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Monday, May 29, 2017

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Chair

Mr. Robert Oliphant

Standing Committee on Public Safety and National Security

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• (1535)

[English]

The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): I'm going to call this meeting to order. This is, shockingly, the 66th meeting of the Standing Committee on Public Safety and National Security. We're called to order to consider Bill C-23, an act respecting the pre-clearance of persons and goods in Canada and the United States.

However, I am always a little worried about the possibility of votes in the House, so before we do that I would like to get a piece of business done so we can get it out of the way.

You have in front of you the report of the subcommittee on agenda and procedure. I would entertain a motion to amend only one part of that seventh report. Instead of voting on the main estimates at the end of the meeting, I'd like to try to do that now in case there's a vote call or something, so we don't get into trouble on that.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): I so move, Chair.

(Motion agreed to)

The Chair: Now we will consider the amended report from the subcommittee on agenda and procedure. Are there any questions?

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: We'll begin with the main estimates.

I would seek unanimous consent to consider all those votes as one vote and do it once. Do I have unanimous consent for that?

Some hon. members: Agreed.

The Chair: Okay.

CANADA BORDER SERVICES AGENCY

Vote 1—Operating expenditures.....\$1,388,555,431

Vote 5—Capital expenditures.....\$202,466,241

(Votes 1 and 5 agreed to on division)

CANADIAN SECURITY INTELLIGENCE SERVICE

Vote 1—Program expenditures.....\$526,615,028

(Vote 1 agreed to on division)

CIVILIAN REVIEW AND COMPLAINTS COMMISSION FOR THE ROYAL CANADIAN MOUNTED POLICE

Vote 1—Program expenditures.....\$9,020,809

(Vote 1 agreed to on division)

CORRECTIONAL SERVICE OF CANADA

Vote 1—Operating expenditures, grants and contributions.....\$1,962,343,216

Vote 5—Capital expenditures.....\$208,941,724

(Votes 1 and 5 agreed to on division)

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Vote 1—Operating expenditures.....\$123,231,161

Vote 5—Grants and contributions.....\$914,540,358

(Votes 1 and 5 agreed to on division)

OFFICE OF THE CORRECTIONAL INVESTIGATOR OF CANADA

Vote 1—Program expenditures.....\$4,102,301

(Vote 1 agreed to on division)

PAROLE BOARD OF CANADA

Vote 1—Program expenditures.....\$40,677,794

(Vote 1 agreed to on division)

ROYAL CANADIAN MOUNTED POLICE

Vote 1—Operating expenditures.....\$1,888,011,496

Vote 5—Capital expenditures.....\$327,465,645

Vote 10—Grants and contributions.....\$233,573,483

(Votes 1, 5, and 10 agreed to on division)

ROYAL CANADIAN MOUNTED POLICE EXTERNAL REVIEW COMMITTEE

Vote 1—Program expenditures.....\$847,634

(Vote 1 agreed to on division)

SECURITY INTELLIGENCE REVIEW COMMITTEE

Vote 1—Program expenditures.....\$4,476,578

(Vote 1 agreed to on division)

The Chair: Finally, shall the chair report the main estimates for 2017-18, less the amount voted in interim supply, to the House?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Just by way of announcement—and I was able to mention it to all three of the parties today—we had sent out a notice to say that the amendments were due today at five o'clock for the consideration of Bill C-23; however, I've had a request to have that extended because some are not quite ready yet. I've agreed to that, so we will extend this for another week, meaning that we will do clause-by-clause consideration some time in the near future. We have officials coming for supplementary estimates (A), and we have consideration of Bill C-23, which we may be able to juggle to do our consideration of clause-by-clause. I just wanted to let folks know that you now have a week to improve your amendments. You also then don't need to put your amendments in before we hear our witnesses, which I think is also better.

We continue now with the consideration of Bill C-23, and we have a number of guests with us today.

In the first hour we're going to hear from the Canadian Airports Council, Mr. Gooch, the president; the International Longshore & Warehouse Union of Canada, by video conference, with Mr. Ashton; and the GTAA, Ms. Reigate.

We'll have all the opening statements first, and then we'll have questions to any of the witnesses from committee members after the three statements.

