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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Wednesday, November 4, 2009

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

Prayers.

SENATORS' STATEMENTS

ROLE OF WOMEN IN ARMED FORCES

Hon. Jane Cordy: Honourable senators, November 5 to 11 marks Veterans' Week in Canada. It is a time each year to reflect on those who made the ultimate sacrifice for our country and to pay tribute to all who served our country during times of war and times of peace. It is with this in mind that I would like to recognize the contributions Canadian women have made in service to our country.

Women first served in the Canadian military in 1885 as nurses. During World War I and World War II, women in the military started to get additional training outside of nursing. They received paramilitary training in small arms, first aid, mechanics, parachute rigging and heavy mobile equipment driving.

Although women were beginning to get more training for a wider variety of roles in the military, the vast majority of these additional roles were as reservists and emergency home guards.

The image of the female Canadian veteran serving in the Canadian military solely as a nurse did not start to change until more recently. It was not until 1989 that all occupations in the Canadian Armed Forces, except for submariners, were opened to women. It was not until 2000 that submarine occupations were opened to women as well.

Today, women make up just over 15 per cent of Canada's total military, serving in all branches of the Armed Forces, including combat roles.

My work with NATO has helped me to understand more fully the reality of the need for women in today's peace and security support forces in conflict areas all over the globe. There is an increased demand for female personnel in all roles and ranks within the NATO peace-support operation forces.

The Committee on Women in the NATO Forces strives to advise NATO leadership and member nations on critical issues affecting women in the alliance's Armed Forces, such as promoting recruitment, training and quality of life for female personnel.

Women personnel have many advantages when deployed with peace and security forces. Female victims of violence often find it easier to approach and talk to another woman when appealing for help.

Female personnel are valuable at checkpoints when it comes to performing any type of search on other women when checking for illegal weapons. They are also a visible reminder to those women they are there to help that there are possibilities available for women to gain control of their lives.

Women in the military can also play a role to involve more local women in peacemaking.

To quote Colonel Annicq Bergmans, former chairperson of the Committee on Women in the NATO Forces, when speaking of peacekeeping in Kosovo, she said: "To move negotiations forward with the male villagers, sometimes we needed to involve and convince female villagers because they held the power behind the scenes."

Honourable senators, I am honoured to pay tribute today to all those women who served Canada with distinction over the years and continue to serve today in far away lands and, indeed, in our own country.

[Translation]

TREATY ON CLUSTER MUNITIONS

Hon. Marcel Prud'homme: Honourable senators, Senator Goldstein, from Quebec, accused me in this chamber on March 31, 2009, and in the *Canadian Jewish News* on May 14, 2009, of making some false claims in my speech on March 24, 2009, in support of the Treaty on Cluster Munitions, in response to the wonderful speech by my distinguished colleague, Senator Hubley.

He even said, in the *Canadian Jewish News*, from Montreal, which is read by a number of my friends, and I quote:

I all but called him a racist.

[English]

He went as far as to say that I was engaging in "misinformation" that was a "figment of someone's overactive imagination."

[Translation]

Before I leave, I would like to set the record straight.

He accused me in this chamber of "selective sympathy" for the victims of the conflict in southern Lebanon in July and August 2006. He chose to ignore my mentions of Iraq, Afghanistan, Gaza and Kosovo. He plugged his ears when I spoke about the 31 countries around the world that are still polluted with cluster munitions, and the 14 countries that are exporting cluster munitions or have exported them since the 1950s, a situation that was very well described by Senator Hubley.

Then, I was even accused of things I did not do. Why? I had the misfortune of bringing up — as the international community already had — the deplorable actions of Israel in southern Lebanon during the 2006 conflict, when southern Lebanon was carpeted with cluster munitions during the final 72 hours of the conflict.

What is worse is that they are trying to claim that this information cannot be verified. The numbers I referred to in this chamber were provided by the United Nations Mine Action Coordination Centre in southern Lebanon, led by Chris Clark.

Senator Goldstein talked about 100,000 bombs and 365 sites, but those numbers were way out of date because they are from August 3, 2006. The latest reports I have seen from the UN Mine Action Coordination Centre list 970 contaminated sites.

Nor was I mistaken during my speech in this chamber when I said that, for three years, Israel refused to provide the United Nations with maps of where the cluster bombs were dropped on Lebanon in 2006. The maps were finally given to the UNIFIL blue berets on May 12, 2009, about six weeks after my statement on the subject here.

With respect to the cluster bombs dropped by Israel during the last three days of the conflict, on August 30, 2006, the UN Under-Secretary-General for Humanitarian Affairs himself, Jan Egeland, condemned Israel's heavy use of cluster bombs during the last three days of the war with Lebanon, calling it "shocking and completely immoral", particularly given the fact that, as he said, "we knew there would be a resolution", and the end of the conflict was in sight.

Honourable senators, I did not make anything up. Everything I said is well known and verifiable.

[English]

I do so today so that my new colleagues in the Senate will believe that Marcel Prud'homme never lied to his colleagues in the Senate, and that is why I felt obliged to correct certain facts.

• (1340)

FIRST NATIONS VETERANS

Hon. Lillian Eva Dyck: Honourable senators, in light of Veterans Week and of a National Day of Remembrance on November 11, I draw special attention to the sacrifice and continuing struggle of First Nations veterans in Canada.

Often forgotten, First Nations veterans enlisted and fought side by side with non-Aboriginal soldiers in both world wars and the Korean War. It has been widely noted that Aboriginal Canadians exhibited the highest levels of volunteerism, even though they were exempted from conscription.

In World War I, about one in every three able-bodied Aboriginal men enlisted. In total, approximately 12,000 Aboriginal Canadians participated in both world wars and the Korean War. On the home front, First Nations communities purchased Victory Bonds, donated to the Red Cross and worked in munitions factories. On the front lines, First Nations veterans were integrated into the military unit. They were treated as equals, with respect and dignity for their extraordinary sacrifice.

However, upon returning to Canada, their optimism for a better life was quickly dashed as the harsh realities of government administration, prejudice and discrimination were imminent. Aboriginal veterans continued to be treated as second-class

citizens. First Nations veterans were told to return to their reserves and talk to their Indian agent for benefits.

Inequalities became commonplace as First Nations veterans did not receive equal access to benefits information, equal dependents allowance benefits and were greatly disadvantaged by land compensation outlined in the Veterans' Land Act. While non-Aboriginal veterans were promised \$6,000 and the prospect of purchasing land through the Government of Canada, First Nations veterans were promised only a maximum of \$2,320, and they were more or less confined to farming on reserve lands, with no real ownership.

In addition, First Nations veterans faced hardships in securing other benefits, such as a re-establishment credit, vocational training benefits or university education benefits. During the war, Indian agents often withheld full dependents allowances from the spouses of enlisted Aboriginal soldiers because it was believed that "Indian women did not know how to spend money correctly."

Honourable senators, for years, First Nations veterans in this country have fought the uphill battle for just compensation for their services and an apology from the Government of Canada. In 2002, the Government of Canada looked like it would finally make amends for their years of neglect. In the Aboriginal Veterans Compensation Package, the government provided surviving veterans and spouses with a maximum of \$20,000 per veteran. This package fell short of claims of both First Nations groups and of the Department of Veterans Affairs' own estimate of \$120,000 as fair compensation.

Many veterans did not want to take the money but feared they would not be around long enough to wait through a lawsuit process or another round of compensation negotiations.

Honourable senators, this day, surviving First Nations veterans feel cheated and disheartened as the country that they risked their lives for in war has yet to recognize the grave injustices its policies have caused for a generation of brave Canadian Aboriginal heroes.

VETERANS WEEK

Hon. Consiglio Di Nino: Honourable senators, I, too, wish to make a few comments about this time of the year, when we honour veterans and those who never came home.

Five years ago, I had the privilege of accompanying a group of Canadian veterans who participated in the Italian campaign during World War II. It was the sixtieth anniversary of a brutal, deadly and, ultimately, successful campaign, which sadly took the lives of some 4,500 of our soldiers.

As we travelled north from the southern shores of Sicily to visit many areas where Canadian soldiers distinguished themselves, and yes, where many died, the veterans brought to life the experiences of those days with their stories.

The most difficult places were the cemeteries. At each one of them, a veteran would ask me to accompany him to visit one or more of his buddies. Tears would flow and I always felt my new

buddy's pain. Probably the most difficult time for me was at the war cemetery in Ortona, at a town on the Adriatic coast, not far from where I was born, where some 1,400 Canadian soldiers are buried. It brought back a flood of childhood memories which, to this day, still haunt me. My childhood memories are mostly about the war. To realize I was there when these soldiers were fighting and dying for me, my family and my country of birth made the experiences particularly painful.

