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**Monday, September 27, 2010**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

This issue contains the latest listing of Senators,  
Officers of the Senate and the Ministry.

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## THE SENATE

Monday, September 27, 2010

The Senate met at 6 p.m., the Speaker in the chair.

Prayers.

### AFGHANISTAN—FALLEN SOLDIERS

#### SILENT TRIBUTE

**The Hon. the Speaker:** Honourable senators, before we proceed, I ask senators to rise and observe one minute of silence in memory of Sapper Brian Collier and Corporal Brian Pinksen, whose tragic deaths occurred while serving their country in Afghanistan in the last few months.

*Honourable senators then stood in silent tribute.*

## SENATORS' STATEMENTS

### QUESTION OF PRIVILEGE

#### NOTICE

**Hon. James S. Cowan (Leader of the Opposition):** Honourable senators, pursuant to rule 43 of the *Rules of the Senate*, I give notice that later today I intend to raise a question of privilege.

This question of privilege concerns comments made by Senator Brazeau in the Senate Chamber on July 6, 2010, shortly before the third reading vote on Bill S-4. He said of a committee witness on the bill, Dr. Pamela Palmater, that she "is a lawyer and consultant who also works for the chiefs. Obviously, she has a vested interest."

With leave, honourable senators, I will table Dr. Palmater's email. I have it in both official languages.

### CANADA-UNITED STATES FREE TRADE AGREEMENT

#### TWENTY-FIFTH ANNIVERSARY

**Hon. Nicole Eaton:** Honourable senators, it is lovely to see you all again. I actually missed you this summer — especially you, Senator Mercer.

Honourable senators, 25 years ago this coming Sunday, Prime Minister Brian Mulroney stood up in the House of Commons and said: "I have spoken today to the President of the United States to express Canada's interest in pursuing a new trade agreement between our two countries."

[*Translation*]

This short, simple statement ended up having a profound and lasting effect on the lives of all Canadians. In late 1988, negotiators for the two countries concluded the Canada-U.S.

Free Trade Agreement. Canadians held a historic federal election to validate this agreement and Parliament passed a bill to ratify it.

[*English*]

The treaty marks a defining moment in the economic progress of our country. Michael Kergin, Canada's former ambassador to the United States, perfectly captures the profound impact the agreement has had. "Canada and the United States do not trade with each other," he said. "We make things together."

Yet 25 years ago, opponents were downright furious in their denunciations of both the trade package and the Prime Minister. The most ardent naysayer was the Leader of the Opposition at the time. He accused Prime Minister Brian Mulroney of signing over the sovereignty and independence of our nation and making us nothing more than a colony of the United States.

Instead of doomsday, the Canada-United States Free Trade Agreement has spurred our country to seal further pacts with other countries and create sturdy trading relationships that have fuelled our country's economic growth, increased our prosperity and raised the standard of living and quality of life for Canadians to unprecedented heights.

[*Translation*]

Honourable senators, I will not go so far as to say that free trade has no disadvantages. However, its advantages are so palpable and generalized that issues that formerly divided the country are now part of the economic and political consensus. Consequently, almost all Canadians now believe in free trade.

In fact, some of the politicians who wanted to tear up the agreement at the time are now among the most passionate champions of free trade.

[*English*]

The radical change of heart of these johnny-come-latelies comes thanks to the countless Canadian businesses, entrepreneurs and workers —

### SPECIAL OLYMPICS HILL DAY

**Hon. Jim Munson:** Honourable senators, that was a good statement. It is great to be back here. It is another invigorating moment in our lives, all of us gathered in this chamber, primed and looking forward to launch into our work for Canadians.

Tomorrow is Special Olympics Hill Day, an occasion for us to direct our attention to a movement that for more than 40 years has been enriching the lives of people with intellectual disabilities.

In 1968, the first Special Olympics Summer Games were held in Chicago, remarkably at a time when most people with intellectual disabilities lived in institutions and were marginalized from society. Most of us here will remember when this marginalization

was the norm and will appreciate how dramatically things have changed for the better. Gone are the days of the common assumption that people with disabilities are incapable of becoming physically fit and developing skills to participate in sports.

In Special Olympics Canada there are now 32,000 athletes of all ages and 14,000 volunteers involved in programs. As everyone knows, my involvement with Special Olympics is one that touches me personally, as it does for others in the Senate. It has a distinct place in my heart and is a source of terrific inspiration.

Special Olympics is all about enriching lives. It is a promise to people with intellectual disabilities.

The experience of becoming involved is important and I encourage senators to listen tomorrow when a Special Olympics representative comes to your office. I think it will be an enlightening moment. I also want to say that Senator Janis Johnson and I will host an event as well.

• (1810)

Tomorrow, Minister Lunn and I will team up with parliamentarians to face off with the Special Olympians in a soccer match at noon. This is something to which Senator LeBreton should pay attention, because it is important and based on a past message from her. This will be a once-in-a-lifetime experience tomorrow because it will be an opportunity for honourable senators to see “Miniature Lunn” and “Senator Munchkin” on the same team, at the same time, on a level playing field.

#### WHITEHORSE NORTHERN CHAMBERS MEETING

**Hon. Daniel Lang:** Honourable senators, I rise to report on a positive event for our North that was held in early September. This was the meeting of the Northern chambers of commerce held in Whitehorse. While the event was sponsored by the Whitehorse Chamber of Commerce, there were representatives from the chambers across the North, including the Northwest Territories, Northern Quebec, Nunavut, Labrador and the City of Edmonton. It was a very impressive coming together of Northern representation. These chambers embodied a feeling of optimism in the North that had not been experienced for decades.

As the meeting followed closely upon the Prime Minister’s northern tour, all of us and all the participants were impressed with the attention that all of Canada had given us over the period of the previous week.

During the meeting, I had the privilege of addressing representatives from chambers. I brought to their attention a major announcement made by the Prime Minister that had not received the national or local attention that I believe it deserved and that the Senate should be made aware of. During his tour, the Prime Minister announced support for the next phase of the RADARSAT Constellation Mission, a system of three advanced remote sensing space satellites designed and to be built in Canada for the Canada Space Agency.

When completed, the images supplied by the Constellation will provide much needed information for the development and use of our northern natural resources, enhance the monitoring of our weather, help enforcement of our environmental regulations and secure the safety of navigation in our Arctic coastal waters.

For example, when foreign ships enter our Arctic waters, we will know; when foreign airplanes infringe on our airspace, we will know; and if a ship pollutes our northern waters, we will know because this state-of-the-art satellite system will be able to detect even the smallest change.

Honourable senators, this \$500-million investment in the cutting edge of science and technology will pay untold dividends in the years to come and will help our scientific community to flourish and grow.

This is just one example of the many initiatives being taken as we witness a sea change in the federal government’s approach to the North. New opportunities are being born. We are experiencing nation building at its best.

#### THE LATE IRVING SCHWARTZ, O.C.

**Hon. Terry M. Mercer:** Honourable senators, Nova Scotia has lost one of its proudest sons. Irving Schwartz, a celebrated philanthropist and entrepreneur, Officer of the Order of Canada and member of the Nova Scotia Business Hall of Fame, passed away on September 18, at the age of 81.

Mr. Schwartz was born in New Waterford, Cape Breton, where his family operated a small clothing and furniture store. He became the manager of that store and eventually the president and general manager of Schwartz & Company. Besides the furniture business, Mr. Schwartz invested in many diverse business ventures over the years, from building nursing homes to operating the local cable company. His philanthropic work abounds. He started at a young age with the New Waterford Volunteer Fire Department and went on over the years to serve in such capacities as president of the Cape Breton Children’s Aid Society and the Lions Club. He was also chairman of the University College of Cape Breton and a co-founder of Junior Achievement in Cape Breton. Mr. Schwartz also served on many boards throughout Nova Scotia.

Honourable senators, during the 1990s, Mr. Schwartz co-founded a non-governmental organization that supports the international ban on the production and use of anti-personnel land mines, the Canadian International Demining Corps.

Mr. Schwartz’s obituary told this story. For anyone who knows about the Schwartz Furniture television advertisements, Mr. Schwartz always ended them with the line, “I guarantee it!” While travelling in Bosnia in support of his demining organization, he met up with a group of Canadian peacekeepers. When he asked if anyone was from Cape Breton, one soldier quickly replied “I guarantee it.” That just goes to show how many people knew him and his influence throughout the community.

Honourable senators, I am sure you join with me in extending condolences to Mr. Schwartz’s wife of 52 years, Diana, and to all his children and family. His dedication to the greater good and to

his community and neighbours will be admired for years to come. I had the pleasure of knowing Mr. Schwartz and counting him as one of my friends and one of my advisers.

## DIEFENBAKER CANADA CENTRE

### THIRTIETH ANNIVERSARY

**Hon. A. Raynell Andreychuk:** Honourable senators, 30 years ago this month, in Saskatoon, Saskatchewan, the Diefenbaker Canada Centre was established in honour of Canada's thirteenth Prime Minister, the Right Honourable John George Diefenbaker. Located on the campus of my alma mater, the University of Saskatchewan, it is concurrently a museum, an archive and a research centre.

Over the course of his life and during his 50-year career, Mr. Diefenbaker collected and maintained countless documents, books and historical artifacts. Having a deep respect for the significance of history, in 1969 he committed to donating his entire collection to the University of Saskatchewan. The Diefenbaker Canada Centre strives to keep history at the forefront of our minds, for, in the words of the former Prime Minister, "... he who does not know the past can never understand the present, and he certainly can do nothing for the future."

Diefenbaker's commitment to human rights and to freedom was evident in his policy, in his public statements and in his personal correspondence. He once said:

I am a Canadian, free to speak without fear, free to worship in my own way, free to stand for what I think is right, free to oppose what I believe wrong, or free to choose those who shall govern my country. This heritage of freedom I pledge to uphold for myself and all mankind.

These freedoms — the freedom of speech, religion and assembly — were enshrined in the Bill of Rights and established the foundation upon which our Charter of Rights and Freedoms was later developed.

The centre stands as a testament to a critical period in Canadian history. At a time when we, as a nation, were grappling with notions of universal human rights, nuclear technology and the fallout of total war, Diefenbaker brought a unique and often controversial perspective to the table.

The centre's themes of leadership, Canada's role in the community and citizenship are fitting considering the passions of its creator. The renewed support of \$1.3 million by the Government of Canada is especially appropriate, as it is the fiftieth anniversary of the Canadian Bill of Rights, as well as the thirtieth anniversary of the centre. The support of such a historic centre is a fitting legacy for a man who contributed so much to the Canadian people, Parliament and our nation. I am confident that if we promote this type of education and attitude across Canada, it will have a transformative effect on future generations for, as he said, there can be no dedication to Canada's future without a knowledge of its past.

## G20 SPEAKERS' CONSULTATION

### PRESIDING OFFICERS OF THE UPPER AND UNICAMERAL HOUSES OF THE G20

**Hon. Vim Kochhar:** Honourable senators, I rise today to pay special tribute to our Speaker, the Honourable Noël Kinsella, for organizing a very successful and effective inaugural G20 Speakers' Consultation with the presiding officers of the upper and unicameral houses of the G20 from September 2 to 5 this year in the Senate chamber.

The Canadian delegation included the Honourable Senator James Cowan, Honourable Senator Robert Peterson, Honourable Senator Yonah Martin and me. We hosted 21 other countries and representatives of the European Parliament.

• (1820)

During six sessions in two days, we dealt with global collaborative strategies to meet the need for food production and distribution, new paradigms for peace and food security, and global financial and economic models for advancing global economic stability in support of world food production, security and distribution.

Most countries marvelled at how the transcripts of the deliberations were produced in English and French and distributed the next morning to all participants. They did not realize that we do this with all deliberations in the form of Hansard.

Honourable senators, with a child dying every six seconds, hunger remains the world's largest tragedy and scandal, and the developed countries generally are falling short on the grand promise of help.

The United Nations set an ambitious plan in 2000 to eradicate extreme poverty and hunger by 2015. The UN has cut the percentage of people who are hungry from 20 per cent to 16 per cent, not yet halfway to the goal of 10 per cent.

The goals can be achieved, but only if the will is there to propel us forward for the next few years. I am proud that Canada is living up to its commitments and promises.

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[Translation]

## ROUTINE PROCEEDINGS

### ENVIRONMENT

#### RESPONSE OF THE NATIONAL ROUND TABLE ON THE ENVIRONMENT AND THE ECONOMY TO ITS OBLIGATIONS UNDER THE KYOTO PROTOCOL IMPLEMENTATION ACT— JULY 2010 DOCUMENT TABLED

**The Hon. the Speaker:** Honourable senators, pursuant to paragraph 10(2)(a)(ii) of the Kyoto Protocol Implementation Act, I have the honour to table, in both official languages, the

response of the National Round Table on the Environment and the Economy to its obligations with respect to the government's 2010 climate change plan and statement.

[English]

## COMMISSIONER OF LOBBYING

### 2009-10 ANNUAL REPORT— REVISED SECTION OF REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, pursuant to section 11 of the Lobbying Act, a revised section of the 2009-10 Annual Report of the Commissioner of Lobbying.

[Translation]

## FINANCE

### CANADA'S ECONOMIC ACTION PLAN— SIXTH REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, *Canada's Economic Action Plan, Year 2: A Sixth Report to Canadians*.

## FOREIGN AFFAIRS

### CANADA'S ENGAGEMENT IN AFGHANISTAN—JUNE 20, 2010 REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, *Canada's Engagement in Afghanistan — quarterly Report to Parliament for the Period of April 1 to June 30, 2010*.

## INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

### INUVIALUIT FINAL AGREEMENT IMPLEMENTATION COORDINATING COMMITTEE—2007-08 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the 2007-08 Annual Report of the Inuvialuit Final Agreement Implementation Coordinating Committee.