If you're okay with this, I'd like to start with Mr. Ashton, because we have you connected. You have 10 minutes to give an opening statement.

Mr. Robert Ashton (President, International Longshore and Warehouse Union Canada): Good afternoon. Thank you for inviting the International Longshore and Warehouse Union Canada to participate in your important review of the pre-clearance act, 2016.

ILWU Canada represents about 6,000 women and men who work at marine transportation facilities on Canada's west coast. We are a vital component in the efficient movement of goods and people into and out of Canada via the ports and cruise ship terminals in British Columbia.

In the early 2000s, Transport Canada introduced the marine security clearance program. Since that time, to be employed as a longshore worker with access to restricted areas, including the high-security cruise ship facility, you must first obtain a security clearance from Transport Canada. This is a robust program that involves extensive background checks on applicants, including drawing on information supplied by U.S. authorities. The goal of the program is to prevent people with ties to criminal and/or terrorist organizations from having access to these important marine facilities.

This program has warts. A person can be refused a clearance on the simple basis of association. In other words, you can be refused a clearance if your brother-in-law or sister-in-law happens to have a criminal record. This is important context for your deliberations about Bill C-23.

For the record, I want to tell you that ILWU Canada supports the pre-clearance regime as it is today. Expanding it, as is, would reach the economic goals that the government has set for Bill C-23 without the significant problems that come with the new additions.

You have heard a great deal of testimony about the bill's potential impact on Canadian travellers. I want to make you familiar with an issue with Bill C-23 that I do not believe has been presented to your committee to date.

As you know, the bill is intended to establish the required authorities arising from the Land, Rail, Marine, and Air Transport Preclearance Agreement, otherwise known as LRMA, signed by Canada and the United States governments in March 2015. I would like to bring to your attention the negative effects that the bill will have on working Canadians, members of the middle class.

According to article VI, paragraph 1, of the LRMA, the people who work at the ports and cruise ship facilities in Vancouver, and possibly up and down the west coast, are covered by it.

We have been briefed by Transport Canada officials that once the LRMA is in force, Homeland Security in the United States will be given the opportunity to provide derogatory information, whatever that may be, on each employee requiring unescorted access to pre-clearance areas through normal employee security certification and recertification processes. As we understand, this information would be supplied directly to our employers, without any right to know it or to dispute it being afforded to the worker.

We are concerned that this process is separate from the existing security clearance process regulated by Transport Canada. The TC process includes provisions for reviewing decisions made regarding an individual's security status, and further provides judicial review by the Federal Court. Those safeguards do not appear in Bill C-23. In addition, the rules surrounding the provision of, again, derogatory information do not appear in the bill, and appear to be left to regulation, which would not be subject to scrutiny by this committee or Parliament.

The LRMA and Bill C-23 bestow upon U.S. border agents broad powers to search and detain workers in pre-clearance and perimeter areas, the same potential abuses that travellers could be subject to as well.

The BC Civil Liberties Association draws attention to the difficulties that this bill poses to a traveller seeking legal recourse, as pre-clearance officers are granted explicit immunities. The same difficulties will be experienced by port workers who are subject to this potential abuse.

We submit that no such power and immunity is appropriate and goes beyond what any Canadian worker could reasonably expect at his or her workplace. This concern is heightened by the fact that the pre-clearance perimeter could cover a significant area, thereby capturing a larger number of workers under the provisions of this bill.

● (1540)

A significant number of ILWU Canada members are of South Asian heritage. Many of them practice the Muslim faith. Our concerns, like those of the Canadian Bar Association, are magnified by the Trump administration and its extreme policies, such as banning people from certain countries that are predominantly Muslim from entering the United States.

In our view, Bill C-23 abrogates the government's responsibility to Canadian workers to ensure they are not subject to unfair or arbitrary actions on the part of pre-clearance officers. There is already a sophisticated security clearance process for vetting maritime workers, and that process will be undermined unless Bill C-23 is amended.

Bill C-23 should be amended to address these issues.

We also see inconsistencies in the bill. For example, clause 9 states:

For greater certainty, Canadian law applies, and may be administered and enforced, in preclearance areas and preclearance perimeters.

