working on a large number of files of the utmost importance, files that not only affect the public administration in general but also directly reflect the concerns of Canadians with regard to the functioning of their public service.

To succeed, we must also demonstrate new leadership; a leadership that is unifying and that facilitates and supports departments, agencies and central agencies in their collective effort to modernize human resource management across the public service. This is why the government has committed itself to doing things differently. The creation of the agency is a reflection of its determination to develop and support excellence through modern and exemplary management of its human resources.

The agency will make it possible to give the attention, direction and support needed to foster and maintain excellence in public management and leadership. It will make it possible to put in place the conditions that public servants need to provide Canadians with quality services while promoting the highest standards of integrity, transparency and accountability.

This is why also, last October, the government tabled in the other place Bill C-8, aiming to confirm by legislative means the Order-in-Council that created the agency. Indeed, by providing a legislative base, such a bill will give a greater visibility, legitimacy and stability to the agency that only a legal framework can provide. This will enable the leadership it needs to facilitate the modernization of human resources management across the public service, as well as the implementation of its policies, programs and services.

Second, a legislative mandate will clarify the role of the agency within the system, including with unions. In particular, it will clarify relationships within the Treasury Board portfolio, as well as with the Treasury Board in its role as employer.

Third, a legislative base will support better integration of activities relating to human resource management within the Treasury Board portfolio.

This is all fully consistent with the recommendation made by the Auditor General of Canada in the recently tabled report. This report recognizes that, for the most part, roles and responsibilities for human resources management have been clarified. However, it also recommends that the roles of the new agency be further clarified to define its expected contribution to human resources governance and its relationship to other stakeholders. This is precisely what Bill C-8 is contributing to.

Finally, and perhaps most significantly, giving a legislative basis to the agency demonstrates the importance that the government places on human resources management. It signals government's recognition that its most precious resource is its employees, the people who are in the service of Canadians. That is the "why" of Bill C-8.

I will now conclude with the content of this bill. As I mentioned in the introduction, Bill C-8 simply gives legislative confirmation to the Orders-in-Council that created the agency. It does not change powers or functions already conferred on the agency. It merely enshrines in legislation what already exists in fact.

Essentially, Bill C-8 does four things: It adds the position of president of the agency to the Financial Administration Act, just as the Secretary of the Treasury Board and the Comptroller General are already identified therein; it specifies the nature of the powers and functions that may be delegated by the Treasury Board to the president of the agency, in the same manner as is set out in the Financial Administration Act for the others. It also stipulates that the President of the Treasury Board is responsible and accountable for coordinating the activities of the Treasury Board Secretariat, the Comptroller General of Canada and the president of the agency.

Please note that the term "accountable" was added as an amendment at the time of the review by the Standing Committee on Operations and Estimates. This is the only amendment that was made to Bill C-8. It was unanimously adopted in the other place.

Finally, Bill C-8 requires correlative amendments to two other acts. It requires an amendment to the Canada School of Public Service Act to appoint the president of the agency as an ex officio member of the school's board of governors, replacing the

President of the Public Service Commission; and it also requires an amendment to the Official Languages Act to stipulate that it is the president of the agency, rather than the Secretary of the Treasury Board, who will provide the Commissioner of Official Languages with any audit reports that are prepared under the responsibility of the Treasury Board.

As you can see, although there are relatively modest additions to the Financial Administration Act, Bill C-8 constitutes a key step for public service administration. As the largest employer in Canada, the government's ability to meet the expectations of Canadians depends on the quality, commitment and integrity of its public servants.

In doing so, the agency is working to modernize, improve and integrate into a coherent whole all the functions conferred upon it. It seeks to improve not only culture, value, behaviour and practice but also the tools that are essential to a modern public service that is capable of meeting the expectations of all Canadians and that is worthy of their trust and respect. The agency's reason for being is rooted in change and the continued support for excellence in human resources management.

[Translation]

Creation of a true human resources management agency with a legislative framework sends the unequivocal message to all Canadians, all public servants and all union representatives that sound management of human resources is a priority for the Government of Canada.

This is why, honourable senators, if the Senate is agreeable, I would like this bill to be referred to the Standing Senate Committee on National Finance as soon as possible.

On motion of Senator Stratton, debate adjourned.