### IMPLEMENTATION COMMITTEE ON THE GWICH'IN COMPREHENSIVE LAND CLAIM AGREEMENT— 2007-08 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the 2007-08 Annual Report of the Implementation Committee on the Gwich'in Comprehensive Land Claim Agreement.

[ The Hon. the Speaker ]

### IMPLEMENTATION COMMITTEE ON THE SAHTU DENE AND METIS COMPREHENSIVE LAND CLAIM AGREEMENT—2007-08 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the 2007-08 Annual Report of the Implementation Committee on the Sahtu Dene and Metis Comprehensive Land Claim Agreement.

## INDUSTRY

### USER FEE PROPOSAL—REPORT TABLED AND REFERRED TO BANKING AND COMMERCE COMMITTEE

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, pursuant to subsection 4(2) of the User Fees Act, I have the honour to present, in both official languages, two copies of the document entitled *Department of Industry User Fee Proposal for Services under the Canada Not-for-Profit Corporations Act*.

After consultation with the Leader of the Opposition, the Standing Senate Committee on Banking, Trade and Commerce was chosen to study this document.

**The Hon. the Speaker:** Honourable senators, pursuant to rule 28(3.1), the document is referred to the Standing Committee on Banking, Trade and Commerce.

## PUBLIC SAFETY

### USER FEE PROPOSAL—REPORT TABLED AND REFERRED TO LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, pursuant to subsection 4(2) of the User Fees Act, I have the honour to table, in both official languages, a National Parole Board user fees proposal.

After consultation with the Leader of the Opposition, the Standing Senate Committee on Legal and Constitutional Affairs was chosen to study this document.

**The Hon. the Speaker:** Honourable senators, pursuant to rule 28(3.1), the document is referred to the Standing Committee on Legal and Constitutional Affairs.

## STUDY ON CURRENT STATE AND FUTURE OF ENERGY SECTOR

### EIGHTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE TABLED

**Hon. Grant Mitchell:** Honourable senators, I have the honour to inform the Senate that, pursuant to the orders adopted by the Senate on Thursday, March 11, 2010, and Thursday, July 8, 2010, the Standing Senate Committee on Energy, the Environment and Natural Resources had deposited with the Clerk of the Senate on Wednesday, August 18, 2010, its eighth report (interim) entitled: *Facts Do Not Justify Banning Canada's Current Offshore Drilling Operations: A Senate Review In the Wake of BP's Deepwater Horizon Incident*.

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

[English]

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF PANDEMIC PREPAREDNESS

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

That notwithstanding the order of the Senate adopted on June 28, 2010, the date for the presentation of the final report by the Standing Senate Committee on Social Affairs, Science and Technology on Canada's pandemic preparedness be extended from October 31, 2010 to December 31, 2010 and that the date until which the committee retains powers to allow it to publicize its findings be extended from January 31, 2011 to March 31, 2011.

## BANKING, TRADE AND COMMERCE

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY STATUTORY REVIEW OF THE BUSINESS DEVELOPMENT BANK OF CANADA

**Hon. Michael A. Meighen:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking Trade and Commerce be authorized to undertake the 10-year statutory review of the Business Development Bank of Canada, as required by the Business Development Bank of Canada Act and,

That the Committee submit its final report no later than December 31, 2010, and retain until January 30, 2011 all powers necessary to publicize its findings.

[Translation]

## LEGAL AND CONSTITUTIONAL AFFAIRS

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY THE USE OF ELECTRONIC ASSISTIVE VOTING DEVICES FOR PERSONS WITH DISABILITIES

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

That pursuant to section 18.1 of the *Canada Elections Act* (S.C. 2000, c. 9), the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on the use of electronic assistive voting devices for persons with disabilities; and

That the committee report to the Senate no later than October 28, 2010.

• (1830)

[English]

## QUESTION PERIOD

### THE SENATE

#### PROGRESS OF LEGISLATION

**Hon. James S. Cowan (Leader of the Opposition):** Honourable senators, my question, of course, is for the Leader of the Government in the Senate.

As the Leader of the Government in the Senate quite properly pointed out as we rose for the summer recess in July, the Senate passed more government legislation than the House of Commons during the winter and spring session. I am sure the leader would agree with me that passing this legislation would not have been possible without the hard work and cooperation of senators on all sides of this chamber, and that this record reflects well on the Senate and its commitment to ensuring that the people's business is dealt with in an appropriate and expeditious manner.

My question is, in the spirit of that cooperation and hard work, will the Leader of the Government in the Senate use her good offices, her influence and her authority to ensure that bills that we have received from the other place — which represents, of course, the elected house — proceed through the Senate's legislative processes without undue delay?

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

**Hon. Marjory LeBreton (Leader of the Government):** Honourable senators, Senator Cowan is quite right, I did point out, publicly and internally, the hard work of the Senate and the fact that government legislation in the Senate was dealt with expeditiously.

These comments were also echoed publicly by the Prime Minister, who was congratulatory toward the Senate. All I can assure Senator Cowan of is that hopefully government legislation that is placed before the Senate or the House of Commons, and comes through either house, will receive the attention that it deserves and requires, and that the legislation will be dealt with as expeditiously as possible.

**Senator Cowan:** I was not speaking so much about government legislation which, as the leader pointed out at the conclusion of the spring session, was dealt with expeditiously by this house. I was pointing to the fact that there are a number of bills on our Order Paper that have passed the House of Commons — the elected House of Commons — and are sitting before this Senate.

I ask the government leader to agree with me that this Senate deserves — as a courtesy, if nothing else, to the House of Commons — to deal with those bills expeditiously. I do not ask necessarily to pass those bills, but to deal with them expeditiously.

**Senator LeBreton:** As honourable senators know, I am the Leader of the Government in the Senate, and my primary responsibility is government legislation, not private members'

legislation. There are some private members' bills before the Senate, and I am given to understand that many senators wish to address these issues in this chamber. Far be it from me, as Leader of the Government in the Senate, to be dictating how individual senators deal with private members' bills from the other place, or this place for that matter.

[Translation]

## INDUSTRY

### 2011 CENSUS

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, in June, the government announced that, for the first time in 35 years, filling out the long-form census will no longer be mandatory, but voluntary. More than 350 groups, including provincial and municipal governments, have since spoken out against the government's measure because of the disastrous consequences it will have for provincial governments, towns and municipalities, community agencies, businesses and service agencies that use census data to develop policies, distribute resources and provide services.

This is one of many examples of the government making ideological decisions to the detriment of established fact. Where does this aversion to information come from?

My question is the following: why is this government willing to ignore all these groups and all these people who are speaking out against the voluntary nature of the long-form census and how does the government justify this ill-conceived measure?

[English]

**Hon. Marjory LeBreton (Leader of the Government):** I did notice that several individuals also supported the government's position on the long-form census, such as a professor emeritus the University of Ottawa. Of course, anybody who supported the government did not appear on Evan Solomon's show or the various other talk shows.

I answered Senator Tardif's question before we adjourned for the summer. Our government has retained the mandatory short-form census and added three questions with regard to language.

With regard to the voluntary long-form census, we still have a voluntary long form. The only difference between what was done before and what is done now is that before, the long form was mandatory. We do not believe that Canadians should be subjected to threats of fines or even jail terms for refusing to divulge personal and private information that they find intrusive. The only difference between the previous government and this government on the long-form census, which we are calling the National Household Survey — it will have a larger distribution and will go to more households — is that we are asking Canadians to fill out the form, not demanding that they fill it out.

[Translation]

**Senator Tardif:** Honourable senators, even Mark Carney, the Governor of the Bank of Canada, expressed his concern last week about abolishing the mandatory nature of the long-form

census. He warned that his institution would no longer be able to rely on Statistics Canada data to support its economic analyses and he added that this change would have negative repercussions on their capacity to study, manage and guide the Canadian economy.

How can the leader's government ignore the comments and concerns of someone who has irrefutable knowledge on the matter and who plays such an important role in Canadian society?

[English]

**Senator LeBreton:** Honourable senators, the Minister of Industry did speak to the Governor of the Bank of Canada. The Governor of the Bank of Canada appeared before the editorial board of *The Globe and Mail* and made comments and expressed concerns, which he has every right to do. I simply wish to report that the Minister of Industry has spoken to the Governor of the Bank of Canada.

The Minister is confident that they can find a way to work together to ensure that the concerns of the Governor of the Bank of Canada are met.

Again, I want to make it clear that Statistics Canada does outstanding work. Hardly a day goes by that we do not rely on information from Statistics Canada. A significant portion of the material that we rely on from Statistics Canada is gathered from Canadians on a voluntary basis.

Why is the Honourable Senator Tardif saying that if people volunteer the information it is less valid than if they are forced to give the information? The household survey will be sent out, and people are jumping to conclusions.

I believe — and the government believes — that Canadians, when they are not threatened by fines or jail terms to fill out the long form household survey, will do so willingly. The data will be every bit as good, if not better, because it will have a wider distribution and same number of questions — exactly the same questions — but a wider distribution than the former mandatory long form.

On the whole issue of information gathering, what the honourable senator is saying is that if all this information on which we rely — whether it is a political party, a business or financial institutions contracting with public opinion companies and public research companies to gather all this information — is gathered on a volunteer basis, it is therefore invalid. That is a specious and ridiculous argument.

• (1840)

**Hon. Pierre De Bané:** Honourable senators, my question is for the Leader of the Government in the Senate. In my 42 years in Parliament, I have never seen an issue with near unanimity in all corners of this country as this one. My honourable friends may recall an editorial in *The Globe and Mail*. It spoke about all the organizations, bodies and governments in this country that support the traditional format of the long questionnaire, and on the other side there were three organizations. The essence of the editorial was that the imbalance between the two sides was clear, giving the names of governments, hospitals, charities and business councils. I have never seen an issue with as much unanimity.

[ Senator LeBreton ]



Could the honourable leader please inquire as to whether the Prime Minister will take into consideration the compromise solution suggested by two former clerks of the Privy Council, deputy ministers to the Prime Minister, and the former chief executive officer of Statistics Canada? Will the Prime Minister consider that honourable compromise?

**Senator LeBreton:** First of all, my honourable friend should know that this was a decision made by cabinet on the recommendation of the Minister of Industry. It is true that it created a lot of interest, especially around the Ottawa area, but for all the organizations and individuals who spoke publicly, there are many people who have the opposite view. Unfortunately, we live in a time where the opposite view or someone who supports the government has a hard time being heard.

The fact is that the census will go out; the mandatory short form will go out with the addition of the language questions. The long form has the same number of questions and has a wider distribution. As Senator Tkachuk says, we are jumping to conclusions.

I supported the voluntary long-form census, and I was harassed for not filling out the long-form census, so I know of what I speak. I did not like it one little bit. I am sure many Canadians feel the same way I do. We need to let this process work its way through and watch for the response to the wider distribution of the household survey that contains the same number of questions.

As I pointed out earlier, instead of former bureaucrats and others telling people what they should do, let us ask them nicely to do it. I am sure that Canadians, being the generous and interested people they are, will fill out the household survey quite willingly and probably more willingly now that they are not demanded to do so.

**Hon. Roméo Antonius Dallaire:** Honourable senators, there is small problem. The aim of the exercise is not a survey but rather a census, and we are talking about two completely different exercises. If we want a survey, we can hire any Tom, Dick or Harry in town to do it. We are talking about a census, the fundamental data of a nation. In so doing, we have the right to impose certain responsibilities upon the citizenry. In Australia, an individual has to vote. People are sanctioned if they do not vote, and I do not think they are less democratic than we are. Why does the leader think it is inappropriate to demand that citizens do their duty, and if they do not, then those who are pushing for law and order can hold people accountable for not doing their duty by filling out the census form?

**Senator LeBreton:** Honourable senators, that is an interesting question. The honourable senator assumes that the information garnered from the long form voluntary household survey will be somehow or other less worthwhile and less adequate than the mandatory long form simply because we are asking Canadians to fill it out rather than demanding them to do so. I think we have taken a reasonable position in that we believe in fairness and balance and that Canadians should not be ordered under threat to provide information that they consider intrusive and an invasion of their privacy.

Senator Dallaire talks about Australia, but in terms of the census, the United States is in the process of getting rid of their long-form census completely, no household survey, and it is the same in Great Britain. In this age of technology and information gathering, several European countries do not even have a census any longer.

We are simply saying, honourable senators, that we have a mandatory short-form census with all of the questions with the addition of the language questions. Other mandatory surveys are conducted, such as Statistics Canada's labour force surveys. A figure showed that hundreds of thousands of people refused to fill out the mandatory long form. There was a process back and forth. I know how many letters and phone calls I received. The senator made mention of every Tom, Dick and Harry, but that was exactly what was happening. StatsCan was hiring people in the various communities to conduct the mandatory long-form census. I think that it is an invasion of people's privacy.

We have provided the same survey, the same questions with a larger distribution, and I believe Canadians will act as good citizens because they are good citizens and they love their country. I think they will respond positively when they are asked nicely to fill out the survey rather than being told under threat of penalty that they must do so.

Let the process work its way through and we will see after the census has been taken in 2011 who was right. I believe we are right.

**Hon. Jim Munson:** That must be an interesting cabinet meeting where the Prime Minister asks the question: All those who are in favour of the way I think say "yea." He can achieve consensus that way. As he said this summer, "I make the rules."

Honourable senators, the Liberal Party of Canada in the other place tabled a motion calling on the government to reinstate the long-form census and introduce legislative amendments to the Statistics Act in order to remove the provision for imprisonment that my honourable friends keep talking about. Tony Clement, the Minister of Industry, has been citing this provision as the reason for eliminating the long-form census. He even misled Canadians, and the leader knows it, by suggesting that the Liberal Party is willing to force, coerce and use jail time and fines in support of its use. The leader knows this is untrue.

