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The Honourable GEORGE J. FUREY,
Speaker

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

THE SENATE

Thursday, November 2, 2017

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

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Indigenous youth delegates and staff of the Nishnawbe Aski Nation. They are the guests of the Honourable Senator Sinclair.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mark Manning, Aaron Collis, Michael Boone and Anthony Chafe. They are members of the Newfoundland music band Rum Ragged.

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

Hon. Senators: Hear, hear!

SENATORS' STATEMENTS

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Roleen Ogilvie, spouse of Senator Ogilvie; his daughter Kristine Pick and her husband, Leroy Pick; and two of his granddaughters, Kayanna and Cassandra. They are accompanied by Barbara and Van Penick; Carol, Bruce and Larissa Law; Chase Pietrantonio; Alison Scott Butler; and Dr. Mona Nemer. They are the guests of the Honourable Senator Ogilvie.

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

Hon. Senators: Hear, hear!

TRIBUTES

THE HONOURABLE KELVIN KENNETH OGILVIE, C.M.

The Hon. the Speaker: Honourable senators I have received notice from the Leader of the Opposition, who requests, pursuant to rule 4-3(1), that the time provided for consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Kelvin Ogilvie, who will be retiring from the Senate on November 6, 2017.

Honourable senators, we have a long list of senators who would like to speak today. In order to get all senators in in the time provided, I would ask senators to keep their remarks to two minutes, please.

Hon. Larry W. Smith (Leader of the Opposition): I would like to congratulate the Honourable Senator Kelvin Ogilvie for his outstanding contribution to Canada in his service as senator, as well as in his career prior to his 2009 appointment.

What Senator Ogilvie brought to the Senate was his extensive knowledge as well as his fundamental understanding of the power and evolution of the knowledge economy. He had an extensive career in the field of biochemistry and biotechnology, discovered an antiviral medicine and developed an automated process for the manufacture of RNA. He has worked at the University of Manitoba, McGill University and later Acadia University.

[Translation]

Senator Ogilvie holds a number of patents, and his 150 scientific publications have been cited more than 5,500 times. He served a three-year term as chair of the Nova Scotia Premier's Advisory Council on Innovation, sat on the board of directors of Genome Canada, and was a member of the Treasury Board's panel of experts on transferring federal laboratories. He chaired the advisory boards of the National Research Council's Institute for Marine Biosciences and the Atlantic Innovation Fund.

[English]

Senator Ogilvie was named a Steacie Fellow in 1982, was admitted to the Order of Canada in 1991, and in 1992 received the Manning Principal Award as Canada's outstanding contributor to innovation. He was identified as a Canadian Who Made a Difference in the 1988 Maclean's Honour Roll, has received four honorary degrees, the Queen Elizabeth Golden and Diamond Jubilee Medals and the Commemorative Medal of the 125th Anniversary of the Confederation of Canada, and appeared as a mystery guest on "Front Page Challenge" in 1988. He also received the Buck-Whitney Medal of the ACS in 1983. Senator Ogilvie was named an Honorary Colonel in the Canadian Air Force and was an inaugural inductee into the Nova Scotia Discovery Centre Science and Technology Hall of Fame in 2002. In 2009, Dr. Ogilvie was inducted as one of the four inaugural inductees into the Girindus "Wall of Fame" for oligonucleotide synthesis.

Dr. Ogilvie was inducted into the Canadian Science and Engineering Hall of Fame in Ottawa in November 2011 and received the Biomedical Science Ambassador Award in May 2012 in Ottawa awarded by Partners in Research. In November 2013, Senator Ogilvie received the Health Research Foundation Medal of Honour for his outstanding contributions to the health sciences and public health innovation.

Senator Ogilvie was clearly a merit-based appointment to the Senate by Prime Minister Stephen Harper on August 27, 2009.

I can remember the first time we had breakfast together. As a newly appointed senator, I was eager to learn his opinions on a plethora of topics. I learned that Kelvin was passionate about his work and brought to the Senate immense depth. He has a fantastic sense of humour, combined with a temperament that does not suffer fools well.

• (1340)

What a pleasure it has been to have had the opportunity to work alongside this brilliant colleague. We are sad to see his birthday, which will be upon us on November 6, as Kelvin has so much more to give and will continue to do so, and we can learn from him.

I'm proud to take the time to recognize, within two minutes, the important contributions you have made to Canada and this chamber. I would like to wish you heartfelt congratulations on behalf of all Canadians, on behalf of your Conservative colleagues and all colleagues in our house.

Hon. Peter Harder (Government Representative in the Senate): I rise today to join colleagues in paying tribute to the Honourable Senator Ogilvie. The long list of accomplishments that has been referenced speak to a lifetime of achievement.

I'd like to reference a couple of highlights in my acquaintance with the senator. Over the period in which he's been here in our chamber, he is acknowledged for the wonderful contributions he's made, particularly promoting science and innovation and applying science and innovation to broad sectors of public policy. That's what he has done as Chair of the Social Committee. That's what he's done on the Agriculture Committee. Science is not something you study; science is something you apply to the broader sense of public policy.

As a chemist, Senator Ogilvie was one of the leaders of the global biotechnology revolution that has provided so many answers to the big questions that we face today, key issues affecting the environment, the economy and, of course, health.

He was a respected and early member — and Senator Smith referenced this — of the board of Genome Canada, where I first got to know Senator Ogilvie. He was absolutely important in shaping the mandate and intent of that organization in its early days.

Once he was appointed to the Senate, he connected the dots for us so that we could grasp the importance of investing in research and pure science for the benefit of all Canadians.

I particularly want to reference his leadership role in the Senate's study of Alzheimer's and other dementias and, of course, the issue of physician-assisted dying, work that I consider among the finest I've witnessed in the time I've been in this chamber.

Retirement will allow Senator Ogilvie more time to devote to his beloved province of Nova Scotia, the corner of the world that I understand has been home to the Ogilvies for 250 years, not all of them with Kelvin. We know, however, that retirement will

never stop this perpetually curious man from acquiring and sharing knowledge about things great and small and inspiring others to do the same.

Senator, we wish you well and know that you have made a difference in this chamber for Canadians and for the reputation of all senators.

Hon. Yuen Pau Woo: Honourable senators, allow me to add my voice in tribute to award-winning scientist, acclaimed academic and senator, Dr. Kelvin Ogilvie. I have had the pleasure of working with Senator Ogilvie during his last year in the Senate, in this chamber and in the Agriculture and Forestry Committee, where he routinely posed insightful questions to witnesses and engaged them in thoughtful discussion. In fact, I often learn more about the topic at hand from the question posed by Senator Ogilvie than from the answer offered by the witness. I recall, in particular, a discussion on arable land in Nova Scotia, and it was clear to me that Senator Ogilvie knew as much, if not more, than the expert witness.

As most of you are aware, and from what has already been stated, Senator Ogilvie has had a remarkable career as an expert on biotechnology, bio-organic chemistry and genetic engineering. I could "boron" about the many accolades he has achieved, but it would take so long that you would be "argon" by the time I finish.

I guess you're not up on your periodic table. We'll have to circulate the periodic table for you to get the reference.

Throughout his eight years in the Senate, Senator Ogilvie has pursued his passion in science and in the exploration of the knowledge economy. In this parliamentary session alone, the Social Affairs, Science and Technology Committee has studied and produced reports, under his leadership, on the increasing incidence of obesity in Canada, the issue of dementia in our society, and the role of robotics, 3-D printing and artificial intelligence in the health care sector.

Outside of committee work, Senator Ogilvie has brought his life experience, passion and expertise in science to the attention of parliamentarians. He has been a leader on science on the Hill, participating in initiatives in collaboration with organizations such as the Social Sciences and Humanities Research Council, Canada Foundation for Innovation, Genome Canada, and the Natural Sciences and Engineering Research Council of Canada. In all of these initiatives, Senator Ogilvie has educated politicians, staffers and the Canadian public on the impact of science on all aspects of our lives and on the need for a long-term commitment to scientific research.

While Senator Ogilvie may be retiring from the Senate of Canada, his work will remain a part of our legislative DNA. I wish him continued success. I thank him, on behalf of all of us, for his dedication to this institution and the many contributions he has made to Canada.

Hon. Joseph A. Day (Leader of the Senate Liberals): I also want to join with my colleagues in paying tribute to Senator Ogilvie as he prepares to leave us after eight years of service in this place.

While we came from opposite sides of the political spectrum, we do share points in common. We are both proud to come from the beautiful part of the world called the Maritimes, he from Nova Scotia and I from New Brunswick. We both have a background in science. However, Dr. Ogilvie is a remarkably renowned scientist, an expert in biotechnology, bio-organic chemistry and genetic engineering, whereas I am a humble electrical engineer.

His scientific accomplishments are many. He has been appointed to the Order of Canada. He has been recognized with multiple Jubilee medals and has received many scientific distinctions and honorary degrees. He was at the pinnacle of his career when he chose to leave that life behind and brought his analytical mind here to share his knowledge and expertise with all of us.

His contributions, since arriving here, have been impressive. As co-chair of the Special Joint Committee on Physician Assisted Dying, he served with distinction. He helped to guide its deliberations with skill and aplomb, ensuring that, when emotions ran high, proceedings always remained on track. That we very much appreciate. He was consistently fair in his dealings with committee members and with stakeholders, and his committee did not shy away from any of the difficult questions before it.

The result was a comprehensive report and exceptional recommendations. While many were disappointed by some of the resulting legislation, including, I might add, both co-chairs of that committee, he should be rightly proud of all that committee did achieve.

As Chair of the Senate Committee on Social Affairs, Science and Technology, he ushered in many laudable reports on a variety of topics impacting the health of Canadians: dementia, obesity, prescription pharmaceuticals, robotics and artificial intelligence. In the 2012 report, *Time for Transformative Change*, the committee unanimously recommended a number of forward-thinking initiatives, such as the development of a pan-Canadian home care strategy and a national pharmacare program, based on the principles of universal and equitable access for all Canadians.

Whether in committee hearings or in debate here in this chamber, Dr. Ogilvie's thoughts have always been well informed and reasoned. He is a strong and committed Conservative, but that fact has never impeded him from independence of thought or his ability to listen to all sides of the argument. We respect him for that.

Best wishes for continued good health and happiness.

Hon. Judith Seidman: Honourable senators, I will invoke the one-question-per-round rule. "But, chair, I have just a small, half question. It will be quick."

"No. I said only one question. I will put you down for the second round."

• (1350)

This is the signature line of our Social Affairs Committee chair, my chair on SOCI for most of the eight years I have been in the Senate, Senator Kelvin K. Ogilvie.

We were nominated and sworn in together with seven other colleagues that Tuesday, September 15, 2009. Little did we know the kind of journey we were all about to embark upon. That day, the first day of Senate after the summer, the nine of us were sitting around a table in the Francophonie Room, all of us telling our personal stories, waiting.