[English]

BUSINESS OF THE SENATE

POINT OF ORDER

Hon. John G. Bryden: Honourable senators, I do not know whether someone has raised this matter before, but, recently, three or four times during every sitting, there is an annoying and disturbing buzzing sound heard. It is not my pacemaker, either. I wish that were all that was wrong there. I hear people saying, "There goes another BlackBerry."

In the Old West, when you came into the saloon, you checked your gun at the door. Would it not be possible to check these BlackBerries, or turn them off or do something with them? When someone is in full flight, trying to make a speech or make a point, these things keep going off.

That is my point of order. Is there not something that can be done to stop these interruptions? We try to remember to turn the cell phones off or leave them outside of the chamber. If we do not do something about the BlackBerries, we will have to develop a spray for them!

Hon. Terry M. Mercer: Honourable senators, on this issue, I am not sure we have confirmed that this noise is being caused by BlackBerries. If someone can confirm that, then it is something we should deal with. If that is the case, we need to improve the technology in the Senate because the modern communications tools being used by quite a few of us include BlackBerries.

• (1500)

I know more than most that the nickname of these devices is not BlackBerries but “crack berries.” They are more addictive than crack cocaine.

I would ask that we not ban BlackBerries until we are absolutely certain that they are the cause of the noise. If they are the cause, then we should look at technology that will continue to allow us to use modern communications tools in the Senate.

Hon. Serge Joyal: Honourable senators will want to know that rule 19(4) deals with this issue. It states:

19. During any sitting of the Senate,

(4) No person, nor any Senator, shall bring any electronic device which produces any sound, whether for personal communication or other use into the Senate Chamber, whether on the floor, inside the Bar, outside the Bar or in the galleries;

It is quite clear that there is such a prohibition. We just have to enforce it.

[Translation]

Hon. Jean Lapointe: Honourable senators, I have acquired a BlackBerry, but no one will ever be able to accuse me of using it in here. I do not even know how to operate it.

[English]

Senator Bryden: I appreciate being reminded about that rule, as I had forgotten about it. However, a valid point was raised as to whether it is the BlackBerries that are causing the sound. The only reply that I would give Senator Mercer is that we never heard that sound prior to two things occurring: the introduction of the BlackBerry and the appointment of the last two senators to the chamber.

The Hon. the Speaker: Honourable senators, the issue of interference on our sound system and the fact that the noise is annoying and prevents senators from actually listening to or participating in debate is a good one. I will ask the table to investigate further. The object will be to eliminate this problem that the honourable senator has identified and that we have all noticed. Attempting to deal with the issue as a matter of debate is not permitted by our rules.

QUARANTINE BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Pépin, seconded by the Honourable Senator Mahovlich, for the second reading of Bill C-12, to prevent the introduction and spread of communicable diseases.

Hon. Wilbert J. Keon: Honourable senators, I am pleased to participate in the debate on second reading of Bill C-12, which proposes a new quarantine act. The existing Quarantine Act was introduced in 1872, and since that time it has not been significantly altered. This bill proposes an update to the various measures taken during a public health emergency to prevent the introduction and spread of communicable diseases by conveyance and travellers.

It is quite an understatement to say that the world has changed since the Quarantine Act was first introduced over 130 years ago. The commonplace use of air travel has significantly increased our vulnerability to the spread of communicable diseases regardless of their place and origin. This, of course, was brought sharply to the attention of all Canadians in 2003 through our experience with severe acute respiratory syndrome, or SARS.

The SARS crisis must inform how we regard this bill. I am sure all honourable senators fully remember the fear and confusion that resulted from the rapid spread of the mysterious new respiratory disease. Forty-four people in the Toronto area lost their lives to SARS, over 400 others became sick, and 1,000 were placed in quarantine. Its impact on the economy of that city was devastating and had repercussions right across the country.

Beyond the regrettable loss of life and the serious economic blow, this crisis exposed critical flaws in how urgent public health issues are handled in this country. Clearly, we are not as prepared as we should have been. After the emergency had passed, it was evident that we had to take a hard look at what went wrong and determine how a similar situation could be avoided in the future.

To this end, several reviews were carried out, some of which I participated in. The Province of Ontario established a commission chaired by Justice Archie Campbell to examine how its health system handled the crisis. The federal government responded similarly by establishing the National Advisory Committee on SARS and Public Health, which was chaired by Dr. David Naylor of the University of Toronto. Also, the Standing Senate Committee on Social Affairs, Science and Technology offered its own suggestions on how best to safeguard public health in the country.