The question for the leader is: Shall we expect her government's support for the amendment of the Statistics Act in order to remove the provision for imprisonment? We are looking for compromises here. We are looking to keep the long-form census and maintain it.

**Senator LeBreton:** I must address the honourable senator's comments about the Prime Minister. Prime Minister Stephen Harper is a great leader and a consensus builder. He is unlike the leader for whom you worked. When someone protested against him, he had a complete meltdown and strangled the poor devil in front of everyone. We need no lessons from Senator Munson about who is the more reputable and consensus-building leader.

• (1850)

Having said that, I understand today there is about to be a private member's bill introduced, and we will deal with it like any other private member's bill.

**Senator Munson:** We will let history judge who is the best prime minister of the country.

Can the leader name one person who was thrown into jail for not filling out the long census form? I want to have the names — just names.

**Senator LeBreton:** That is not the issue, honourable senators. The issue is that there is the threat of fines and the threat of jail.

The issue is not who has or has not been thrown into jail. The issue is that thousands of Canadians, like me, are being harassed by some part-time person hired to harass people into filling out the long-form census. I am stubborn sometimes, and I decided I was not going to do it until I was so afraid that I would be thrown into jail that I finally filled it out.

**Hon. Joan Fraser:** Honourable senators, I have a supplementary question for the leader. As she is aware, Statistics Canada publishes invaluable profiles of language minorities in Canada based upon the long-form census. The one on English Quebecers published last week runs to 122 pages, and is an absolute treasure trove of information about the English-language community in Quebec. It goes a long way to dispelling some of the unpleasantly persistent mythology about that community. Even though it is the work of Statistics Canada, there are those in Quebec who try to dispute the findings because they do not like what the information says. Fortunately, most people know that the work of Statistics Canada is valid. They may not like the news, but they accept the news.

However, every statistician and expert on opinion polling will tell you that a voluntary survey is not as statistically valid as a compulsory one. It just is not, despite the leader's undoubtedly heartfelt belief.

Can the leader please tell me, the next time that Statistics Canada has to publish news that some people do not like, how this government will restore the credibility of what was once one of our proudest institutions?

**Senator LeBreton:** Statistics Canada was not once one of our proudest institutions; it is one of our proudest institutions. The mythology that we are getting rid of the long-form census is wrong. I said this before we adjourned for the summer and I say it again. We are renaming the long form and calling it the National Household Survey, but it has the same number of questions and it will be more widely distributed. Therefore, I believe the honourable senator is jumping to conclusions if she thinks that the same questions, more widely distributed to more people, will not generate as many, if not more, answers and data that will be as valid, if not more so, than a long-form census that demands people divulge matters that they think are an invasion of their privacy.

There is the long form, it is voluntary, it has the same number of questions, and it will go to more households in Canada than was the case before.

**Senator Fraser:** Can the leader explain to this chamber why the chief statistician resigned? Is she disputing his professional competence?

**Senator LeBreton:** Absolutely not. First, it was his decision, and it was based on, as he said — which I found rather astounding — a report in the newspaper that purported to interpret what he was actually saying.

I cannot answer for the former chief statistician. I can only comment on what he said publicly. A few days after a headline appeared in *The Globe and Mail*, he said he resigned because of the headline.

**Hon. Tommy Banks:** Honourable senators, the crux of the argument, in my view, is in the minister's response to Senator Fraser's penultimate question, which was that the results would be as valid. The distinction that Senator Dallaire pointed out between a survey, on the one hand, and a compulsory set of answers, on the other, is at the root of the question. It boils down to methodology. The people who are critical of the government's present decision with respect to the long-form census are saying that the results will not be as reliable and will, therefore, have the effect of denigrating the international reputation of Statistics Canada and the usefulness of its output.

I ask the leader to take this question as notice, which is to provide us with the name of any statistician, anywhere, who will agree that the results from a voluntary survey will be as good as those from a compulsory one. I will be very glad if she finds anything.

**Senator LeBreton:** Voluntary surveys are used all the time, and they produce excellent data. I will repeat: the data collected through the former long-form census will now be collected through a new voluntary survey called the National Household Survey. The questions that will be asked in the new survey are identical to the questions that would have been asked in the mandatory long-form census. That approach is fair and reasonable, and it is about finding a necessary balance between collecting data and protecting the privacy rights of Canadians.

Again, honourable senators, people can have opinions about this approach all over the place. The fact is, they do not know. They assume that Canadians will not send in the forms and, somehow, that the data will be less useful. I disagree, my colleagues disagree and many people in the country disagree with that assumption. I say, let the process work its way through, and we will see the results of the mandatory census when it and the voluntary long form are filled in, and we will see, after the census has been sent out and collected in 2011, who was right — the people who are making these comments or the people who have the opposite view, and there are many, including a great number of Canadians. That is the only prudent way to proceed. We have no reason to believe that this information will not be valid.

**Hon. Jane Cordy:** Honourable senators, with all the discussion about jail terms, perhaps we should bring in a bill in the Senate so that all those languishing in jail because they did not fill out the long census form will be allowed to go free. They should be pardoned.

[ Senator LeBreton ]

Unfortunately, that is the reason the minister has been using to do away with the long form.

Since the voluntary long form will be sent to more Canadians and there will be larger distribution, as the leader said several times this evening, what will be the additional costs to the citizens of Canada for the data, which, according to statisticians, will not be as credible?

• (1900)

**Senator LeBreton:** I actually thought the summer might mellow Senator Cordy a bit.

Honourable senators, the fact is that the questions are the same as were on the long form. There is no difference except that it will have a wider distribution, which gives us every reason to expect that we will gather more information.

The only difference is that we respect people's privacy and rights and that we are asking Canadians to fill out the form, unlike the Liberals before us who demanded that they fill out the form.

[Translation]

## ANSWERS TO ORDER PAPER QUESTIONS TABLED

### VETERANS AFFAIRS—2008 PROGRAM CHANGES

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** tabled the answer to Question No. 15 on the Order Paper—by Senator Callbeck.

### NATURAL RESOURCES—CLEAN ELECTRICITY GENERATION TARGET

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** tabled the answer to Question No. 22 on the Order Paper—by Senator Mitchell.

### NATURAL RESOURCES— ADAPTING OF REGIONAL IMPACT

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** tabled the answer to Question No. 23 on the Order Paper—by Senator Mitchell.

### CANADIAN HERITAGE—SALE OF ARTWORK

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** tabled the answer to Question No. 27 on the Order Paper—by Senator Joyal.

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to present answers to the following oral questions: by the Honourable Senator Cordy on April 28, 2010, concerning the Atlantic Canada Opportunities Agency, the Atlantic Gateway—Status of Projects; by the

Honourable Senator Mercer on May 13, 2010, concerning the Enterprise Cape Breton Corporation; by the Honourable Senator Mercer on June 1, 2010, concerning the Atlantic Canada Opportunities Agency—Sydney Harbour Project; by the Honourable Senator Dickson on June 1, 2010, concerning the Atlantic Canada Opportunities Agency—Sydney Harbour Project; by the Honourable Senator Banks on June 3, 2010, concerning Natural Resources—Moratorium on Offshore Oil Drilling; by the Honourable Senator Rompkey on June 8, 2010, concerning Transport—NORDREG; by the Honourable Senator Cowan on June 9, 2010, concerning Agriculture and Agri-Food—Recommendations of Committee for Regulations on Pesticides and Fertilizers; by the Honourable Senator Ringuette on June 10, 2010, concerning Citizenship and Immigration—Temporary Visas for Cuban Dignitaries; by the Honourable Senator Hervieux-Payette on June 15, 2010, concerning Fisheries and Oceans—Government of Canada Efforts to Raise Public Awareness of Seal-Related Issues; by the Honourable Senator Cordy on June 16, 2010, concerning Fisheries and Oceans—Lighthouse Protection; by the Honourable Senator Segal on July 7, 2010, concerning Veterans Affairs—World War II Bomber Command Medal; and by the Honourable Senator Dyck on July 7, 2010, concerning Indian Affairs and Northern Development—Natural Disasters in Prairie First Nations Communities.

## ATLANTIC GATEWAY

### STATUS OF PROJECTS

*(Response to question raised by Hon. Jane Cordy on April 28, 2010)*

### Atlantic Gateway

Our government believes that the Atlantic region is uniquely poised to play a vital role in the Canadian economy.

That's why we are working with our partners at other levels of government and in other countries make this new Gateway a reality.

The Government of Canada is working in partnership with the four Atlantic Provinces toward the continued development of the Atlantic Gateway. We continue to work toward releasing the Atlantic Gateway Strategy.

Together, we are working toward an effective Atlantic Gateway which captures new opportunities in the global economy. The Government of Canada recognizes the significant economic potential of the Atlantic Gateway within the region, and its role within our national system of Gateways and Trade Corridors.

### Sydney Harbour Dredging

Our government knows that the dredging of Sydney Harbour is a complex and costly undertaking that will require the involvement of all levels of government and the private sector.

We had a very productive meeting with the representatives from the Province, and will continue to work with them and any stakeholders involved.

If we have something to announce, we will.

We are proud of the investments we are making in Atlantic Canada and Cape Breton.

### **TREASURY BOARD**

#### **PUBLIC SERVICE COMMISSION APPOINTMENTS**

*(Response to question raised by Hon. Terry M. Mercer on May 13, 2010)*

The Enterprise Cape Breton Corporation (ECBC) provides an excellent level of service to Cape Bretoners and is highly regarded in the region.

ECBC is a federal Crown corporation that operates at arm's length from the government. Its employees are not public servants nor are they hired through the Public Service Commission. The Corporation is responsible for its own staffing.

They are responsible for their own hiring and staffing decisions.

All hiring at ECBC is consistent with existing corporate policies and guidelines.

All Corporation vacancies have been filled by qualified individuals who bring considerable expertise to the Corporation.

### **ATLANTIC CANADA OPPORTUNITIES AGENCY**

#### **SYDNEY HARBOUR PROJECT**

*(Response to questions raised by Hon. Terry M. Mercer and Hon. Fred J. Dickson on June 1, 2010)*

Our government knows that the dredging of Sydney Harbour is a complex and costly undertaking that will require the involvement of all levels of government and the private sector.

We had a very productive meeting with the representatives from the Province, and will continue to work with them and any stakeholders involved.

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### **ENVIRONMENT**

#### **MORATORIUM ON OFFSHORE OIL DRILLING**

*(Response to question raised by Hon. Tommy Banks on June 3, 2010)*

There are eight exploration licences active in the Beaufort Sea issued subject to the *Canada Petroleum Resources Act* which confer the right to explore for, and the exclusive right to drill and test for, petroleum. The expiration dates of these exploration licences range from May 2015 to November 2017, should these licences run to their full nine-year terms. In order to win continuing tenure through a significant discovery licence, a company would have to drill before the expiry of its exploration licence but may elect not to drill for various reasons, such as a negative evaluation based on seismic exploration conducted on the licence.

For a company to get an authorization to drill a well, application must be made to the National Energy Board. As of July 2010, no drilling applications had been received by the Board for any of these licences.

### **TRANSPORT**

#### **NAVIGATIONAL SERVICES IN THE NORTH**

*(Response to question raised by Hon. Bill Rompkey on June 8, 2010)*

The Government of Canada has finalized regulations that will formally establish the Northern Canada Vessel Traffic Services (VTS) (NORDREG) Zone and implement requirements for vessels to report information. The Regulations will replace the informal VTS zone and voluntary reporting system that currently exists in Canada's northern waters by a regulated one.

VTS and a VTS Zone are for the purpose of promoting safe and efficient navigation and environmental protection. Implementing these regulations will strengthen and increase the effectiveness of the Northern Canada VTS. These regulations came into force as of July 1, 2010.

Existing regulations for the east and west coasts require that applicable vessels report 24 hours prior to entering Canadian territorial waters (i.e. 12 nautical miles from land). The new regulations for the North (known as NORDREG) require that applicable vessels report prior to entering the NORDREG Zone, which extends out to the limits of Canada's Exclusive Economic Zone in the Arctic and can be up to 200 nautical miles from land.

Additionally, the reporting format for NORDREG closely follows the International Maritime Organization's (IMO) guidance in this regard. The east and west coast regulations predate the IMO guidance.

The following prescribes the classes of vessels that will be subject to the regulated reporting requirements: (a) vessels of 300 gross tons or more; (b) vessels that are engaged in

towing or pushing a vessel if the combined gross tonnage of the vessel and the vessel being towed or pushed is 500 gross tons or more; and (c) vessels carrying as cargo a pollutant or dangerous goods, or engaged in towing or pushing a vessel carrying as cargo a pollutant or dangerous goods.

Given the Arctic's unique and fragile marine environment, and the purpose of VTS and the VTS zone, the application of the new regulations captures vessels that pose the greatest risk to the marine environment, both foreign and Canadian. Large vessels are able to carry more fuel oil, pollutants, larger amounts of cargoes, including dangerous goods than smaller vessels. This application is similar to the voluntary reporting system that has existed in the north and also the mandatory reporting system on the east coast under the Eastern Canada Vessel Traffic Services Zones Regulations.

For vessel traffic services, smaller vessels (such as vessels of 20 m or more in length) are included in the reporting requirements where, in certain local areas, there is high traffic and complex navigation patterns. In such areas, some smaller vessels may be subject to the reporting requirements in order to better monitor the overall traffic and control the strategic planning of vessel movements. This service type involves real-time interaction with the ship on dedicated radio frequencies to assist the on-board navigational decision — making process. This type of application doesn't exist in the NORDREG Zone.

As the NORDREG regulations under the Canada Shipping Act, 2001 are for safe and efficient navigation and environmental protection, it would not be appropriate for the NORDREG regulations to include small vessels based on security requirements.

