Standing Committee on Public Safety and National Security

EVIDENCE

Monday, June 12, 2017

Chair
Mr. Robert Oliphant
Standing Committee on Public Safety and National Security

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I'm going to call to order the 69th meeting of the Standing Committee on Public Safety and National Security. Pursuant to Standing Order 108 (2), we will study the subject of the supplementary estimates (A) for 2017-18.

Welcome, Mr. Kang, Mr. Fonseca, Monsieur Robillard, and Ms. Kusie. Today we have many people new to our committee, so bienvenue, welcome. We're glad you've joined us. You'll find that this is always a good experience.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): I have a small point of order. I want to thank our witnesses for being here, Mr. Chair, but I understood that the minister was also coming today. Is that not happening?

The Chair: The minister was invited, but unfortunately is unable to come. We tried two dates.

Mr. Larry Miller: So his not being here has nothing to do with the bill he tabled on Friday.

The Chair: I don't think so.

Was there a bill on Friday?

Mr. Larry Miller: Okay. I just wondered.

The Chair: We were told that he couldn't come.

Mr. Larry Miller: Okay.

The Chair: We are very pleased that Mr. Brown, the deputy minister, is with us today, as well as officials from the agencies that have changes in their supplementary estimates.

I would like to have a committee business meeting for about the last 20 minutes of our time today, which means we'll go no later than five minutes after five or so. We'll have about an hour and 15 minutes with you, which I think should be fine. If the committee have more questions they want to ask, we may go another few minutes, but I think we should be able to do this review in that time.

I understand that the four branches have five-minute statements each. I'm not sure who's beginning.

Mr. Brown.

Mr. Malcolm Brown (Deputy Minister, Department of Public Safety and Emergency Preparedness): Thank you, Mr. Chair.

I should just be clear, because this is an important governance issue, that SIRC is not a branch of the portfolio.

The Chair: Yes, but it's within your envelope.

Mr. Malcolm Brown: No, it's not. It's in the Prime Minister's portfolio, just to be clear, so there's no confusion about roles and.... We, from time to time, are blessed by reports from the committee that go to the minister, but SIRC reports and works, in terms of its operations and supplementary estimates, through the Prime Minister's portfolio.

The Chair: Thank you.

Mr. Malcolm Brown: Mr. Chair, thank you for the invitation to discuss the 2017-18 supplementary estimates (A) for the Department of Public Safety.

It's an honour to have the opportunity to highlight our organization's efforts to keep Canadians safe and to say how these investments fit into that work.

For Public Safety Canada, voted appropriations sought in these estimates represent an increase of $4.2 million. These investments will help the department carry out three activities.

First, $2.4 million will support the department's work to analyze implementation options for the potential development of a public safety broadband network, further to the commitment made in budget 2015. This initiative is aimed at strengthening Canada's public safety agencies' communications, operations, and response coordination during crises and day-to-day operations.
I would note that the estimates also allocate $600,000 to Innovation, Science and Economic Development Canada for this initiative. On May 19, 2017, that total of $3 million was announced by Minister Goodale and Minister Bains. It will also allow the departments to conduct stakeholder consultations and produce evidence-based analysis on implementation models for consideration in a public safety broadband network.

Secondly, an investment of $1.1 million will support and enhance the resilience of critical infrastructure in Canada through the one-year renewal of the regional resilience assessment program, RRAP, and the virtual risk analysis cell, VRAC, further to the commitment of budget 2017.

For context, the RRAP conducts site assessments that help better defend and protect critical infrastructure facilities and systems across Canada. The VRAC develops analytical assessments and tools on the immediate downstream and cross-sector impacts of disruptions to critical infrastructure and facilitates enhanced information sharing through an online portal.

Finally, for the department, you’ll note an investment of $700,000 for a one-year renewal of the Investment Canada Act national security review program, as committed to in budget 2017. The national security review process is supported by Public Safety Canada and Canada’s security and intelligence agencies, and other investigative bodies prescribed in the ICA.

You’ll also hear from my colleague, Jeff, the interim director of CSIS, that CSIS is also involved in this work and is seeking a one-year renewal of funding as well. The funding will be used by the department and CSIS to assess each foreign investment transaction to examine whether it is injurious to national security, and if so, make recommendations for appropriate actions to address the threat. At this time, the resources allocated to identification and risk-management activities are time limited until March 31, 2018.

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I would like to emphasise that CSIS plays a critical role in the national security review of foreign investments, which is an intensive process in a compressed time frame. This is critical work that we wish to continue to support.

With that, Mr. Chair, I will conclude my remarks and would also welcome any questions.

The Chair: Thank you.

Who is next?

Ms. Tina Namiesniowski (Executive Vice-President, Canada Border Services Agency): Thank you, Mr. Chair.

I’m joined today by Christine Walker, chief financial officer of the Canada Border Services Agency, or CBSA. I’m the executive vice-president of the agency.

Thank you for the opportunity to speak to the committee.
I’m here to address the Canada Border Services Agency’s request for additional funding under supplementary estimates (A). Specifically, the agency is seeking $41.6 million

[English]
—or $44.9 million including EBP—

[Translation]

to support the targeted admission of

[English]
300,000 immigrants in the context of the multi-year levels plans of the Government of Canada,

[Translation]

and $162.8

[English]
—or $172.6 million including EBP—

[Translation]

million to maintain the integrity of Canada’s border operations.

[English]

Let me explain briefly what the funding will be used for.

In the context of the government’s multi-year levels plan, which was announced in October of 2016, the agency and its partners, including Immigration, Refugees and Citizenship Canada and the Immigration and Refugee Board, are committed to processing up to 300,000 new immigrants this year. This year’s target is an increase from the 250,000 immigrants we have processed, on average, annually over the past 15 years, and the funding in our supplementary estimates is associated with that.