The Naylor report blamed the severity of the crisis on a combination of factors: poor leadership; a lack of cooperation between provincial and federal agencies; and a long-standing funding and staff shortage. One of the report's major recommendations was to establish a public health agency of Canada that would act independent of Health Canada and would facilitate the coordination of a national response to the next public health crisis.

The Standing Senate Committee on Social Affairs, Science and Technology supported the call for an arm's-length agency dedicated to health protection and promotion, along with many other proposals from the Naylor report. Our committee recommendations included a call for a more comprehensive disease surveillance system across the country and a review of the capacity and protocol for public health laboratories across jurisdictions.

The creation of the Public Health Agency was acted upon relatively quickly along with the appointment of our first Chief Public Health Officer, Dr. David Butler-Jones. The enabling legislation for the Public Health Agency, however, has yet to be introduced in Parliament. I urge the government to move quickly on this matter.

I would also urge the federal government to provide the Public Health Agency with adequate funding. The recent federal budget committed \$34 million over five years for pandemic influenza preparedness. The Minister of Health has said that, he is disappointed with this amount and will consider it as a down payment.

Honourable senators, we have heard warnings in recent weeks related to the deadly strain of avian flu that has spread in Southeast Asia. Both the U.S. Centres for Disease Control and the World Health Organization have said that they have grave fears that a mutation in the virus could lead to an influenza pandemic. These warnings serve to remind all of us that, although we are two years removed from SARS, a sense of urgency to guard against all infectious diseases must remain.

The bill now before us deals with both travellers and conveyances, such as aircraft, as they arrive in our country or are about to depart. It provides measures to screen, examine, treat and detain travellers in the event of a public health emergency. Conveyances and their cargo may be diverted, detained, inspected, cleansed or even destroyed if anything on board is determined to be the source of a communicable disease.

This bill extends broad powers to the Minister of Health. The minister may take possession of any place in the country to establish a quarantine facility after consultation with the public health authority of the relevant province. Any point in Canada may be designated as an entry or departure point by order of the minister, if it is necessary to stop the spread of a communicable disease.

The minister is also given the power to designate qualified persons to act as a screening officer or an environmental health officer. Similarly, qualified medical practitioners may be designated as quarantine officers. These officers would carry out a wide range of duties, including undertaking health assessments and ordering medical examinations. They are obliged to report cases of infection and also have certain responsibilities regarding travellers. If a person is placed under quarantine, at least every seven days the quarantine officer must inform the traveller of the reasons that their detention is still necessary.

• (1510)

Under this proposed legislation, travellers have certain obligations as well. It is their duty to provide relevant information to screening officers or quarantine officers and to tell them if they suspect they might be infected with a communicable disease. Travellers must also comply with any reasonable measure to prevent the introduction and spread of a disease as ordered by a quarantine officer.

The schedule attached to this bill lists 25 communicable diseases, including SARS. It is worth noting that the existing Quarantine Act lists only four: cholera, plague, yellow fever and smallpox. Some of those diseases may seem obsolete but, in fact, they are still present, though in quite small numbers. For example, Health Canada says that between 10 and 15 people die of the plague each year in the southwestern United States. However, the Public Health Agency says that the last reported case in Canada was in 1924.

It has been suggested, honourable senators, that perhaps the schedule as it now stands lists diseases that do not pose a serious threat to Canadians, or may be diseases that, although serious, cannot be spread through person-to-person contact. One such example that has been raised is that of tularemia, a bacterial infection passed from rodents to humans. It was in the news not too long ago, as there were fears that people could contract it from an infected supply of pet hamsters that had been distributed in several provinces. At present, this disease cannot be transmitted from person to person. We hope that the schedule will be studied in closer detail during the committee review.

Compensation for expropriated property has been raised as an area of concern regarding this bill. Under clause 8, the minister may compensate any person for the use of their place as a quarantine facility. Some have questioned why the issue of compensation is left up to the discretion of the minister, with no reference as to how the regulations will handle compensation for the owners of these facilities.

Clause 6 of the bill states that the operator of a facility that contains a customs office shall provide that facility to the minister free of charge if it is considered necessary to establish a quarantine station. Several Canadian airports would fall under this category. A concern has been expressed that airport authorities would be required to take on excessive costs related to providing their facilities in the event of an infectious disease emergency, with no hope of receiving federal compensation once the crisis was over.