In addition, consistent with international law, the regulations do not discriminate between domestic and foreign vessels and therefore apply equally to foreign and domestic vessels that are entering and operating within the NORDREG Zone.

The Marine Transportation Security Act (MTSA) provides Transport Canada with appropriate authorities to prevent unlawful interference with Canada's marine transportation system, including those parts of the system in the Arctic.

Under the MTSA, non-SOLAS (International Convention for the Safety of Life at Sea) vessels over 100 gross tons or carrying more than 12 passengers, and SOLAS vessels over 500 gross tons, are required to submit a pre-arrival information report 96 hours prior to entering Canadian waters if travelling to a Canadian port.

Canada is working to ensure the continued security of marine transportation in the Arctic Region. Strengthening Arctic marine security is a priority for the Government of Canada. Transport Canada continues to work with its interdepartmental partners to support integrated Arctic marine security initiatives for their potential to augment law enforcement capabilities, increase domain awareness, and identify and mitigate any vulnerabilities.

## AGRICULTURE AND FORESTRY

### RECOMMENDATIONS OF COMMITTEE FOR REGULATIONS ON PESTICIDES AND FERTILIZERS

*(Response to question raised by Hon. James S. Cowan on June 9, 2010)*

#### Natural Resources Canada Response:

The Government of Canada has demonstrated its commitment to ensure the safety and security of Canadians through the development and implementation of regulatory measures under the *Explosives Act*.

The new *Restricted Components Regulations* concerning ammonium nitrate were brought into effect on June 1, 2008. Regulatory measures regarding the security of similar components were brought into effect on March 1, 2009. These regulations require that anyone who sells, acquires for sale, or possesses for sale restricted components, enrol with Natural Resources Canada, comply with security measures, verify customer identification, ensure accurate record-keeping practices, and provide an annual report.

Extensive consultations were undertaken with stakeholder groups, including the Canadian Association of Agri-Retailers (CAAR), the Canadian Fertilizer Institute, and the Canadian Federation of Agriculture. Great care was taken to ensure that these regulations reflect the government's commitment to ensuring public safety and security, while creating a level playing field and minimizing costs to Canadian industry and end-users. As a result, Canada's *Restricted Components Regulations* ensure a balanced approach that promotes a fair and competitive market economy and minimizes the regulatory burden on industry partners.

#### Agriculture and Agri-Food Canada Response:

Although CAAR has requested funding for additional security measures, Agriculture and Agri-Food Canada has not yet seen any analysis from the industry to demonstrate that these measures would impact the competitiveness of agriculture.

## CITIZENSHIP AND IMMIGRATION

### TEMPORARY VISAS FOR CUBAN DIGNITARIES

*(Response to question raised by Hon. Pierrette Ringuette on June 10, 2010)*

The objectives of the *Immigration and Refugee Protection Act (IRPA)* include the following objectives: to enrich and strengthen the social and cultural fabric of Canadian society while respecting the federal, bilingual and multi-cultural character of Canada, and to protect the health and safety of Canadians, to maintain the security of Canadian society. There are a variety of reasons that an applicant may be found to be inadmissible to Canada in accordance with *IRPA*. These reasons include: criminality; organized

criminality; security; human or international rights violations; health; financial reasons; misrepresentation; non-compliance with Act; or inadmissible family members.

In accordance with Canada's *Privacy Act*, we are unable to provide more specific information regarding Mr. Rodríguez Barrera's case.

## FISHERIES AND OCEANS

### EUROPEAN BOYCOTT ON COMMERCIAL SEAL PRODUCTS

*(Response to question raised by Hon. Céline Hervieux-Payette on June 15, 2010)*

Fisheries and Oceans Canada works diligently to present information to Canadians in a transparent, factual and objective manner. While there are differing viewpoints on this sensitive issue, it is also true that information released by the Department has been misconstrued and misinterpreted in order to advance lobby efforts to halt the seal harvest and, ultimately, to undermine the legitimate livelihoods of coastal Canadians.

The report to which the question refers was an internal technical report commissioned by the Department as part of a larger exercise to assess the impacts of grey seals on important fish stocks, as well as the feasibility of various population control options, should population control be required. This report was released under the *Access to Information Act*, and Fisheries and Oceans Canada worked closely with interested media to ensure that the report was properly contextualized and that the ensuing media reports were factual.

Media coverage of the report was carefully monitored, and we note that the Government of Canada's position was in general presented clearly and accurately.

The Minister of Fisheries and Oceans is confident that most Canadians understand the issues at hand and shape their opinions on the facts. In fact, recent public opinion research results demonstrate that Canadians overwhelmingly understand the connection between grey seal predation and important fish stocks such as cod, and that they support the exploration of options for safe, humane and environmentally responsible management of the grey seal population. Should the Department opt to move forward with any plan to actively control the grey seal population, the Government will have a clear and detailed communications strategy to ensure that Canadians and observers abroad have all the facts in a transparent and timely manner.

In the meantime, the Government of Canada will continue to assertively counter misinformation wherever we see it. For example, several federal Departments collaborated earlier this year in a pilot project aimed at countering misinformation in social media platforms. We are participating in the conversation wherever it takes place to ensure Canadians are provided with the facts. The Minister can assure the Senator that the Government of Canada remains steadfast in our support of Canada's sealing and fishing communities, and we will not allow misinformation to go unchallenged.

## LIGHTHOUSE PROTECTION

*(Response to question raised by Hon. Jane Cordy on June 16, 2010)*

The *Heritage Lighthouse Protection Act* was passed to conserve and protect lighthouses with significant heritage value.

Surplus lighthouses not transferred to other interests will continue to be owned and operated by the DFO.

The Canadian Coast Guard will continue to maintain fixed aids to navigation in locations required to support services to mariners.

The *Heritage Lighthouse Protection Act* provides an opportunity for community-based interests to exercise direct control over the future of their local heritage. The Act recognizes that the role of traditional lighthouses has changed over time and that the nature of structures required to support the provision of a reliable system of public aids to navigation continues to evolve as a result of emerging technologies.

Many locally-based interests have already assumed ownership of lighthouses in order to leverage their economic potential. The communities of Yarmouth, Nova Scotia, Goderich, Ontario and Matane, Quebec are a few such examples.

Fisheries and Oceans Canada (DFO) is prepared to work in collaboration with petitioning groups in order to establish mutually acceptable terms of transfer for surplus lighthouses to ensure that the historical importance of heritage lighthouses is preserved for the benefit of future generations.

DFO participates in a federal contaminated sites management program (the Federal Contaminated Sites Action Plan). Accordingly, DFO completes environmental assessments and undertakes remediation and/or risk management measures, where appropriate, for sites under their custodianship. The environmental status of each property is fully disclosed in any property transfer transaction and would be a part of the negotiations.

## VETERANS AFFAIRS

### WORLD WAR II BOMBER COMMAND MEDAL

*(Response to question raised by Hon. Hugh Segal on July 6, 2010)*

Although Veterans Affairs Canada has no authority or responsibility for the creation of new honours, the Minister of Veterans Affairs has written to the Governor General asking that the creation of a new honour, for members of Second World War Bomber Command, be considered by the Honours Policy Committee. The Minister indicated his support for this new honour. The Deputy Minister of Veterans Affairs has similarly written to her counterpart at the Chancellery of Honours.

## INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

NATURAL DISASTERS  
IN PRAIRIE FIRST NATIONS COMMUNITIES

*(Response to question raised by Hon. Lillian Eva Dyck on July 7, 2010)*

When emergencies occur in First Nation communities, they are given immediate and full attention until conditions are restored to a safe and acceptable level. Indian and Northern Affairs Canada (INAC) meets this obligation by entering into collaborative service agreements with provincial governments to ensure that First Nations communities have access to emergency assistance services that are comparable to those provided to other residents of their respective provinces. Through these agreements, INAC provides funding to cover costs related to emergency assistance in First Nation communities, while the provincial government delivers the actual service.

Returning a community to a state of normalcy that existed prior to the emergency is a priority for INAC. Funding sources may include: individual, First Nation or business insurance; Public Safety Canada's Disaster Financial Assistance Arrangements for wide-spread disasters; or eligible costs under INAC's emergency management assistance for localized emergencies authority.

The provision and management of housing on reserve lands are the responsibilities of First Nations. Funding and programming support is provided by the federal government by INAC and the Canada Mortgage and Housing Corporation (CMHC).

In 1996, INAC introduced the On-Reserve Housing Policy. This policy is based on the principles of First Nations control, First Nations expertise, shared responsibilities and increased access to private sector financing.

Through INAC and CMHC, the federal government provides approximately \$300 million annually for on-reserve housing needs. This annually supports the construction of approximately 2,300 new units, the renovation of some 3,300 existing units, and ongoing subsidies to a portfolio of around 28,600 rental units and other housing initiatives. First Nations can use these funds to build and renovate houses, as well as contribute towards costs such as maintenance, insurance, debt servicing, and the planning and management of their housing portfolios.

The terms and conditions of the funding agreements with First Nations require that all houses be constructed according to the current national building code and any other applicable provincial or federal codes or standards. A recipient First Nation is responsible for having inspections conducted at various phases of construction to ensure compliance with this requirement. Completion certificates are also expected to indicate this compliance.

## ORDERS OF THE DAY

## THE SENATE

MOTION TO SUSPEND TUESDAY'S SITTING  
FOR THE PURPOSE OF ANNOUNCING ROYAL ASSENT  
OR FOR ADJOURNMENT WITHDRAWN

On Motion No. 22 by Honourable Senator Comeau:

That at the end of the consideration of items on the Order Paper and Notice Paper on Tuesday, July 13, 2010, the sitting be suspended to the call of the chair, if either the Leader of the Government in the Senate or the Deputy Leader so request, to resume with a 15 minute bell;

That the provisions of rule 13(1) be suspended during this suspension; and

That when the sitting resumes it be either for the purpose of announcing royal assent or for the purpose of adjournment.

(Motion withdrawn.)

[English]

## CONTROLLED DRUGS AND SUBSTANCES ACT

BILL TO AMEND—SECOND READING—  
DEBATE ADJOURNED

**Hon. Daniel Lang** moved second reading of Bill C-475, An Act to amend the Controlled Drugs and Substances Act (methamphetamine and ecstasy).

He said: Honourable senators, I rise today to speak to Bill C-475, An Act to Amend the Controlled Drugs and Substances Act, introduced by the Member of Parliament for West Vancouver—Sunshine Coast—Sea to Sky Country, John Weston, and I welcome Mr. Weston to the gallery tonight.

This bill is aimed at tackling a problem that is of serious concern to all Canadians, the problem of methamphetamine, commonly called meth, and ecstasy production which occurs in all regions of Canada. While these drugs are illegal, there is no law to prohibit the possession, production, sale or importation of items to be used in the manufacture of these mind-altering drugs. Bill C-475 would close that loophole in the law.

The legislation being presented today has some history in Parliament. The bill was first introduced in 2007, but, because of an election and prorogation, it is now back before us.

On February 28, 2008, the bill was unanimously given third reading in the other place. Later that year, it was introduced in the Senate by the Honourable Senator Johnson and referred to the Legal and Constitutional Affairs Committee, following the request of the Honourable Senator Tardif.

An election intervened and the legislation's progress was stopped again, until it was introduced again in the other place on November 2, 2009. Once again, prorogation stopped its progress.

I am pleased to report that the other place has once again voted unanimously to give it third reading and it has been sent here for our consideration.

This bill is non-controversial yet necessary to help fight the drug wars with which our society must deal. The bill should be viewed within the context of Canada's National Anti-Drug Strategy and what we face daily.

I would like to say a few words about both of these drugs. The chemical name of ecstasy is MDMA. The chemical structure and the effects of MDMA are similar to amphetamine, a stimulant, and to mescaline, a hallucinogen. Ecstasy sometimes contains highly toxic drugs that can be lethal even in low doses. MDMA affects the chemistry of the brain, in particular, by releasing a high level of serotonin. Serotonin, as most senators know, is a chemical in the brain that plays an important role in the regulation of mood, energy level and appetite, among other things.

Ecstasy is made in illegal labs with chemicals and processes that vary from lab to lab. What is sold as ecstasy often contains unknown drugs. It is usually sold as a tablet or capsule that is swallowed. It may also be sold in powder form, or the tablets may be crushed and then snorted. Although rare, there are also some reports that the drug is injected.

How ecstasy affects the user depends on several things: their age and body weight; how much they take and how often they take it; how long they have been taking it; the method they use to take it; the environment they are in; whether or not they have certain pre-existing medical and psychiatric conditions; and if they have taken any alcohol or other drugs.

Initially ecstasy can produce feelings of pleasure and well-being, increased sociability and closeness with others. Like all stimulant drugs, ecstasy can make users feel full of energy and confidence. However, ecstasy can also have strong negative effects. These include the grinding of teeth and jaw pain, sweating, increased blood pressure and heart rate, anxiety or panic attacks, blurred vision, nausea, vomiting and convulsions. After-effects include confusion, irritability, anxiety, paranoia, depression, memory impairment or sleep problems. The after-effects may last for days or even weeks.

Moreover, a growing number of deaths have been associated with ecstasy. As with many illicit drugs, these risks increase with the amount taken and frequency of use. Ecstasy increases body temperature, blood pressure and heart rate, which can lead to kidney or heart failure, strokes and seizures. Ecstasy may even cause jaundice and liver damage. People with high blood pressure, heart or liver problems, diabetes, epilepsy or any mental disorder are the most vulnerable to the potential dangers of ecstasy. Part of the danger is that people may not be aware that they have these conditions, and the effects of ecstasy can trigger symptoms.