At the same time, clause 11 contains a much more definitive statement about the application of Canadian law, as follows:

A preclearance officer must exercise their powers and perform their duties and functions under this Act in accordance with Canadian law, including the

and it continues.

The bill should be amended to bring all of its provisions in line with clause 11.

In our view, with the abundance of municipal police and RCMP detachments in and around the Port of Vancouver and the cruise ship terminal, there is no need for border patrol officers to be armed, whether they be Canadian or, more especially, American.

We applaud the government for conducting its broad consultation with Canadians concerning national security.

I have another couple of concerns that I'll touch on, one being that American border guards will not be prosecuted in Canada if they violate any laws here. They'll be sent back home, and who knows what type of court system they'll be tried in?

A Canadian worker who wants to go to work on Canadian soil should never be subject to a foreign country's approval. These are Canadian workers who might not be able to work in Canada because of some derogatory comment that the United States government wishes to apply to us.

In closing, I believe this committee needs to implement the changes we've asked for so we can move forward with the expansion of our Canadian economy and the rights of Canadian workers as Canadians.

Thanks very much.

• (1545)

The Chair: Thank you very much, Mr. Ashton.

Now Mr. Gooch begins, and you two will be sharing time.

Mr. Daniel-Robert Gooch (President, Canadian Airports Council): Thank you, Mr. Chair.

Thank you for the opportunity to be here today to present on this important piece of legislation, Bill C-23, the preclearance act.

My name is Daniel-Robert Gooch. I'm the president of the Canadian Airports Council. I'll be sharing my time today with Janik Reigate, director of customer and agency development at the Greater Toronto Airports Authority, which operates Toronto Pearson.

[*Translation*]

The Canadian Airports Council has 51 members representing over 100 airports across Canada. Its members include major international hubs, such as Lester B. Pearson International Airport in Toronto and Pierre Elliott Trudeau International Airport in Montreal; medium-sized airports, such as Fredericton International Airport and Fort McMurray International Airport; and smaller airports, such as North Bay Airport or Trail Regional Airport, in British Columbia. Our members handle over 90% of commercial air traffic in Canada, and an even greater share of international air traffic.

[*English*]

Canada's airports are managed and operated by local authorities, and they operate on a not-for-profit basis. While they pay more than \$439 million in property and land taxes each year to federal and municipal governments, they have invested more than \$22 billion in infrastructure since 1992, without taxpayer support.

Serving as gateways to the world, Canada's airports are local and national economic engines. Canada's air transport sector generates more than 140,000 direct jobs and more than \$35 billion in economic activity.

[*Translation*]

Canadian airports that connect communities, both at home and abroad, manage over 133 million passengers a year, including more than 9.8 million tourists who fly to Canada. We support both safe and economically sound airports, good value for money when it comes to user fees and public taxes, and more air connections between Canada and the rest of the world.

[*English*]

Canada and the U.S. have a long history of pre-clearance operations dating back 65 years. In 1952, Toronto's Malton Airport became the first in the world to provide facilities for United States border pre-clearance at the request of airlines in the United States. This was extended and formalized with the air transport Preclearance Act in 1974. That act was later updated in 2001.

Today, eight Canadian airports offer pre-clearance services, including Ottawa, Vancouver, Calgary, Edmonton, Winnipeg, Montreal, and Halifax. In 2015, 12 million travellers from Canadian airports were pre-cleared to the United States.

Pre-clearance offers both Canada and the United States significant economic, national security, and efficiency benefits. It promotes and facilitates the cross-border flow of people, goods, and investments. As Canada's airports are vital links that enhance our economic relationship with the U.S., it is particularly important for the dozens of American cities whose airports do not have their own U.S. Customs and Border Protection facilities.

Pre-clearance is a cost-efficient way for the United States to spend scarce resources and ensure direct services to more U.S. cities. According to the U.S. Department of Homeland Security's statistics, pre-clearance locations are 60% more efficient and cost 30% less than domestic ports of entry. Furthermore, each CBP officer stationed in Canada clears 30,000 passengers a year on average, a significantly higher rate of processing than in the United States.

Without pre-clearance, business and other travellers would be forced to connect through U.S. hubs that have a U.S. Customs and Border Protection presence, adding pressure to already overburdened airports in the U.S. and making travel to the U.S. more time-consuming and expensive for Canadian travellers.