During the SARS outbreak in Toronto, the vast majority of people instructed to isolate themselves did so accordingly. However, in a few instances, mandatory quarantine orders had to be issued against individuals. This bill makes provision for such detentions and gives judges the power to compel travellers to submit to a medical examination or treatment to control the spread of a communicable disease. Those who do not comply may be arrested. Heavy fines and jail terms may be imposed upon those who wilfully break orders related to quarantine measures such as leaving quarantine facilities without authorization or refusing non-invasive medical treatment as ordered by an officer. While these may seem to be severe measures to some people, I do believe they reflect the gravity with which we must handle these rare public health emergencies.

Honourable senators, we may hope that these measures are never necessary, but we must also be practical. Not long ago, an unknown disease and our lack of vigilance combined to produce tragic consequences. We must not allow that to happen again. Our preparedness should include legislation that will facilitate the protection of the public health during a crisis, while respecting concerns related to privacy, jurisdiction and compensation.

I look forward to committee examination of this bill.

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

Some Hon. Senators: Question!

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

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

NATIONAL SECURITY AND DEFENCE

BUDGET—REPORT OF COMMITTEE ON STUDY OF NATIONAL SECURITY POLICY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kenny, seconded by the Honourable Senator Moore, for the adoption of the seventh report of the Standing Senate Committee on National Security and Defence (budget—study on the necessity for a National Security policy), presented in the Senate on February 24, 2005.—(*Honourable Senator Tkachuk*).

Hon. Joseph A. Day: Honourable senators, I spoke to Senator Tkachuk on this matter. I understood that he was intending to put a short statement on the record today and then not speak further on the matter. I wonder whether my colleagues opposite have information in that regard. I know what the statement is, but perhaps it should come from my colleague.

Hon. Terry Stratton (Deputy Leader of the Opposition): Honourable senators, I think there is a little confusion. Our understanding is that Senator Kenny was to make such a statement. We are anticipating that statement when he returns.

Is that correct?

Senator Day: Honourable senators, it is indeed my understanding that Senator Kenny has agreed to make a statement when he returns. As senators know, he is currently travelling with his committee. I understood that Senator Tkachuk

was content with the undertaking that was given to him by Senator Kenny and that, on that basis, he was intending to withdraw his name from the adjournment of this motion.

Senator Stratton: Perhaps Senator Day could enlighten us as to the nature of that statement?

Senator Day: Honourable senators, I have not seen the statement, but I understand that Senator Tkachuk had some concerns about a newspaper article, the subject of which was a question to the leader in the house yesterday. He subsequently indicated his concerns to Senator Kenny, and Senator Kenny indicated that he would speak to that concern when he returns.

• (1520)

[*Translation*]

Hon. Fernand Robichaud: Honourable senators, I do not understand what is happening. I do not see how we could hear a statement once the item is no longer on the Order Paper, if there is to be a vote on this today at some point. I am having trouble following.

[*English*]

The Hon. the Speaker: Honourable senators, it is my understanding that comments are being made as requested by Senator Day when he rose to speak to this matter.

Hon. Serge Joyal: Honourable senators, I have the seventh report in my hand, and it states that the committee is requesting \$914,000. I am not opposed to a committee travelling across the country. Each committee may decide to do so for the sake of obtaining expert testimony or for other reasons. However, when a committee that was formed only two years ago seems to travel all the time, then the house can expect an explanation as to why travel seems to be inherent to the existence of that committee. When a committee comes before the house with a budget that is so large relative to the entire budget for all committees, then, in all fairness, we should be informed. I am a member of this chamber, and so I should be told why, repeatedly from one year to the next, one committee needs to travel continually to such places as Dubai or any other exotic location mentioned in this report. It might be for good reasons. I do not want to question the wisdom of the members of the committee who have decided on such travel. When we read the estimates in the famous Blue Book, we see these kinds of expenses from one year to the next, but we have no idea in what context those activities take place.

I know that the chairman of this committee is very active and that he produces reports and has media coverage of the work of the committee. This is an exceptionally large budget when compared to the budgets of other committees that work equally as hard. Their budgets are a mere fraction of this one. One example is the Legal and Constitutional Affairs Committee on which I have been sitting for eight years. I do not know how many bills we receive during a session or a Parliament. It would be fair for the members of this committee to receive a detailed explanation as to why, from one year to the next, the Defence Committee's budget has to come back. Perhaps it is linked to the nature of the committee, and perhaps I was not persuaded of that when the motion was discussed to amend the *Rules of the Senate*

to add that standing committee. When I voted in favour of creating the Standing Senate Committee on National Security and Defence, it was not inherent that the committee would spend \$1 million per year to travel around the world.