Honourable senators, the men and women of the Canadian Forces have distinguished themselves wherever they have served and where too many have made the ultimate sacrifice while protecting peace and freedom. I salute them all but I wish to particularly honour those who, 65 years ago, served the Italian campaign and died so that I could be free.

We will remember them.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I draw your attention to the presence in the gallery of Dr. Young Sup Chung and Ms. Inhi Chung, two distinguished Canadians. They are the guests of the Honourable Senator Martin.

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

Also in the gallery, honourable senators, is Ms. Siobhan Ward, a guest of the Honourable Senator Duffy.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

EMPLOYMENT INSURANCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-50, An Act to amend the Employment Insurance Act and to increase benefits.

(Bill read first time.)

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

[Translation]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, notwithstanding rule 57(1)(f), I move that the bill be placed on the Order Paper for consideration later this day.

[Senator Di Nino]

The Hon. the Speaker: Honourable senators, is it your pleasure to adopt the motion?

Hon. Anne C. Cools: No.

The Hon. the Speaker: Leave not having been granted, do you wish to move second reading?

(On motion of Senator Comeau, bill placed on the Order Paper for second reading two days hence.)

[English]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

THIRD PART, 2009 ORDINARY SESSION OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE, JUNE 22-26, 2009—REPORT TABLED

Hon. Lorna Milne: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Europe Parliamentary Association to the Third Part of the 2009 Ordinary Session of the Parliamentary Assembly of the Council of Europe, held in Strasbourg, France, from June 22 to 26, 2009.

• (1350)

QUESTION PERIOD

HEALTH

EMERGENCY PREPAREDNESS PLAN—H1N1 VACCINE

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate. Yesterday, the Auditor General tabled her report. The *Ottawa Citizen's* front page headline today summed up her assessment as, "Disaster agency itself a disaster." The Auditor General found that this government has never formally approved a federal emergency response plan to coordinate emergency response activities across government. The article quotes Ms. Fraser as saying that this government "... has not exercised the leadership necessary to co-ordinate emergency management activities." Canadians are seeing the result of this failure as supplies of H1N1 vaccine are running out and vaccination clinics are closing their doors.

Yesterday, in response to my questions about the government's inadequate response to the H1N1 pandemic, the leader told the chamber that: "The government has and had a plan with the provinces and the territories."

Will the leader table this plan so that we and all Canadians can judge the adequacy of this government's preparedness to meet this pandemic?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, with regard to H1N1, the Auditor General was clear that her study was not in relation to the current H1N1 pandemic. We have the Public Health Agency of Canada and a pandemic plan, which we are currently using. It was this government that gave \$1 billion for pandemic preparedness in the 2006 budget.

With regard to the Auditor General's report's "Chapter 7 — Emergency Management — Public Safety Canada," the government is committed to providing federal departments with the tools they need to prepare for emergencies and pandemics. In 2007, this government revised the Emergency Management Act to improve leadership in this regard. We will bring forward a finalized plan in the near future.

Canada has also been operating under the existing draft plan through a number of emergencies and disasters. For example, the draft plan was used during the recent Manitoba floods when it worked well and was applauded. We have seen good coordination between the federal government, provincial governments and local authorities. We are confident this practice will continue.

Senator Cowan: Honourable senators, that is interesting information, but it does not respond to my question in any way.

The leader referred yesterday to a plan that had been worked out and said that the rollout of the H1N1 vaccine program was in response to that plan. I will repeat my question. Will the leader table that plan in the Senate so that we may judge for ourselves whether the preparedness of this government was adequate?

Senator LeBreton: I thank the honourable senator for the question. I just said that the government gave the Public Health Agency of Canada \$1 billion for pandemic preparedness in 2006. A plan was developed at that time as a result of the experience of the country during the SARS scare. The then Minister of Health in Ontario, Tony Clement, salvaged this country's reputation with regard to SARS. He was the Minister of Health when this pandemic plan that the government is now following with the provinces and territories was prepared.

With regard to the pandemic plan, I am sure much of the information is available. The provinces, territories and the federal government have agreed to this plan and have been following it with considerable success. We should be applauding our public health workers. They have done an outstanding job in getting these vaccines out and we should be celebrating them. I am glad to see in the media today that the public actually does appreciate our public health workers.

Senator Cowan: Honourable senators, let me try again. Perhaps if I cannot make myself clear to the leader in my own words, I will make myself clear in her words. This is what she said yesterday:

Honourable senators, the government has and had a plan with the provinces and territories. The premiers, when they met in the summer in Regina, agreed to this plan. The pandemic plan was put in place by the government as a

result of SARS. The premiers agreed to the plan. When the ministers of health met in Winnipeg, they agreed to the plan to follow the recommendations of Canada's public health officials. . . .

That is the plan that the leader referred to yesterday. My question is simple: Will she table that plan in the Senate?

Senator LeBreton: Honourable senators, I thought I answered that. I said that the federal government, provinces and territories are following the pandemic plan. I am quite certain the details of this plan are widely known because all the provinces, territories, public health officials and the federal government are following it.

Inasmuch as there is a document outlining the actual steps that various public health officials and provinces are following through their ministers of health, I will take that question as notice. I will ask my colleagues and officials at the Public Health Agency of Canada if there is a specific document they can provide for the Senate.

Senator Cowan: The leader said there was such a document yesterday. All I am asking her to do is to table the plan she spoke about yesterday. That is all I am asking. Either there is a plan, or there is not. If there is a plan, will she table it? If there is not a plan, then it speaks for itself.

Senator LeBreton: Honourable senators, this is a serious issue. The honourable senator is doubting the provinces and every public health official in this country when he says there is not a plan. They are all following the pandemic plan.

I am simply saying that I am not sure exactly what the documentation involves and I will take his question as notice.

Senator Cowan: Perhaps I could ask a supplementary question. We are obviously not getting anywhere.

Once again the leader's government is failing to provide adequate information to Canadians. On the one hand, we are told that vaccine supplies would be radically reduced this week because GlaxoSmithKline, the manufacturer in Quebec, had to interrupt production in its plant to switch to the manufacture of non-adjuvanted vaccine for pregnant women. This is the version that her government waited until September 4 to order.

On the other hand, we have now learned that GlaxoSmithKline has manufactured enough vaccine, but cannot put it into vials fast enough to satisfy demand. The company is actually shipping large quantities of the vaccine to other countries.

Canadians have known that this pandemic was coming for the past seven months. If, indeed, there is enough vaccine and, in fact, if that is why GlaxoSmithKline can export large quantities in bulk to other countries, why did this government not have in place a plan that would ensure adequate supplies of the vaccine in usable form for Canadians?

Senator LeBreton: Honourable senators, the government has done just that. Canadians come first with GlaxoSmithKline. These antigens will interfere in no way with the Canadian supply.

The government has said, and I will repeat again, that we have ordered enough vaccine for every single Canadian who needs or wants it. These vaccines will be rolling out over the coming weeks. As a result of the tenor of the honourable senator's question, I will put on the record — because I think it speaks for many Canadians — the editorial today in the *Montreal Gazette*, which is Senator Fraser's former newspaper.

• (1400)

A crisis brings out the best in people, and the worst in people. So far the H1N1 swine flu seems to be bringing out mainly the less admirable side of some Canadians, starting with queue-jumpers and including those politicians who are stretching common sense badly out of shape in an effort to profit from public concern.

In Ottawa on Monday, opposition parties did what they could to depict Leona Aglukkaq, the federal health minister, as a moron or a menace, or both. We're having trouble seeing the advantage to anyone in that. To the extent that this is a genuine crisis, surely a more constructive tone would be more helpful.

The editorial went on to say:

The federal Liberals, with hawk-like hindsight, say Canada should have ordered vaccine sooner, as some other countries did. But the government notes that Canada has so far received more doses per capita than any other country. It's hard to get angry about that.

Hon. Terry M. Mercer: On a supplementary question, perhaps I can help; I think I might have found the answer.

I want to quote a famous Conservative in this country, who said yesterday:

People get sick every day and people die. It is too bad, but not an emergency . . . The government was bullied by the World Health Organization and by the media into going for, you know, what I think is a crazy policy of universal vaccination.

Tom Flanagan, the Prime Minister's buddy made that comment. Is it Tom Flanagan's policy we are following or is it the policy that will protect Canadians?

Senator LeBreton: Honourable senators, it is hard to take anything that Senator Mercer says seriously, but there are all kinds of outrageous comments being made by many people in this debate.