This funding will expand our current operations in the following areas.

Our overseas operations and pre-arrival security screening of all immigration applicants help to ensure that higher or unknown-risk people never come to Canada, never pose a threat to public safety, and never have to be subjected to lengthy and costly enforcement actions.

Processing upon arrival in Canada by our Border Services officers, who verify, identify, and do the work that they do with respect to admissibility, and who support the applicant’s access to benefits and programs they are entitled to, including interim federal health coverage, for example.

Post-arrival enforcement actions help us deal with applicants who ultimately break Canada’s laws. Such actions include investigations, hearings, appeals and, where necessary, detentions and removals.

Finally, some of the funding will go to investing in the recruitment and training of new officers at our college in Rigaud, Quebec.

With respect to the other amount of funding that we’re requesting in the context of supplementary estimates (A), the $162.8 million is needed to support our ability to maintain our current service levels in the face of the overall growth in volumes across our business lines, growth that we expect will be greater this summer as a result of Canada celebrating its 150th anniversary as well as Montreal celebrating its 375th.

It will enable us to address retroactive salary obligations as collective agreements are settled, and it will help us ensure the continued and predictable availability of our mission-critical IT systems. It will also help to address the rising costs associated with managing our large portfolio of real property assets, which include over 115 land ports of entry and more than 200,000 square metres of leased space across the country.

I think, as you know, the agency is also playing an integral role in managing this year’s exceptional flow of irregular migrants. The agency is assessing the full breadth of the impacts and our potential resource requirements to manage this still dynamic situation. As our minister stated when he appeared before this committee on May 15, if we need additional resources, he will seek them on our behalf. In this context, a request by us for additional resources associated with the irregular asylum situation would be beyond what we’re seeking in the context of the $162.8 million. That funding is important to us, given the role that we play in supporting Canada’s economy and security.

With respect to supporting the economy, just as a reminder, last year we processed more than 92 million travellers and 16 million commercial releases, all the while ensuring the safety and security of Canadians.

[Translation]

To ensure that we continue to deliver on our mandate effectively and efficiently, we’re focused on maximizing the effectiveness of our program spending. In this context, in February, we launched the CBSA renewal. This initiative is giving us the opportunity to review all areas of the agency, including its governance, infrastructure, revenue generation opportunities and innovation agenda. The goal of the renewal is to ensure that our resources directly support the government’s priorities. In doing so, we’ll ensure the sustainability of our operations for years to come.

Through the renewal, the agency is taking a strategic approach to examine what the border of the future will look like; how it must adjust to address new and emerging threats; and how it can make the border as open as possible for legitimate business and travellers.

● (1605)

Thank you, Mr. Chair.

We’re ready to answer your questions.

[English]

The Chair: Thank you, Madam.

Now we go to SIRC.

[Translation]

Ms. Chantelle Bowers (Deputy Executive Director and General Counsel, Security Intelligence Review Committee): Good afternoon.
Thank you for inviting me to speak with you. I also want to thank Stéphanie Dion, director of corporate services for the Security Intelligence Review Committee, or SIRC, who has accompanied me today.

As an introduction, I want to give you some information about SIRC to provide context for the discussion today.

[SIRC] exists to provide Parliament and Canadians with an assessment of whether CSIS has acted appropriately and in accordance with the law, policies and procedures, and ministerial direction in the performance of its duties and functions. Our objectivity is a direct result of our independence and experience, and results in meaningful accountability.

SIRC fulfills its vital mandate through its three core functions: certifying the CSIS director’s annual report to the Minister of Public Safety; conducting in-depth reviews of CSIS operations; and, lastly, investigating complaints.

Accountability is crucial to building public trust, especially in the realm of secretive intelligence work. For more than 30 years SIRC’s mandate has been to hold the service accountable by reporting to Parliament—and, by extension, to all Canadians—as to whether CSIS respects the law and rights and freedoms in carrying out its mandate to investigate the threats to national security.

[SIRC’s reviews cover all the service’s key activities, in particular targeting, warrants and human sources. The reviews also cover its programs, including counter-terrorism, counter-intelligence, counter-proliferation and security screening. SIRC examines the arrangements made by the Canadian Security Intelligence Service, or CSIS, to cooperate and exchange information with both foreign agencies and domestic organizations. Lastly, SIRC examines the advice the service provides to the Canadian government.

A typical review done by SIRC will require hundreds of staff hours and is completed over a period of several months. As part of this process, SIRC researchers consult a multitude of information sources to examine specific aspects of CSIS’s work. Researchers may look at, for example, operational reporting, individual and group targeting files, human source files, intelligence assessments, and warrant documents.

In order to provide a comprehensive and meaningful review of CSIS’s activities, SIRC relies on risk-based planning. This method allows us to identify all areas of CSIS activity and rank them annually in terms of risk, which contributes to the focus and coverage of our reviews. Given that it is impractical for an organization the size of SIRC to examine all of CSIS’s duties and functions annually, our risk-based planning allows us to ensure that all service activities are in fact reviewed annually and systematically.

SIRC relies on a dedicated team of full-time researchers, lawyers, and other professionals to complete its work. Over time, CSIS’s activities have undergone and continue to undergo rapid expansion, while SIRC for many years remained stagnant, which compromised our ability to provide comprehensive coverage of CSIS’s activities.

Therefore, in 2015, we were pleased to learn that SIRC had received one year of funding to expand its resources. That funding was extended for a further three years in January 2017. As a result, SIRC has grown over the past year and is currently operating at capacity with a significant complement of employees from other departments. These employees have a wide variety of experience in national security and intelligence. With the increase in staffing, SIRC has taken on a more ambitious research plan. It will be able to provide broader coverage of CSIS’s activities at home and abroad.