• (1910)

As to the long-term effects of using ecstasy, animal research has established that its use can damage the brain cells that release

serotonin. Research on humans is limited, but there is mounting evidence to indicate that ecstasy can damage the cells and chemistry of the human brain, affecting some functions of the brain, including learning and memory.

Meth both changes and damages the brain. It is a very addictive drug with a high potential for abuse. Use of this drug can result in serious behavioural troubles, psychotic symptoms, and dangerous medical complications such as cardiovascular problems — strokes and even death. Meth addiction is a chronic, relapsing disease that is notoriously tough to treat.

The illegal production and trafficking of this drug have caused enormous harm to many Canadians and have cost us millions of dollars in direct health care expenses. They have also cost us millions in law enforcement activities. Worst of all, they have cost many lives and great heartbreak to families and friends throughout Canada.

Recipes for producing meth are easily available on the Internet. Books about how to make it are readily available from popular online bookstores. The dozen or so ingredients and the manufacturing equipment are relatively simple to find in your local drug, grocery and hardware stores.

A further difficulty is the hazardous nature of meth production. The ingredients can cause chemical burns and are prone to explode in amateur hands. First responders called to the scene of an illicit lab face serious dangers, as do any nearby residents. The environmental hazards associated with its production are also very real.

Honourable senators, as a society, we must be determined to fight illegal drug production and abuse.

Over past decades, the core aim of Canada's efforts to combat drug abuse has been constant — to see Canadians living in a society that is increasingly free of the harm associated with substance use.

We must not underestimate the complexities of dealing with this deep-rooted problem. Illegal drug use must be fought on several fronts. It must be challenged as a social phenomenon. It must be confronted directly as a health issue, an issue for the justice system, and in some cases, as with meth and ecstasy, an environmental issue as well.

This is why many federal departments and agencies work closely with their counterparts in the provinces and territories in supporting a range of prevention, treatment and enforcement initiatives.

There is no magic bullet to deal with drug abuse, no simple set of answers to the issue, nor any easy solution to changing the behaviour of people abusing drugs.

This bill will provide our enforcement agencies another tool to counter the traffickers and illicit drug producers that harm so many vulnerable Canadians.



I urge you, honourable senators, to expedite our study of this important bill as it has been previously debated here and in the other place. Let us act expeditiously so that no more harm is done to our young people.

(On motion of Senator Tardif, debate adjourned.)

### QUESTION OF PRIVILEGE

**Hon. James S. Cowan (Leader of the Opposition):** Honourable senators, I rise on a question of privilege — a step I do not take lightly, but I do take very seriously.

Before we adjourned for summer recess, we debated Bill S-4, the family homes on reserves and matrimonial interests or rights bill, a controversial bill that was opposed by many witnesses who appeared before the Senate Human Rights Committee.

My colleague Senator Dyck began her remarks on Bill S-4 by saying it was dangerous legislation that contained the seeds of destruction of two fundamental First Nations rights.

Several senators on this side rose to speak in opposition to the bill. They quoted extensively from the testimony heard in committee — heartfelt, considered testimony from witnesses who took the time to come to present their very serious concerns.

One witness in particular stood out in a long list of distinguished witnesses. This was Dr. Pamela Palmater, a Mi'kmaq lawyer with a doctorate in the science of law from Dalhousie University, and currently a full-time associate professor in the Department of Politics and Public Administration at Ryerson University, where she is also the Chair of the Centre for Study of Indigenous Governance at Ryerson University.

Dr. Palmater was very concerned about Bill S-4. In her third reading speech on June 21, Senator Dyck quoted from her testimony no fewer than three times. She was not the only one to find her testimony particularly persuasive. My colleague Senator Jaffer also made a point of quoting Dr. Palmater in her speech on this bill.

My question of privilege relates to the remarks of Senator Brazeau, who spoke in support of the bill on July 6. Senator Brazeau did not mince his words. At page 976 of the July 6, 2010, *Debates of the Senate*, he said:

Let me be blunt — many of the witnesses who appeared before the committee who opposed this piece of legislation are also the consultants who would be doing the work on behalf of the First Nations communities at \$500 a day or \$1,000 a day. They have a vested interest in ensuring that their nest is feathered as well.

However, he did not stop there. Senator Dyck asked him a question. She asked him to tell the chamber what Dr. Pamela Palmater said about this bill. Here is how Senator Brazeau replied, at page 977:

Ms. Palmater is a lawyer and consultant who also works for chiefs. Obviously, she has a vested interest.

Honourable senators, on September 11, Dr. Palmater took the unusual step of writing me, with a copy to the Leader of the Government in the Senate, Senator LeBreton, to put on record her strong objections to these statements by Senator Brazeau.

Let me read to you from her email, a copy of which I tabled earlier this evening when giving notice of this question:

I noted that Senator Patrick Brazeau, in what appears as an attempt to discredit me as a witness, provided the Committee . . .

Honourable senators, I point out that it was not the committee; it was here in this chamber —

. . . with information that was false. On July 6, 2010, Senator Brazeau tried to discredit all the expert witnesses as follows —

— and I repeat what Senator Brazeau said:

Let me be blunt — many of the witnesses who appeared before the committee who opposed this piece of legislation are also the consultants who would be doing the work on behalf of the First Nations communities at \$500 a day or \$1,000 a day. They have a vested interest in ensuring that their nest is feathered as well.

• (1920)

I continue to quote from Dr. Palmater's email to me, copied to Senator LeBreton:

He painted an awful lot of people with the same brush and looking at the list of witnesses and not seeing "many" consultants, I am quite concerned that he was more than just a little inaccurate.

He was then asked a question by Senator Dyck about what I . . . said about this legislation and whether Bill S-4 should go ahead.

Senator Brazeau's response was as follows: "I will begin with the honourable senator's last question. Ms. Palmater is a lawyer and consultant who also works for chiefs. Obviously, she has a vested interest."

Dr. Palmater further states:

This is 100 per cent false. I have not ever, nor do I currently, work for any Chiefs or First Nations either as an employee or by contract. I work full-time as a professor at Ryerson University as the Chair of the Centre of Indigenous Governance, all of which Senator Brazeau knows very well. I take offense to being accused of trying to feather my nest or offer testimony for the sole purpose of obtaining First Nation contracts. Even my submission stated that I was appearing on my own behalf and not appearing or representing any group or organization.

I can appreciate that leaders and politicians play political games and spin the truth to make a point, but Patrick Brazeau is no longer one of those politicians — he is now a Senator and as such, the public expects that he would adjust

his behaviour accordingly. I am not certain as to why he seems to harbor so much anger and resentment towards his own people, but the fact remains that his false allegation against me hurts my professional reputation as he made these false allegations publicly. He could also have hurt my current portion, as new faculty are not permitted to have outside contracts.

Honourable senators, I want to repeat that last point made by Dr. Palmater. In his speech on July 6, Senator Brazeau said of Dr. Palmater that she is a “consultant who also works for chiefs. Obviously, she has a vested interest.” That is what Senator Brazeau said publicly in this chamber under the protection of parliamentary privilege. Dr. Palmater has now written to us to say that not only does she not work for the chiefs, but that in her full-time position at Ryerson University, she is not allowed to have outside contracts. She claims that not only has Senator Brazeau’s remarks hurt her professional reputation, but that the remarks may have harmed her position on the faculty at Ryerson. This is the price she has now paid for agreeing to appear before our Standing Senate Committee on Human Rights earlier this year.

Honourable senators will recall that the third reading vote took place immediately after the debate that day, on July 6. The bill was opposed by many senators. The final tally was 45 in favour, 32 opposed.

According to Dr. Palmater, Senator Brazeau made serious misrepresentations that day in this chamber about her — this witness whose testimony was clearly important to a number of senators who heard her in committee and who relied on that testimony in the debate here. Were some senators influenced by these alleged misrepresentations when they voted in favour of the bill? We will never know.

I do not rise today to object to the passage of Bill S-4, although we will never know whether any senators’ votes would have been different if we were not told immediately prior to the vote that this witness had vested interests that she says she does not have. I rise today because I am concerned about how this incident will affect our ability to do our work in the future. According to Dr. Palmater, these alleged misstatements by Senator Brazeau were deliberate and apparently made in an attempt to discredit her as a witness.

Honourable senators, Senator Brazeau’s behaviour toward witnesses that appear before our committees affect my ability to perform my duties because it has a chilling effect upon all potential witnesses. We in this chamber take justifiable pride in the legislative work of our committees.

Let me quote from Professor David Smith’s book, *The Canadian Senate in Bicameral Perspective*: “Even the sternest critics compliment the senators for their work in the scrutiny, investigation, and revision of legislation.” One of the roles that he — reflecting the views of many Canadians — singles out is our role as “an acute listener.” We take the time to listen to Canadians who come before us. We all have heard witness after witness thank us for providing them with that opportunity to be heard, but who will come forward and dare to express contrary views that some of us may not agree with if they fear that they will be

misrepresented or maligned later in this chamber; that their testimony will be discredited not with fact but with falsehood? As Dr. Palmater said in her letter, these misrepresentations could also hurt her professionally.

If what Dr. Palmater alleges is true, then these actions violate my privileges, by impeding my ability to perform my duties. Honourable senators, they violate the privileges of all of us, of the Senate as a whole. Erskine May is clear:

Any conduct calculated to deter prospective witnesses from giving evidence before either House or a committee is a contempt.

I repeat: “Any conduct,” colleagues. That is strong language.

Dr. Palmater, according to her email of September 11, believes that Senator Brazeau deliberately attempted to discredit her as an expert witness by giving us all misinformation about her and alleging a business relationship with the chiefs, which Dr. Palmater claims is “100 per cent false.” I also need to point out that she is making this charge about Senator Brazeau’s comments without the parliamentary immunity that he enjoys.

The critical point here is that if what Dr. Palmater says is true, and it is not dealt with, do any of us believe that, in the words of Erskine May, this will not “deter prospective witnesses from giving evidence” to us in the future? If future witnesses are deterred from sharing their knowledge with us, how can we perform our constitutionally prescribed duties as members of this legislative body?

Honourable senators, I believe this email from Dr. Palmater provides prima facie evidence that the privileges of the Senate and of all its members have been breached. According to Dr. Palmater, these allegations by Senator Brazeau have not only damaged her personal reputation, but they may have a negative effect upon her career as a full-time professor at Ryerson. As we all know, she has no remedy in the courts because Senator Brazeau is protected, as all of us are, by parliamentary privilege for what he says in this chamber. The only place where she can look is here. This chamber is the only place with the power — and I suggest the responsibility — to call members to account for their words in this place.

We all may be protected by parliamentary privilege for what we say in this chamber, but none of us are above the law, because the law of privilege is not absolute. The parliamentary privilege that we enjoy is an important attribute of our parliamentary democracy, but it is not — and should not be — absolute. We should critically examine testimony given before our committees without fear of legal attack, but we should never allow ourselves to step over the line and attack witnesses themselves, particularly if those attacks are founded upon incorrect and potentially damaging allegations of fact. Our personal parliamentary privileges are no defence to a charge of contempt for what Erskine May called “conduct calculated to deter prospective witnesses from giving evidence.” In my view, what Senator Brazeau said about Dr. Palmater was deliberately calculated to achieve this result as far as any future witnesses who might disagree with him are concerned.

I raise this question of privilege to ensure that similar incidents do not occur in the future, and so that Canadians who contemplate coming here to testify before our committees may have confidence that they can do so without fear and in full confidence that any attempt to misrepresent, malign or discredit them with false statements will not be countenanced but will be addressed quickly and forcefully by this chamber. If Your Honour finds that a *prima facie* case of privilege has been established, I am of course prepared to move the motion necessary to refer this matter to our Rules Committee.

• (1930)

In closing, I want to emphasize that if we conclude that there is no *prima facie* question of privilege and that there is nothing for our Rules Committee to examine, we will be telling Dr. Palmater and all other potential witnesses who are invited or who wish to appear before our committees that they will be doing so at their own risk. We will be telling them that even if they are publicly defamed by any of us, they have no avenue for redress, either in the courts or in Parliament. Is this the message the Senate of Canada wants to send to Canadians?

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

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, what we do not have here is a *prima facie* case of privilege. Even a quick reading of rule 43 would tell you that. I am quite sure Senator Cowan probably neglected to read the rule again and I think he has, therefore, an exaggerated view of rule 43. What we do have here is a question of a senator exercising his fundamental privilege of free speech.

**Hon. Larry W. Campbell:** Let him say it outside.

**Senator Comeau:** You will get your chance to speak if you wish, Senator Campbell, and we will see what you have to say.

On July 6, as Senator Cowan's letter points out, Senator Brazeau did make some comments in the course of the debate concerning a witness who appeared before the Human Rights Committee. He expressed a certain viewpoint that he holds regarding that individual, but it is his fundamental right and privilege as a member of this Senate to express that view. Senator Brazeau may want to expand on this later on in view of some of the comments that Senator Cowan made tonight.

Some senators may disagree with Senator Brazeau's viewpoint, and it is their fundamental right and privilege to express their view, as all honourable senators may wish to express those views. That is what this chamber is for. It is a place where we, as senators, deliberate in a meaningful way, enact laws and develop policy for the benefit of Canadians.

By asking this chamber to reprimand Senator Brazeau for expressing his opinion in this chamber, Senator Cowan is asking us not to uphold the privileges of this house, but to infringe upon Senator Brazeau's fundamental privilege of free speech. If that were to be upheld, obviously it would infringe on all of our fundamental rights to free speech.

Honourable senators, this would be a dangerous road for us to go down and I would ask that His Honour find that there is no *prima facie* case of privilege in this instance.