Canada's airports look forward to working with the Government of Canada on the implementation of Bill C-23. We will continue to identify innovative processes that will improve the flow of goods and people across the border and increase the competitiveness of Canada's airports now and into the future.

Now I would like to turn over the rest of my time to my colleague, Ms. Reigate.

• (1550)

Ms. Janik Reigate (Director, Customer and Agency Development, Greater Toronto Airports Authority): Thank you, Daniel.

I'm Janik Reigate, the Greater Toronto Airports Authority director of customer and agency development. My role is in-terminal based, with responsibility for our relationships with our airline partners and government agencies such as the Canada Border Services Agency and the U.S. Customs and Border Protection agency. These agencies are integral to the pre-clearance legislation we're discussing here today.

In my 20 years plus of working at Toronto Pearson, I have seen the airport grow exponentially, mostly as a result of air travel becoming the preferred method of travel for so many people, whether it be for work or for leisure. Since the last update to pre-clearance legislation, Toronto Pearson now serves an additional 16 million passengers annually. When you're serving 47 million passengers, as we will in 2017, connectivity is essential to success in Canada's globally integrated economy.

Airports are strategic economic infrastructure assets, and every new international air link creates new opportunities for trade in the Canadian regions they serve and also hundreds of direct jobs. Pre-clearance from Toronto Pearson allows the airport to provide 223 daily U.S.-bound flights to 56 U.S. cities, facilitating trade and tourism on a scale otherwise impossible.

As Daniel noted earlier, Toronto Pearson was the first Canadian airport to have pre-clearance, and it has become an integral part of our operations. Over the 65-year history of pre-clearance at Toronto Pearson, we have become the fourth-largest air entry-point into the United States, after the JFK, Miami, and Los Angeles airports. Last year alone, six million people were pre-cleared at Toronto Pearson.

Perhaps this is a good segue to speak about why Toronto Pearson supports Bill C-23. Overall, the bill offers tremendous customer service benefits for business and leisure travellers. It supports economic benefits for tourism, trade, and overall business produc-

tivity. For example, it allows for the ability to pre-clear cargo, improving the flow of goods.

Bill C-23 modernizes and expands the current pre-clearance agreement with the United States. I was heartened by Minister Goodale's comments at this committee on May 8 regarding the use of automated passport control kiosks and mobile passport control applications. Allowing the use of technology outside of pre-clearance areas will be vitally important in how we meet the expectations of an increasing number of passengers in a secure and efficient way. We thank the minister for his clarity on this issue.

I want to pause here. As the number of passengers continues to increase, it is important that that we find a way to ensure that growth is paid for, so that we can continue to provide travellers with a better level of service, which is in line with this government's focus on a positive passenger experience. I know that this conversation is currently taking place binationally between Canada and U.S. government representatives, and this is something that we at Toronto Pearson are closely monitoring.

Both Daniel and I spoke earlier about the growth that the aviation sector has seen in the past few years and decades. This is no doubt good for Canada; however, the increase in passenger traffic has put a strain on resources.

In the last five years, we have seen a 30% growth in pre-cleared passenger volumes served by our facilities: Vancouver experienced 28% growth; Montreal-Trudeau 20%; and Calgary 16%. For these airports and others in Canada that already have pre-clearance, Bill C-23 provides greater control and flexibility in how services are provided and paid for. At Toronto Pearson, we hope it will enable us to partner with the U.S. CBP to invest in more CBP staff or extend operating hours to allow for greater flexibility in matching resources to demand.

Right now, some airports are finding that they're constrained in their ability to grow because airlines are moving flights to airports with longer hours of U.S. customs operations. Some airports have indicated that in-transit pre-clearance is not available to several international carriers, which is hurting connectivity.

As you know, Bill C-23 contains a provision that supports the expansion of pre-clearance to other airports. This means that growing and evolving airports such as the Quebec City and Billy Bishop airports may enter into agreements with the U.S. for pre-clearance services. We are supportive of pre-clearance expansion. I understand that the Billy Bishop airport has already started construction on its new facility space. We will want to ensure that any new pre-clearance locations do not draw precious staff and resources away from existing locations.