This also means, however, that we have outgrown the space we currently occupy within a building that has been decommissioned. New office space has been designated for us and we are working with Government of Canada partners towards readying it for occupation. Our move has been deferred due to unforeseen delays, but we are anticipating its completion before the end of this current fiscal year.

SIRC is pleased that this new space will allow us to have an improved security posture, along with enhanced connectivity. These improvements are essential to our operations and efficiency and will contribute to our ability to continue in our mandate.

As a result, SIRC is asking to reprofile the $2 million that had been set aside for the relocation and modernization fund.

Merci beaucoup.

The Chair: Thank you, Ms. Bowers.

Ms. Damoff, you have the floor to start this first round.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you.

Thank you to all the officials who are here today. There are a lot of new faces around the table. It's nice to see more gender parity at the table from what we were used to seeing with Public Safety. Welcome to everybody.

In the estimates there's talk about the integrity of border operations. You spoke to that when you were making your comments.

I wondered if you could elaborate just a little bit on something. On the weekend I was at a fundraiser and a gentleman took the opportunity to inform me that Canada had open borders that were not secure. I assured him that was far from the truth.
But when you see wording like the “integrity of Canada's border”, I just wonder if you could explain a little bit about what that money is being used for and also reassure all of us about how safe our borders are.

I know the GTAA, the Greater Toronto Airport Authority, has approached me about having additional border services agents on duty because they have such a high volume of passengers travelling through there. I wonder if you could just elaborate a little bit on that.

Ms. Tina Namiesniowski: Thank you, Mr. Chairman.

As I said during my opening remarks, supplementary estimates (A) have earmarked just over $162 million for the agency. Yes, it's under the label of the integrity of the border. It's really a reflection of the reality that the border agency is dealing with an ever-changing environment. Over the course of the last number of years, we're seeing increasing numbers of people coming to Canada.

We're seeing an exponential growth in e-commerce. We're seeing our economy, thankfully, continuing to hum along. We have quite a bit of traffic that comes across our borders from the point of view of commercial business. Associated with that growth is an increasing demand and workload of the agency.

As part of the estimates, we have funding that's a reflection of the reality that we're dealing with in this changing business environment. But the changing business environment also accounts for the reality that Canada is not immune to threats. As part of our business, we also spend a lot of time ensuring that we're doing the right kind of risk assessment and risk management associated with the operations of Canada's border.

That's a reality that's not unique to Canada, but it is very much an important part of our business. We are very seized with ensuring that we are doing the right thing with respect to the safety and security of Canadians. That includes ensuring that we're performing our mandate, which is dual in nature, both in terms of facilitation but also security at our borders.

We have funding that addresses that reality.

Ms. Pam Damoff: You also mentioned that any money that would be needed for the asylum seekers would be separate from this.

Can you elaborate a little bit on that. Will you be coming back for more money, or how are you dealing with that?

Ms. Tina Namiesniowski: I think when our minister was here on the 15th of May he was asked about our ability to manage the pressure associated with the upward trend in the number of asylum claimants whom we're seeing across the border. When he was here at that time, and as he's made extremely clear to our agency, as well as to our partner agencies dealing with the reality of this increasing volume of asylum claimants, if we feel that we need additional resources to manage that increasing volume we need to let him know. He would definitely advocate on our behalf for additional resources to help us deal with that pressure.

When we sought the additional funding associated with the supplementary estimates (A), we did not face the same kind of reality that's playing out at our land border today. So our request would be in addition to what is currently here. But at this point, we've yet to land on exactly what additional resources we may need pursuant to that pressure.

Ms. Pam Damoff: I understand that the numbers have levelled off at the border crossings. When the public safety committee was in Washington recently, I seem to recall that we got some information that it wasn't unusual for there to be spikes and decreases in those types of crossings. Is that correct?

Ms. Tina Namiesniowski: That is absolutely correct. We see at this point, relative to a couple of months ago, that things are sort of trending a little bit downward. But it depends in part on which border crossing you're talking about, because they are not all the same. For example, we continue to see fairly high numbers of people coming across the border near Lacolle, Quebec, for processing in Lacolle.

The other reality is that border traffic ebbs and flows and, relative to historical information that we have, the reduction at this point in time is not out of the ordinary, and that we then typically see another upward swing. Will history repeat itself into the future? I think that remains to be seen. But our expectation is that it probably will, based on historical trends.

Ms. Pam Damoff: They also talked about how well they work with you in determining issues with certain countries, for example, that are letting people into the United States, who are then in turn making their way into Canada. So there's a lot of co-operation between our two countries in identifying any potential issues overseas and having the U.S. take action on its end to try to stem the flow from certain countries.

Ms. Tina Namiesniowski: Mr. Chair, that's absolutely correct. I would say that, at an operational level, the Canada Border Services Agency has a very effective relationship with its counterparts at Customs and Border Protection in the United States. We definitely are working together to make sure that we understand what is happening along our shared border and that we're each able to take measures to mitigate some of that.

Ms. Pam Damoff: I think I have only 15 seconds left, so I'll end it there.

The Chair: I might take those seconds.

When I read your notes, I guess the concern that comes to mind is that it's not a surprise that it's the 150th anniversary, and I'm just trying to figure out why that's in supplementary estimates (A) and wasn't planned for. I can understand if the border things changed, because we have migrants crossing the border. I'm just honestly trying to figure out why.... The $200 million in supplementary estimates (A) is not an insignificant percentage of your budget for you to be coming at this stage looking for authorities for. I'm just wondering about the planning. Some of the other things around salary obligations and collective agreements are not surprises. Especially with the Canada 150, how did that catch you by surprise?
Ms. Tina Namiesniowski: I would say, Mr. Chair, that it didn't catch us by surprise, but the reality is that some of those things come and go. The Canada 150 is unique to this particular fiscal year, so it's not something that we would necessarily seek ongoing funding for. It's a reflection of a pressure that we're anticipating this fiscal year; and instead of putting that into our reference levels on an ongoing basis, we're getting supplementary funding for it, to address pressures in the year.