A committee chaired by Senator Fairbairn is currently reviewing the anti-terrorist legislation and is considering travel to Washington, D.C. I could propose that the committee should travel to Afghanistan, to Madrid, to Dubai or to any other country where terrorism has occurred during the last few years. Committee members could be gone for a year. The reality, however, is that the committee has decided on another option. It will hear testimony from around the world via teleconference. Should authorization to sit next week be given, the committee will hear testimony on Monday and Tuesday from 12 different witnesses, some from Singapore and Norway, by videoconference. Of course, I would like to travel to those countries, even though I am old. Senator Lynch-Staunton, who is younger, would surely like to go.

Honourable senators, I say this in all fairness and with the greatest of respect for Senator Kenny and his dynamism. When a committee requests \$1 million for its budget, the house is owed an explanation; and because this budget request is signed by the chair of the committee, the house is owed an explanation from Senator Kenny.

Senator Day: Honourable senators, as a point of clarification, the seventh report has an Appendix "B," the amount that has been recommended by the budget subcommittee of Internal Economy, which was \$160,000 less than the amount requested. The amount that the subcommittee recommended was \$657,000, which was subsequently considered by the Internal Economy Committee and is being recommended now to the house. We do not want to compare the work of committees and the size of their respective budgets, but this particular budget has been reduced by \$160,000. The budget of the Social Affairs, Science and Technology Committee is in excess of this particular budget by approximately \$50,000, and it was reduced by the Internal Economy subcommittee on budgets by \$100,000. That budget was agreed to yesterday in the amount of approximately \$700,000.

Honourable senators, I speak now as a member of the Internal Economy Committee. The subcommittee that reviews the proposed budgets looks at each one closely. The statements made by Senator Kenny convinced the subcommittee and the full Internal Economy Committee that this is a very special study dealing with the need for a national defence policy, which was requested by the Minister of Defence and cabinet. Both the Senate and the House of Commons are developing input to a national defence policy. The current mandate of the Defence Committee is a rushed special study that will conclude some time this year. Honourable Senator Joyal will have an opportunity then to hear what the committee will propose following that work.

Hon. Lowell Murray: Honourable senators, I followed the remarks of the Honourable Senator Day carefully and with considerable interest. He has told us, essentially, that the presented budget is \$160,000 less than the amount originally requested. The moral of the story, from his point of view, is that it could have been worse. He then concluded by suggesting that in due course we would hear what plans they have for the future. The moral of that story is that it may be worse yet!

• (1530)

I would not want to be deprived, nor to deprive the Senate, of the pleasure of hearing Senator Kenny, the chairman of the committee, provide the explanations that have been asked for by Senator Joyal in his intervention. Therefore, I would ask the Senate whether honourable senators would support a motion to adjourn the debate, which I have made.

On motion of Senator Murray, debate adjourned.

[Translation]

THE SENATE

RULES OF THE SENATE—MOTION TO CHANGE RULE 135—OATH OF ALLEGIANCE— DEBATE CONTINUED

On the order:

Resuming debate on the motion of the Honourable Senator Lavigne, seconded by the Honourable Senator Robichaud, P.C.:

That the *Rules of the Senate* be amended by adding after rule 135 the following:

135.1 Every Senator shall, after taking his or her Seat, take and subscribe an oath of allegiance to Canada, in the following form, before the Speaker or a person authorized to take the oath:

I, (*full name of the Senator*), do swear (*or solemnly affirm*) that I will be faithful and bear true allegiance to Canada.—(*Honourable Senator Rompkey, P.C.*)

Hon. Jean Lapointe: Honourable senators, I will be brief. Yesterday I was in the Senate during prayers, recited with dignity by our Speaker. I would like to mention that the prayer begins with this phrase, and I quote:

Lord God, protect our Queen and bless the people of Canada.

You will notice that the prayer does not say, "Lord God, protect our Queen" period. That brings me to Senator Lavigne's motion to amend the rules, which I heartily endorse.