• (1555)

Bill C-23 in its current form has many distinct advantages, particularly in attracting air service and offering enhanced connectivity in a globally competitive marketplace. In addition, the bill expands pre-clearance to other modes of travel, such as marine or rail, which improves the movement of goods to airports.

We at Toronto Pearson are confident that Bill C-23 will support the pre-clearance process in place, reinforcing a strong foundation and guiding principles for pre-clearance in both Canada and the United States.

Thank you.

The Chair: Thank you.

Ms. Damoff, you have seven minutes.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, all of you, for being here—including remotely.

I want to give a bit of a shout-out to the GTAA, who've been very gracious in having me do a tour of the airport. They have also been very supportive when I've reached out to them on different issues, and I thank them for that.

This may not be a question you can answer. If so, I totally understand. Do you know what kind of training both Canadian and American pre-clearance officers receive before they start doing the work they are doing at your airports? I'm thinking particularly in terms of Canadian law and that type of thing. The question might be better suited to the CBSA, if you don't know.

Ms. Janik Reigate: I'm sorry. I do not know the answer to that question.

Ms. Pam Damoff: That's okay.

You mentioned something about having greater control under the new legislation, Bill C-23. Could you expand a little more on what you mean by that?

Ms. Janik Reigate: The control with the pre-clearance area and the pre-clearance perimeter enables a better understanding of the spaces they work in. That gives us a better understanding of the operation than the current legislation does.

Ms. Pam Damoff: How has it changed that it gives you more control? I guess that's what I'm not understanding.

Mr. Daniel-Robert Gooch: Maybe I can answer.

One thing it does is it allows airports to work a little bit more flexibly with CBP in terms of the allocation of resources. In some airports, particularly if the hours of service are not really right for a flight—for instance, if a flight comes outside of hours of service, which may be more of a factor for some of the smaller airports—

with pre-clearance they at least have the ability to supplement the services. They can control the amount of resources provided for better connecting times and competitiveness.

So part of it is the greater flexibility, really, over the resources that are available to CBP.

Ms. Pam Damoff: I have benefited flying from Pearson, where we do have pre-clearance. It allows me to fly to airports in the States that I wouldn't be able to.... I think it's about 23 additional airports that you can service because of that pre-clearance.

Can you speak to that a little bit? If you didn't have the pre-clearance, what would happen for travellers?

Ms. Janik Reigate: Airports like LaGuardia do not have U.S. Customs and Border Protection services, so in terms of passengers going there, we would not be able to serve that airport. They'd have to go into an international airport like JFK, be cleared there, and then transfer over to LaGuardia. Those airports we can now serve because the services are in Toronto.

Ms. Pam Damoff: Let's say I'm on business or personal travel and I go through pre-clearance in Toronto versus going through customs at JFK. How much time is saved for an individual when they do that on this side of the border?

• (1600)

Ms. Janik Reigate: It's saved in two ways. It's saved because you arrive as a domestic passenger at the airport in the United States, and therefore you can make a connection very quickly to another flight that's going somewhere else into the United States or onward into another international location. You don't have to go through two borders. It does save in the overall process time.

Mr. Daniel-Robert Gooch: I would add that the situation will vary a lot from airport to airport, but we have seen that the lines in Canada can sometimes be shorter than in the U.S.

The other thing is that Canadian travellers don't necessarily go through as robust a process. Fingerprints are taken from international travellers, so sometimes, even if the line is the same in the U.S., if there are more travellers from other international points it can take longer for each one of them to process.

This is something that varies from airport to airport. We can't really quantify it.

Ms. Pam Damoff: That was my experience when I flew from Billy Bishop. I had to go through clearance on the other side, and I hadn't done that in years. It was quite extensive.

To our friends via video conference, you were talking about Homeland Security being able to give derogatory information. So you're saying that your employees will now have two security clearances, one by Canada and one by U.S.? Did I understand you correctly on that?

Mr. Robert Ashton: Yes, you did.

I'm the president of the International Longshore and Warehouse Union Canada. What happens currently is that when our people want to work at Canada Place, they apply for security clearance through Transport Canada. If they pass their security clearance, they're allowed to work at that terminal.