The Chair: So, it's part of the programming that we do it that way.

Ms. Tina Namiesniowski: That's right.

The Chair: Okay.

Mr. Clement.

Hon. Tony Clement (Parry Sound—Muskoka, CPC): My first questions are for acting director Yaworski.

You mentioned how some of the funding in the supplementary estimates (A) is going to foreign investment transactions review. I'm just trying to get a sense of how these things go, because we have this issue with Norsat International being taken over.

If we use that as a case study, are you notified by Innovation Canada, and then do you provide input into their analysis of the situation? Is that how it goes?

Mr. Jeff Yaworski: No, I think I would refer you to my comments on our role with respect to the Investment Canada Act and the reviews that we perform. At the end of the day, it's the Governor in Council who decides, based on the advice that we provide, what to do and whether to require mitigation measures on the purchase of her company with respect to possibly preventing the sale of a company. Our advice is part of a multitude of advice from the security intelligence community. I'd rather not get into the specifics of any cases, but generally that's what we do.

Hon. Tony Clement: Generally, is there a difference between an analysis of the situation and a review of the situation?

Mr. Jeff Yaworski: I would say a review is a more thorough analysis, but analysis informs the review.

Hon. Tony Clement: If there's no review, there still can be an analysis, but the analysis is taken by the Governor in Council and they make a decision not to review.

Mr. Jeff Yaworski: I would have to defer on a policy decision, probably to Malcolm.

Mr. Malcolm Brown: Would you like me to take a stab at that, Mr. Clement?

Hon. Tony Clement: Sure.

Mr. Malcolm Brown: Your first question was about the process of how CSIS is informed. The act changed in 2009, I believe. It requires companies to inform the government. Sometimes that happens, sometimes it doesn't.

With regard to the intelligence community, we have an organization in Public Safety that looks at these kinds of investments, and when triggers and questions are raised, there is a preliminary review. We work with the community, sometimes CSIS; sometimes DND; CSEC; and Innovation, Science and Economic Development. That's an ongoing process.

Then, there is a staged process where the final step would be notice and a full-blown—my phrase, not the legal phrase—review. There is a quite substantial review that is taken at every step.

Hon. Tony Clement: Is this something similar that one would find with our key allies? Do they approach it in a similar fashion?

Mr. Malcolm Brown: That's a very good question.

The short answer is, not quite. Our American friends have a different process. The five allies have, to one degree or another, a process that reviews foreign investments. Thresholds and those kinds of things are different.

However, the detailed steps of the Canadian process are, as legislated, set by Governor in Council, and lay out a quite specific process. Essentially I believe it's a 90-day or a 100-day and... I'm going to get the exact number of days wrong, but it's in the legislation.

Hon. Tony Clement: I'm going to jump in for a second.

In the case of the United Kingdom, which also reviewed Hytera and Norsat—a similar situation there with the same investor—they came away with three pages of requirements and conditions for that deal to go through, whereas we came through without a full-blown, to use your word, national security review.

Would that be something you would have.... Let me put it in the general terms.

Mr. Malcolm Brown: Thank you.

Hon. Tony Clement: Would you have regard for what your allies are doing before you make your recommendations to the GIC?

Mr. Malcolm Brown: As a general rule.... I'll answer it that way because I don't want to get into a specific case, and I think you understand that.

Hon. Tony Clement: I think you understand why I'm asking the question too, though.

Mr. Malcolm Brown: I do.

As a general rule, the community assesses this. Each member of the community—we don't keep track of it—will obviously be interested in what their colleagues are doing in other countries.

It may or may not be determinative, though. Just as there are examples of cases where Canada has made a decision with regard to an investment, similar investments in other countries have not had a similar treatment.

It is very case specific, and time has an impact as well, because, in general, you are often dealing with technology. What was an issue a number of years ago might no longer be an issue.

Each case is examined very carefully on its merits, and, as a former minister of industry, I know you're very familiar with the process.

Hon. Tony Clement: How much time do I have?

The Chair: About half a minute.
Hon. Tony Clement: In half a minute, just to take another general case, which was the takeover of ITF Technologies by O-Net, in 2015 the CSIS report said:

If the technology is transferred, China would be able to domestically-produce advanced military laser technology to Western standards sooner than would otherwise be the case, which diminishes Canadian and allied military advantages....

Yet that report was overturned. Generally speaking, would the overturning of something like that be at the GIC level?

Mr. Malcolm Brown: I'll have to check my memory to be absolutely precise. Mr. Clement, but I believe that particular case was a subject of extensive litigation and was overturned. The investment was allowed to proceed, but with conditions, and the conditions are I think clear to the investor.

Hon. Tony Clement: The conditions wouldn't come from you, though? Would that be another part of the process?

Mr. Malcolm Brown: Well, it's an elaborate back-and-forth, and the community will make recommendations to the Governor in Council.

The Chair: That's it.

Monsieur Dubé, you'll have eight minutes, by the way, just to balance the parties.

[Translation]

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thank you, Mr. Chair.

First, thank you everyone for being here.

My first question is for the Canada Border Services Agency representatives. I want to address the issue raised by the Auditor General regarding imported goods. We're talking about supply managed products for which there's a $168 million shortfall. According to the recommendations, financial resources may be needed.

What stage are you at in this regard? If there are any needs, what are they?

Ms. Tina Namiesniowski: Mr. Chair, I'll try to answer this question.

If I understood correctly, the question is whether we need to increase our resources when it comes to our ability to provide support for the supply management system.

Mr. Matthew Dubé: I'm talking about imported goods, tariffs, and so on.