Senator Lavigne suggests that each senator shall, after taking his or her seat, take and subscribe an oath of allegiance to Her Majesty and to our country, Canada.

Honourable senators, I have a great deal of admiration and sympathy for the Queen of England; she is a very brave person who has, with dignity, gone through some difficult times, both in her family and in politics. However, I also want to point out that the amendment to the rules moved by Senator Lavigne takes nothing away from Her Majesty Elizabeth II, Queen of England. This motion, if adopted, would only increase our feeling of belonging to Canada, the most beautiful country in the world.

I urge all senators in this chamber to vote in favour of this motion which, I believe, will strengthen the unity of our country. It is time for pride in Canada to be valued and to be given a place in all of Parliament's ceremonial events.

On motion of Senator Downe, debate adjourned.

[English]

STATE OF POST-SECONDARY EDUCATION

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Callbeck calling the attention of the Senate to the state of post-secondary education in Canada.—(*Honourable Senator Kinsella*)

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, I want to thank my colleagues who have already spoken in the debate on this very important inquiry. There is no doubt in my mind that Canada must do everything it can to ensure that the country has the best post-secondary education system in the world and that students are encouraged to aspire to be the very best they can be, whether it is in the classroom, in the research laboratories, or as they probe the new frontiers of knowledge.

Understandably, Canadian universities welcomed the budget pledge to sustain the momentum of its research investments and, in particular, the budget recognition of the need for increased funding for federal granting councils and for the indirect costs of research. In the words of Claire Morris, President of the Association of Universities and Colleges of Canada:

Investing in new ideas and innovation is crucial to a globally competitive economy. Other countries are investing substantially in research and innovation, and Canada will need to continue to do the same.

Honourable senators, research and innovation are but part of a complex set of responsibilities that must be met by the university of the 21st century. Therefore, it was disappointing that the Government of Canada failed to address these areas either in the Speech from the Throne of last October or in the budget speech of last week. The government did not articulate any plan for assistance to universities. It simply stated in the budget that some additional funds would be available. Again, the October Speech from the Throne was also devoid of any stated vision or strategic plan for our universities in Canada.

One might prudently ask whether or not we are sure that there is not already a proper assignment of money in the university system, for, without any evaluation or audit of how the significant monies presently contributed to universities is being spent, can we be sure that having more money is the only answer to the problem?

By way of reference, we have heard it articulated in this chamber about the health delivery system in Canada. Many have argued in this chamber that simply throwing more money at the

health delivery system without a fundamental audit and evaluation of the way in which we deliver health care may not be the proper way to proceed.

Therefore, I ask this as a question: Are we sure that the money that is already available, which is significant, is being properly spent? Clearly, without an evaluation and a detailed fiscal and social audit of the present system, together with a solid national strategic plan adopted by the federal and provincial governments, we will not be very prudent.

I wish to argue that what has been stated in this chamber about post-secondary education constitutes a solid base for asserting that we must rethink and retool our universities and colleges if Canada is to prosper in this new era.

I am not prepared to accept, honourable senators, the claim that universities and colleges just need more money, and that would solve all of the problems. I am prepared, however, to accept the position that current student indebtedness is a national scandal and that it must be solved; but I ask, is throwing more money at universities without a fundamental audit and evaluation of the model of university operations a responsible response by the public sector?

In the past year in this chamber, the problem of deferred maintenance at Canadian universities was canvassed. We in this chamber were all shocked to learn that the accumulated deferred maintenance across Canadian university infrastructure is in the billions of dollars. That this situation has been allowed to develop must speak to the level of efficiency, or lack thereof, within the management systems of our universities. The major costs, honourable senators, at the universities need to be subjected to an audit and evaluation. The contribution by federal and provincial governments, as well as the private sector and the tuition paid by students, in total represents significant dollars.

• (1540)

For example, honourable senators, the model of the teaching year needs to be examined. In many universities across Canada, classes do not operate on a 12-month-per-year basis but, rather only at a fraction of that amount of time. Honourable senators, teachers are in the classroom for a very small portion of the year.

In any other sector, if you had a huge infrastructure and a huge staff but only operated for eight months of the year, that business would not be very effective. That is why I think that a national inquiry should be undertaken on the structure and operation of universities and colleges in Canada in the world of the year 2005 forward. Given the constitutional and jurisdictional issues, I would suggest that a first ministers' meeting be convened with a view to agreeing on the terms and conditions of such an inquiry. Failing leadership by the Prime Minister to convene a first ministers' meeting on post-secondary education, I would urge members of the Senate to conduct such an inquiry.