As each person's name was called and they left the room, supposedly for the procession into chamber, someone said, "What if we just disappear into 'nowhereness' like Alice in Wonderland?" Well, some would say that there are days on the Hill that feel much like Alice going down the rabbit hole.

Seriously, though, it has been a remarkable eight years, senator. Of course, there are the ready public certainties, especially your hailed leadership in science and technology. As chair of Social Affairs, you have steered the committee through four major studies and a review of the health accord. If I might, I will single out the pharma study — a three-year study of the state of prescription pharmaceuticals in Canada — as an example of the groundbreaking work you led.

As for myself, senator, I have learned so much from you. You are a man of great intellect, wit, compassion, human decency and integrity. You have been a trustworthy friend, advising with the invaluable, unvarnished truth.

Senator, it is remarkable that you retire on November 6, 2017, the sesquicentennial anniversary of the first meeting of the Senate of Canada, and that your own celebration marks fully half those 150 years.

And now, senator, as you return full time to your beloved Fundy Bay, and you walk deep in your evergreen forest on the mountain or ride one of your moving machines to clean snow or ice from the roads, you might have one of those moments when a memory from the vast stock of these eight years in the Red Chamber will come to mind and you will smile, I hope.

Senator, I wish you and your wife, Roleen, wonderful times ahead now as you spend more time by the Bay and visit with your children and grandchildren. All the best as you get on with the next chapter.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to pay tribute to our colleague, the Honourable Kelvin Kenneth Ogilvie, a man who has been a friend, mentor and leader to many in this chamber, including to me.

It would not be possible to describe all of the achievements and contributions Senator Ogilvie has made to science, academia and public service during this short tribute. I don't need to talk about the list of accolades and achievements; nor his efforts as a lifelong advocate and champion of innovation and research in Canada; nor the fact that he is a leading expert in biotechnology, bio-organic chemistry and genetic engineering. And I certainly

don't need to reiterate the leading role he has played on many issues facing Canadians as Chair of the Standing Senate Committee on Social Affairs, Science and Technology, as Co-Chair of the Special Joint Committee on Physician-Assisted Dying, as chair of the health research caucus and as a valued member of our Conservative caucus, both in government and now as the official opposition in the Senate.

Instead, I wish to add a few anecdotes of a more personal nature to what has already been shared. I remember fondly the years we were friendly neighbours in East Block, in the northeast corner. To this day our brief visits and conversations, when time permitted within our hectic schedules, are clear in my mind. The striking photos on your wall, to my surprise, were taken by an amateur photographer you said, though I challenge you on calling yourself an amateur.

On another occasion, I was amazed to realize you were a senator while in Ottawa and back in Nova Scotia a main actor in a theatre production. As a fellow thespian at heart, I was impressed but not surprised, as I know the depth and breadth of your intellectual capacity to self-learn and become fluent in French, to know the *Rules of the Senate* to the last sub-subclause, all the while being one of the most respected senators in our chamber. And, above all, being fiercely loyal to our caucus and to his family and friends, as evidenced by their presence today.

Sincere thanks to all his loved ones back home and here in this chamber for sharing your Kelvin with us, for allowing all Canadians to benefit from the exemplary leadership that Senator Kelvin Ogilvie has demonstrated during his all-too-brief but illustrious tenure in the Senate.

Dear colleague, you will be dearly missed.

Hon. Donald Neil Plett: I think at this point the rest of us could probably say “me too” and sit down, but I do want to associate myself as well with my colleagues as we pay tribute to our good friend and colleague, Senator Kelvin Ogilvie. And as has already been said, to list each of his awards, accolades and significant achievements would put me well beyond my allotted speaking time today. However, as has already been said, there are a couple I also want to draw to your attention.

Senator Ogilvie developed the chemistry of the “gene machine,” an automated process for the manufacture of DNA. He invented a drug — and this lets you know how different I am from Kelvin Ogilvie in our previous lives — a drug that I cannot even pronounce the name of properly. I think it is Ganciclovir, a drug used worldwide to fight a variety of infections in patients with a weakened immune system. Both of these scientific achievements are recognized as milestones of Canadian chemistry in the 20th century, according to the Canadian Society for Chemistry.

Kelvin Ogilvie was admitted to the Order of Canada in 1991 and has received countless prestigious awards for his scientific work and his contribution to innovation.

I also had never met Senator Ogilvie until Senator Seidman, I and six others were appointed at the same time with Senator Ogilvie on August 27, 2009. We could not have come from more different backgrounds, and for that reason our paths

had probably never crossed previously. But sometimes, colleagues, it's the people you have the least in common with that you learn the most from.

Senator Ogilvie's leadership on the Standing Senate Committee on Social Affairs, Science and Technology and the passion he brought to his work should serve as an example to all of us. And most recently, his work on the obesity study and as Co-Chair of the Special Committee on Physician-Assisted Dying are things I am sure we all hold in high regard. But more than that, Senator Ogilvie is the epitome of a team player, and as the whip of our caucus this is what I really appreciated about Senator Ogilvie.

He has demonstrated time and again his commitment to unity within our own caucus. He believes that even when we disagree, we come out as one united front when it counts. He understands wholeheartedly that independence — the independence that matters — is how you think and how you conduct yourself, not where you sit in this chamber.

Colleagues, I have a tremendous amount of respect for Senator Ogilvie. He not only is a great colleague but also has become a very dear friend. And I know I am not alone when I say that we have been so fortunate to have him serve in this chamber. Indeed, Canada is a better place because of it.

Senator Ogilvie, I wish you well in your next chapter of life. Thank you.

Hon. David Tkachuk: I want to say a few words about my friend Kelvin Ogilvie. As you know, besides being a fine first name, “kelvin” is also the standard international unit of thermodynamic temperature. So with a name like that, a career for Senator Ogilvie in the sciences was no doubt preordained.

Now the Kelvin scale is an absolute thermodynamic temperature scale using as its null point absolute zero, the temperature at which all normal thermal motion ceases in the classical description of thermodynamics. The kelvin symbol is the base unit of temperature in the international system of units.

Have you got all that? There's only one person in this room who understood what I said. And he is, unfortunately, leaving us. It's a sad day for the Canadian Senate.

• (1400)

Today, we're giving him back to his family and his small farm in Nova Scotia. You may not know it, but he lives on the coast overlooking the bay, and he likes to run around his farm in a tractor. Having an acreage probably makes him the closest thing we have to a farmer in the Senate today, as Senator Downe so aptly recognized. Actually, I'm surprised that he's not chairman of the Committee on Agriculture.

All of his accomplishments have been duly noted by all those preceding me. I wanted to put on the record that he brought his lifetime of academic and administrative skills to our caucus, our party — the Conservative Party of Canada — and, of course, the Senate and the people of Canada. We are all better for it.

He was always gracious and complimentary, and if you did something he liked, he would compliment you or send you an email. But if you walked into the caucus and he had that look — it was not a look, really; more a feeling that you were not even there sitting next to him in caucus — you knew he had not taken too kindly to an argument you made or a position you took.

He has left us with a legacy of studies and public policy, and I do not think he knows how much we all will miss him.

Hon. Nancy Greene Raine: Senator Ogilvie, it has been a real pleasure to get to know you over the past eight years. I must admit I was pretty awed by your credentials as an internationally acclaimed scientist, with so many outstanding achievements in a variety of research fields, not to mention your leadership in the world of academia.

Since I came from a sports and tourism background, with little formal education, I must admit I was a bit intimidated at first. But, as others have said, you only need to see the twinkle in his eye to realize Kelvin's personal warmth.

Honourable senators, when Senator Ogilvie started holding his Science on the Hill events, I jumped at the opportunity to learn from the incredible people he brought in. What a treat to be able to meet and talk to top scientists and to learn about a wide variety of subject areas. It was a real privilege, so thank you, Senator Ogilvie.

Your understanding of the importance of parliamentarians meeting researchers and innovators was not only very appreciated but also timely. Science and technology are moving so fast these days that it is more important than ever for us to learn as much as we can. Perhaps one of our new senators will pick up this great program and carry it on, but I must tell you, his shoes will be very hard to fill.

Senator Ogilvie has said that innovation drives a modern economy, and he has also pointed out that Canada has one of the worst records in translating basic research into practical application. In speaking to some of the innovators he attracted to the Science on the Hill events, I know how much they have appreciated meeting parliamentarians, but perhaps even more important was their opportunity to network with each other. After every event, I came away feeling confident that Canada's future is very bright. So thank you again, Senator Ogilvie, for all your work in educating us.

It has also been a great experience for me to be on the Social Affairs, Science and Technology Committee and to benefit from Senator Ogilvie's chairmanship style. He definitely inspired committee members to become engaged in the issues, to be prepared and to ask thoughtful questions. I'm pretty sure he told me once, early on, that there are no dumb questions, putting me at ease and making me more comfortable in asking questions.

Senator Ogilvie, thank you again for all you have done. I look forward to coming to visit you in Nova Scotia. It's on my bucket list.

Hon. Leo Housakos: Honourable senators, I too had prepared a tribute to Senator Ogilvie. I won't go into the details of reading and repeating everything that's been said in this chamber by so many of you. I just want to share a few comments and words with regard to Senator Ogilvie, who we all understand is a giant amongst us: He's thoughtful, considerate and concise and always fair in his opinions.

And I can tell you, colleagues, when I had the opportunity to serve with him in our caucus, every time I heard that he was next on the list to speak, I would sit myself straight in the chair, open up both ears and listen attentively. I became a better senator and a better individual as a result of it.

I won't go through the tons of accolades, of course, that have been enumerated in this chamber. Senator Plett has a hard time pronouncing some of the projects you worked on and I have an even harder time understanding what most of them are.

I'd just like to thank you for your contribution to this chamber, to Nova Scotia and to the people of Canada.

With all due respect, colleagues, I can tell you one thing for sure: Just as frequently happens when Kelvin leaves a room, the IQ of this place will drop significantly upon his departure. Kelvin has served this institution well and will be certainly missed.

You, my friend, make a compelling argument against mandatory retirement in this particular case. We wish you all the best in your retirement. Thank you for your service, senator.

[Translation]

Hon. Ghislain Maltais: Mr. Speaker, before I pay tribute to Senator Ogilvie, I would like to ask you whether we have his date of birth right. Look at him. Does he look like he's 75? Senator Ogilvie has always been and will always be young at heart.

Senator Ogilvie and I have come a long way over the past six years as we worked together on the Standing Senate Committee on Agriculture and Forestry. What was a philosopher and scientist doing on such a committee? I asked myself that same question in the beginning, but I quickly came to understand one thing. Woe betide any witness who was not properly prepared. In such cases, Senator Ogilvie would do one of two things. He would either not ask a question at all or, if a witness tried to go beyond the scope of his knowledge, Senator Ogilvie would put him in his place with a long, clear, accurate and ironclad tirade.