Ms. Tina Namiesniowski: At this point, we don't think so. It's part of our mandate. Like the other government entities, the agency's mandate is to support the government's priorities. This includes the supply management system. Therefore, CBSA plays a role with regard to goods that are imported into the country.

With respect to the specific reference that was included in the recent report of the Auditor General, I think there was also an appearance of our president before the public accounts committee in relation to customs duties. I think we have a commitment to look at it in working with our other partners who are involved in offering import certificates for the importation of goods that could fall within the supply management category. We are working to examine the content of the Auditor General's report to see what more we might be able to do in the context of collecting duties that may be owing, in relation to the findings of his report.

● (1630)

[Translation]

Mr. Matthew Dubé: Thank you.

To date, we haven't heard a concrete answer to my next question. In the context of Bill C-23, the issue of training for American officers was raised. The department said that, for example, your agency could handle part of the training for American officers to make sure they comply with Canadian laws. There was even talk of certain social and cultural issues that could be raised with regard to their work.

Will this require additional resources? Given the fairly significant expansion of the customs preclearance program, are you able to accomplish this task?

Ms. Tina Namiesniowski: I don't know whether—

Mr. Matthew Dubé: Maybe Mr. Brown could—

Mr. Malcolm Brown: I could elaborate on this.

Generally, the Canada Border Services Agency employees and their American counterparts work very well together.

[English]

There's no question that there is a very close relationship. That said, each organization is responsible under the Preclearance Act for the training of each of their employees. There's no question that in these pre-clearance environments—and on this I may ask Tina to comment—there's extensive back and forth and collaboration.

In order to provide the kind of response you'd be looking for, I think we'd need more precision on exactly what you mean in terms of the certain kinds of training.

Mr. Matthew Dubé: If I could just back up a bit to part of what you said, I suppose part of what's been fairly unclear, at least in my mind, is what kind of training will be given to American agents, and by whom. What I'm understanding from your comments, and correct me if I'm wrong, is that the Americans would be responsible for training their own agents. But is that even with regard to compliance with Canadian law?

Mr. Malcolm Brown: I think there are a couple of questions there.

We would expect, if we were to operate in a pre-clearance environment in the U.S., to be responsible for training our officers, by which I mean CBSA officers. I used to work there, so I say “our” sometimes, although I shouldn't anymore. CBSA will want to be responsible for training their officers and making sure that their officers are sufficiently up to speed and trained in terms of the interplay of American and Canadian law in a pre-clearance environment. I'm absolutely confident that it's exactly the same perspective that CBP is taking in terms of the pre-clearance facilities.
At the end of the day, however, while there are protections for Canadians travelling in a pre-clearance environment that are different than if you were to travel and cross the border into the U.S. and try to—

**Mr. Matthew Dubé:** I don't mean to cut you off. I'm just running into the end of my last minute.

**The Chair:** You have two minutes left.

**Mr. Matthew Dubé:** Oh, okay. Thank you.

Perhaps I can add just a little more precision to my question. If CBSA is doing any kind of formal training, which I still am a bit unclear on, are the resources there, especially in the context of the estimates, and are you able to offer something robust to our American friends in the context of that kind of program?

**Mr. Malcolm Brown:** You're asking a question that crosses two conversations. CBSA will have to answer the question about whether they have adequate resources for training. In the context of pre-clearance, there is no special allocation associated with training U.S. officers by CBSA officers.

- (1635)

**Mr. Matthew Dubé:** All right. Thank you.

**Mr. Malcolm Brown:** Is that the technical question you're asking?

**Mr. Matthew Dubé:** That is the technical question, yes. Thank you for helping me get to that point.

[Translation]

My last question is for the customs officials, and it concerns immigration detention.

If I recall correctly, an announcement was made last year. There are many concerns in this area, especially in Ontario, where the provincial correctional services are responsible for the issue. What's the status of the situation? What are the next steps?

[English]

**Ms. Tina Namiesniowski:** With regard to the supplementary estimates (A),

[Translation]

no amount is identified in the agency's supplementary estimates (A) for our national immigration framework for detentions.

[English]

I think as you know, Mr. Chair, our minister did announce a $138-million investment in the national immigration framework for detentions. That announcement includes funding that will enable us to build new federal national immigration detention facilities in British Columbia as well as in the province of Quebec, in addition to the immigration holding centre that we have in Toronto.

The objective of the framework also includes the ability to have fewer people in detention relative to what we have today, because part of the investment also deals with having alternatives to detention that we could pursue as a federal agency. These would help us reduce the number of people that we would have in detention. That would also, by extension, then result in fewer people having to be held in provincial correctional facilities.

That is part of the package that was announced last year as part of the national immigration framework for detentions.

**The Chair:** Thank you.

I'll need to end you there.

You owe me a minute, Mr. Dubé.

**Mr. Picard.**

[Translation]

**Mr. Michel Picard (Montarville, Lib.):** Thank you, Mr. Chair. I'll try to limit my questions so that my colleague, Mr. Kang, can ask one later.

My first question concerns SIRC. I welcome the additional two million dollars for the relocation project. The money will help produce better reports and analyses.

Can you summarize or explain the following situation? Estimates were introduced recently. Was there an increase? Are you seeking a permanent budget? I want to put into perspective the additional two million dollars. What type of modernization are you talking about?

**Ms. Chantelle Bowers:** Thank you for the question.

The amount was allocated for the modernization and relocation project. The money was set aside for the project.

We were also recently granted a three-year extension for the funding to increase our human resources. That's another amount. Today, we're requesting funding specifically for the relocation and modernization project.

To answer your question on modernization, we're looking at updating our information management and information technology infrastructure, or our IM/IT infrastructure. The infrastructure is very outdated and needs an update. We're waiting until we relocate to a new building to do the update, given the security mechanisms needed for our organization. It's also a chance for SIRC to implement a project management and IT/IM system as part of the modernization.