I will repeat what I said yesterday, which is the truth. More than 6 million doses of H1N1 vaccine have been delivered to the provinces and territories. Canada currently has more H1N1 vaccine per capita than any other country. Vaccine is being distributed as quickly as it is being produced.

In a *National Post* article today, Mr. Tom Blackwell confirms what I said yesterday: There are many good news stories.

The government and the provinces and territories jointly determined priority groups for H1N1 vaccine distribution. There is enough vaccine for all priority groups. There will be sufficient H1N1 vaccine available in Canada for everyone who needs it and wants to be immunized. Not a single person will be left out. We are only in week two of the largest mass campaign in Canadian history. The campaign was slated to start in November; it started ahead of schedule on October 26 and it is rolling out over the coming weeks.

As I mentioned yesterday, there were obviously problems with the long line-ups, and many health authorities used the opportunity to get rid of a few of the glitches. As each day passes and people get used to the system, this will improve by the day.

Hon. Grant Mitchell: Honourable senators, I wish to ask a couple of supplementary questions before I start on my other questions.

First, when the leader is talking about these agreements with the provinces that have set out how the vaccine will be delivered, was a part of these agreements to handle how professional hockey players would jump ahead of the line?

Senator Comeau: This is ridiculous. He thinks he is still in the Alberta legislature.

Senator LeBreton: There is a plan with all of the public health agencies and the ministers of health in the provinces and territories. The plan was — as the honourable senator knows and I have repeated many times — that the most vulnerable were supposed to be first in line. That was the recommendation. With regard to the story that was reported yesterday, the public health officials in the provinces and territories are doing their best to ensure that the vaccine is distributed.

Obviously, I cannot answer the media reports with regard to the Calgary Flames. However, I do believe that some of the problems that developed in the first few days of the campaign are being addressed, and every single health ministry and public health official is working in unison to ensure that the vaccine is distributed to every Canadian who wants or needs it.

Senator Mitchell: When the leader mentioned on a number of occasions that her government has delivered 6 million doses to Canadians, could she tell us here and now — or at least get this information — how many the government has allowed to be exported from Canada?

Senator LeBreton: Honourable senators, as I just said, the government ordered 50 million vaccine shots from GlaxoSmithKline. Canadians come first in this, and although I know the honourable senator does not like to hear this, Canada is ahead of the rest of the world in distributing the vaccine. That is the reality.

Fortunately, as the honourable senator will know if he listened to or watched the news today, this is actually getting through. Canadians want all levels of government and all politicians to work together to ensure that the right thing is done.

[Senator LeBreton]

Those Canadians who want and need a vaccine will be able to get it. They will be able to get the vaccine because it is rolling out now and will continue to roll out over the next weeks.

Senator Mitchell: One thing I would like to hear, as would many Canadians, is that Canada is ahead of the world in climate change action. Speaking of climate change action, last week the TD Bank released —

The Hon. the Speaker: Supplementary questions must be supplementary to the principal question. That is a different question.

HUMAN RESOURCES AND SKILLS DEVELOPMENT

SKILLED TRADES

Hon. Donald Neil Plett: Honourable senators, it is a proven fact that when Canadians complete apprenticeships and learn skilled trades, they improve their career and income potential. Encouraging Canadians to take up the trades is part of how Canada will continue to weather the global economic downturn and emerge stronger.

My question is for the Leader of the Government in the Senate. Can the minister tell us what action this government has taken to encourage Canadians to take up the skilled trades?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, I thank the senator for that question. I certainly agree with him — being a tradesperson himself, and my husband being a tradesperson — that skilled tradespeople are crucial to our country's economic growth and sustainability.

As all honourable senators may be aware, this is Skilled Trades and Technology Week, which provides a great opportunity to promote these careers to our young people. This is important. As demographers tell us, in the long run, Canada will face labour shortage challenges.

Since 2006, our government has taken several important initiatives to benefit students studying as apprentices and to encourage youth to consider skilled trades. Budget 2006 introduced the new Job Creation Tax Credit to encourage employers to hire apprentices; a \$500 deduction for tools used by tradespersons; and the \$1,000 Apprenticeship Incentive Grant for those who complete their first and/or second level of their apprenticeship program.

Building on this, the Economic Action Plan introduced the Apprenticeship Completion Grant, which will offer \$2,000 to eligible apprentices who complete their training and certification in a designated red seal trade, which is a trade that the honourable senator proudly served in. It is estimated that up to 20,000 apprentices per year will benefit from this measure, which we believe is a practical incentive to encourage services and trades.

• (1410)

Although I do not often revert to a previous question, which was a practice of my predecessor, Senator Austin, in further response to Senators Cowan and Mitchell, it has just been announced by Health Canada that 1.8 million doses of vaccine will go out next week.

[Translation]

EMPLOYMENT

Hon. Dennis Dawson: Honourable senators, the business section of the November 3, 2009, edition of *La Presse* reported that economic recovery could be slower in Quebec than in the rest of the country. Statistics show that Quebec is not experiencing the economic recovery promised by the Stephen Harper government.

Between March and September of this year, the unemployment rate in Quebec rose from 8.3 per cent to 8.8 per cent. During the same period, according to Statistics Canada figures, hundreds of jobs were lost in the forestry and manufacturing sectors.

[English]

My question is for the Leader of the Government in the Senate. Will she recognize that the economic plan of this government is a failure because, while other places are recovering from the recession, people in eastern Canada and Quebec are still losing jobs?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, I saw the news reports regarding infrastructure spending and announcements in the province of Quebec. The Minister of Transport said that, with the municipal elections now over in Quebec, they will continue to work with all partners to complete the remainder of the infrastructure stimulus investments in Quebec. All regions of the country are getting their fair share, and it is being distributed equitably.

Obviously, Senator Dawson, the government continues to remain focused on the unemployed because people lost their jobs during the global economic downturn through no fault of their own. That is why the government introduced Bill C-50. It is hoped that it will pass in the Senate this week and receive Royal Assent. Minister Finley announced yesterday that self-employed small business people will have access to Employment Insurance special benefits.

[Translation]

Senator Dawson: I would like to share some official statistics to demonstrate how this situation is being reflected in everyday life.

In the Chaudière-Appalaches region of Quebec, on the south shore of the St. Lawrence, 3,600 jobs were lost in September alone. That is one concrete example.

In Lotbinière, because of the economic downturn, the Bibby-Ste-Croix foundry was forced to lay off 99 workers at the end of September.

In Laurier-Station, Laurier Furniture was forced to shut down completely and as a result, 60 people, men and women, are now unemployed.

In Lévis, the management at the Barretewood plant decided to close the plant down for six months, laying off 120 workers.

If the government continues with its economic “inaction” plan, the list could continue to grow. Will the government provide Canadians and Quebecers with a real economic action plan, to get our economy moving again and create jobs in all regions of the country?

[English]

These are not statistics. These are real people, in real places, losing their jobs in — as the leader said 10 times during Question Period yesterday — real time. As we speak, they are losing jobs. When will she act on these issues?

Senator LeBreton: Honourable senators, I would argue strenuously that the government has taken considerable actions to assist those who, through no fault of their own, have lost their jobs. In the Economic Action Plan, the government extended EI benefits by five weeks; expanded work sharing, which currently protects 160,000 jobs; froze EI premiums for two years; provided \$500 million for skills training for long-tenured workers, which was very important in Quebec and other areas with single-industry towns; and provided \$1.5 billion in training for people who qualify for EI and also for those who do not qualify for EI benefits. There were some good news stories in the newspapers over the past few days of people in single-industry towns learning new job skills so that they could reintegrate into the workforce.

The government has introduced Bill C-50, which will extend regular EI benefits by 5 to 20 weeks for long-tenured unemployed workers. Such individuals paid EI premiums for years but made limited use of the program and they are now in need of help. As I mentioned earlier, a bill was just introduced that will allow self-employed people to collect EI benefits.

No one takes any joy in seeing people lose their jobs. The government and the Honourable Diane Finley have worked hard with the various stakeholders to put forward programs to assist people. The most important thing to do now is to pass Bill C-50 so that people can begin to collect EI benefits.

Senator Dawson: Honourable senators, if cooperation is desired, this side will pass Bill C-50 as quickly as possible. However, neither passing Bill C-50 nor the words of the leader will be of any comfort to the 3,600 people who lost their jobs during the month of September.

Senator LeBreton: Honourable senators, no one takes any pleasure in seeing people lose their jobs. For the honourable senator to even suggest that is really beyond the pale.

Senator Dawson: I never said that.

Senator LeBreton: Whatever the senator suggested.

Senator Tkachuk: The leader suggested it.