Senator Ogilvie was the committee's thinker and we all learned from him, me most of all. We really enjoyed being on the committee together, along with the other committee members, of course. He brought a breath of fresh air to Tuesdays mornings. He had a way of bringing people together with his classic "Hello, Mr. Chair."

Senator Ogilvie, you have made a great contribution to your province and to your country. You have made an enormous contribution to the Senate through your experience, your knowledge and particularly your kindness. You always welcomed others with open arms, whispering a bit of advice from time to time. That is a rare quality these days.

Today, you are bringing your career in Parliament to an end. The Senate is losing a great builder, a very important person, who is larger than life. Canada has benefitted and continues to benefit from your contribution. However, the most important people today are your family members, who will finally get back the extraordinary, sincere, honest and upright man that you are. The Senate was all the richer for both your experience as a scientist and your lively personality.

Best of luck, Senator Ogilvie.

Hon. Senators: Hear, hear!

[English]

Hon. Mobina S. B. Jaffer: Honourable senators, I too rise today to pay tribute to our colleague, Senator Ogilvie.

As a parliamentarian, Senator Ogilvie has worked tirelessly to show us all the importance of the research done by Canadian scientists and researchers. He ensured that we would always have a way to learn about new developments and innovation coming from Canadian labs and took great pains to make sure that we could meet with scientists so that we could expand our understanding of Canada's scientific accomplishments.

This was not limited to any one type of science or research. Senator Ogilvie has promoted many fields, including engineering, genomics, social sciences, math and countless other types of research during his career in the Senate. In each instance, he has left senators more informed and more appreciative about the social and economic benefits of research for all Canadians.

I've had the opportunity to work with Senator Ogilvie several times during my committee work, especially in his capacity as the Chair of Social Affairs. In fact, I recently had the pleasure of working with Senator Ogilvie when one of my bills, Bill S-210, went to the Social Affairs Committee. Senator Ogilvie presided over the meeting effectively and ensured that discussion about the bill was carried out in a fair and informative manner.

• (1410)

Senator Ogilvie, I thank you for your work as chair. Along with the rest of your work here in the Senate, not only will you be missed in the Senate, but we will also miss your ideas. Senator, I want you to know that whenever you're on the Hill, you can always use my office to hang your hat. Thank you.

The Hon. the Speaker: Honourable senators, I know there are other senators who wish to speak, but unfortunately the time for tributes has expired. I must now call upon the Honourable Senator Kelvin Ogilvie.

Hon. Senators: Hear, hear!

EXPRESSION OF THANKS

Hon. Kelvin Kenneth Ogilvie: Thank you, Your Honour. I must admit I was overwhelmed to see the members of the esteemed Canning board arrive in the chamber today. This is a group of great friends. We've been having breakfast together for many years on every Saturday morning. We do solve all the issues of the Province of Nova Scotia, and occasionally, we venture a bit beyond. They are an enormously talented and accomplished bunch, and it's been a great privilege always to share that time together. To see them here today, I'm afraid I'm a little weak on my feet in terms of this recognition and some others that are with them.

My family — I'm so delighted to see those of you who could come.

I see that we've been joined by Canada's Chief Science Advisor, Dr. Mona Nemer, one of Canada's most distinguished, accomplished and talented scientists, who will bring enormous leadership to us in this country.

I thank you all for being here.

I want to start off by acknowledging Sylvie Clément. She has been with me virtually since the first week I was here. It's fair to say that the one thing I agree totally with my family on is that none of us know how I'm going to survive without her. She has been an exceptional colleague and companion and has provided leadership that helped us grow our office and deal with the many issues that we face as senators.

Alice Comeau-Butler joined us shortly thereafter, and together we formed a team that moved, as you've heard a bit of, the idea of a kiosk event to bring Canada's leading scientists and researchers to the Hill to interact with parliamentarians and inform them on the great developments that the research dollars invested by Parliament are returning to Canadians through the brilliance of these research activities, and to try to ensure that this would continue to be an area supported by parliamentarians for the good of the future of our country. It has been an enormous privilege to have them here and to work with such great scientists.

I acknowledge that my colleagues Sylvie and Alice have been the backbone of my office and my operation, and any success that we've achieved here is due enormously to them.

I want to also acknowledge some of the people who help us here. I'm not going to go on at great length. I would like to mention Sonya Norris. She is an analyst and researcher in the Library of Parliament. She is an exceptional individual. I decided when I became chair of the committee that I wanted to know who was available to support us in that area. I was looking for certain characteristics — someone with some capacity to interact with scientific issues and so on. All of the issues of health and everything else we deal with are on a scientific basis.

I deliberately asked for Sonya to join us in the committee. I can tell you I know of no one with her capacity with language and integrity. There is the speed with which she is capable of translating complex discussions into a rational summary for the committee to hear. She's someone of tremendous integrity and is

such a great pleasure to work with. I'm sure she reflects the quality of all the others in that great body that supports everything we do here.

I want to acknowledge the clerks that serve us, and two in particular: Jessica Richardson, who gave me my first training wheels in terms of how to deal, and then she was able to see me move out of them and helped me through a number of years in the role; and Shaila Anwar, an exceptional individual with so many interests — I was never sure she really focused on what we were doing because she juggles them all. She has been a wonderful person to be with.

I hope we never forget all the people we don't see very often, who are the infrastructure of the operation of this assembly. They are the table officers, the people who deal with our offices and the people who rearrange the committees. We don't even know it's occurring, but they transform them between committee meetings with no fuss and whatever — all sorts of people that make up our backbone.

I want to say that one of the greatest things I've seen change here has been the communications developed by the Senate. Senator Housakos, I want to acknowledge again, as I've done before, your work and that of your colleagues in bringing about a magnificent transformation. My only criticism is why didn't you do it sooner? You are all going to have the benefit of such a tremendous ability to get the work that you do out into the community with a better understanding of the great things that are accomplished in this Senate.

Honourable colleagues, thanks to you — and I want to acknowledge Senator Carignan, my colleagues in caucus and the senators who were here at the time — for allowing and giving me the opportunity to act as your chair of the Special Joint Committee on Physician-Assisted Dying. It was undoubtedly the greatest administrative challenge of my career. In the end, it was the most satisfying report that I have been party to.

Unfortunately, the government of the day did not see fit to enact the wisdom of all of the recommendations and protections that we recommended, but there will be a government in the future that will have to, because Canadians must come to have those benefits and protections that we so well outlined in that report. I read the report occasionally, and it still gets better each time. Thank you all for giving me the opportunity to have had that role.

I also want to again thank my caucus colleagues and the senators in this chamber for the opportunity to chair the Senate Standing Committee on Social Affairs, Science and Technology for six years.

Senators, one of the greatest privileges we have is to study issues of great importance to the present and future of this country, to be able to bring in the best witnesses we can find and then to rationalize, deal with and understand what we have heard and bring back to this chamber a report to advise the government for the future in these areas. I will truly miss that opportunity.

Finally, senators, I want to thank the individual, whoever that was, who brought me to the attention of the then Prime Minister Stephen Harper. I thank Prime Minister Harper for

recommending me to the Governor General of Canada to be appointed to this place. I thank them both for this privilege. It has been for me an enormous experience, one that someone with my background and career would never expect to have the opportunity to share with you in these important debates and undertakings for the benefit of Canadians. I thank them sincerely for this opportunity.

Finally, colleagues, it's been noted already, but on Monday, this chamber will celebrate 150 years since its first meeting, and I will celebrate 75 years since my first breath. It's a great coincidence to be exactly half the age of the Senate of Canada. I think it was meant to be.

I thank you, and I will take my leave.

Hon. Senators: Hear, hear!

• (1420)

[Translation]

ROUTINE PROCEEDINGS

STUDY ON THE STEPS BEING TAKEN TO FACILITATE THE INTEGRATION OF NEWLY-ARRIVED SYRIAN REFUGEES AND TO ADDRESS THE CHALLENGES THEY ARE FACING

FIFTH REPORT OF HUMAN RIGHTS COMMITTEE—GOVERNMENT
RESPONSE TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the government response, dated November 1, 2017, to the fifth report of the Standing Senate Committee on Human Rights, entitled *Finding Refuge in Canada: A Syrian Resettlement Story*, tabled in the Senate on December 6, 2016.

[English]

THE SENATE

NOTICE OF MOTION IN RELATION TO COMMITTEE MEMBERSHIP

Hon. Joseph A. Day (Leader of the Senate Liberals): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding any provisions of the Rules or usual practice, and except in relation to the Standing Committee on Ethics and Conflict of Interest for Senators, as of the end of the day on November 19, 2017:

- 1.1. the senators who are members of the Committee of Selection, the Special Senate Committee on Senate Modernization, and the standing Senate committees cease to be members of those committees;

- 1.2. for greater certainty, the number of members of the Committee of Selection and the standing Senate committees be those provided for in rules 12-1, 12-3(1) and 12-3(2)(a), (b), (c), (d) and (e);
- 1.3. for greater certainty, the number of members of the Special Senate Committee on Senate Modernization be 15, as provided for in the order of December 11, 2015, establishing the committee; and
- 1.4. the Leader of the Opposition (or designate), the leader of the independent Liberal senators (or designate), and the facilitator of the Independent Senators Group (or designate) name, by notice filed with the Clerk of the Senate, who shall have the notice recorded in the *Journals of the Senate*, the new members of the Committee of Selection, the Special Senate Committee on Senate Modernization, and the standing Senate committees from their respective party or group according to the following proportions:
 - (a) for committees with nine members, other than the ex officio members:
 - (i) four Conservative senators,
 - (ii) one independent Liberal senator, and
 - (iii) four senators from the Independent Senators Group;
 - (b) for committees with 12 members, other than the ex officio members:
 - (i) five Conservative senators,
 - (ii) two independent Liberal senators, and
 - (iii) five senators from the Independent Senators Group; and
 - (c) for committees with 15 members, other than the ex officio members:
 - (i) six Conservative senators,
 - (ii) three independent Liberal senators, and
 - (iii) six senators from the Independent Senators Group;

That, for the remainder of the current session, the following committees be empowered to elect two deputy chairs:

- 2.1. the Committee of Selection;
- 2.2. the Standing Committee on Internal Economy, Budgets and Administration;
- 2.3. the Standing Committee on Rules, Procedures and the Rights of Parliament;
- 2.4. the Standing Senate Committee on National Finance;

- 2.5. the Standing Senate Committee on Transport and Communications;
- 2.6. the Standing Senate Committee on Legal and Constitutional Affairs;
- 2.7. the Standing Senate Committee on Social Affairs, Science and Technology;
- 2.8. the Standing Senate Committee on Human Rights;
- 2.9. the Standing Senate Committee on National Security and Defence; and
- 2.10. the Special Senate Committee on Senate Modernization;

That, if a committee has elected two deputy chairs:

- 3.1. the reference to the deputy chair in rule 12-18(2)(b)(ii) be understood as referring to both deputy chairs of that committee acting together;
- 3.2. the reference to the deputy chair in rule 12-23(6) be understood as referring to either deputy chair of that committee; and
- 3.3. any reference to the deputy chair of a committee in any policy or guideline adopted by the Standing Committee on Internal Economy, Budgets and Administration be understood as referring to both deputy chairs acting together, until the Standing Committee on Internal Economy, Budgets and Administration decides otherwise;

That, for the remainder of the current session, for the committees covered by the provisions of rule 12-3(3), and subject to the other provisions of the Rules relating to ex officio members:

- 4.1. in addition to the ex officio members provided for under rule 12-3(3) and point 4.2 of this order, the leader or facilitator of any recognized party or recognized parliamentary group, or, in the absence of such a leader or facilitator, the senator designated by that leader or facilitator as his or her deputy leader or deputy facilitator, be an ex officio member; and
- 4.2. either the Legislative Deputy to the Government Representative or the Government Liaison be an ex officio member if the Government Representative is absent; and

That, for greater certainty, nothing in this order affect processes under the Rules permitting membership changes once new members of a committee have been named pursuant to this order.