**Mr. Michel Picard:** We're talking about logistics instead. Okay.

Mr. Brown, let's talk about the Royal Canadian Mounted Police, or RCMP. I understand that the external review committee, an administrative tribunal, also receives funding, even from the RCMP. The estimates indicate a $600,000 decrease, which amounts to about 40%. Why doesn't the RCMP give this money back to the tribunal to help the tribunal carry out its work?

[English]

**Mr. Malcolm Brown:** A question directed to the RCMP really should be directed to the RCMP. They're not here today, so it's awkward for me to answer. I'm not going to get into why the RCMP may or may not be doing something. It's inappropriate for me to try to tackle that kind of answer.

- (1640)

[Translation]

**Mr. Michel Picard:** That's fine.
I'll move on to the second question, which concerns the broadband network. Was this project developed following the events in Fort McMurray, or have we been talking about this project for some time? Since the Department of Public Safety is neither Bell nor Rogers, what progress has been made in terms of acquiring the necessary expertise? What steps have you taken to get a better idea of how to plan this major project?

Mr. Malcolm Brown: Thank you for your question.

There has been a long period of consultation with the provinces over the past few years. In 2015, the government decided to launch a consultation process to establish the broadband network.

This is an initiative led by the public safety ministries both federally and provincially. We work very closely with our colleagues at Innovation, Science and Economic Development, which is clear in the funding request of a full $3 million. The expectation is that through the course of this year we will consult broadly with stakeholders on the structure of a broadband network. In reality, the technology is the easy part. It's the determination of system requirements—and the people who need to determine the system requirements are the users. Those are first responders and people in the front line. That's very much a responsibility of public safety ministries.

[Translation]

Mr. Michel Picard: I'll give the floor to Mr. Kang.

[English]

Mr. Darshan Singh Kang (Calgary Skyview, Lib.): Thank you.

Thank you, Mr. Chair.

My questions are for the CBSA. Your agency is seeking $41.6 million to support a targeted admission of 300,000 immigrants under the government's 2017 plan. Is that enough money to process those applications in an orderly fashion? Is there a time frame for that?

Ms. Tina Namiesniowski: Mr. Chair, the additional $44 million, which includes the EBP, was calculated on the basis of an established formula that the government uses to estimate the costs of processing additional immigrants seeking to come to Canada.

Our sense is that yes, it is enough. The formula takes into account the speed in which we perform our role. But, of course, in relation to the multi-year levels plan, we're not the only one that operates in that space. It's very much a shared role that includes other partners, such as our colleagues at Immigration, Refugees and Citizenship Canada, the IRCC.

Mr. Darshan Singh Kang: Is there a time frame for security clearance, for example, such that it has to be done within two years or a certain period of time?

Ms. Tina Namiesniowski: In terms of the security clearance, we do play a role with respect to assessing the security-related considerations of any individuals who would potentially come to Canada as permanent residents. I'd have to get back to the committee, but I don't think we have a specific service standard for how quickly we do the security clearance. In part it depends on the complexity of each individual we look at.

Mr. Darshan Singh Kang: That's what I'm getting at, how long a complex situation should take. Is it two years, three years, four years, five years? What would be a reasonable time? I have a couple of applications from gentlemen who have been waiting for seven or eight years. I don't think that's justified. It's uncalled for.

Ms. Tina Namiesniowski: It also depends on when we're asked to perform our role with respect to the security clearance piece of the application process. An applicant could potentially be in the system for a considerable period of time before we're actually asked to perform our piece of it.

The Chair: Thank you. I need to end that there.

Mr. Miller.

Mr. Larry Miller: Thank you very much.

Thanks to all of you for being here.

Ms. Namiesniowski, I hope I've pronounced your name correctly.

Mr. Malcolm Brown: Nobody in the portfolio does, except Tina.

Mr. Larry Miller: I apologize if I hatcheted it.

I have a question. You mentioned that some of the funding will go towards investing in the recruitment of new officers, and training. I presume. How many new officers will there be, and do you have any idea how many dollars it would take per officer to get somebody trained up to full speed?

Ms. Tina Namiesniowski: Mr. Chairman, let me attempt to answer that question. I do have a number. I'll have to dig into my material to find the actual amount that we've set aside for the recruitment piece associated with the levels plan.

It's part of our intake process. We will intake probably 300 to 400 people in any given year. It takes 22 weeks to put recruits through the training process at our college in Rigaud. We do have some attrition associated with that intake, because not everybody is necessarily successful at passing every piece of our training process, but we generally train about 300 people on an annual basis through our Rigaud facility.

As part of the immigration levels, we will have additional funding for recruitment. I'll get you the answer with respect to the number: it's $20 million of that $44 million that's for recruitment.

I'll also see if I can find you an answer with respect to how many people we expect in terms of increasing the complement of officers.

Mr. Larry Miller: I'd like to know how many you plan to train this year. You just mentioned 300.

Ms. Tina Namiesniowski: That's our regular training.

Mr. Larry Miller: Every year you train 300. Can you tell me how many of them are being trained due to attrition, to replace somebody, and how many are new, over and above the number you already have? Can you break that down for me?

Ms. Tina Namiesniowski: The 300 is what we typically train now—

Mr. Larry Miller: I understand that, but—
Ms. Tina Namiesniowski: —so with the new funding, we’ll have a bump up to that. Our overall annual attrition of border services officers is about 5%.

Mr. Larry Miller: Okay, maybe I’m missing something here. You say that regularly train 300 a year.

Ms. Tina Namiesniowski: Yes.

Mr. Larry Miller: If you normally bring in 300 new ones a year, is that all through attrition? I’m gathering that it isn't, by your comment. You stated that you’re going to bring in some new ones, which I assumed, by the way you said it, that you were going to end up with an increase in the number of actual officers from what you had before.