Senator LeBreton: The fact is that the world has experienced a serious economic downturn that affected numerous industries, in particular forestry, auto and manufacturing. The government has taken many measures, including ones to ensure that Canada maintains its share of the auto industry. With regard to forestry, the government has taken many steps, including introduction of

skills training programs for the unemployed. The government is doing everything possible to assist the unemployed through retraining or job sharing, but I know full well that in some sectors of the forestry industry there are no jobs to share. For those people, there are skills training programs to prepare for new jobs as the economy emerges from this global economic downturn.

SPORT

OLYMPIC TORCH RELAY

Hon. Lorna Milne: Honourable senators, my question is directed to the Leader of the Government in the Senate. I understand that the Olympic torch relay will spend four days in Calgary and only one day in Toronto. Did Minister Lunn arrange it this way because he wants brownie points with the Prime Minister, or is it because there are no Conservative MPs from Toronto?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, the answer is: That is ridiculous.

The Hon. the Speaker: Honourable senators, the time for Question Period has expired. We will proceed to Delayed Answers.

Senator Milne: I still have 30 seconds, Mr. Speaker. I believe the leader is able to respond in those 30 seconds.

The Hon. the Speaker: Delayed answers have been called.

• (1420)

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Anne C. Cools: Honourable senators, I am sorry to interrupt like this and raise a point of order. Several minutes ago, when Senator Comeau had asked for unanimous consent for leave to move directly to second reading of Bill C-50 today, I raised some objections and denied consent. I would like to explain to honourable senators why I did so.

I encountered Senator Comeau earlier this afternoon and he told me he would ask for leave and of course, and as is my usual tendency, I inquired as to the nature of the urgency. I sincerely believe that all senators are accorded a due explanation whenever a senator rises in terms of abridging the notice periods between the stages of bills.

My understanding from Senator Comeau was that there was no real emergency or urgency to the bill, so I felt it was my bound and imperative duty to say no. In any event, Senator Comeau has since put new information before me. I took it upon myself to consult with members of the opposition, and even more importantly, to consult with the chairman of the committee,

[Senator Dawson]

because Senator Comeau has informed me that the National Finance Committee, of which Senator Day is the chair, is ready, willing and able to receive this bill for study tomorrow morning.

On the strength of that, honourable senators, I am prepared to reconsider so that second reading debate may proceed today, but I would like to make the point as strongly and strenuously as I can that unanimous consent is supposed to be rarely asked for and rarely used. I invite Senator Comeau to be extremely conservative, I would say even frugal, even parsimonious in his requests to this house to give unanimous consent unless there is a serious reason that can be widely agreed upon and widely understood by all.

I know that leaders of governments and parties often hold the threat of senators having to sit on Friday mornings. I am also aware that His Honour Senator Kinsella will be holding his annual veterans Remembrance Day ceremony here on this Friday morning.

The real point is that unanimous consent is being requested too frequently and too often and perhaps the leadership could think about that and use it on those occasions when it is really urgently needed.

Hon. Gerald J. Comeau (Deputy Leader of the Opposition): Honourable senators, I appreciate Senator Cools' reconsideration of this bill. I simply cannot let it stand on the record that I indicated that there was no urgency for this bill. If she misunderstood what I said, it is obviously a misunderstanding.

Bill C-50 in my view, and I say this very sincerely, is extremely important for those people who are at the end of their EI period. As an Atlantic Canadian whose constituents have had to depend on seasonal employment for years and years, I have a full appreciation for the importance of what EI is to Atlantic Canadians. My appreciation is not only for Atlantic Canadians at this time but all Canadians who have gone through this worldwide economic downturn Canada has been a part of.

If Senator Cools misunderstood in any way — and I do not remember misspeaking along those lines — that there was no urgency to the bill, then that is simply not the case. However, I heard the senator's comments on unanimous consent, and I do sympathize with the concept of unanimous consent, that we must be careful when we use it. Whenever I use it, I do try to consult with as many of the non-aligned senators as possible. Obviously I must discuss it with the other side as well.

I do appreciate Senator Cools being prepared to reconsider and that unanimous consent could be requested again. With that in mind, I would like to do so, if we could revert to Government Business and proceed with Bill C-50.

Some Hon. Senators: Agreed.

Hon. Sharon Carstairs: Honourable senators, before doing that I would like to put a few words on the record because I agree totally with Senator Cools that unanimous consent to pass a bill in two days should be extremely rarely given in this place.

The argument will be made that we will not sit next week; it is Remembrance Day week. I think we all want to participate, as we should, in Remembrance Day ceremonies, but I would remind members of this chamber that this bill was before the House of Commons and they rose for the G20 week. They rose for the Thanksgiving week and did not pass this bill, and now we are being asked in this chamber to do something within a matter of 48 hours that should be done with great rarity.

Senator Cools: Honourable senators, I have not given consent yet. I would like to make the point that I have no misunderstanding about what happened. I would like to make it clear that at no time did I stray to speak on the substance of Bill C-50. I was speaking on a point of order and I insisted on keeping myself strictly to the point of order, which was on the question of altering my position on unanimous consent and yielding to my colleagues.

Let us understand clearly that this bill is very important, undoubtedly, but today that was never at issue just as the substance of the bill was never at issue. What was at issue was whether or not this bill should be subjected to extraordinary speedy and faster techniques, in other words, techniques that even begin to beg the question of what a parliament is for.

I would make the point, yes, it is important; I would hope that most bills that come through here are important, and this bill obviously has considerations that touch many people's lives, but when we speak of urgency, we speak of urgency in parliamentary terms; and urgent in parliamentary terms means clauses within the bill that have to be met within urgent time frames, et cetera.

Let us understand that, in this system, urgency has a particular meaning and it does not mean important or unimportant. Let us differentiate between importance and urgency.

The Hon. the Speaker: Honourable senators, if I have understood the intent of the house, procedurally we could deem that the motion that has been carried that the bill be at second reading two days hence be set aside and that the question put before the house right now is a request of leave by the Deputy Leader of the Government, notwithstanding rule 57(1)(f). If that is agreed, I will put that motion.

With leave of the Senate, and notwithstanding rule 57(1)(f), it was moved by the Honourable Senator Comeau, seconded by the Honourable Senator Keon that this bill be placed on the Orders of the Day for second reading later this day. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

The Hon. the Speaker: Honourable senators, this matter would follow Government Business, and therefore I would ask, if it is the will of the house, that we now go to Government Business and have the table call second reading of Bill C-50.

• (1430)

EMPLOYMENT INSURANCE ACT

BILL TO AMEND—SECOND READING

Hon. Richard Neufeld moved second reading of Bill C-50, An Act to amend the Employment Insurance Act and to increase benefits.

He said: Honourable senators, I am pleased to participate in the Senate debate on second reading of Bill C-50, An Act to amend the Employment Insurance Act and to increase benefits.

This timely and important bill is designed to support experienced workers who have lost their jobs through no fault of their own. These workers were affected by a global recession that sliced through the Canadian economy, leaving some of our most experienced workers without a job.

As senators we can appreciate the value of experience, knowledge and skills in the workplace. Each of us, in our working lives, has learned the importance of experienced, skilled workers who help make the workplace run more productively.

We can all appreciate the devastating effect this recession has had on certain vital sectors of the Canadian economy such as forestry and the auto sector; sectors that have undergone significant structural change.

Bill C-50 is designed to support unemployed, long-tenured workers. Who are long-tenured workers? They are individuals who have worked, paid their taxes and Employment Insurance premiums for many years. They have never or rarely collected EI regular benefits. Some of these workers are unemployed for the first time in their lives.

What is the purpose of this bill? It is to temporarily provide additional weeks of EI regular benefits to these unemployed long-tenured workers who have lost their jobs.

For those from sectors that have undergone significant structural change, these workers may even need to start a new career. Such a prospect is not easy when they have spent their working life at one particular type of occupation.

Of those Canadians who have lost their jobs since the end of January and have made an EI claim, about one third are long-tenured workers.

Bill C-50 will provide these workers with 5 to 20 weeks of additional benefits, depending on how long a long-tenured worker has been employed and paying EI premiums. The goal is to give them additional weeks of EI while they look for jobs.

Under this legislation, to be eligible for five weeks of extended benefits, long-tenured workers must have paid at least 30 per cent of the annual maximum EI premiums for seven out of the last ten calendar years.

Requiring these contributions for seven of the last ten years allows claimants to remain eligible even though they have had a temporary absence from the labour market; for example,

due to the birth or adoption of a child or due to illness or non-contribution to the program as a result of being self-employed for a period of time.

For every additional year of EI contributions, the number of weeks of benefits will increase by 3 weeks, up to a 20-week maximum.