Furthermore, honourable senators, I would suggest that this is not the way to start our fall sitting. We had a productive spring and summer here in the Senate. We sat into mid-July, passing legislation that is important to Canadians and to the health of our economy. We worked with a great deal of cooperation and in the interests of all Canadians to pass meaningful refugee and pardon reform, as well as important but controversial trade agreements. These were not easy matters to deal with, but we did deal with them and we were able to come together in a positive and constructive way, such that I have not seen in my time as deputy leader in the chamber.

Senator Cowan himself, earlier on today during Question Period, pointed out in his first question that we had done some tremendous work during the spring and summer.

While there was strong disagreement on policies being advanced in one piece of legislation, we were able to complete that work in a manner that was respectful of each other and of our different points of view. Therefore, I find it unfortunate that this matter was the very first issue raised by the Leader of the Opposition in the chamber today.

As we continue into the fall sitting, we would all do well to listen to two members in the other place to see if we could not set a tone that would be more constructive and positive on behalf of Canadians.

I do not often use quotations, but I would like to quote from September 8 of *The Globe and Mail*. The Honourable John Baird, Leader of the Government in the House of Commons, said: "Canadians do not want to hear about our frustrations. . . . They want to hear us responding to their frustrations, their concerns."

I do not often quote Liberals, but I will this time around. David McGuinty, the Liberal house leader, echoed that sentiment. He said: "Focus on the core issues — it's a good opportunity to do something good for Canadians."

Is that not great advice? Perhaps we should follow that advice in this chamber. I would suggest to Senator Cowan that that would probably have been the best way to start off our session.

However, he is a big fellow and he can handle himself. Senator Brazeau may want to make a few comments.

**Hon. Grant Mitchell:** Honourable senators, I would like to make a few comments about this important question and respond to Senator Comeau's comments, in particular.

I will begin by saying that I second the arguments made by Senator Cowan, which were very well argued. I am sure he read the rules. He has probably read them many times. It is a weak argument to suggest that he did not. I respect absolutely that this is the decision of His Honour, but I do believe that Senator Cowan argued very strongly that this is a *prima facie* case of privilege.

As for a couple of comments made by Senator Comeau, I would first like to say that his contention that Senator Cowan's raising this issue immediately that the session opens somehow sets a tone that is unfortunate and that could be sustained misses the point about how the parliamentary system is structured.

The question of privilege within our rules structure properly establishes the ability for members to deal with these kinds of issues in exactly a non-personal kind of way, which rises above a sentiment that could be seen to be negative or otherwise. Everyone who listened to Senator Cowan present that case would say it was presented in the most fundamentally presentable, non-personal, high-road way that in fact is a testament to how wonderful this Senate can be when it is at its best. To suggest that we do not have a right to raise the issue of the behaviour of someone within the rules is to make a weak argument, as I think is this has been exposed to be.

Senator Comeau went on to quote the number one expert in creating a negative environment, John Baird — he could not have picked a better authority in that regard — to say that Canadians want us to deal with their frustrations and their concerns. Do you know what, Senator Comeau? Dr. Palmater wrote a detailed letter outlining her frustrations and her concerns with the statements made by Senator Brazeau; and yes, we have every right to deal with her frustrations and her concerns as a Canadian. We are not dealing with our own frustrations and concerns; we are dealing with hers. I would underline again that Senator Cowan argued this exceptionally well.

I want to emphasize a couple of arguments. For some reason, over the years I have remembered this often. At some point I was studying in a course and the instructor was making the case about how arguments should be structured. I remember clearly that that instructor said that one of weakest forms of argument is appealing to authority: That is, if the authority says it is okay, then it is okay and it would somehow strengthen one's argument or make one's case. Of course, it does not. It is the weakest form of argument. One has to appeal to the authoritative argument of an authority.

Senator Brazeau did not do that this time. The flip side of that is taking an authoritative argument that is against your case and undermining that case or that argument, not by attacking the argument, not by dealing with the case that has been made, but instead by undermining the credibility, at a personal level, of the person who is making that case. That is every bit as weak as appealing to authority.

• (1940)

When Senator Comeau argues that we should be dealing with core issues, one of the core issues in politics today is the nature of argument and the nature of debate which has been increasingly debased by the kind of stuff that goes on over there — and I would argue by one party in particular. The nature of that debasement is to attack the person who makes the argument.

Honourable senators saw it done viciously with Mr. Colvin in the case of the detainees, where it was not a question of arguing against his case, facts or argument; it was a case of arguing against him.

[ Senator Mitchell ]

That is exactly what has been done here with Dr. Palmater. The argument has been made against her — who she is, what she does, her background, her credibility and her résumé, as it were. That is the weakest form of argument. If someone is opposed to what she said, why can they not deal with what is wrong with what she said or argue about what is wrong with what she said? They did not do that: They argued and attacked her.

To make it more odious, it was done in a place where she cannot defend herself. She has no chance to fight back because it was done here. It was not done in the committee room. It was done in a place where she does not have a chance to defend herself.

I bring myself to these conclusions: I believe absolutely that Senator Brazeau's actions have made it much more difficult for us to bring forth witnesses, to encourage witnesses, witnesses who generally like to come to the Senate because they find the committee hearings to be productive, intellectual and a give and take in a way that is not personal. That has been fundamentally damaged.

It is also true that this Senate, as a rule, rises above the kind of argument that Senator Brazeau has undertaken. In that respect it has been an affront to the decorum of the Senate, to the elevation of the Senate and its ability to work in the way that it does. When Canadians get a chance to see us, they see that we do work in a strong, elevated way.

There is the question of the *prima facie* case of privilege and the question of decorum, both of which have been affronted by what Senator Brazeau has done. The first one is fundamentally more important. The second one, though, is bad. They are both bad and should be redressed by the process of a question of privilege in this Senate.

**Hon. Tommy Banks:** Honourable senators, since Senator Mitchell has begun confessing to having made mistakes, I, too, once made a mistake. It was in 1948 and I remember it well. I thought I was wrong but it turned out I was not wrong, so I made a mistake.

His Honour will know that I do not know anything about the concept of privilege. However, I do not think it ought to be used as a shield in this place for a lack of care: as a shield against errors, yes; but as a shield against a lack of care about what we say, I hope not.

Senator Comeau has characterized what Senator Brazeau said as having been a matter of opinion. The debate here does not seem to me to sound like a matter of opinion, if I am reading and understanding correctly what Senator Brazeau said, which was:

Ms. Palmater is a lawyer and consultant who also works for chiefs. Obviously, she has a vested interest.

That is not a matter of opinion; that is presented as a fact. In the interests of the honour of this place, I would hope that Senator Brazeau would either show us that what he said was true or, if it was not, that he would apologize for an error.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, I rise to support Senator Cowan's question of privilege in relation to the comments made by our colleague Senator Brazeau on July 6, 2010.

I agree with Senator Cowan's assertion that parliamentary immunity is an important attribute of our parliamentary democracy. However, this immunity should not be abused.

The *Rules of the Senate of Canada* stipulate that in order for the Speaker to recognize that a putative question of privilege forms a *prima facie* case, the matter must directly concern the privileges of the Senate and be raised to correct a grave and serious breach.

As Senator Cowan noted in his speech, Erskine May's twenty-third edition on page 150 states:

Any conduct calculated to deter prospective witnesses from giving evidence before either House or a committee is a contempt.

The fact that a senator has immunity in this chamber should not allow him or her to state misleading information that might consequently deter this person from testifying in the future at any parliamentary committee.

Furthermore, by stating misleading information, the senator is potentially — and Senator Cowan alluded to it — deterring future witnesses from testifying at committee meetings by fear that, like Dr. Palmater, their professional reputation might be put into question. It is not acceptable that one senator be able to use his parliamentary immunity to say something about a witness because the senator in question did not agree with that witness's testimony.

This is not a question of simply having freedom of speech or expressing an opinion. It is about the Senate's work in committee and the fact that witnesses come freely before our committees to provide testimony. When that is breached, all our work as senators is breached as well.

Honourable senators, I believe that there is a *prima facie* case in this question of privilege, and I urge His Honour to find favour in Senator Cowan's interpretation.

**Hon. Joan Fraser:** Honourable senators, I would begin by recalling for colleagues the heart of Beauchesne's famous definition of parliamentary privilege, found at citation 24 in the sixth edition, on page 11, which says, in part:

The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers."

I would argue that few things are more absolutely necessary for the execution of the Senate's powers than the ability to have faith in the veracity of information presented as being factual, even more so when that information is presented by one of our own who can purport to be, at least in some ways, an expert in the field.

I have a few points that His Honour may think worthy of taking into consideration in his reflections. First, it is well established that witnesses before Senate committees benefit from

the privileges of the Senate in the same way that we do. As O'Brien and Bosc remind us in their second edition on page 94, in 2007, for example, the Federal Court said:

... witnesses before a parliamentary committee ... are afforded parliamentary privilege because, as with members, the privilege is necessary to ensure that they are able to speak openly, free from the fear that their words will be used against them in subsequent proceedings.

• (1950)

They are, therefore, entitled to the same protections under the rules of privilege as we are, protections not only from unjustified attack, attack outside of Parliament, but also inside of Parliament in connection with their testimony before a Senate committee.

It is, I believe, well established that privilege can be affected by false statements, statements which are not in fact true. For example, I am going back to O'Brien and Bosc, on page 83, referring to the United Kingdom Joint Committee on Parliamentary Privilege in a 1999 report which included in a list of types of contempt the offence of "deliberately attempting to mislead the House or a committee (by way of statement, evidence or petition)."

Here at home, the House of Commons has more than once found that misleading a committee, and therefore the chamber, is a contempt. It found so, for example, in cases concerning the former Privacy Commissioner Mr. George Radwanski and the Deputy RCMP Commissioner Ms. Barbara George. Honourable senators will find the reference to those in O'Brien and Bosc on page 95.

It is established that statements that harm reputations can affect privilege. I go to Beauchesne on page 20, citation 70:

In 1983 a newspaper accused a Member of being a paid lobbyist. . .

— not far off from a paid consultant —

... while a Member of the House of Commons. The question was referred to the Standing Committee on Privileges and Elections which reported that the allegations were "unsubstantiated" and that they "adversely affected the reputation of the Honourable Member for Lincoln, and through him, the privileges of the House of Commons."

I would argue that false statements that affect the reputation of a witness before a Senate committee therefore also affect the privileges of us all.

It is, Lord knows, established that our freedom of speech, while one of the bedrock elements of our democracy, cannot be and should never be interpreted as being absolute. O'Brien and Bosc again, on page 97, recall that in 1987, Speaker Fraser of the House of Commons observed that:

Such a privilege . . .

— our freedom of speech —

. . . confers grave responsibilities on those who are protected by it. By that I mean specifically the Hon. Members of this place. The consequences of its abuse can be terrible. Innocent people could be slandered with no redress available to them. Reputations could be destroyed on the basis of false rumour.

In 1994, Speaker Parent of the other place said:

. . . I would expect that members would always bear in mind the possible effects of their statements and hence be prudent in their tone and choice of words.

O'Brien and Bosc go on to say:

Speakers have also stated that although there is a need for Members to express openly in a direct fashion,

— their opinions —

it is also important that citizens' reputations are not unfairly attacked.

It is, I believe, also established that improper reflections on a member or a witness who comes before a Senate committee in this case can affect privilege. Maingot in the second edition of *Parliamentary Privilege in Canada* on page 240 says:

A Member who has published an improper reflection on a Member would also forthwith be the subject of a question of privilege. . . .

I would suggest that making a public statement in this chamber, which will be published within 24 hours both in print and on the Internet, constitutes publication of an improper reflection or, indeed, of any other reflection. Those may be points that His Honour may wish to take into consideration.

I would also observe, in response to Senator Comeau's remarks about this being an unfortunate way to get our business going in the fall, that the rules say that a question of privilege must be raised at the earliest opportunity and tonight is the earliest opportunity. Senator Cowan had no choice but to do it now and, if we take our business seriously, we should all be grateful to him for doing it. Dr. Palmater, as has been said and it bears repeating, has no other recourse, but she is as entitled to respect of her rights and her privileges as any member of this chamber. I urge you to find that there is a prima facie case to be made.

**Hon. Anne C. Cools:** Honourable senators, I have been listening to the debate with some care and would begin by noting that in recent years, debates on the floor of this house and in committees have become increasingly unpleasant and increasingly acrimonious. Perhaps I should begin by quoting our rule 51, for which the margin note is "Objectionable speeches," and that states:

All personal, sharp or taxing speeches are forbidden.

Honourable senators, perhaps we could begin on the note that there has been an increasing tendency in this house — and in the House of Commons, I would admit but I will not speak to that — to have personal, sharp and taxing speeches.

[ Senator Fraser ]

Honourable senators, I will begin by saying that I do not believe that this case before us involves a breach of privilege; neither do I think there is a prima facie case of a breach of privilege here. Something is very wrong obviously, and I shall address that in the course of my remarks.

Honourable senators, I have experienced, witnessed and participated in many bitter debates in this place. One of the debates which I thought was among the worst was a few years ago, around 2005, I think, on the question of marriage and legalizing homosexual marriages. During those debates in committee and in the house, I heard witnesses and witnesses' statements savaged. I also received many letters from many offended individuals from across this country.

Perhaps we should begin this debate on a positive note to let us see if we can take this experience and learn from it and endeavour to do much better in the future. So I begin on that note of caution.

Honourable senators, there was a time when new senators who came to this place were taken under the wings of older senators and taught the dos and the do nots of Parliament. We should proceed here tonight with vigilance, caution and very great calm.

I shall refer to the two statements raised in Dr. Palmater's letter, and it is a good thing that Dr. Palmater has written. Dr. Palmater addressed her letter "Dear Senators." Perhaps it was sent to all senators; I do not know. She basically says that Senator Brazeau has tried to discredit all the witnesses, and there are his two statements that she quotes. One is at page 977 and the other is at page 976 of the *Debates of the Senate*. They are unconnected. Let me be crystal clear. Please let us take our time, because one of Senator Brazeau's statements is about Dr. Palmater, but not the other.