Ms. Tina Namiesniowski: Yes, we will.

Mr. Larry Miller: Okay. Can you break that down between what is through attrition and what is—

Ms. Tina Namiesniowski: Right. That's where I said I'll need to get back to you with respect to the specific answer.

Mr. Larry Miller: Oh, I see. I thought somebody was looking that up.

Okay, we'll move on from there.

Something that bothered me a bit in here was when you were talking about maintaining the integrity of the border. That implies to me that the integrity of it has been breached. What I want to tie this in with is the plan by the government bring in so many refugees. Fine. And then we had a bunch of people, whom I think most Canadians would not call refugees, coming in from the U.S., basically with the assistance of the RCMP. Is that part of that loss of integrity, or what have you, that you're talking about at the border?

Ms. Tina Namiesniowski: Mr. Chairman, in relation to the label that's been applied to the level of funding that we're seeking under supplementary estimates, it should not imply that we've had a loss of integrity. The amount of funding that's being requested is to ensure that Canada can maintain the integrity of its border operations. As I attempted to explain, the reality is that we work in a changing environment. We have seen increased volumes, and our ability to maintain the integrity of the border operation means that we have to be able to deal with our changing environment, which includes increasing numbers of people coming to Canada, whether as permanent residents or, potentially, as regular migrant claimants.

In relation to the irregular migration that we're seeing coming across our borders, as our minister stated when he was here in May, if we come to him with a request for additional funding—which we have not done at this point—he would certainly advocate on our behalf to solicit additional funding over and above what we're seeking in supplementary estimates (A). When we decided to make the funding request that is currently before you, it was unclear and remains somewhat unclear, given the reference earlier to the fact that volumes go up and down and, as a result, so too the question of whether or not we're actually going to need additional funding to deal with that pressure.

* (1650)

The Chair: Thank you.

Mr. Spengemann.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Mr. Chair, I won't be using my entire five minutes. I have a comment, and I understand it's on an issue that was already raised earlier in an exchange with my colleague Ms. Damoff. It's the issue of the passenger loads at Pearson airport.

I just wanted to reiterate the concern, both from the perspective of having dealt with the GTAA as a stakeholder and representing a riding that is very Pearson-focused, both in terms of business and leisure travel. We're told that the loads are in excess of what they were projected to be. That may be partially because it's summer. It may be partially because it's the year of Canada 150. But there also is a trajectory for this particular airport, which is now the second-largest in North America for inbound international travel. I'll reiterate the point that staffing levels at all levels, including the CBSA, from a passenger perspective, and throughput perspective, are paramount.

With that comment, Mr. Chair, I will delegate the rest of my time to Ms. Damoff.

Ms. Pam Damoff: Thank you.

I'm not sure to whom this is best directed, so I'll just put it out there.

I had a meeting with the Canadian Electricity Association recently. They were talking to me about copper theft from power stations, and the fact that it was resulting not only in loss of life and power, but also of the infrastructure itself. I noticed that you have $1.09 million to enhance the resilience of critical infrastructure in Canada. I guess I have two questions. Is our electricity grid considered critical infrastructure, and is there anything in the numbers to assist with this issue of copper theft from these substations and power stations?

Mr. Malcolm Brown: The short answer is yes, most assuredly, the electricity sector—the energy sector—is critical infrastructure.

In terms of funding specifically for the question of copper theft, no. The funding supports assessments where a power plant would look at their full scope of risk, and if within that there are perimeter security issues, then that's what would be identified. Advice would be given, and you'd address it that way.

From a perspective of copper theft, that is primarily a local law enforcement issue in terms of the specifics around copper theft. It is a well-known and kind of widespread phenomenon in construction sites elsewhere that because of the price of the commodity, it becomes an attractive target. I hope that answers your question.

Ms. Pam Damoff: Yes, it does, and I think the chair would like a couple of minutes.

The Chair: It's dangerous when I read my notes.

I want to go back to the foreign investment reviews issue. If I'm reading the supplementary (A)s correctly, CSIS is requesting an increase of $275,000. The department is requesting $735,000 for what seems to be the same work, at least according to our broad notes.
Mr. Malcolm Brown: I can get you the specific definition, if you like. We can work through the minister's office and share the specific definition.

In reality, it's quite broad. It includes the health care sector, energy, electricity, financial services, and telecommunications. It is transportation and the full range of transportation. I think there are 13, and I'm forgetting them, but it's a pretty inclusive club. The reality is that usually in the electricity sector or the energy sector, there is lots of overlap between oil and gas, and renewable power generation in terms of hydro and nuclear.

The way I understand it, which is the way staff have briefed me on it and the most effective way of describing it, is any sector in which a failure or an interruption would result in a very significant impact, either in terms of public safety, the economy, or the environment.

Mrs. Stephanie Kusie: So oil and gas would certainly be part of this sector.

Mr. Malcolm Brown: Oh, absolutely.

Mrs. Stephanie Kusie: Okay, excellent.

Who determines the criteria, please, for these absolutely required services, which are deemed to be worthy of critical infrastructure status, and therefore of the protection as allotted for within this definition?

Mr. Malcolm Brown: Well, I think it's been broadly determined by stakeholders. There's a critical infrastructure forum and network that works on this. There is, among the stakeholders, no one banging on the door trying to get in, so I think the definition is broadly understood and shared.

I'll have to get back to you as to whether or not it is actually an OIC or GIC regulatory requirement. I may have to correct the record later, but my sense is that it's not in a narrow legislative sense.

Mrs. Stephanie Kusie: Do you have the opportunity, given your expertise and experience, to make recommendations in regard to what is determined to be critical infrastructure?

Mr. Malcolm Brown: Absolutely. I think the network and the community are assessing this all the time. It's also tightly interconnected, so if there is a vulnerability that emerges in a sector that people haven't been paying attention to, it's not an issue to be bringing this to the fore.