We realize that workers in some industries may have had to use EI during temporary shutdowns or layoffs, and that is why we are allowing claimants to have received up to 35 weeks of regular benefits in the past 5 years.

Honourable senators, we have looked at information on the past and current population of long-tenured claimants, including exhaustion rates. We looked at private-sector forecasts for the national unemployment rates. Based on that information, it is estimated that about 190,000 workers will be eligible for these extended benefits.

Senators, it is clear that some of these workers will face a challenge in finding other work. In some cases, they have skills that may not be easily transferable to other industries. It is only right and fair that we help them during this economic downturn. We believe extending their EI benefits is the responsible measure to take at this time. We need these experienced workers when the economy starts to rebound and signs of recovery are on the horizon.

Bill C-50 is a temporary measure, designed to respond to the economic downturn and give these long-tenured workers the support they need while they look for new employment. The bill will apply to eligible long-tenured workers whose claims started between January 4, 2009 and September 11, 2010.

We want to make these extra weeks of benefits available to eligible workers as soon as possible. As honourable senators are aware, in the original draft of the legislation, the start date for eligibility was tied to the date of Royal Assent. To ensure that all eligible long-tenured workers have full access to the extended benefits and that the time taken by members of Parliament and senators to study the bill does not affect eligibility, we have amended the bill.

The first amendment established January 4, 2009 as the only eligibility start date and, as a result, removed the reference to an alternate time frame of nine months prior to the coming into force of the legislation.

The other amendment sufficiently extended the benefit period for long-tenured workers who have had an active claim at the time of Royal Assent so they can collect all their additional benefits, regardless of when Royal Assent occurs.

With these amendments, we ensure that all eligible long-tenured claimants will be able to draw down on all their additional weeks of regular benefits provided by Bill C-50. Long-tenured workers will be eligible for extended benefits until September 11, 2010, which means that payments of these extended benefits will continue until the fall of 2011.

There will be a gradual transition back to the normal terms and conditions. Beginning in June 2011, the level of additional benefits will be reduced in five-week increments.

Honourable senators, we understand that we will need to explain Bill C-50 to Canadians and we have planned for Service Canada to hold public information sessions across the country. This measure will come as a great comfort to long-tenured workers who may be worried about exhausting their benefits before finding a new job.

Bill C-50 is not the only way we are helping long-tenured workers. Let me briefly mention other measures under Canada's Economic Action Plan. The government is also investing in long-tenured workers through training. The Career Transition Assistance initiative is designed to assist those long-tenured workers who need training to acquire new skills.

Under the Career Transition Assistance initiative, eligible long-tenured workers can have their EI benefits extended up to a maximum of two years while they take long-term training. They can also have earlier access to EI if they pay for their course tuition using part or all of the money from their severance package, if they received one.

Honourable senators, the government also introduced other measures that help all unemployed Canadians and not only long-tenured workers. For example, the government is providing an additional \$1.5 billion for skills training to be delivered by the provinces and territories. While job losses have slowed in recent months, Canadians continue to need timely access to EI benefits. Through the Economic Action Plan, we have provided for an extra five weeks of EI regular benefits to all workers across the country. In regions with high unemployment, we have also increased the maximum number of weeks of benefits from 45 to 50.

We are also protecting jobs by extending work-sharing agreements by an additional 14 weeks and allowing employers participating in the program more flexibility in their recovery plans. As of October 11, 2009 there were close to 6,000 work-sharing agreements nationally benefiting more than 167,000 Canadians.

Honourable senators, let me refer to another program called the Targeted Initiative for Older Workers, which applies to people who are 55 to 64 years old.

• (1440)

Under Canada's Economic Action Plan, we are investing an additional \$60 million over three years to provide upgrading and work experience to help older workers make the transition to new employment. Further, we have expanded the program so that it extends access to older workers in major communities as well as smaller cities affected by significant downsizes or closures.

We are supporting the initiatives that focus on Aboriginal Canadians. The Aboriginal Skills and Employment Partnership program has received an additional \$100 million over three years to provide on-the-job training and work opportunities in sectors such as natural resources, construction and tourism. The initiatives funded under this program depend on partnerships between Aboriginal organizations and major employers in the field.

In addition, the Aboriginal Skills and Training Strategic Investment Fund will help about 5,800 Aboriginal people over the two years to acquire the specific skills they need to benefit from economic opportunities, now and in the future. This fund also supports greater investment in training for Aboriginal people who face barriers to employment, such as low literacy or a lack of essential skills.

Canada's Economic Action Plan is helping Canadians access the labour market in all kinds of different ways. One way is by freezing EI premiums for 2010 at \$1.73, the same rate as 2009. This rate is at its lowest level since 1982. Canadian employers and Canadian workers can be assured that the EI premium rate will not increase during the economic downturn.

We are delivering on our commitments to improve the governance and management of the EI account by establishing the Canada Employment Insurance Financing Board. The board will be an independent, arm's length Crown corporation. It will implement and improve the EI premium rate-setting mechanism that will ensure EI revenues and expenditures break even over time and set the EI premium rate starting in 2011.

Above and beyond all these measures, the government has recently introduced further amendments to the Employment Insurance Act through Bill C-56, the Fairness for the Self-Employed Act. This act will allow self-employed Canadians who opt into the EI program to be eligible to receive the same special benefits currently available to salaried employees, namely maternity benefits, parental adoptive benefits, sickness benefits and compassionate care benefits.

In the meantime, honourable senators, let me return to Bill C-50. The purpose of this bill is to help long-tenured workers directly affected by the force of this recession. As explained earlier, the legislation before us proposes a temporary measure that will provide much needed assistance to long-tenured workers throughout the country. The passage of this bill will make a difference in their lives. It will help put groceries on their table. It will help them provide for their families, and it will make a difference to industry when the economy recovers.

I hope we can all support a speedy passing of this much needed change.

Hon. Joseph A. Day: Will the honourable senator accept a question?

Senator Neufeld: Yes.

Senator Day: Honourable senators, I think Senator Neufeld may have answered my question in his comment towards the end of his speech, upon which I congratulate him, when he said, "let me return to Bill C-50." I was wondering what the Career Transition Assistance initiative and about 15 other things he mentioned had to do with Bill C-50. I think the honourable senator has confirmed that none of those items appear in Bill C-50. Is that correct?

Senator Neufeld: Yes, I referred to other items to make the house aware of other things being done besides what is in Bill C-50 to help unemployed, long-tenured workers and other workers in our economy in this downturn.

Senator Day: I am sure we are all grateful the honourable senator took the time to do that. He indicated that Canada's Economic Action Plan provided for five extra weeks. Was that provision not in Bill C-10? I do not recall Bill C-10 being called the Economic Action Plan. Are the five weeks provided for in Bill C-10?

Senator Neufeld: Yes, they are. I appreciate the questions and the remarks, Senator Day. All too often I hear from other honourable senators that not enough information is given in the house about what is done, and other honourable senators may want to know, so I talked about other measures that had been taken recently to help people who find themselves in a difficult position. I do not think any of us should be shy about talking about those benefits so that people who should receive the benefits actually do receive them.

Senator Day: Absolutely; my final question is to confirm that it was Bill C-10, An Act to implement the budget, rather than the Economic Action Plan, that triggered the five extra weeks.

Senator Neufeld: Honourable senators, Bill C-10 gave the extra five weeks, and we debated that bill during meetings of the Standing Senate Committee on National Finance.

An Hon. Senator: It is part of the action plan.

The Hon. the Speaker *pro tempore*: Are there more questions? On debate, Senator Day.

Senator Day: Thank you, honourable senators. I will briefly outline some of the issues that we found in studying Bill C-50. We undertook a pre-study of this bill in the Standing Senate Committee on National Finance. Permission to begin the pre-study was approved by the Senate as a whole, and we were directed and authorized to begin looking at Bill C-50 before it arrived here in the Senate.

Seeing and viewing the progress of Bill C-50 in the other place, we felt that there would be some degree of urgency when the bill finally arrived here, and we wanted to have an appreciation of what was in the bill. As it turns out, that pre-study has worked nicely. I anticipate, once this second reading is concluded and the bill is referred to our committee, that we will not spend as much time as we normally want to spend on a bill of this nature because of the fact that we have had an opportunity to conduct the pre-study, in part. I say "in part" because we saw the bill coming and we knew it would arrive quickly, so we did not conclude all the study we might otherwise have undertaken, and we did not report back on the bill because of that fact as well.

For the information of honourable senators, Bill C-50 was introduced in the House of Commons on September 16. It had second reading from September 17 to September 29 of this year. We are having second reading out of our normal time frame this afternoon, having received the bill today. It then proceeded to committee. It came out of committee and committee report on October 29. We anticipate because of the pre-study that we will not need to study it any more than one or two days. The House of Commons had the bill for well over a month.