QUESTION PERIOD

INFRASTRUCTURE AND COMMUNITIES

INFRASTRUCTURE BANK

Hon. Larry W. Smith (Leader of the Opposition): My question is for the Leader of the Government. I'm in a very relaxed mode now after the tributes to Senator Ogilvie, so I will ask the question accordingly.

• (1430)

Page 181 of Budget 2017 states:

Budget 2017 proposes to invest \$256 million over five years for Canada to join the Asian Infrastructure Investment Bank (AIIB) in order to build our multilateral engagement with countries around the world.

Bill C-63, the omnibus budget bill recently tabled by the Minister of Finance in the other place, contains the Asian Infrastructure Investment Bank Agreement Act. It allows the Minister of Finance to transfer up to \$375 million in U.S. dollars to the bank, which works out to be about half a billion dollars Canadian.

Could the government leader please explain this discrepancy? Why is your government seeking to provide the Asian Infrastructure Investment Bank double the amount that you indicated to Canadians just a few months ago?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question.

It is not unusual for a budget bill to incorporate a broad number of subject matters that are referred to in the budget. That is not by any means an abuse of the word "omnibus." What is an abuse of omnibus is when non-budgetary matters are brought forward.

In respect of the Asian Infrastructure Investment Bank, which was referenced in the budget, as he properly noted, this is an important new multilateral financial institution which focuses on economic development through infrastructure in Asia. A number of like-minded countries have joined in this bank. Canada has reaffirmed its multilateral engagement. One element of that, at least with respect to Asia, is participation in the AIIB. This is a welcome development for Canada's interests.

The budget implementation act No. 2, the BIA2, is seeking to facilitate Canada's membership in the AIIB by allowing Canada to purchase shares in the AIIB up to a level that corresponds to Canada's relative weight in the bank. The budget plan, as he references, approves spending for an initial purchase of \$256 million, and the BIA2 provides space for a potential purchase of additional shares. The potential purchase of additional shares would require a parliamentary vote of approval and would also depend on additional shares in the AIIB becoming available for purchase.

Senator Smith: So if I understand correctly, the initial investment is \$256 million, and there could be a potential increase up to the \$375 million U.S.? Which is it?

Will the Asian Infrastructure Investment Bank ever make any investments in our own country, Canada, where we could hope to get a return? Our hopes for a return in other countries may be less predictable.

Senator Harder: My understanding is that the initial investment is \$256 million, and the provision for additional shares is subject to the conditions I referenced.

The AIIB's activity is focused on Asia. Canada is, as the senator will know, an important component of Asia. With respect to the work done by the bank, that is in the mandate of the bank. I leave it to the officials who will represent Canada at the bank to speak more specifically on how Canada will engage with other countries on the AIIB, but I do think it is a very important initiative for Canada to participate early in this multilateral institution. I just regret that we weren't one of the signatory countries.

[Translation]

FINANCE

SUPERINTENDENT OF FINANCIAL INSTITUTIONS

Hon. Ghislain Maltais: My question is for the Leader of the Government in the Senate.

On July 6, 2017, the Office of the Superintendent of Financial Institutions published a revised draft of Guideline B-20; the comment period for the draft was to end on August 17. The purpose of the study was to slow residential growth in large urban centres like Vancouver, Toronto and, to a lesser extent, Montreal.

Can the Leader of the Government in the Senate provide any explanations on this?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question with respect to the housing sector. I will have to make inquiries as to the report to which he refers, and I would be happy to report back.

[Translation]

Senator Maltais: Senator Harder, this guideline has unintended consequences, especially in smaller cities. Indeed, a new buyer of a property priced at \$300,000, for example, has to spend only five per cent of the cost of the home, that is, a down payment of \$15,000, to have the mortgage authorized and insured by the CMHC. The buyer's financial institution loans the buyer the money and then sells the debt to the CMHC.

Now, when a buyer makes a down payment of 20 per cent or 25 per cent of the cost of the property, which means the buyer planned ahead and saved up money to purchase a home with the

idea of having a smaller mortgage, the financial institution can no longer sell the debt to the CMHC. That buyer will therefore be penalized with an interest rate that is twice the rate being offered by the CMHC.

I would like you to convey these concerns to the government to highlight this unfairness toward the middle class. Middle-class Canadians are not the ones buying properties worth \$2 million or \$3 million. In smaller cities and in the regions, the average cost of a home is between \$250,000 and \$300,000.

The government must absolutely call the Office of the Superintendent of Financial Institutions to task so that young families can afford to buy a property.

[English]

Senator Harder: I will make inquiries to the appropriate authorities with respect to the superintendent notices and would be happy to report back.

INDIGENOUS AND NORTHERN AFFAIRS

INDIAN ACT—ELIMINATION OF SEX-BASED DISCRIMINATION

Hon. Sandra M. Lovelace Nicholas: Honourable senators, my question is to the government leader in the Senate.

The amendment of Bill S-3 will end gender discrimination against indigenous women, but it was not approved last June. The Prime Minister is concerned about human rights abuses in other countries, but it appears he feels justified to perpetuate the denial of human rights of indigenous women in Canada by denying the approval of the amendment of Bill S-3.

Will this government finally grant gender equality to all indigenous women in Canada to end the racist policy under the Indian Act?

Some Hon. Senators: Hear, hear.

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question and her ongoing devotion to this issue since June, and for many years before.

I have undertaken to table the demographic data, and at the appropriate time I will respond more formally to the message from the other place. I look forward to doing that in the knowledge of what the views of this chamber are.

Senator Lovelace Nicholas: As you know, Senator Harder, in 1985, only a sliver of women and children were reinstated under the Indian Act, which was at the time take-it-or-leave-it legislation by the government.

Is the government using the cost of restoring status rights to indigenous women by refusing to accept the amendment of Bill S-3?

• (1440)

Senator Harder: Again, I thank the honourable senator for her question. Let me repeat that I expect to respond to the message from the other place on behalf of the government at the appropriate time.

FOREIGN AFFAIRS

DIPLOMATIC RELATIONS WITH IRAN

Hon. Linda Frum: Honourable senators, in an article published by *The Hill Times* yesterday, we learned that government officials recently returned from Tehran having concluded a second set of talks with Iran this year. This government has made it clear that it has no qualms about engaging with a regime that is responsible for murdering its political opponents and those accused of drug offences, same-sex relations, apostasy and blasphemy. Journalism bloggers in Iran are jailed and tortured for exercising their right to freedom of speech. Women prisoners are routinely raped by their guards.

To the Leader of the Government in the Senate, I ask: What is your government doing to raise awareness about these crimes, and can you confirm for this chamber that diplomatic relations with the Iranian regime will not resume until we see a significant improvement in that country's human rights record?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for her question and for her vigilance on these matters.

Let me simply repeat that it is the view of the Government of Canada that it is better to engage our adversaries than to ignore them. To that end, the government has sought opportunities to meet with and engage representatives of the Government of Iran, to speak frankly and clearly about our concerns as a government, to speak frankly and clearly with Iran with respect to what it would take to resume a fuller diplomatic engagement. But let us not confuse diplomatic recognition or diplomatic engagement below that threshold with lack of bringing forward the interests of Canada.

We engage with countries to advance the interests of Canada, and all senators will know that issues of human rights are in Canada's interest.

INTERNATIONAL TRADE

CHINESE INVESTMENT IN CANADA

Hon. Thanh Hai Ngo: My question is for the Leader of the Government in the Senate. Yesterday, I asked a question about the foreign acquisition of Aecon Group by the Chinese state-owned enterprise, China Communications Construction, which has been building an illegal artificial island on the disputed South China Sea.

I also stress that Canadians are growing anxious about the level of influence that China has in Canada, namely, through infrastructure projects as Canada prepares to take a seat as the new Chinese-led Asian Infrastructure Investment Bank this coming January.

A few days ago, the Prime Minister said in response to this concern that a net benefit review is required for this bill to go through. Nevertheless, the government remains unclear whether the highest national security test will be imposed on the company. Before going any further with this foreign purchase, the government should be aware that China Communications Construction was also barred from bidding on World Bank projects because of fraudulent acquisition practices.

Considering these serious security concerns outside and inside Canada, will Prime Minister Trudeau order a full-scale national security review before going any further with this deal?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. That was part of his question yesterday, and I answered it by assuring him that it is indeed the expectation and intention of this government to have a national security review process apply.

As the honourable senator will know or should know, it is a multistep process led by Canada's security agencies. That is the review that will be launched as a result of this private sector acquisition. It is incumbent upon the government to conduct such a review, and as I said yesterday, it would be inappropriate for government officials or anyone representing the government to indicate whether or not this government will approve the purchase at this time.

Senator Ngo: I have a supplementary question. I want to remind the leader that last year Canada sold a Vancouver nursing home to a structured China insurance and real estate company, Anbang. Its chairman was detained and arrested by Chinese authorities for investigation in early June 2017, and it has been reported that his company was ordered to sell all of its overseas assets.

How did this government deal with the chairman's detention, and will the government order a full-scale review before approving any other similar acquisitions?

Senator Harder: Again, let me make one thing clear before I address the specific question: Canada didn't sell this corporation. The Government of Canada approved the private sale in the disposition of the asset of which he speaks.

With respect to the potential sale of Aecon, the government has launched this process through the application of the company for a foreign ownership review to meet the net benefit test. It has launched the review that I referred to earlier with respect to security, and, as I said yesterday, the Government of Canada intends to apply the criteria for state-owned enterprise investment to be part of this review also.

This is a comprehensive review, and we, as a government, will have to determine whether this private sector sale goes forward. Is it in the interests of Canada? Does it provide the appropriate protections for Canada's security and national interest? Those are the questions that are before us.

NATIONAL DEFENCE

GENDER REPRESENTATION

Hon. Mobina S. B. Jaffer: My question is also to the leader in the Senate.