For example, without getting into specific details, there are some sectors that are much more developed and robust in their assessment of risks and that kind of thing, and other sectors that are not. Having a forum allows the advanced sectors to share lessons learned and provide advice to sectors that are developing.

I won't speak to which they are—not because they are particularly sensitive, but it's probably not appropriate for me to identify one sector that is less robust than another, just for the risk—

Mrs. Stephanie Kusie: Would you say there are sectors that are more vulnerable?
Mr. Malcolm Brown: Sure, though in fact in some ways, cutting across the whole question of critical sectors, are horizontal issues like cybersecurity. You have a very robust sector like the financial services sector, and there are a lot of publicly available examples where the financial services sector has identified cybersecurity as a horizontal issue that makes them vulnerable. Even the most developed sectors are pretty focused, because they recognize what their vulnerabilities are and they're tackling them.

Mrs. Stephanie Kusie: Would you consider oil and gas to be a more vulnerable critical infrastructure at this time?

Mr. Malcolm Brown: I would prefer not to get into a ranking because of my previous comments about identifying risks for people who might not be our friends.

The Chair: Thank you, Mr. Deputy.

We have time for one more Liberal for a five-minute round, and three minutes from the NDP.

Ms. Damoff, you'll begin.

Ms. Pam Damoff: Thank you.

To our friends at CSIS, there was a decision that Justice Noel made with regard to metadata. First, I'm wondering if you could let us know what's going on with the data that was part of this decision. Second, have you developed a policy on what you're going to be doing with the metadata you collect?

Mr. Jeff Yaworski: Thank you for the question.

Yes, indeed. Since the decision of the Federal Court in relation to associated metadata, which is basically third-party, non-threat-related metadata — the context of communications, not the content — we've isolated all that information and developed policies with respect to moving forward with it. The courts have allowed us —

Ms. Pam Damoff: Is this just with that data, or metadata in general? Are you still collecting metadata?

Mr. Jeff Yaworski: Yes. Of course, the metadata is collected under warranted authorities. The collection of metadata on targets of interest that generate operational reports, of course, was not part of the decision of Justice Noel with respect to associated metadata on, as he described it, individuals who haven't generated operational interest. As he described them, they are "innocent third parties".

That information, that metadata, has been fenced and is not accessible with respect to individuals who are not targeted. We are going through a process right now. Procedures have been developed. The issue that's still outstanding is whether we'll be able to delete that metadata. We've developed a plan to do just that, but before we actually press the delete button, we want to run it by the minister, the Federal Court, and SIRC. So, we haven't pressed the delete button yet on that.

Ms. Pam Damoff: Okay, so you still have that. Going forward, do you have a policy on what happens with any...?

• (1705)

Mr. Jeff Yaworski: Yes, we do. The courts have allowed us a six-month window to determine whether or not all metadata collected under warrant should be retained — basically to determine whether it is of operational interest. In that six-month window, we have to make that decision. If it is of operational significance, if it relates to an operational report, a report is entered into our system and the metadata associated with those communications is retained. If it's not of an operational nature, then we will be deleting it.

Ms. Pam Damoff: Okay.

Mr. Brown, I don't know if you can answer this. You did not include any money in here for a redress system. I wonder if there was a reason. Is that something that would be dealt with only in the budget?

Mr. Malcolm Brown: We don't include anything; the government includes it. The government made a decision.

Ms. Pam Damoff: Okay, fair enough. That's fine.

In terms of the express entry system, you had some general questions earlier about CBSA's role. We've just announced some changes that will see the express entry system enhanced, particularly to do with siblings. I wonder if you could explain to us your role in that and how you'll be expediting those applications through CBSA.

Ms. Tina Namiesniowski: Mr. Chairman, in relation to discussing the actual program, I think the question is more rightly directed at our colleagues at IRCC, so I don't really have much to offer in response.

Ms. Pam Damoff: That's fine.

Ms. Tina Namiesniowski: We play the role we always play as people come across our borders.

Ms. Pam Damoff: Keeping us safe, as you always do. Thank you.

Ms. Tina Namiesniowski: We process people as they arrive, and we work with our colleagues at IRCC in terms of any additional work that's needed in support of their programs.

Ms. Pam Damoff: Thank you.

[Translation]

The Chair: Mr. Picard, do you have a question?

No? Okay.

Mr. Dubé, the floor is yours.

Mr. Matthew Dubé: Thank you, Mr. Chair.

Ms. Damoff asked the questions that I wanted to ask the CSIS representatives.

[English]

The last question I have is for SIRC. I just want to connect the comments you've made here and what I was reading just last year about the last budget and the possibility of losing something like 11 analysts because of how the budget had changed compared to 2015.

Am I correct, from what I am hearing now, that this is no longer the case — that you have the appropriate complement of staff and that you'll be able to retain them over a predictable and long term? As politicians, we often hear people say that they like predictable and long-term funding.
Ms. Chantelle Bowers: You're correct in that we have received, and we're very pleased to have received, “capacity funding”, as we call it, for the next three fiscal years. That means we've been able to hire people in a meaningful way for three years, but not in a permanent fashion. That answers your question in terms of the numbers.

We've been able to hire 10 people already, and we were hoping to hire up to 14 by the end of the fiscal year. Right now we've got an issue with space, so we're asking for that space.

[Translation]

Mr. Matthew Dubé: That's all for me. Thank you.

[English]

The Chair: Thank you, deputy and all the other officials who are with us today, and not only for today. I know that behind the numbers that end up in the supplementary (A)s is a whole lot of work. So thank you for bringing us your numbers, but also your work. We look forward to your supplementary (B)s.

We're just going to bring the meeting to a quick pause, and then go in camera for a quick committee business meeting.

[Proceedings continue in camera]