Honourable senators, I give you those statistics so that you and I will be armed when we are confronted with the typical argument that we are not sensitive to the plight of the unemployed and that we do not recognize the importance of moving legislation through as quickly as we can.

Honourable senators, we are continuing to do the job that we are intended to do here, so that the benefits can be out there for the individuals they are intended to benefit. That is exactly what we are doing in this case. Senator Gerstein and I and the rest of the members of our committee ask honourable senators for their permission to move this bill through the Senate expeditiously, but nevertheless cautiously and responsibly, so that the benefits can be out there.

We know there are amendments, and we have not studied those amendments. Senator Neufeld referred to certain amendments that were made to this legislation. We will want to study those.

• (1450)

However, one of those amendments addressed the importance of having Royal Assent to this bill by mid-October and removed it. One would wonder why there would be, in a piece of legislation, a requirement for Royal Assent by mid-October. If it was after mid-October, then certain people at the front end of entitlement would drop off.

Why would that be put in a piece of draft legislation? I think honourable senators may want to think about that a little bit. I would hope that it was not in anticipation of that bill having been passed in the normal course in the other place and then pressure would be put on us in this place to pass it by mid-October. Were we not to do so, certain people would be lose their entitlement. I would hope that it does not appear in a piece of draft legislation for that reason.

Honourable senators, three different panels appeared before us in committee on this matter. The overview of the discussion from the panels of the non-government people was that, generally, this will help a certain number of individuals and it should be passed.

There are individuals who have not typically claimed Employment Insurance over many years. I will remind honourable senators of what Senator Neufeld has already indicated: At the top of the scale are the claimants who have contributed at least 30 per cent of their maximum EI employee premiums in at least 12 of the 15 preceding years. They have been working away for 12 of the 15 years and they have contributed at least 30 per cent of the maximum. Additionally, they have not claimed more than 35 weeks in a five-year period.

That is a pretty special group of individuals and that point was made.

One point made about that at our committee was that this was really favouring the upper income segment. It does not help the lower-salaried individual who is not likely to have contributed at least 30 per cent of the maximum EI benefit premiums. It obviously does not help any of the workers out there who have claimed more than 35 weeks over the past five years, and there are many of those. It does not help individuals who are seasonal

employees through no fault of their own. That is the job they have and they do it well during that seasonal employment, but there is no opportunity to find alternate employment for the rest of the year. It does not help them.

When we passed Bill C-10 and gave the extra five weeks, we recognized it was during an economic downturn period and that there was a need for help. However, it was a need for help universally. It applied to everybody. Everyone who needed Employment Insurance received the extra five weeks. In fact, honourable senators will recall that there was already a program in place giving an extra five weeks in areas of high unemployment. If we had focused on that a little more, we might have not felt the urgency to get Bill C-10 through as quickly as we did.

However, that was only for areas of high unemployment, whereas Bill C-10 was universal.

Surely, that has to be the concept that we accept with respect to insurance. It does not matter that someone happens to be a lower-income employee. It should not matter that someone is a seasonal employee. It should be universal.

The main problem with this legislation is that it is not universal. It applies to a maximum of 190,000 people and will cost between \$900 million and \$1 billion for that select group of individuals.

That was the fundamental complaint that we received with respect to this legislation. Yes, it will help those select individuals, but there is a need for a fundamental review of the Employment Insurance regime across the board. It has been used over the years by many different governments for situations that should have been funded out of general revenue, as opposed to being funded by those people who are paying into Employment Insurance and the employers who are paying into this program through an employment tax.

That is the main complaint that we received during our hearings on this matter.

Honourable senators, it is piecemeal legislation, but it does help. To the extent that it does help that group of individuals, as we reviewed the legislation, we found nothing in terms of its wording or what it is trying to achieve that would cause us fundamental concern. The only complaint is that it is too restrictive and it treats a group of individuals who are probably the best suited of all unemployed people to obtain assistance in other ways and through other programs, which was referred to by Senator Neufeld.

We had Bill C-50, the Budget Implementation Act, 2008, which created the Employment Insurance Board. Then we found out the board had not been appointed yet. Its main job is to set the premiums and, shortly after that, premiums were fixed for 2008, 2009 and 2010. Therefore, assuming no further legislation, the first time the board will be involved in setting premiums will be in 2011.

Government policy is that it will set premiums such that this program will break even. However, only \$2 billion has been put into the trust fund, whereas everyone who came before us,

including actuaries and various industry representatives, said it should be in the range of \$15 billion to \$20 billion. Then it could work like an arm's-length insurance group. However, it will be poorly funded. It will not have the funds to do the job it is supposed to do, and it has not been appointed in any case.

That is the beginning of the reform of Employment Insurance. There is a need, honourable senators, for a fundamental review of this whole area. After the Budget Implementation Act, 2008, Bill C-50, passed a year and a half ago — it is coincidental that the number was the same as today's legislation — we had Bill C-10. We dealt with Bill C-10 and the five-week extension. Now we have Bill C-50, and Honourable Senator Neufeld has advised us there is another bill forthcoming, Bill C-56.

Each of these is important in its own right, but when dealing with a program piecemeal like this, there will be the unintended consequences of one piece of legislation interfering with another piece, or one group of people being disadvantaged to the advantage of another.

I suggest to you, honourable senators, that although it is unlikely that we will be proposing major fundamental changes to this piece of legislation — and I say “unlikely” since I do not know what the committee will feel after it has a chance to review these amendments — behind this is our feeling that there should be fundamental review of the entire subject of Employment Insurance.

• (1500)

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

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

CONFLICT OF INTEREST ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Joseph A. Day moved second reading of Bill S-239, An Act to amend the Conflict of Interest Act (gifts).

He said: Honourable senators, this bill addresses a loophole in the Conflict of Interest Act, which was part of Bill C-2 the Federal Accountability Act. After considerable study in this chamber, we passed that bill, which was one of the first pieces of legislation of the then new government of Mr. Harper.

Honourable senators, I have not had an opportunity to draw all my thoughts together on this proposed legislation, although I spent a great deal of time studying this issue when Bill C-2 passed through this house. Therefore, with your permission, I would ask that the matter be adjourned in my name for the balance of my time.

(On motion of Senator Day, debate adjourned.)

[Translation]

STUDY ON APPLICATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

FOURTH REPORT OF OFFICIAL LANGUAGES COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Chaput, seconded by the Honourable Senator Hubley, that the fourth report of the Standing Senate Committee on Official Languages, entitled *Reflecting Canada's Linguistic Duality at the 2010 Olympic and Paralympic Winter Games: A Golden Opportunity, Follow-up Report*, tabled in the Senate on September 15, 2009, be adopted and that, pursuant to rule 131(2), the Senate request a complete and detailed response from the government, with the Minister of Canadian Heritage and Official Languages and the President of the Queen's Privy Council for Canada being identified as ministers responsible for responding to the report.—(Honourable Senator Jaffer)

Hon. Andrée Champagne: Honourable senators, last week, Senator Jaffer moved adjournment of the debate and promised to speak this week.

I think that we all agree that we must proceed as quickly as possible if we want the government to respond to our recommendations, and I believe we are wasting a lot of time. Can I hope that Senator Jaffer will be here after the break week and that we can proceed with this committee report?

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, unfortunately, illness strikes unexpectedly. Senator Jaffer was to speak this week, but she is unable to do so. We will therefore wait anxiously to hear from her when she returns.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

SEVENTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the seventh report of the Standing Committee on Rules, Procedures and the Rights of Parliament (*authority to print updated versions of the Rules of the Senate*), presented in the Senate on October 27, 2009.

[Senator Day]

Hon. Donald H. Oliver: Honourable senators, I have the honour to speak to the seventh report of the Standing Committee on Rules, Procedures and the Rights of Parliament.

[English]

As honourable senators know, amendments to the *Rules of the Senate* take place at the time they are adopted in the Senate. However, a consolidated version of the Rules containing the amendments is not automatically prepared each time the Rules are changed and the online version of the *Rules of the Senate* is not automatically updated.

Instead, the current practice in relation to printing updated versions of the *Rules of the Senate* and integrating changes into the online versions is that a new version containing previously approved modifications is approved by the Rules Committee before being tabled in the Senate. It is only when the new version is tabled that it is printed and posted online. This process sometimes leads to significant delays between a change to the Rules being approved by the Senate and the new text appearing in printed or online format with consequential inconvenience to senators and to many other users.