Leader, my question deals with Minister Freeland's announcement regarding women, peace and security. During her announcement yesterday, Minister Freeland promised \$2 million in funding to help the UN investigate and prosecute sexual and gender-based violence. She also committed to training 200 female police officers.

Leader, I would like you to convey to her that this is an exceptional step and I never thought I would see it in my lifetime, so I congratulate her for that.

Including more women in peace processes would lead to longer lasting peace with more stable, inclusive and secure post-conflict societies. Putting these police officers into leadership roles will also help to ensure that gender-based perspectives are included during peace processes.

I have one concern, leader, and you will understand where I'm coming from the question I asked Minister Sajjan the other day.

The government has still not followed through on its commitment to provide 600 Canadian Armed Forces members, 150 police officers and \$42 million to UN peacekeeping.

Leader, Canada cannot afford to make these promises if we are only going to delay following through. To truly promote women, peace and security, we need to have a clear strategy and implement it.

Are the 200 female police officers that were promised yesterday over the 600 that were promised two years ago, or are they part of the 600 that were promised two years ago?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. With respect to her preamble, be assured that I will pass on her comments to the minister.

Sometimes processes works slowly in government, as the honourable senator will know, and I notice as I look at her that she is wearing a very beautiful brooch with a turtle on her shoulder, which reminds us of the pace of government from time to time.

I want to assure the senator that I know the minister will be heartfelt in her thanks to you for the compliments that you have passed on.

With respect to whether this is within or in addition, I would be happy to make that inquiry and report back, but I want to assure the senator, as Minister Sajjan attempted the other day, that the government is moving forward on this with discussion and consultation, but an absolute commitment.

Senator Jaffer: Leader, also when you make the inquiries, can you please ask the minister whether the government will follow through on its women, peace and security commitments under UN Resolution 1325 and ensure that at least 15 per cent of the personnel it provides to UN peacekeeping are women?

Senator Harder: I will do so.

IMMIGRATION, REFUGEES AND CITIZENSHIP

IMMIGRATION LEVELS

Hon. Tobias C. Enverga: Honourable senators, my question is for the Leader of the Government in the Senate.

• (1450)

Immigration Minister Ahmed Hussen recently tabled the 2018 Immigration Levels Plan, which would steadily increase the number of immigrants coming to Canada in 2018 to 2020. However, since forming government, the Liberals have so far failed to develop a sound strategy to ensure immigrants coming to Canada are put in a position where they can be productive members of our society.

Could the government leader tell us what assistance is being offered to ensure immigrants coming to Canada find steady employment, and also confirm that Canadians are given priority for these jobs?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question and his interest in these matters.

The Government of Canada's historic multi-year immigration plan is one that reflects the high priority the government places to having a longer-term view of what immigration levels ought to be. This is a deliberate strategy of incremental and modest growth over the period of the next number of years. As the honourable senator will know, the increase to 310,000 admissions for 2018 reflects a slight increase from the existing number, with a growing of that trend line in both 2019 and 2020.

It is also the view of the Government of Canada that increasing immigration will benefit Canadians, as our immigrants contribute to the growth and competitive nature of our economy. It is absolutely true — and the minister has made those commitments, both here in this chamber and outside — that to achieve these levels and to ensure the sustained contribution of new arrivals, this gradual increase in trend will correspondingly be reflected in the support of key economic programs that are required both to ensure the arrivals in this time period as well as the integration into the labour market and that the labour market needs in the regions across the country are met.

Senator Enverga: I have a supplementary question. The government announcement of their plan to increase the number of immigrants coming to Canada comes as they continue to underdeliver on the immigration file. The wait times to process permanent residency applications for Canada's caregivers continue to climb. Since May of this year, the wait times for such applications increased from 47 months to a prohibitive 56 months.

Could the government leader please let us know if specific attention will be given to these caregivers, who have been waiting for years in many cases to be reunited with their loved ones, or if their wait times will continue to increase as this government continues to carelessly add to this unacceptable backlog?

Senator Harder: Again, as the honourable senator will know, the various categories of immigration classes and applications for visas for temporary residence or other programs are dealt with discretely so that the appropriate resources reflect the priority of the various lanes by which people either visit or gain permanent residency in Canada. The government's plan, as outlined by the minister, reflects the apportionment of economic class family reunion as well as other lanes through which people gain access.

The minister has made a commitment, both when he was here as well as in the other place, to improve the timelines. I will certainly bring to his attention your ongoing concern with respect to the one category that you referenced.

[Translation]

JUSTICE

JUDICIAL NOMINATIONS

Hon. Claude Carignan: My question is for the Leader of the Government. Mr. Leader, nearly a year ago, the government reinstated a system whereby judicial candidates were put into three categories, namely "highly recommended," "recommended," and "unable to make a recommendation." This system was intended to help the government select only outstanding candidates for a judicial appointment.

However, the Globe and Mail reported on Monday that the government does not limit its choices to highly recommended candidates only. It seems that criteria other than merit play a role in the government's selection of judicial candidates.

Mr. Leader, can you confirm whether some of the people nominated for appointment as judges were not on the list of highly recommended candidates?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. As he appropriately references, about one year ago the Government of Canada announced important changes to the Superior Court appointments process to strengthen both transparency and accountability and to increase the diversity of judicial appointments.

The statistics released by the commissioner last Friday show the progress that has been made. The appointments of outstanding candidates from all demographic groups reflect the exceptional individuals who are coming forward in this process.

Let me say that the government has taken these steps to ensure greater diversity on the bench. I should add that whether someone is recommended or highly recommended is an important factor, among many, that the minister must take into account, such as each candidate's expertise and whether a vacancy exists where they have applied, the needs of the court and the community, their language ability and their character. Those are the considerations that the minister has brought to bear in this process.

[Translation]

Senator Carignan: Mr. Speaker, it has been a long time since we have seen a government leader read his notes to answer a question.

Could the Leader of the Government confirm what specific criteria are currently being used, since the designation "highly recommended" does not seem to be the only criterion for selecting judges? Could you describe to us in detail the various criteria for judicial appointments? Specifically, is political affiliation part of the criteria?

[English]

Senator Harder: Let me respond to the preamble by saying I'm sure that the honourable senator is referring to when he was answering questions in this chamber as the government leader and reading.

With respect to the supplementary question, I want to be clear that the minister has put forward a very transparent process and the categories that are brought forward are taken into consideration, but there is a broad objective here for diversity and representation that is being applied in the selection and appointment of judicial nominees.

I should absolutely ensure and want to ensure that the pool of candidates reflects their competence and their ability to perform this important function, and that is the criteria in relation to the pool of candidates from which the minister makes these decisions, in addition to which the factors that I referenced are used.

LEGAL AID FUNDING

Hon. Paul E. McIntyre: My question is for the government leader. It concerns legal aid funding.

In one of her last public speeches before retiring in December, the Chief Justice of the Supreme Court of Canada, Beverley McLachlin, stated that a lack of legal aid funding is to blame for the major challenge of our criminal justice system, which the Chief Justice identified as access to justice, in particular for the poor and marginalized.

[Senator Harder]

Senator, this is not the first time the Chief Justice has spoken out against the level of legal aid funding in Canada. For example, in a speech last year, she said, "Legal aid in many parts of the country is woefully inadequate."

Could the government leader please tell us the government's response to the concerns laid out by the Chief Justice?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question. Let me, in preamble to my response, indicate the pride with which we should all take the performance of the Chief Justice over this long tenure of her being both a member and Chief Justice of the Supreme Court of Canada. I think she is an outstanding Canadian and has made courageous decisions and comments, including the ones to which the honourable senator refers.

• (1500)

I'd be happy to ensure that the concerns of the honourable senator and the issues raised in the quotes from the Chief Justice herself are both brought to the attention of the minister and I will seek a response.

The Hon. the Speaker: Senator McIntyre, the time for Question Period has expired.

[Translation]

ORDERS OF THE DAY

THE SENATE

MOTION TO AFFECT QUESTION PERIOD ON NOVEMBER 7, 2017,
ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of November 1, 2017, moved:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, November 7, 2017, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

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

Hon. Senators: Agreed.

(Motion agreed to.)

ADJOURNMENT

MOTION ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of November 1, 2017, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, November 7, 2017, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

CANADA ELECTIONS ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Frum, seconded by the Honourable Senator Housakos, for the second reading of Bill S-239, An Act to amend the Canada Elections Act (eliminating foreign funding).

Hon. Ratna Omidvar: Honourable senators, I rise to speak on Bill S-239, an Act to amend the Canada Elections Act.

I want to commend Senator Frum for raising the issue of foreign influence in Canadian elections. I certainly welcome her efforts, and from everything we read in the media these efforts are certainly extremely timely.

As we all know and read, in jurisdictions south of our border and indeed outside our continent, foreign interference during elections is the topic of the day. From fake news to hackers, the world is alive to the very real and present danger facing our democratic institutions. For instance, we learned this week that Russia-backed fake news reached 126 million Americans through Facebook during the 2016 presidential election. Canada is certainly not immune to this.

But Canada also has its own unique context. Currently our laws allow foreign corporations, groups and individuals to make unlimited and unreported contributions to third parties that engage Canadian electors. This type of foreign contribution is entirely lawful under the current law so long as these contributions are made outside an election period. Foreign funding cannot be used to produce or share an election advertisement, such as in print, TV or radio, but it can be used, strangely enough, for surveys about voting intentions, telephone calls to voters and establishing websites, et cetera.

This bill is almost all about third parties. I thought I would spend a little time telling you who third parties are. Third parties include the likes of the National Citizens Coalition, the Canadian Medical Association and LeadNow, an organization that was referenced by Senator Frum in her second reading speech.

Some third parties constitute themselves simply for the purpose of engaging with voters during an election. However, the larger share of third parties are those that engage on public policy issues year round, and some register as third parties to engage voters directly during the writ period. This legislation, Bill S-239, speaks to all of these groups, regardless of their electoral intention or broader purpose and whether or not they choose to register.

I should note that in this era of online engagement and mobilization, the number of third parties that have registered with Canada elections has grown exponentially, from 54 to 114 in the last election, and the predictions are that this number will continue to grow.

So it is no wonder that issues around third party involvement and funding engagement have grabbed the attention of the public. Minister Gould, the Minister for Democratic Institutions, has been mandated to conduct a review of third party spending limits.

Earlier this year, the Senate's Legal and Constitutional Affairs Committee tabled a report on this issue after studying the annual reports of the Chief Electoral Officer. In its report, the committee concluded that the Canada Elections Act must be modernized to protect Canadian electors properly from improper influence. The report called for a re-examination of the third party regime. Senator Frum has said that the committee's report was the impetus for her bill that is before us today.

Senator Frum's approach is very straightforward. It will prevent registered third parties from accepting any foreign funds, not only for election advertising but for anything related to an election. It also expands the list of foreign contributions, clarifies further who is a foreign entity and enhances the fines associated with its contraventions.