A third millennium model of post-secondary education is clearly in the public interests of all Canadians. Other countries around the world have learned this reality. I would underscore the title of the Toronto-Dominion special report of March 2004, which sums up this issue succinctly: "Time to Wise Up on Post Secondary Education in Canada."

[Senator Lapointe]

Honourable senators, a new paradigm, a new model for post-secondary education in Canada might well draw on the best practices of other countries. Ireland is a good example of a nation that has grasped the concept that a higher standard of living is linked to higher levels of post-secondary education. In the last decade, government support for post-secondary education has markedly increased and, at the same time, their economy has experienced a tremendous uprising. This has resulted in a higher standard of living. The Department of Education and Science Ireland reports:

The growth in tertiary education in Ireland has been extraordinary with the age participation rate rising from 11 per cent in 1965 to an estimated 57 per cent in 2003 and in numbers from about 21,000 in 1965 to over 137,000 by 2003....

The growth of tertiary education has been accompanied by a two-and-a-half-fold improvement in average material living standards. There is general agreement among representatives of Government and of tertiary education that the expansion has been enormously beneficial both to Irish society and to the economy.

Honourable senators, last fall we had visiting us in the Senate student leaders from across Canada. These bright, articulate Canadians underscored the very real obstacles that now stand in their way when they seek university access. Since 1990-91, university tuition has nearly tripled. An average undergraduate arts and science student now must pay \$4,172 per year, just in tuition, while his or her counterpart in a professional program must produce \$12,311 for tuition. It does not take an economist to realize that once inflation is factored in, the cost of obtaining a post-secondary education has skyrocketed.

Clearly, Canada is in violation of its international obligation pursuant to the International Covenant on Economic, Social and Cultural Rights, which provides, in article 13(2)(c), that:

Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education.

That is an obligation that we undertook, with the agreement in writing of every jurisdiction in Canada, as far back as 1976.

I would be remiss in saying that the time to act is now, since lawmakers already should have worked to address these issues long before today. However, the problem still exists, and is only being compounded with each passing year.

In their brief to honourable senators and members of the other place, the Canadian Alliance of Student Associations listed various policy objectives that the Government of Canada could pursue. I agree completely with the recommendations, and I am supportive of the work they are doing. They are genuinely

interested in making post-secondary education more affordable and accessible for students across this country.

I am confident that this chamber will continue to do its part to help the students and reorientate the Canadian university infrastructure based on a first step of a clear social and economic audit of the money that is already in the system, and whether or not we are operating our universities in the world of this millennium. If we look at the university infrastructure and how it ought to be operating from year 2005 to year 2025, a radical change in the paradigm is probably in order, but it would be presumptuous of any of us to make these kinds of projections in terms of kinds of detail or kinds of new sources of funding if we do not know how the money currently is being spent, if we do not know the level of utilization of the infrastructure that is already in place, or if we do not know how many hours a week our professors are in the classroom.

For example, in most universities across Canada, professors are teaching three courses per semester, three hours a week per course, which is usually classroom time of nine hours a week, and they do this from September to December at the most, and a second semester from January to April at the most. They have nine hours a week in preparation time and consultation with students, et cetera. There is a one-month paid vacation. As to what is happening for the other 25 per cent of the year, our universities need to take a hard look at whether or not every classroom and lab is being used not eight months of the year but 12 months of the year. That is a hypothesis. It can only be tested by a social and economic audit, which has never occurred.

I think a federal-provincial initiative should be undertaken. First, there should be a meeting of the federal and provincial ministers responsible to set the parameters for such a base study before we simply throw more money at post-secondary education.

On motion of Senator Moore, debate adjourned.

BUSINESS OF THE SENATE

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, before I move the adjournment motion, I would ask the Senate's indulgence. Earlier today, I gave notice inadvertently under Notices of Motion rather than Government Notices of Motion. I was temporarily out of the chamber, but of course my motion should more appropriately have been put under Government Notices of Motion. I would ask if the Senate would agree to apply my motion to Government Notices of Motion and let the record show that, if that is agreeable?

The Hon. the Acting Speaker: Honourable senators, is it agreed?

Hon. Senators: Agreed.

The Senate adjourned until Thursday, March 10, 2005, at 1:30 p.m.

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