To avoid such delays, the committee looked at the procedures to see if they could be simplified. Accordingly, the committee recommends:

The Clerk of the Senate be authorized to prepare and print from time to time as required for tabling in the Senate by the Speaker, consolidated versions of the *Rules of the Senate* containing any changes approved by the Senate up to that time, and any minor typographical corrections.

That the Clerk of the Senate be authorized to update the online version of the *Rules of the Senate* at any time any change is approved by the Senate.

Should those recommendations be approved by the Senate, the Rules Committee would no longer have to authorize the printing of the Rules containing amendments that have already been approved by the Senate and which may have been in force for months or even years.

The task that would be assigned to our Speaker would be administrative in nature. It would be limited to tabling the consolidated version of the Rules in the Senate that is to be prepared by our clerk from time to time as required.

I would also note that the proposed process in respect to the printing of the Rules whereby they are reprinted as needed is similar to the process used in the other place.

Thank you for your attention, honourable senators.

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

Hon. Senators: Question.

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

(Motion agreed to and report adopted.)

SIXTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the sixth report of the Standing Committee on Rules, Procedures and the Rights of Parliament (committee substitutions), tabled in the Senate on October 8, 2009.

Hon. Donald H. Oliver moved the adoption of the report.

He said: The Rules Committee is now studying the rules of committees and restructuring of committees. The subject of committee substitutions is being examined under that rubric. The committee decided to wait until that is complete before dealing with this subject.

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

(Motion agreed to and report adopted.)

• (1510)

[Translation]

IRANIAN NUCLEAR CAPACITY AND PREPARATIONS FOR WAR

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Segal calling the attention of the Senate to the government of Iran's imminent nuclear war capacity and its preparations for war in the Middle East, and to the commitment of Canada and its allies, including the USA, Russia, Turkey, the Gulf States, Egypt, Jordan, Saudi Arabia and others, to diplomatic and strategic initiatives that exclude first-use nuclear attack, the ability of Canada to engage with its allies in order to understand, measure and contain this threat, and the capacity of Canada to support allied efforts to prevent a thermonuclear exchange in the Middle East.

Hon. Marcel Prud'homme: Honourable senators, I know that you have waited a long time for my speech on the motion of my friend and colleague Senator Segal. I will repeat, my honourable friend and colleague, the brilliant Senator Segal.

With his inquiry of February 3, Senator Segal wanted us to examine the issue of Iran's nuclear capacity and his fear that Iran would unleash a thermonuclear exchange in the Middle East. I hasten to immediately make a friendly correction. In speaking of a potential thermonuclear exchange in the Middle East, we cannot leave any of the countries in this region that have nuclear weapons out of the equation. That is common sense. To be factual we should be speaking not of Iranian nuclear issues but of Middle East and Asian nuclear issues.

It is commendable that Senator Segal has requested that we have a substantive debate on this issue so that Canada can play a role in bringing peace to this embattled part of the world.

As the Honourable Thomas Axworthy wrote in the *Ottawa Citizen* on May 8, 2009:

Canada is not a negligible factor in world politics (despite our habit of self-deprecation) and we should be thinking of how we can contribute to this agenda of world peace.

We should also be thinking about what Senator Segal said, when we join this debate that he has proposed, even if we do not come to the same conclusion. According to Senator Segal:

The time for bold initiative and fresh thinking on the Iran-regional challenge has never been more compelling.

That was on February 3.

I am a patient man.

[English]

According to Senator Segal:

... the time for bold initiative and fresh thinking on the Iran-regional challenge has never been more compelling.

[Translation]

I could not agree with him more, especially now, while this issue is still so much in the news.

However, when my colleague warns us about the threat of a nuclear Iran, I do not understand why he does not also talk about — in the same geostrategic region — the nuclear capacities of Pakistan, India and Israel.

We have to stop telling tales. We have to stop and think, as if we did not know who started the arms race in the Middle East. We have to stop pretending to forget that Pakistan, India and Israel, unlike Iran, did not sign the Treaty on the Non-Proliferation of Nuclear Weapons. Just ask General Dallaire.

I am glad that Senator Segal opened the door to this debate, but I admit that I wonder why he did not call a spade a spade. I need not tell you that I wish he had done so. He points out that Israel has assets:

Assets that the world knows they have at their disposal.

He used the word "assets" in English. He was referring to Israel's nuclear arsenal, an arsenal that puts Israel on a level playing field with France and England in terms of each country's striking power.

I admit that the situation in these regions of the world is extremely complicated. I understand that Israel has some difficulty trusting the outside world. That is clear. I understand that Israel has some difficulties communicating with the outside world, as Trita Parsi said in his fascinating book on Iran-Israel relations, *Treacherous Alliance*.

We must try to understand that the Iranians have not been treated very fairly in the past. Even President Obama acknowledged this in his June 4 speech in Cairo, when he

recalled that in the middle of the Cold War, the United States played a terrible role in the overthrow of a democratically-elected government Iran, through the intervention of the CIA and British secret service.

Senators will recall that when Saddam Hussein invaded Iran in 1980, the UN did not consider that action to be a threat to world peace and security. It took more than two years for the Security Council to call for the retreat of the invading forces.

Because of obstruction from the Americans, it took five years for the UN to discuss the issue of the chemical weapons used against Iranian soldiers and civilians.

It was a bitter lesson for the Iranians. When it was threatened, Iran would have liked to have been able to count on protection from the Geneva Conventions and the United Nations Charter.

Despite everything, this did not prevent Iran from signing the Treaty on the Non-Proliferation of Nuclear Weapons, a treaty whose ultimate goal is to eliminate all nuclear weapons.

We must keep in mind that the Iranians want to create a modern state, and want to be perceived as such by the rest of the world. By modern state, Iran means a state that is able to provide for its long-term energy needs.

With regard to the nuclear issue we are debating today, we must remember that this is a very political issue in Iran, and no Iranian politician, conservative or reformist, would dare to lower their expectations.

Iran rightly believes that it has the legal right to enrich uranium for peaceful purposes, while still respecting the terms of the non-proliferation treaty.

I should point out that the Treaty on the Non-Proliferation of Nuclear Weapons, which was signed on July 1, 1965, and came into force on March 5, 1970, was renewed indefinitely on May 12, 1995. But we must not forget the conditions attached to the 189 signatory states keeping it in force. The treaty was renewed for an indefinite period in 1995 on the express condition demanded by Arab countries neighbouring Israel that Israel take measures to disarm. Fourteen years on, where are those measures? Why is everyone trying to keep Iran's nuclear potential under control at all costs when, since 1995, practically nothing has been done to make Israel see reason and comply with international law? Why the double standard?

Why, against all common sense, do we still have this nuclear ambiguity policy? Let us not forget that, on September 26, 1969, at the White House, President Nixon and that extraordinary and energetic woman, Golda Meir, came to a secret agreement now known by the name:

[English]

“Don’t ask, don’t tell.”

[Senator Prud’homme]

[Translation]

Both countries agreed not to reveal the existence of an Israeli atomic bomb to the world. Now, in 2009, Russia and the United States are eagerly negotiating a new START treaty for 2010 and President Obama hopes to achieve total disarmament one day. In that light, are we going to accept this nasty little cat and mouse game with the international community?

Would it not be better for everyone to lay their cards on the table to give peace a real chance?

• (1520)

That being said, I would like to digress for a moment. I admit that the outrageous nature of the president's speeches — I repeat — I admit that the outrageous nature of President Ahmadinejad's speeches regarding Israel does not help calm the debate. His speeches only aggravate the situation. Furthermore —

[English]

I have had occasion to communicate with the Iranians in no uncertain terms, very energetically.

[Translation]

... how I think about this. Accordingly, the first thing Canada should encourage is the signing of the non-proliferation treaty by Pakistan, India and Israel. This would greatly facilitate any future discussions about making the region a completely nuclear-free zone. The multinational agreement that Senator Segal would like to see in the Middle East is already part of that treaty. It already exists. There is no need, in this case, to add to the prevailing complexity by promoting a new agreement that would only be redundant. What are needed are three new signatures on the existing treaty.

An arms race in the Middle East and among its neighbouring countries poses a real and undeniable danger. So what can we do to avoid an escalation?

We need to have a strategic vision and the political will to change our relationship with Iran. We need to see a change that is similar to the spectacular, innovative and daring change conceived of by Pierre Elliott Trudeau, when he decided to change Canada's position regarding China, an undertaking that later proved extremely beneficial to Canada.

No matter what we say or do, our current approach will not prevent Tehran from developing a nuclear fission program or any other military capability. Iran's foreign minister, Mr. Mottaki, said so repeatedly on October 19, when discussions between his country and the group of six began in Geneva. “The meetings with world powers and their behaviour shows that Iran's right to have peaceful nuclear technology has been accepted by them,” he stated. He said and repeated that his country would continue to enrich uranium, although he agreed to have Iran's nuclear fuel enriched abroad.