The issue, therefore, of how foreign money is deployed would be irrelevant because there would be no foreign money. The definitions of advertising that could be paid for by foreign money would also become irrelevant because, again, there is no foreign money. And the issue of when the money could be deployed, how far ahead of the election, et cetera, would likewise become moot because there would be no foreign money.

This is a very clean and simple fix, and to some extent I agree that it is exactly that — clean and simple — but as we all know, nothing in life is quite as simple as it may look.

I am certainly no expert on this issue. Because of that, I had to read and research and I contacted many third party organizations on all sides of the political spectrum, academics and interested parties. The questions that I raise today are a result of these conversations and my review of both the intended and unintended outcomes of this bill.

My first question is: Have significant consultations been undertaken to support these changes?

My second question is: Does Bill S-239 fix the problem of foreign funding and influence, and in doing so, does Bill S-239, even if unintentionally, create an unfair advantage for some voices over others?

My third question is: Does Bill S-239 provide sufficient clarity to the third party regime?

My fourth question is: Will Bill S-239 create unexpected challenges for Canadians and their capacity to participate in Canadian elections?

And finally: Will Bill S-239 modernize the Canada Elections Act to reflect the modern era in which foreign influence pervades?

Let me start with my first question on the issue of consultations. The Legal Committee's report examining this issue was based on two hearings and the testimony of three witnesses. At that time I was a member of this committee, and these were very compelling witnesses. No outside stakeholders from third parties and no academics were consulted, and I am not sure to what extent Senator Frum engaged in consultations.

• (1510)

I raise this point, honourable senators, because changing the electoral system goes to the very heart of our democracy. We must ensure that any changes have widespread support.

The CEO of Elections Canada, whom we did hear from, Marc Mayrand, said during the electoral reform debate that “changing the rules of that competition . . . should require a broad consensus — the broadest possible.”

I believe we need that standard here, and I am not sure we have it — at least not yet.

My next question focuses on foreign influence and foreign funding.

Section 358 of the current Canada Elections Act contains a list of foreign contributors that third parties cannot accept election advertising-related funds from. This includes persons who are not Canadian citizens or permanent residents, as well as foreign corporations and associations that do not have a presence in Canada. Senator Frum's amendment adds to this list by including trusts or partnerships with at least one member who is not a resident of Canada.

However, a significant loophole remains. A bill, honourable senators, is important not only for what it sets out to do but what it leaves aside. Whilst the bill would prevent the flow of any foreign money into Canada for the purposes of funding third parties, there is no clause that prevents a foreign corporation from facilitating such donations through a Canadian subsidiary. Therefore, Canadian subsidiaries may safely give voice through donations to their foreign, private or sectoral interests.

For example, General Motors could foreseeably fund a third party through GM Canada to carry out an issues-based campaign for bailouts or against unionization, as the case could be. Starbucks could equally fund a third party through Starbucks Canada to engage the electors, let's say, on food security issues. Facebook could easily engage with electors through Facebook Canada to focus on digital privacy. In contrast, no such possibility would exist for those groups — like foreign foundations, civil society groups, affinity networks, et cetera — that do not have a corporate or business arm in Canada but that may have a legitimate concern about a variety of issues. Conceivably, the vacant space could be filled with corporate interests. I do not believe this is the level playing field that we are looking for.

The Supreme Court, in the *Harper* case of 2004, placed significant emphasis on ensuring that we maintain a level playing field in our electoral system. For our justices, this was a key issue.

Honourable senators, this bill will certainly stop the flow of foreign money to third parties, but it will not stop the flow of foreign influence. It will create a significant and unfair advantage for business interests with subsidiaries in Canada.

My third question is the following: Does Bill S-239 provide sufficient clarity to stakeholders and to third parties, and will it impact on Canadians' Charter rights?

The newly proposed section 331.2 states that no third party can accept a contribution “at any time” from foreign sources outlined in section 358, “for any purposes related to an election.”

According to the British Columbia Civil Liberties Association, this could place a non-partisan charity, not-for-profit or advocacy organization in contravention with the Canada Elections Act simply by accepting foreign funds that allow them to advocate and engage in conversations on public policy and go about doing their daily business. Third parties with public education campaigns that unintentionally mirror the platforms of one or more political parties or candidates may therefore be forced to consider efforts as election related and may be accused, therefore, of political partisanship. If they do not register, it is possible that someone, somewhere, will file a complaint against them that would then need to be investigated by Elections Canada.

Let me provide an example. I ask that you recall how Canada's response to the Syrian refugee crisis became a ballot-box issue in the 2015 election. Political parties, in October 2015, were forced to react to a groundswell of public compassion. In response, all the political parties in Canada during the election period made

commitments — some were like this and the others were like that — to allow specific responses to the Syrian refugees and their resettlement in Canada.

Many of these commitments were grounded directly in the recommendations made by prominent advocacy organizations that have worked on refugee issues for several decades — many of which I was involved with — and that had been advocating for a compassionate response before the election and that will continue to advocate for a compassionate response after. This is what they do on a daily basis. These organizations often rely on grants from philanthropic organizations outside Canada to fuel their public policy research and engagement. Their efforts were entirely removed from the fact that an election was imminent, and therefore they did not register with Elections Canada, and I doubt they even ever thought of doing that.

Under this legislation, though, someone, somewhere, a citizen or an organization, either opposed or in favour of some particular political position of a party, it could be argued that they are politically engaged in this issue, and an investigation could ensue. I should remind everyone that Elections Canada does not proactively monitor third parties; it only monitors them when a complaint is issued.

Imagine that a complaint is issued. Third parties would have to turn themselves inside out to prove certain points. This could lead, I believe, to a tremendous advocacy chill at a time when, in fact, more voice is needed rather than less.

We must ask ourselves whether this bill unduly limits the rights of Canadians by limiting their right to freedom of expression. The Supreme Court has explicitly stated that any changes to elections must not infringe Charter rights.

Mr. Yves Côté reminded the Senate Legal Committee of the following:

The Supreme Court has been clear that in the political domain, that is probably where the values underlying the freedom of expression are at the highest, and where the courts will be the most attentive in ensuring that, if Parliament intervenes, it does so in a way that respects fundamental values.

Further, what else would be covered under the broad language of Bill S-239? The amendment says that no funding of any kind can be received by third parties for any expenses that are election related. If these parties operate year-round on issues, would their overhead costs — like salaries, rents, websites — be covered? It is not clear; and without clarity, I fear that Bill S-239 would result in an avalanche of complaints.

My fourth question is the following: Will Bill S-239 create unexpected challenges for Canadians abroad and their capacity to participate in elections?

Colleagues, I think we all know that Canadians travel a great deal, and some choose to live overseas. There are 2.8 million Canadians who live abroad. While both sections 331.02 and 358 state that non-Canadians and non-permanent residents do not have the right to donate to third parties, it does not, in my view, sufficiently safeguard the rights of Canadian expatriates.

Simply put, many overseas Canadians will make donations online by using credit cards, in all likelihood issued by a foreign jurisdiction. Let's say you are a Canadian citizen living in the U.K. and you use your U.K. credit card. The onus then gets put on third parties to prove, if called upon, that these donations were from Canadians. I've been told by third parties that they worry about this. They don't know whether they have the capacity to find the proof that their donations were from Canadian residents or not.

• (1520)

I believe this is a simple problem. This is not where I have my greatest concerns. This is a simple problem and can be fixed, but it must be appropriately discussed and analyzed.

My final question is: Will Bill S-239 modernize the Canadian Elections Act to reflect the modern era in which foreign influence pervades?

Honourable senators, I believe that foreign influence in Canadian elections is not reliant simply on the flow of foreign money. Canadian electors will continue to be subject to foreign influence through the reach of online and social media platforms. This is where the biggest culprits may lurk and this is where I believe we must focus.

The truth is that the rules have been overtaken by technology and we could not have imagined this technology a few decades ago. This has placed an informal governance burden on Elections Canada and ultimately on social media platforms themselves that de facto have become public spaces of their own.

In the U.S., Republican and Democratic senators have joined together — yes, they have joined together — as they try to pass the “Honest Ads Act,” a bill that would require Facebook and the Googles of the world to disclose information about the political advertising campaigns targeting American electors on their platforms.

Here, meanwhile, the conversation has just started. Currently, Facebook determines what is and what is not a political advertisement — not Elections Canada. While Facebook may now be taking on initiatives to improve its transparency around election advertising, more needs to be done and we're just starting the conversation.

I like what Mr. Bruce Anderson of Abacus Data and Summa Strategies writes in *Maclean's*. He says, “We need better tools to protect our democracy from abuses we couldn't have imagined when our rules were drawn up.” He asks for a task force that would bring together representatives from social media platforms, Internet service providers, news organizations and others to try and visualize modern political election rules.

I agree. We need to have a conversation about foreign influence and digital advertising online because this is really the big elephant in the room.

In conclusion, the question that this bill poses and the opportunity it gives us is important. I believe it proposes to fix a small part of the puzzle. Is it sufficient? Does it create unintended consequences? Does it have broad support? Should we in the chamber of sober second thought be looking at the big picture or the small leaky hole?

Yves Cote emphasized:

... in my view [it] deserves Parliament taking the time to look at the situation and to try to understand what has happened and what is likely to happen and then taking measures

The big picture tells us that foreign influence is more pervasive than any money attached to third parties. It tells us that we must strike a balance between allowing participation in a digital and global age while protecting Canada's democracy. It tells us that people associate and agitate now in different ways, in different networks and in different movements, and that many of these movements cross national borders and national politics. This is indeed the brave new world that we must learn to navigate, negotiate and regulate.

Honourable senators, Bill S-239 is certainly timely, but we must consider whether it is the right fix for the problem. We must ask whether it will modernize the Canada Elections Act sufficiently, and we must be sure that there is support for this approach.

I would like to thank Senator Frum again for her initiative in tabling bill and for catalyzing this most important conversation.

Hon. Yuen Pau Woo: The honourable senator made reference to the 2.8 million Canadians who live outside of this country. You are aware, I'm sure, that those who have lived abroad for more than five years currently do not have the franchise. They are not allowed to vote in a Canadian election. The government has stated its intention to restore the franchise to these individuals living overseas. You raised a very interesting point about how they might be caught in the current bill whereby their participation through donations might actually be deemed illegal.

Do you think, then, that the bill, as it is currently constructed, would run contrary to the purpose of expanding the franchise and getting Canadians abroad to be more involved in the political life of Canadians?

Senator Omidvar: Thank you for the question, Senator Woo. I do think it will make people stop and think. It's a very practical problem and, because it's practical and narrow, it's easy to resolve within the context of Bill S-239. But I think it does require broader consultations. In fact, I think that Bill S-239 in its entirety needs to be examined carefully to identify unintended and intended consequences. I had not thought about this unintended consequence about how to encourage Canadians to stay involved in Canada while living overseas. That's again a question that needs to be discussed at committee.