• (2000)

As the debate is proceeding right now, it seems as though both statements were about Dr. Palmater. Perhaps I can read one of them first and then the other.

At page 976, Senator Brazeau said the following:

Let me be blunt — many of the witnesses who appeared before the committee who opposed this piece of legislation are also the consultants who would be doing the work on behalf of the First Nations communities at \$500 a day or \$1,000 a day. They have a vested interest in ensuring that their nest is feathered as well.

That particular statement does not mention Dr. Palmater, neither does it refer to Dr. Palmater. Let us be clear that Dr. Palmater is not mentioned in that statement.

At page 977, in response to a question by Senator Dyck, Senator Brazeau said to Senator Dyck:

Ms. Palmater is a lawyer and consultant who also works for chiefs. Obviously, she has a vested interest.

There is no mention of money. Let us be crystal clear: there is no mention of money whatsoever here and there is no allegation that Dr. Palmater is in the business of taking money or had come before the Senate committee to act on behalf of money in any form or fashion. These are the facts that are before us.

Leaving *Debates of the Senate* now, here is what Dr. Palmater says:

I work full-time as a professor at Ryerson University as the Chair of the Centre for Indigenous Governance, all of which Senator Brazeau knows very well. I take offense to being accused of trying to feather my nest or offer testimony for the sole purpose of obtaining First Nation contracts.

Honourable senators, Senator Brazeau never said that she did such a thing. In all fairness to Senator Brazeau, he never said that she did such a thing. He said, and I quote, "Ms. Palmater is a lawyer and consultant who also works for chiefs. Obviously, she has a vested interest."

Now, a "vested interest" in this instance is something we would have to clarify with Senator Brazeau, but he did not say what Dr. Palmater suggests in her letter that he said. I wanted to bring that clarification to this house.

I would also like to say that I have little sympathy for Senator Brazeau's words, but I understand that Senator Brazeau is youthful, young and vigorous, fast to speak, fast to act and fast to get to his feet. Perhaps this experience will teach him to move a little more deliberately and carefully.

Let us understand clearly that I am saying that we should abide by the grand principles that we say we believe in, and that we must make sure that due process and due respect are granted to Senator Brazeau and also to Dr. Palmater. There is a way, honourable senators, to do this. Maybe it is because I am becoming a little older — my hair is going from grey to white — that I understand there is always a solution to what appears to be a most difficult problem.

I want to put another fact on the record here. Dr. Palmater has taken it into her head that Senator Brazeau's statements are actuated by malice or a wish to hurt her. She also said something else that is extraordinary, I find, in the context of her letter. She said:

I am not certain as to why he seems to harbor so much anger and resentment towards his own people . . .

Those are strong words, too, very strong words. Let us understand that we are dealing with strong words all around.

Honourable senators, Senator Cowan has spoken well and has spoken elegantly and eloquently, and I thank him, but there is absolutely no evidence whatsoever before us that Senator Brazeau's statements or actions were deliberately calculated and intended to deter other witnesses from appearing before other Senate committees. That assertion is totally unfounded.

Honourable senators, I wish I had more time to prepare for this item, as I did not hear about it until late in the day. I now come to the fact that Sir Edward Coke, the ancient great legalist and great

thinker, used to call our houses the "Honourable High Court of Parliament." We must understand that the importance of privilege and all that law that it embodies is intended to assist us to do our work. In committees, it is supposed to help us protect witnesses, and in this house, it is also supposed to protect senators from calumny. I do not want to raise the words "calumny" and "to calumniate." I think, as we go forward, Your Honour, in examining these questions, we should look at language. I know calumny is a word that is disappearing from common usage. We hear "libel," and we hear "slander," but we do not hear "calumny" and "calumniate." It is important that this debate move ahead without calumny, at least tonight.

Honourable senators, I want to say here that there can never be a right to do wrong, and I have said this in other debates. Privilege can never be an opportunity, shield, defence or justification against insensitivity or hurtful, wrong or inaccurate statements. It seems to me that this situation has a solution. What Senator Brazeau said was, "Ms. Palmater is a lawyer and consultant who also works for chiefs. Obviously, she has a vested interest." These facts are easily proven, or disproven, whether a person is a lawyer or a consultant. This situation is not rocket science or any difficult moral or philosophical challenge.

Honourable senators, I think that a better solution for the problem would be for Senator Brazeau to rise and to offer a full apology for some hurtful statements and, at the same time, to clarify the truthfulness of them, for his own sake and for our sake. I think that would be a good way to end the matter.

No one has been attacked on this floor as I have been attacked for 20 years. I have found that the most useful way at all times is to move on, forgive and move ahead. I sincerely believe we should do that in this instance, and I strongly encourage Senator Brazeau to rise and do likewise. The statements were hurtful. Obviously they hurt Dr. Palmater.

• (2010)

However, although his words may be insensitive, a little rash and a little overzealous, I see no malice or intention of malice in what Senator Brazeau said.

Honourable senators, I would also strongly commend Senator Cowan to withdraw this question, because I believe this is one of those times when senators can come together in their collectivity as the high court of Parliament and in their collective wisdom and state clearly that although some hurt was offered and some insensitive statements were uttered, there was no intention of malice or intention to bring disrepute to anyone.

Your Honour, I sincerely believe there has been a breach of good sense here. There has been the breach of decorum and some insensitivity, but there is no breach of privilege here. I would be happy to assist senators to go down this road.

**Hon. Patrick Brazeau:** Honourable senators, first, I will say for the record that I have deep respect for Dr. Palmater. Contrary to many of you, I have known Dr. Palmater for almost a decade because she used to be a consultant when I acted in my former capacity as National Chief at the Congress of Aboriginal Peoples.

I always appreciate hearing witnesses in committee who are for and against our individual positions because that assists us to formulate our positions on legislation and other studies that we conduct. That is always welcome.

On Dr. Palmater's website, which is entitled Non-Status Indians, she says in her biography that she previously worked for on- and off-reserve Aboriginal groups, that she participated at the First Ministers' meetings that led to the Kelowna accord exercise, that she worked as a representative at the United Nations level, and that she worked nationally and provincially for Aboriginal organizations and First Nations.

She also goes on to say:

I am currently an Associate Professor and Chair of Ryerson University's Centre for Indigenous Governance in Toronto.

She goes on to say:

I also work with First Nations and their political organizations as well as conduct research and participate at the national level on human rights issues . . . .

In Dr. Palmater's letter, she states:

On July 6, 2010, Senator Brazeau tried to discredit all the expert witnesses as follows: "Let me be blunt — many of the witnesses who appeared before the committee who opposed this piece of legislation are also the consultants who would be doing the work on behalf of the First Nations communities at \$500 a day or \$1,000 a day. They have a vested interest in ensuring that their nest is feathered as well."

Dr. Palmater claims that I tried to discredit all the expert witnesses. Yet, in the quote from me that she used in her letter, I say "many of the witnesses who appeared." I agree with Senator Cools that I was talking about money at that point and I was not talking about Dr. Palmater.

She goes on to say that I seem to be painting everyone with the same brush. She quotes me again as follows:

I will begin with the honourable senator's last question. Ms. Palmater is a lawyer and consultant who also works for chiefs. Obviously, she has a vested interest.

I know this personally and professionally because she used to work with me for the organization that I previously led. It is a fact that in Aboriginal politics there are many consultants, Aboriginals and non-Aboriginals, who work for \$500 or \$1,000 a day. If you do not believe me, you can look it up.

I have great respect for Dr. Palmater and I am a little blown away by this because for the last decade or so Dr. Palmater has given me a call or sent me a message through Facebook when she

had any questions or concerns or required any clarifications. She obviously took a different route this time to get her issues addressed, and I respect that, but I am a bit surprised.

I do have respect for Dr. Palmater and, as a matter of fact, I received a call from her at one time asking me if she could use me as a reference because she used to work with me and for me in the organization I used to head up.

I am not quite sure what the intention is here, but I know that my intention was not malicious. My remarks were factual and taken from her own personal website, which she manages, wherein she says:

I also work with First Nations and their political organizations as well. . . .

However, in her letter to Senator Cowan, she states:

This is 100 per cent false. I have not ever, nor do I currently, work for any Chiefs or First Nations. . . .

I am baffled.

I have not ever, nor do I currently, work for any Chiefs or First Nations. . . .

Yet on her own personal website, entitled Non-Status Indians, she states:

I also work with First Nations and their political organizations as well as conduct research and participate at the national level. . . .

This is after she clearly states on the same website that she is at Ryerson University. I do not see an indication of how the things I said, which she quoted, are not factual.

In conclusion, I am not sure what the purpose of this letter was, although I do understand on some level, I suppose. There is some misinterpretation.

If you dig a little deeper, which I invite you all to do if you are so inclined, Dr. Palmater also has a blog on the Web. An entry written on September 26 is entitled, "Indian Agents are Back — PM's New Indian Affairs Crew."

Senators can interpret the article themselves if they read it. I will just say that there is a lot of Conservative bashing there, to the extent of even questioning the Metis heritage of Parliamentary Secretary Shelly Glover. I will not jump to conclusions. I will let you take the time to read this entry and interpret it for yourselves.

**The Hon. the Speaker:** Honourable senators, the chair will take this matter under consideration and make a ruling.

(The Senate adjourned until tomorrow at 2 p.m.)



## **APPENDIX**

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

**THE SPEAKER**

The Honourable Noël A. Kinsella

**THE LEADER OF THE GOVERNMENT**

The Honourable Marjory LeBreton, P.C.

**THE LEADER OF THE OPPOSITION**

The Honourable James S. Cowan

---

**OFFICERS OF THE SENATE****CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Gary W. O'Brien

**LAW CLERK AND PARLIAMENTARY COUNSEL**

Mark Audcent

**USHER OF THE BLACK ROD**

Kevin MacLeod

**THE MINISTRY**

(In order of precedence)

(September 27, 2010)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Minister of Justice and Attorney General of Canada
The Hon. Jean-Pierre Blackburn	Minister of Veterans Affairs and Minister of State (Agriculture)
The Hon. Marjory LeBreton	Leader of the Government in the Senate
The Hon. Chuck Strahl	Minister of Transport, Infrastructure and Communities
The Hon. Peter Gordon MacKay	Minister of National Defence
The Hon. Stockwell Day	President of the Treasury Board and Minister for the Asia-Pacific Gateway
The Hon. Vic Toews	Minister of Public Safety
The Hon. Rona Ambrose	Minister of Public Works and Government Services and Minister of State (Status of Women)
The Hon. Diane Finley	Minister of Human Resources and Skills Development
The Hon. Beverley J. Oda	Minister for International Cooperation
The Hon. Jim Prentice	Minister of the Environment
The Hon. John Baird	Leader of the Government in the House of Commons
The Hon. Lawrence Cannon	Minister of Foreign Affairs and Minister of State (National Capital Commission)
The Hon. Tony Clement	Minister of Industry
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Josée Verner	President of the Queen's Privy Council, Minister of Intergovernmental Affairs and Minister for La Francophonie
The Hon. Peter Van Loan	Minister of International Trade
The Hon. Gerry Ritz	Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board
The Hon. Jason Kenney	Minister of Citizenship, Immigration and Multiculturalism
The Hon. Christian Paradis	Minister of Natural Resources
The Hon. James Moore	Minister for Official Languages and Minister of Canadian Heritage
The Hon. Leona Aglukkaq	Minister of Health
The Hon. Lisa Raitt	Minister of Labour
The Hon. Gail A. Shea	Minister of Fisheries and Oceans
The Hon. Keith Ashfield	Minister of National Revenue, Minister of the Atlantic Canada Opportunities Agency and Minister for the Atlantic Gateway
The Hon. John Duncan	Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency
The Hon. Gary Lunn	Minister of State (Sport)
The Hon. Gordon O'Connor	Minister of State and Chief Government Whip
The Hon. Diane Ablonczy	Minister of State (Seniors)
The Hon. Rob Merrifield	Minister of State (Transport)
The Hon. Lynne Yelich	Minister of State (Western Economic Diversification)
The Hon. Steven John Fletcher	Minister of State (Democratic Reform)
The Hon. Gary Goodyear	Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario)
The Hon. Denis Lebel	Minister of State (Economic Development Agency of Canada for the Regions of Quebec)
The Hon. Peter Kent	Minister of State of Foreign Affairs (Americas)
The Hon. Rob Moore	Minister of State (Small Business and Tourism)

## SENATORS OF CANADA

### ACCORDING TO SENIORITY

(September 27, 2010)

Senator	Designation	Post Office Address
THE HONOURABLE		
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuuaq, Que.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Gerald J. Comeau	Nova Scotia	Saultnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	South Shore	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
Janis G. Johnson	Manitoba	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton, P.C.	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Sharon Carstairs, P.C.	Manitoba	Winnipeg, Man.
Rose-Marie Losier-Cool	Tracadie	Tracadie-Sheila, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Wilfred P. Moore	Stanhope St./South Shore	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Vivienne Poy	Toronto	Toronto, Ont.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.