What should we do? Impose sanctions that have never worked with Iran? And do so against the will of Russia and China? Attack Iran?

Let's be serious. As President Obama said in Cairo:

We must leave the past behind and make a new beginning. We must be pragmatic. No single nation should pick and choose which nations hold nuclear weapons.

That is why the American President reaffirmed the United States' commitment to seek a world in which no nations hold nuclear weapons.

And any nation — including Iran — should have the right to access peaceful nuclear power if it complies — I repeat, if it complies — with its responsibilities under the nuclear non-proliferation treaty.

As for eradicating nuclear weapons, this is what President Obama said:

[English]

That commitment is at the core of the Treaty, and it must be kept for all who fully abide by it. And I am hopeful that all countries in the region can share in this goal.

[Translation]

I would point out that he said “all countries in the region.” I hope that all the governments in the region were listening.

Some people in this Parliament are in favour of a policy of isolating Iran, but I feel that such an approach is naive. Consider the issue of sanctions. Iran's leaders feel that any threat of sanctions by Western nations would strip all credibility from any diplomatic initiatives. It would be like saying to the Iranians, “Negotiate! But if you don't meet our demands, we will impose sanctions.”

Sanctions are juvenile ultimatums that can only lead to disaster.

We must not continue treating a country like Iran in this way and continue hoping for appeasement. It is clear that the constant threat of sanctions and military intervention against Iran will only make the Iranian regime more intransigent and more imaginative on the nuclear issue.

All of the West's hard line policies have proven ineffective to date. What proof do we have? When the Bush administration began making threats about Tehran and its nuclear program, there were 164 centrifuges in Iran. Today, there are more than 6,000.

Let us go back to the origins of the current tensions.

If the Middle East is at risk of an arms race, it is because one country has sounded the starting signal. If Iran wishes to build a nuclear bomb, which is madness — and far from certain, it is because, in addition to other factors, one country already has that technology. Therefore, we might see a domino effect, which could be catastrophic for humanity. In this regard, I share my colleague's concerns.

Take a look at what is happening elsewhere in the region. Four years ago, Saudi Arabia did not want to have anything to do with nuclear energy. Now, it is trying to procure the materials to build a nuclear reactor system.

Honourable senators, I ask permission to extend my time.

The Hon. the Speaker *pro tempore*: Honourable senators, Senator Prud'homme's time has expired. Will you agree to extend his time by five minutes?

Hon. Senators: Agreed.

Senator Prud'homme: Throughout the region, everyone — Turkey, Egypt, Abdullah II of Jordan — wants to build nuclear facilities using Canadian technology.

By the way, a nuclear cooperation agreement between Canada and Jordan was signed on February 17, 2009, and may serve as a model for our future relations with Iran.

The outgoing Director General of the International Atomic Energy Agency, Mr. ElBaradei, believes that the nuclear issue in the Middle East is not at all technical but rather political. He also stated that the only way to deal with this matter is through direct talks and diplomacy. On March 9 he stated:

... a security structure in the Middle East should be found that also involves Israel, which is widely believed to have nuclear weapons.

President Obama sat down and talked with the Iranians. That is the right attitude to adopt in order to make progress. Had the Americans refused to sit down with the Iranians, we would not have moved forward.

Canada runs the risk of taking the wrong approach. If Canada has such excellent diplomatic relations with Iran, as Senator Segal claimed in his speech, what is our government waiting for to accept the appointment of Tehran's ambassador here in Ottawa? Should that not be done first before beginning talks of any kind? And how can we make any serious representations to the government in Tehran without a Canadian ambassador in Tehran?

As you are well aware, honourable senators, NATO is working together with Iran on regional issues like that of Afghanistan, where the convergence of interests between the West and Tehran are unmistakable.

I believe that NATO has agreed to assign parliamentarians to Iran shortly. The U.S. administration played a determining role in that decision. Why don't we in the Senate, the Standing Senate Committee on Foreign Affairs, take the initiative to send a Canadian parliamentary delegation to meet with our Iranian counterparts, without being too aggressive or too accommodating?

It is in the interest of Canada and the West in general.

Why would Canada not become a forerunner on this issue and the hero of a great international conference on nuclear disarmament?

All that to say that we must accompany Iran down its path with respect and not isolate it or attack it militarily. The latter would resolve absolutely nothing. It would be the worst case scenario. It is much better to integrate Iran into the international system.

I sincerely believe that President Obama's strategy of openness — negotiating without conditions — should be Canada's strategy as well.

Recent political developments in Israel lead us to fear that the new coalition government in that country is still not prepared for that kind of openness and I am sorry to hear that.

The last thing we need is an act of war against Tehran. I dare not think of the catastrophic consequences of such madness.

In closing, there is a small fundamental detail that we must not lose sight of when we talk about peace in the Middle East. I have devoted my life to that small detail and I am coming back to it today: to achieve peace, as Barack Obama says and several others have said, the Israeli-Palestinian conflict needs to be resolved once and for all.

[English]

In the House of Commons 42 years ago, I said, solve that problem; this is a cancer that will spread around the world. That was 42 years ago.

• (1530)

[Translation]

You may say that by addressing that issue we are departing from the nuclear issue, but I am saying that, on the contrary, we are deep in the middle of it. Thank you, Senator Segal, for allowing us to share some of our thoughts with you through your proposal.

(On motion of Senator Tardif, debate adjourned.)

[English]

INTER-PARLIAMENTARY UNION

STEERING COMMITTEE OF THE PARLIAMENTARY CONFERENCE ON THE WORLD TRADE ORGANIZATION, APRIL 3-4, 2008—REPORT TABLED

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

Hon. Donald H. Oliver: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Inter-Parliamentary Union to the Seventeenth Session of the Steering Committee of the Parliamentary Conference on the World Trade Organization, held in Geneva, Switzerland, from April 3 to 4, 2008.

WORKSHOP OF PARLIAMENTARY SCHOLARS AND PARLIAMENTARIANS, JULY 26-27, 2008— REPORT TABLED

Hon. Donald H. Oliver: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Inter-Parliamentary

Union to the Eighth Workshop of Parliamentary Scholars and Parliamentarians, held in Wroxton, United Kingdom, from July 26 to 27, 2008.

MEETING OF ASIA-PACIFIC WORKING GROUP, MARCH 20, 2009—REPORT TABLED

Hon. Donald H. Oliver: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Inter-Parliamentary Union to the Meeting of the Asia-Pacific Working Group, held in Beijing, China, on March 20, 2009.

Hon. Marcel Prud'homme: For my new colleagues, I will say that I have loved the IPU for 40 years. I would kindly ask our friend, Senator Oliver, if a decision has been taken as to the possibility of Canada being the host for the next world convention? I chaired the one held in 1985, and I was present in 1965 in Ottawa, when we were host to a thousand parliamentarians. Are there any developments there?

Senator Oliver: If I had not been late today for the Senate Chamber, I would have given a Senators' Statement today, honourable senators, with the news that Canada, after three years of trying, has finally received the permission of the Council of the Inter-Parliamentary Union to host a General Assembly of the Inter-Parliamentary Union in Quebec City in the fall of 2012.

Senator Prud'homme: For the record, I must say I was happy to be a member of the Joint Inter-Parliamentary Council, thanks to Senator Tkachuk. I know I will be replaced very soon, however, I would express a wish — and I really mean it with all my passion — to try to convince the IPU to stop passing resolution after resolution, with “whereas” after “whereas,” and to try to get to know each other better. That was the case in 1889 when the IPU was created in London, thanks to Britain and to France. That is Canada in action. It was created thanks to a British person and a French person whom I think both eventually won the Nobel Peace Prize.

Some day, in my older age, I hope to read that the IPU is changing its attitude and not trying to be a replica of the United Nations where they pass resolution after resolution, and condemnation after condemnation, and where before everyone goes back home, they take all the resolutions and put them in the basket because they are too heavy to carry back. Can we hope eventually that, through your leadership, Senator Oliver, you will convince them to have discussions between people and governments that do not talk to each other? That was the spirit behind the creation of the IPU, to allow parliamentarians, regardless of political background or government affiliation, to talk above, on the side, and in the cafe, to see if they could not bring a little bit more sanity to the world and world affairs.

The Hon. the Speaker *pro tempore*: I am sure Senator Oliver's leadership will think about your wish, Senator Prud'homme.

(The Senate adjourned until Thursday, November 5, 2009, at 1:30 p.m.)

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