Hon. Yonah Martin (Deputy Leader of the Opposition): I have a question for Senator Omidvar.

I, too, want to echo what you said regarding the work that Senator Frum has done. I know what the committee did in the study of this issue. As for your statement today, senator, I listened very carefully and I think you raised good points.

I'm not an expert in this by any means. However, in terms of the short title of the bill, perhaps it's the ideal of what we'd like to achieve, namely eliminating foreign funding, but as you say, it may reduce but not eliminate.

In this digital world, the influence of all sorts of third parties and external forces is ever-increasing. As you said, it's increasing exponentially, and that's quite alarming. I wonder if this bill is timely and will address some of the issues. It won't eliminate, as this short title suggests, but it will reduce. We should be looking at doing something rather than nothing and perhaps look at follow-up legislation that would address another area. It's a very complex issue, so one bill will not fix everything.

I want to ask if you agree that there are concerns and that we need to address them. This could be one of the ways to do that.

Senator Omidvar: Thank you, Senator Martin, for your very thoughtful question.

In most cases, I tend to take an incremental approach because I think perfection is not in our grasp, but do I believe that, in my review of this bill, we have raised some important questions that may, while blocking foreign funding from one source, amplify voice in another. Therefore, I think it needs a thorough review before we arrive at the conclusion that you have arrived at, which is let's do this first and then let's do the big picture later.

Senator Martin: Have you thought about potential amendments that would correct certain areas of this bill rather than just saying this bill is not doing enough and therefore we should take more time? I think about the importance of timeliness and the concerns expressed by people about the influx of foreign money and its influence in our elections. It is important. We are two years away from our next election, and we need to do something rather than nothing.

Senator Omidvar: You are absolutely right. We are only two years away from our next election. I think the problems facing us are far bigger than simply the flow of foreign money into Canada. The problem is of foreign influence, which does not need any money in Canada. You can be influencing Canadian electors without ever having anything to do with Canada; you can be overseas. I think those are really big problems. I'd like the discussion to be more comprehensive as opposed to looking at one particular problem.

I also worry, Senator Martin, that we may think if we fix one part of the problem, let's sit back and relax because we've tackled it. I think that would be a mistake. I'm worried about that.

• (1530)

Hon. Mobina S. B. Jaffer: Senator Omidvar, thank you very much for your very thoughtful and thorough presentation on this very important bill. I've also listened to all of the questions that have been asked, which are also thoughtful.

Senator, the way I understand the basis of your bill, first, we really need more consultation to have such an important bill, and, if I'm not mistaken, what you're saying is that an amendment will not correct all of the things you've said. The changes have to be to the integral part of the bill, and an amendment will not do it. Am I correct?

Senator Omidvar: Thank you. You were answering the question. Yes, I do agree. At this point, I'm not sure I can imagine an amendment when I see that there is a much more global issue for us to be concerned about. I'm not there yet. Maybe at committee, maybe during consultations, amendments will be conceived of that will strengthen the bill and make it more comprehensive in dealing with the really big challenge in the room, which is digital media.

(On motion of Senator Woo, debate adjourned.)

STUDY ON THE DEVELOPMENT OF A STRATEGY TO FACILITATE THE TRANSPORT OF CRUDE OIL TO EASTERN CANADIAN REFINERIES AND TO PORTS ON THE EAST AND WEST COASTS OF CANADA

SIXTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator MacDonald, seconded by the Honourable Senator Patterson:

That the sixth report of the Standing Senate Committee on Transport and Communications, entitled *Pipelines for Oil: Protecting our Economy, Respecting our Environment*, deposited with the Clerk of the Senate on December 7, 2016 be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Natural Resources being identified as minister responsible for responding to the report, in consultation with the Ministers of Transport and Fisheries, Oceans and the Canadian Coast Guard.

Hon. Joseph A. Day (Leader of the Senate Liberals): Colleagues, this is on the fifteenth day. I intend to speak on this, as I indicated a few days ago. With the cancellation of the Energy East pipeline, my comments are somewhat different and need some further work. With your permission, I would ask that the matter be adjourned in my name.

(On motion of Senator Day, debate adjourned.)

TRANSPORT AND COMMUNICATIONS

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES AND TRAVEL—STUDY ON THE REGULATORY AND TECHNICAL ISSUES RELATED TO THE DEPLOYMENT OF CONNECTED AND AUTOMATED VEHICLES—EIGHTH REPORT OF COMMITTEE
ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Dawson, seconded by the Honourable Senator Eggleton, P.C., for the adoption of the eighth report of the Standing Senate Committee on Transport and Communications (*Budget—study on the regulatory and technical issues related to the deployment of connected and automated vehicles—power to hire staff and to travel*), presented in the Senate on October 31, 2017.

Hon. Yonah Martin (Deputy Leader of the Opposition): I had asked Senator Dawson a question on this. I was asking for some clarity, so I am ready for the question if the chamber is.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

THE SENATE

MOTION TO AMEND RULE 4 OF THE RULES OF THE SENATE—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Enverga, seconded by the Honourable Senator Runciman:

That the *Rules of the Senate* be amended by replacing rule 4 by the following:

“Prayers and National Anthem

4-1.(1) The Speaker shall proceed to Prayers as soon as a quorum is seen, and, on a Tuesday, shall then call upon a Senator or guests to lead in singing the bilingual version of O Canada.

Guest singers

4-1.(2) The Speaker may invite guests to enter the galleries to lead in singing the National Anthem.”

(On motion of Senator Martin, debate adjourned.)

MOTION TO STRIKE SPECIAL COMMITTEE ON THE CHARITABLE
SECTOR—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mercer, seconded by the Honourable Senator Fraser:

That a Special Committee on the Charitable Sector be appointed to examine the impact of federal and provincial laws and policies governing charities, nonprofit organizations, foundations, and other similar groups; and to examine the impact of the voluntary sector in Canada;

That the committee be composed of eight members, to be nominated by the Committee of Selection, and that four members constitute a quorum;

That the committee have the power to send for persons, papers and records; to examine witnesses; and to publish such papers and evidence from day to day as may be ordered by the committee;

That, notwithstanding rule 12-18(2)(b)(i), the committee have the power to sit from Monday to Friday, even though the Senate may then be adjourned for a period exceeding one week; and

That the committee be empowered to report from time to time and to submit its final report no later than September 28, 2018, and retain all powers necessary to publicize its findings until 60 days after the tabling of the final report.

Hon. Yonah Martin (Deputy Leader of the Opposition): This is at day 14, so I move adjournment for the remainder of my time.

(On motion of Senator Martin, debate adjourned.)

SOFTWOOD LUMBER CRISIS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Maltais, calling the attention of the Senate to the softwood lumber crisis.

Hon. Donald Neil Plett: I see that this is also on day 14, Your Honour, and I am not quite ready. I am ready to speak on a different one today, but I would adjourn this one, please.

(On motion of Senator Plett, debate adjourned.)

CRISIS IN CHURCHILL, MANITOBA

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Bovey, calling the attention of the Senate to the crisis in Churchill, Manitoba.

Hon. Donald Neil Plett: I will speak briefly to this today. It is also on day 14, so I will make some comments on this today.

I want to begin by thanking Senator Bovey for bringing this very important issue to the floor of the Senate.

This is a time-sensitive issue and can be highlighted, discussed and, hopefully, rectified as quickly as possible.

Senator Bovey mentioned her trip to Churchill, and I am pleased that she had the opportunity to make the trip to a place that is near and dear to my heart. Allow me to elaborate a little bit on my experience in Churchill and why this strikes a personal chord for me.

While I have been to Churchill many times, I first started travelling to Churchill when my company was hired to install a large heating and ventilation system at the airport in Churchill and then, later on, in dozens of homes and apartments in Churchill. Since then, I have attended many of the annual First Vessel ceremonies commemorating the start of the shipping season each year at the Port of Churchill.

I personally led a delegation of Chinese officials to Churchill, whose reaction was of complete awe as they took in the beauty of Manitoba's Far North, and it is something that I will never forget. Believe it or not, I have personally helped to carry a 1,000-pound tranquilized polar bear out of the landfill in Churchill; it was breathing on my left wrist as I was holding onto the stretcher, carrying out the polar bear. I asked the conservation officer if the bear was asleep, because his eyes were wide open. He said, "No, he is not asleep. He is awake, but he can't move." I asked the conservation officer, "Does the bear have a very good memory?" He said, "He will never forget you."

Now, I have travelled to and stayed at the Nanuk Polar Bear Lodge, one of the many lodges that Mike and Jeanne Reimer operate. The Polar Bear Lodge is located at Seal River, a destination that can only be reached by a 30-minute floatplane flight from Churchill. I have also had the pleasure of staying at the Lazy Bear Lodge in Churchill, owned and operated by Wally and Dawn Daudrich.

These businesses are now suffering as a result of government inaction on this crisis. On that note, I find it alarming that since Senator Bovey first brought this to the attention of the Senate in June, there has been no meaningful action from the federal government to seek a solution. I find the silence from the members of the House of Commons and, namely, the Liberal members of Parliament from Manitoba equally alarming and frustrating.

Colleagues, as has been stated, there is an ongoing humanitarian crisis in Churchill. Churchill is situated at the edge of the Arctic and is only connected to the rest of Canada by either rail or air. As Senator Bovey stated, there are no roads into town. Rail is their lifeline.

• (1540)

Having originated as an outpost, it developed as a seaport in the 1920s with construction of the Hudson Bay Railway and the Port of Churchill. In 1942, the United States Army Air Corps established a base called the Port of Churchill, located just a few kilometres east of town. After the Second World War, the base served several other purposes, including as a Strategic Air Command facility. The area was later the site of the Churchill Research Range, with its first rocket launching in the 1950s. The range continued to host launches for research until its closing in 1984. A private, American-based company, OmniTRAX, has operated the port and the Hudson Bay Railway since 1997.

In May, the only land link connecting Churchill, Manitoba with the rest of Canada was washed out by a 200-year flood. The damage to the Hudson Bay Railway was by any measure catastrophic. The loss of the rail line has left northern Manitoba communities stranded, without access to affordable food and other critical supplies.

Since the crisis began, I have met with numerous key players involved in order to move towards a solution. However, in doing so, it has become patently obvious that this vulnerable and isolated population has been all but ignored by the Prime Minister and the federal government.

The Honourable Jim Carr, the minister responsible for Manitoba, has demonstrated a striking indifference. For what Minister Carr and the Canadian taxpayers gave to the Assiniboine Park, the people of Churchill and northern communities could have entirely restored rail access. The Prime Minister himself, in handing over a \$35-million cheque for a “diversity garden” in one of Winnipeg’s wealthiest neighbourhoods, misled northerners that his government was working on a solution for the troubled rail line.