Senator	Designation	Post Office Address
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A. A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Francis Fox, P.C.	Victoria	Montreal, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Bert Brown	Alberta	Kathyrn, Alta.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Fred J. Dickson	Nova Scotia	Halifax, N.S.
Stephen Greene	Halifax-The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Michael Duffy	Prince Edward Island	Cavendish, P.E.I.
Percy Mockler	New Brunswick	St. Leonard, N.B.
John D. Wallace	New Brunswick	Rothsay, N.B.
Michel Rivard	The Laurentides	Quebec, Que.
Nicole Eaton	Ontario	Caledon, Ont.
Irving Gerstein	Ontario	Toronto, Ont.
Pamela Wallin	Saskatchewan	Kuroki Beach, Sask.
Nancy Greene Raine	Thompson-Okanagan-Kootenay	Sun Peaks, B.C.
Yonah Martin	British Columbia	Vancouver, B.C.
Richard Neufeld	British Columbia	Fort St. John, B.C.
Daniel Lang	Yukon	Whitehorse, Yukon
Patrick Brazeau	Repentigny	Gatineau, Que.
Leo Housakos	Wellington	Laval, Que.
Suzanne Fortin-Duplessis	Rougemont	Quebec, Que.c
Donald Neil Plett	Landmark	Landmark, Man.
Michael Douglas Finley	Ontario—South Coast	Simcoe, Ont.
Linda Frum	Ontario	Toronto, Ont.
Claude Carignan	Mille Isles	Saint-Eustache, Que.
Jacques Demers	Rigaud	Hudson, Que.
Judith G. Seidman (Ripley)	De la Durantaye	Saint-Raphaël, Que.
Carolyn Stewart Olsen	New Brunswick	Sackville, N.B.
Kelvin Kenneth Ogilvie	Annapolis Valley - Hants	Canning, N.S.
Dennis Glen Patterson	Nunavut	Iqaluit, Nunavut
Bob Runciman	Ontario—Thousand Islands and Rideau Lakes	Brockville, Ont.
Vim Kochhar	Ontario	Toronto, Ont.
Pierre-Hugues Boisvenu	La Salle	Sherbrooke, Que.
Elizabeth (Beth) Marshall	Newfoundland and Labrador	Paradise, Nfld. & Lab.
Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.
David Braley	Ontario	Burlington, Ont.
Salma Ataullahjan	Toronto—Ontario	Toronto, Ont.

## SENATORS OF CANADA

### ALPHABETICAL LIST

(September 27, 2010)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Ataullahjan, Salma	Toronto—Ontario	Toronto, Ont.	Conservative
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Banks, Tommy.	Alberta	Edmonton, Alta.	Liberal
Boisvenu, Pierre-Hugues	La Salle	Sherbrooke, Que.	Conservative
Braley, David	Ontario	Burlington, Ont.	Conservative
Brazeau, Patrick	Repentigny	Gatineau, Que.	Conservative
Brown, Bert	Alberta	Kathryn, Alta.	Conservative
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carignan, Claude	Mille Isles	Saint-Eustache, Que.	Conservative
Carstairs, Sharon, P.C.	Manitoba	Winnipeg, Man.	Liberal
Champagne, Andrée, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	Independent
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dallaire, Roméo Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Liberal
Demers, Jacques	Rigaud	Hudson, Que.	Conservative
Dickson, Fred J.	Nova Scotia	Halifax, N.S.	Conservative
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Liberal
Duffy, Michael	Prince Edward Island	Cavendish, P.E.I.	Conservative
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Liberal
Eaton, Nicole	Ontario	Caledon, Ont.	Conservative
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Finley, Michael Douglas	Ontario—South Coast	Simcoe, Ont.	Conservative
Fortin-Duplessis, Suzanne	Rougemont	Quebec, Que.	Conservative
Fox, Francis, P.C.	Victoria	Montreal, Que.	Liberal
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Frum, Linda	Ontario	Toronto, Ont.	Conservative
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gerstein, Irving	Ontario	Toronto, Ont.	Conservative
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Conservative
Harb, Mac.	Ontario	Ottawa, Ont.	Liberal
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Liberal
Housakos, Leo	Wellington	Laval, Que.	Conservative
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal
Johnson, Janis G.	Manitoba	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Kinsella, Noël A., <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative
Kochhar, Vim	Ontario	Toronto, Ont.	Conservative

Senator	Designation	Post Office Address	Political Affiliation
Lang, Daniel	Yukon	Whitehorse, Yukon	Conservative
Lapointe, Jean	Saurel	Magog, Que.	Liberal
Lavigne, Raymond	Montarville	Verdun, Que.	Liberal
LeBreton, Marjory, P.C.	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Tracadie-Sheila, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
MacDonald, Michael L.	Cape Breton	Dartmouth, N.S.	Conservative
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Manning, Fabian	Newfoundland and Labrador	St. Brides's, Nfld. & Lab.	Conservative
Marshall, Elizabeth (Beth)	Newfoundland and Labrador	Paradise, Nfld. & Lab.	Conservative
Martin, Yonah	British Columbia	Vancouver, B.C.	Conservative
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Progressive Conservative
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	Conservative
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Merchant, Pana	Saskatchewan	Regina, Sask.	Liberal
Mitchell, Grant	Alberta	Edmonton, Alta.	Liberal
Mockler, Percy	New Brunswick	St. Leonard, N.B.	Conservative
Moore, Wilfred P.	Stanhope St./South Shore	Chester, N.S.	Liberal
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	Progressive Conservative
Nancy Ruth	Cluny	Toronto, Ont.	Conservative
Neufeld, Richard	British Columbia	Fort St. John, B.C.	Conservative
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	Conservative
Ogilvie, Kelvin Kenneth	Annapolis Valley - Hants	Canning, N.S.	Conservative
Oliver, Donald H.	South Shore	Halifax, N.S.	Conservative
Patterson, Dennis Glen	Nunavut	Iqaluit, Nunavut	Conservative
Pépin, Lucie	Shawinigan	Montreal, Que.	Liberal
Peterson, Robert W.	Saskatchewan	Regina, Sask.	Liberal
Plett, Donald Neil	Landmark	Landmark, Man.	Conservative
Poirier, Rose-May	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.	Conservative
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Liberal
Poy, Vivienne	Toronto	Toronto, Ont.	Liberal
Raine, Nancy Greene	Thompson-Okanagan-Kootenay	Sun Peaks, B.C.	Conservative
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Liberal
Rivard, Michel	The Laurentides	Quebec, Que.	Conservative
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Independent
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Liberal
Rompkey, William H., P.C.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Runciman, Bob	Ontario—Thousand Islands and Rideau Lakes	Brockville, Ont.	Conservative
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Seidman (Ripley), Judith G.	De la Durantaye	Saint-Raphaël, Que.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Stewart Olsen, Carolyn	New Brunswick	Sackville, N.B.	Conservative
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Liberal
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Wallace, John D.	New Brunswick	Rothsay, N.B.	Conservative
Wallin, Pamela	Saskatchewan	Kuroki Beach, Sask.	Conservative
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Liberal
Zimmer, Rod A. A.	Manitoba	Winnipeg, Man.	Liberal

**SENATORS OF CANADA**  
**BY PROVINCE AND TERRITORY**  
 (September 27, 2010)

**ONTARIO—24**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Anne C. Cools	Toronto Centre-York	Toronto
4 Colin Kenny	Rideau	Ottawa
5 Consiglio Di Nino	Ontario	Downsview
6 Michael Arthur Meighen	St. Marys	Toronto
7 Marjory LeBreton, P.C.	Ontario	Manotick
8 Marie-P. Poulin	Northern Ontario	Ottawa
9 Francis William Mahovlich	Toronto	Toronto
10 Vivienne Poy	Toronto	Toronto
11 David P. Smith, P.C.	Cobourg	Toronto
12 Mac Harb	Ontario	Ottawa
13 Jim Munson	Ottawa/Rideau Canal	Ottawa
14 Art Eggleton, P.C.	Ontario	Toronto
15 Nancy Ruth	Cluny	Toronto
16 Hugh Segal	Kingston-Frontenac-Leeds	Kingston
17 Nicole Eaton	Ontario	Caledon
18 Irving Gerstein	Ontario	Toronto
19 Michael Douglas Finley	Ontario—South Coast	Simcoe
20 Linda Frum	Ontario	Toronto
21 Bob Runciman	Ontario—Thousand Islands and Rideau Lakes	Brockville
22 Vim Kochhar	Ontario	Toronto
23 David Braley	Ontario	Burlington
24 Salma Ataullahjan	Toronto—Ontario	Toronto



## SENATORS BY PROVINCE AND TERRITORY

## QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Charlie Watt	Inkerman	Kuujuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 Jean-Claude Rivest	Stadacona	Quebec
4 W. David Angus	Alma	Montreal
5 Pierre Claude Nolin	De Salaberry	Quebec
6 Céline Hervieux-Payette, P.C.	Bedford	Montreal
7 Lucie Pépin	Shawinigan	Montreal
8 Serge Joyal, P.C.	Kennebec	Montreal
9 Joan Thorne Fraser	De Lorimier	Montreal
10 Jean Lapointe	Saurel	Magog
11 Raymond Lavigne	Montarville	Verdun
12 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
13 Roméo Antonius Dallaire	Gulf	Sainte-Foy
14 Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
15 Dennis Dawson	Lauzon	Ste-Foy
16 Francis Fox, P.C.	Victoria	Montreal
17 Michel Rivard	The Laurentides	Quebec
18 Patrick Brazeau	Repentigny	Gatineau
19 Leo Housakos	Wellington	Laval
20 Suzanne Fortin-Duplessis	Rougemont	Quebec
21 Claude Carignan	Mille Isles	Saint-Eustache
22 Jacques Demers	Rigaud	Hudson
23 Judith G. Seidman (Ripley)	De la Durantaye	Saint-Raphaël
24 Pierre-Hugues Boisvenu	La Salle	Sherbrooke

## SENATORS BY PROVINCE-MARITIME DIVISION

## NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerald J. Comeau	Nova Scotia	Saulnierville
2 Donald H. Oliver	South Shore	Halifax
3 Wilfred P. Moore	Stanhope St./South Shore	Chester
4 Jane Cordy	Nova Scotia	Dartmouth
5 Terry M. Mercer	Northend Halifax	Caribou River
6 James S. Cowan	Nova Scotia	Halifax
7 Fred J. Dickson	Nova Scotia	Halifax
8 Stephen Greene	Halifax - The Citadel	Halifax
9 Michael L. MacDonald	Cape Breton	Dartmouth
10 Kelvin Kenneth Ogilvie	Annapolis Valley - Hants	Canning

## NEW BRUNSWICK—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton
2 Rose-Marie Losier-Cool	Tracadie	Tracadie-Sheila
3 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
4 Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
5 Pierrette Ringuette	New Brunswick	Edmundston
6 Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
7 Percy Mockler	New Brunswick	St. Leonard
8 John D. Wallace	New Brunswick	Rothsay
9 Carolyn Stewart Olsen	New Brunswick	Sackville
10 Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent

## PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2 Elizabeth M. Hubley	Prince Edward Island	Kensington
3 Percy E. Downe	Charlottetown	Charlottetown
4 Michael Duffy	Prince Edward Island	Cavendish

## SENATORS BY PROVINCE-WESTERN DIVISION

**MANITOBA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Janis G. Johnson . . . . .	Manitoba . . . . .	Gimli
2 Terrance R. Stratton . . . . .	Red River . . . . .	St. Norbert
3 Sharon Carstairs, P.C. . . . .	Manitoba . . . . .	Winnipeg
4 Maria Chaput . . . . .	Manitoba . . . . .	Sainte-Anne
5 Rod A. A. Zimmer . . . . .	Manitoba . . . . .	Winnipeg
6 Donald Neil Plett . . . . .	Landmark . . . . .	Landmark

**BRITISH COLUMBIA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerry St. Germain, P.C. . . . .	Langley-Pemberton-Whistler . . . . .	Maple Ridge
2 Mobina S. B. Jaffer . . . . .	British Columbia . . . . .	North Vancouver
3 Larry W. Campbell . . . . .	British Columbia . . . . .	Vancouver
4 Nancy Greene Raine . . . . .	Thompson-Okanagan-Kootenay . . . . .	Sun Peaks
5 Yonah Martin . . . . .	British Columbia . . . . .	Vancouver
6 Richard Neufeld . . . . .	British Columbia . . . . .	Fort St. John

**SASKATCHEWAN—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 A. Raynell Andreychuk . . . . .	Saskatchewan . . . . .	Regina
2 David Tkachuk . . . . .	Saskatchewan . . . . .	Saskatoon
3 Pana Merchant . . . . .	Saskatchewan . . . . .	Regina
4 Robert W. Peterson . . . . .	Saskatchewan . . . . .	Regina
5 Lillian Eva Dyck . . . . .	Saskatchewan . . . . .	Saskatoon
6 Pamela Wallin . . . . .	Saskatchewan . . . . .	Kuroki Beach

**ALBERTA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Joyce Fairbairn, P.C. . . . .	Lethbridge . . . . .	Lethbridge
2 Tommy Banks . . . . .	Alberta . . . . .	Edmonton
3 Claudette Tardif . . . . .	Alberta . . . . .	Edmonton
4 Grant Mitchell . . . . .	Alberta . . . . .	Edmonton
5 Elaine McCoy . . . . .	Alberta . . . . .	Calgary
6 Bert Brown . . . . .	Alberta . . . . .	Kathryn

## SENATORS BY PROVINCE AND TERRITORY

## NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ethel Cochrane . . . . .	Newfoundland and Labrador . . . . .	Port-au-Port
2 William H. Rompkey, P.C. . . . .	Newfoundland and Labrador . . . . .	St. John's
3 George Furey . . . . .	Newfoundland and Labrador . . . . .	St. John's
4 George S. Baker, P.C. . . . .	Newfoundland and Labrador . . . . .	Gander
5 Fabian Manning . . . . .	Newfoundland and Labrador . . . . .	St. Bride's
6 Elizabeth (Beth) Marshall . . . . .	Newfoundland and Labrador . . . . .	Paradise

## NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston . . . . .	Northwest Territories . . . . .	Fort Simpson

## NUNAVUT—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Dennis Glen Patterson . . . . .	Nunavut . . . . .	Iqaluit

## YUKON—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Daniel Lang. . . . .	Yukon. . . . .	Whitehorse

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