Since OmniTRAX Canada made it clear that the railway was no longer commercially viable and they would not be able to fund any further costs associated with the line, the federal government has done everything it can to shirk its responsibility to help resolve this issue.

First, they appointed a negotiator with no apparent mandate to negotiate. They have threatened a lawsuit that will tie the matter up in the courts for years, all the while nothing would get done to reopen access to Churchill. They have alienated the very First Nations leadership so integral to a renewed, locally owned Hudson Bay Railway. They have declined repeated invitations to visit the line and inspect the damage first-hand. And not one government representative — not one — has visited Churchill to speak to the people directly affected by this disaster.

Our esteemed Standing Senate Committee on Banking, Trade and Commerce recently published a report entitled *National Corridor: Enhancing and Facilitating Commerce and Internal Trade*, in which they made clear the strategic importance of

Churchill, noting that the closure of the port was unfortunate because it is the shortest route to Europe for a number of Canada’s exported commodities.

It is also becoming clear that others, notably China, appear more willing to fill the void left by our government’s indifference to the North. In 2016, China published a shipping guidebook to the Northwest Passage and to date will not acknowledge Canada’s sovereignty over the increasingly viable global trade. *Maclean’s* reported in June 2016 in “How Ottawa abandoned our only Arctic port,” that Chinese diplomats have visited Churchill seeking to recruit locals interested in Mandarin language training.

If the pleas for help from the people of Churchill are not enough, perhaps protecting our northern territories from opportunistic foreign powers will spur this government to make Churchill a priority.

Back in June, OmniTRAX entered into a deal with Grand Chief Dumas and a First Nations consortium to sell the line for \$20 million but the federal government intervened and blocked the sale, which resulted in the government failing to come through with their end of the bargain. The government requested that Chief Dumas partner with another First Nations consortium to purchase the rail line, which he and OmniTRAX both agreed to. There was another deal ready to go. Then the government stated that it cannot support this deal because they feel as though the First Nations consortium was paying too much for the rail line.

This is absurd. First, because it’s a private sale. Second, the value of the steel alone on the railway is worth more than double what the buyers had agreed to pay.

As Chief Arlen Dumas stated in June in a CBC interview, “Lo and behold, when we actually come to an agreement and sign on the bottom line, those very same people who have been speaking to us about the most important relationship in the country are quick to kick us to the curb.”

Chief Dumas further said that this is an affront to pledges made by Prime Minister Justin Trudeau, promising First Nations communities a new relationship with the federal government. He continued, “To be disrespected this way is ridiculous. I am absolutely frustrated because we’ve done the hard work. We’ve taken the initiative to find a solution for what we need in the North . . . having the federal government, who we allowed to be partners in helping move this forward, pull the rug out from under us is a shock and a disrespect to what we have done.”

The federal government now believes that the answer is to threaten OmniTRAX with a lawsuit. This adds to the confusion surrounding the government’s priorities and the process for determining which legal matters are worth pursuing.

Colleagues, I spoke in this chamber about the government having recently spent more than \$110,000 fighting a First Nations girl in court to block payment for an orthodontic treatment that cost \$6,000. This same government readily and eagerly handed out \$10 million to a convicted terrorist, citing the avoidance of excessive legal fees for settling out of court. And now we have OmniTRAX, the company that has had a deal ready to sell the rail line since June, and a subsequent agreement with Grand Chief Dumas and a new coalition of First Nations buyers since August.

The only entity getting in the way of the sale is the federal Liberal government, and they are threatening to sue OmniTRAX if they do not fix or sell the line. They're trying to sell the line. This is more than inaction. This is obstruction.

In the meantime, the government has assisted VIA Rail in moving their cars out of Churchill, which was a terrible symbolic letdown for the community. People in the community contemplated some kind of public action to keep the cars in town, but were eventually resigned to the fact that it was beyond their control.

The government then arranged to have fuel flown in for the winter. These actions are giving the residents of Churchill no hope that the government has any intention of facilitating the repair of this line.

Has the intention of the government been to make this a fly-in community all along? And if not, how can the government justify dragging its feet and leaving the community of Churchill in the dark?

These are some of the questions I posed to Minister Carr when he appeared in this chamber for Question Period. And as we have seen every step of the way since this crisis began, we receive no answers.

Colleagues, it is not too late to change how this story ends for Churchill and Canada's North. There is a plan in place that could reopen the rail line in 30 days, albeit on a very limited basis. But it will help to ensure that critical supplies can flow north over this winter. There is also an agreement in place that could see the Hudson Bay Railway sold to and operated by a consortium of First Nations communities along the line. Federal government leadership is the only thing standing in the way.

• (1550)

I know first-hand now dependent businesses are on this railway. The company I owned was entirely dependent on the railway to get our supplies into Churchill.

The businesses I mentioned before — lodges, tour companies and expedition companies — are struggling immensely without the rail, which is essential to transport any tourists and any necessary supplies. The tourism industry has entirely plummeted. We have small-business owners pleading with the Prime Minister to act, one shop owner promising him a new pair of moccasins if he steps up and does the right thing.

The Prime Minister's Office self-righteously boasted as recently as yesterday:

... this prime minister and our office have made a commitment to engage heavily and regularly with Canadians, Indigenous peoples, provinces and territories, and stakeholders ...

Again, this proves that, when it comes to the North and Churchill specifically, this government is all talk and no action.

It is time for the federal government to do its job. It is time for the Prime Minister and Liberal MPs from Manitoba to end their deafening silence and take leadership on an issue of national importance. It is time for Ottawa to show the rest of Canada how it feels about Canada's North.

(On motion of Senator Mercer, debate adjourned.)

[Translation]

TRANSPORTATION MODERNIZATION BILL

BILL TO AMEND—FIRST READING

The Hon. the Speaker: informed the Senate that a message had been received from the House of Commons with Bill C-49, An Act to amend the Canada Transportation Act and other Acts respecting transportation and to make related and consequential amendments to other Acts.

(Bill read first time.)

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

(On motion of Senator Bellemare, bill placed on the Orders of the Day for second reading two days hence.)

[English]

AUTISM FAMILIES IN CRISIS

TENTH ANNIVERSARY OF SENATE REPORT—INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Munson, calling the attention of the Senate to the 10th anniversary of its groundbreaking report *Pay Now or Pay Later: Autism Families in Crisis*.

Hon. Tobias C. Enverga, Jr.: Honourable senators, I rise today to speak to this important inquiry of Senator Munson, drawing attention to the tenth anniversary of this chamber's groundbreaking report, *Pay Now or Pay Later: Autism Families in Crisis*.

Although I was not a member of this august chamber when this report was first released, I would like to rise now and speak briefly in support of developing a national strategy aimed at helping Canadian families living with Autism Spectrum Disorder.

Colleagues, as many senators have pointed out in their thoughtful and passionate speeches on this debate, much good work has been done since this chamber adopted this report 10 years ago.

Chief amongst this good work is the heightened level of awareness surrounding ASD. This increased awareness has led to further increases in understanding and diagnosing Canadians who fall within this spectrum. Yet with more diagnosis comes an even greater need and greater urgency for the development of a framework to assist this ever-growing number of Canadian families who are dealing with ASD in their daily lives.

Honourable senators, as awareness has continued to grow around ASD following the Senate's report, so has advocacy. Shortly after this report was released in 2007, the Canadian Autism Spectrum Disorders Alliance was formed. It is this group's mission to develop a comprehensive national ASD framework to support individuals living with ASD, as well as their families.

Although we have started taking steps in the right direction, colleagues, I think we can agree that there is more work ahead of us and that more needs to be done to help these individuals and their families.

Honourable senators, we often see persons with autism on film and television portrayed as quirky individuals with amazing talents changing the lives of people around them with their amazing gifts. Oftentimes, the day-to-day challenges of families living with autism are glossed over and the story ends with everyone living happily ever after.

However, we know that in reality there is a host of challenges, large and small, that Canadian families living with ASD face on a daily basis. Many of us here are either directly affected by ASD, or else we know of someone who is. Autism Spectrum Disorder does not require many degrees of separation to affect all Canadians in one way or another.

I, myself, have a personal connection to ASD, as my niece has a daughter who has been diagnosed with autism. I know first-hand how crucial and helpful a national strategy would be to assist these countless families from coast to coast to coast.

Honourable senators, Canadian families living with autism and other forms of permanent disability must face the reality that there will be a lifetime of challenges ahead. From the day of diagnosis until adulthood, parents of children with autism are faced with daily challenges that most people are not quite ready to handle. A national autism strategy will go a long way in helping Canadian families lay down the strong foundation of support and access to programs not only for persons diagnosed with ASD, but their families and caregivers as well.

Early diagnosis is critical. With a national strategy in place, families with new diagnoses can have access to programs and services that will empower them to help their young children very early on.

Families tell stories of being lost and alone, especially at the beginning. A national autism strategy will go a long way towards helping parents access necessary programs and services in an efficient and effective manner.

Consultations with parents at different stages of their ASD journey would benefit legislators as we take a collaborative approach of establishing a national autism strategy. The sharp increase in diagnosed cases of ASD is certainly alarming and we must make every effort in finding ways to create the framework that will benefit all Canadian families living with ASD.

Honourable senators, as federal legislators, we must match the courage and strength of Canadian families living with autism and provide a legal framework that would cut the bureaucratic red tape that prevents families from accessing the necessary programs, services and critical funding for therapy and support.

Canada must take a leadership role in addressing the challenges of ASD. A national autism strategy in Canada would serve as a role model that other countries would emulate, allowing them to provide support to families and individuals in a timely and sustainable manner.

A national autism strategy in Canada can make our great country a trailblazer, showing the world that it is indeed possible, with the help of an established national framework, to help persons with autism become independent, engaged and productive members of society.

Colleagues, it is my hope that in creating this national strategy aimed at helping Canadian families living with Autism Spectrum Disorder we can apply this blueprint effectively, and with the necessary changes, help Canadian families living with a number of other disabilities.

Canadians and their families who live with other conditions such as Down Syndrome, Fragile X syndrome and Rett syndrome, to name but a few, could also greatly benefit from the creation of this national strategy.

But before we run, we must walk. With that, colleagues, I include my voice with the many who have already spoken in this debate in calling for the establishment of a national framework to support those living with Autism Spectrum Disorder.

• (1600)

Finally, I would like to extend my deep thanks and gratitude to Senator Munson for bringing this inquiry forward. Senator Munson has done much good work for many disabled Canadians and their loving families, and I am truly honoured to support him fully in achieving the goal of creating a national strategy to support Canadians living with ASD and their families.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

OFFICIAL LANGUAGES

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE
SENATE

Hon. Claudette Tardif , pursuant to notice of October 31, 2017, moved:

That the Standing Senate Committee on Official Languages have the power to sit at 3:30 p.m. on Wednesday, November 8, 2017, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(At 4:01 p.m., the Senate was continued until Tuesday, November 7, 2017, at 2 p.m.)