Now, under this new bit of work that they have to do, our employers will have to send those individuals' names and birthdates, from the information that we've been given, down to the Homeland Security department. Once Homeland Security takes a look at them, if there are any derogatory—I'd put that in quotations—comments, Homeland Security will then send that information to our employers. Our employer will have to make the decision on whether or not my members are allowed to work at that terminal.

We don't know what a “derogatory” comment is. We haven't been told what the parameters are. We haven't been given the parameters for our current TC program.

Yes, to answer your question directly, Homeland Security has to give their approval to Canadians working in Canada.

Ms. Pam Damoff: I had another question for you, but we seem to be having a bit of an audio issue, so I might turn back to the airport folks.

I wonder if you could speak about the economic benefits of having and expanding pre-clearance in Bill C-23.

The Chair: In one minute, please.

Mr. Daniel-Robert Gooch: In very broad terms, it's a competitiveness factor. The ability for travellers to arrive in the U.S. as domestic travellers and just step outside and get into their taxi within 15 or 20 minutes is a tremendous advantage relative to travellers from other countries. It's part of a broad package of what airports are doing with partners in the air carrier world to be more competitive against hubs in other parts of the world: providing a better passenger experience and reducing time required as well.

Ms. Pam Damoff: That's it, right?

The Chair: Ms. Watts.

Ms. Dianne L. Watts (South Surrey—White Rock, CPC): Thank you.

I would like to direct my questions to Robert Ashton in order to expand on what was already discussed.

Down at Canada Place, the terminal for the cruise ships, any roster is now given ahead of time and is pre-cleared by the cruise lines as it relates to passengers, and I expect that it would be the same context in terms of working on a cruise ship. I want to drill down on this in terms of you saying that the information from the employees would go back to the employer.

Can you identify the employer? Are you talking about the cruise ship lines?

• (1605)

Mr. Robert Ashton: Let me clear up a couple of things. Longshore work is a little different. Any member who wants to work at the cruise ship terminal puts in for the Transport security clearance. As for what happens then, we're a daily dispatch, so on a Sunday morning, let's say, Cerescorp, our employer, would put in

orders for anywhere from 100 to 200 workers for Sunday, and then they would go to work.

Ms. Dianne L. Watts: On the cruise ship.

Mr. Robert Ashton: Yes, at the cruise ship terminal, plus on the cruise ship.

Ms. Dianne L. Watts: Fair enough.

Mr. Robert Ashton: Now, on that morning, Cerescorp won't know who their workers are until the first thing in the morning, about seven o'clock in the morning. They're supposed to send those 100 or more names down to Homeland Security, and then Homeland Security is supposed to respond to Cerescorp. Then Cerescorp... Don't get me wrong. I feel bad for Cerescorp, because they're stuck between a rock and a hard place. Cerescorp then has to tell us and our dispatch hall that employees X, Y, and Z can't work there today and we need more people for them. It's an unworkable situation.

Ms. Dianne L. Watts: I would agree with that. I think you said that this is the first time it's been brought up, which it is. We've been going through this process for quite some time.

In looking at the legislation—and we're going clause-by-clause at, I think, our next meeting—I don't recall seeing any of that language in the legislation, so where are you getting this from?

Mr. Robert Ashton: It's from Transport Canada actually. We didn't hear about any of this stuff until the end of last year at a meeting with Transport Canada. It had a stakeholders meeting.

Ms. Dianne L. Watts: Transport Canada has not given this committee that information, which would be helpful when we're looking at this legislation. I'm glad you brought this up, because it seems a bit disconcerting. I can see having the pre-clearance areas if you're travelling into the United States, but if you're parked at Canada Place and you have workers going in to do whatever it is on a Sunday or a Monday, they're not going on to travel, and I would think that this would not be applicable. I think we need to get this information to this committee as you're relaying it to us, because for any workers who show up to work, whether it's at Canada Place or not, that information should not have to go to Homeland Security and then be reported back to their employer. I see that as being quite unreasonable.

Mr. Robert Ashton: In February 2017, we were updated. The first time we were ever told by Transport Canada was when they gave us this Government of Canada, Canada-U.S. comprehensive agreement on pre-clearance. It's a slide show, which they gave to us as a handout. I could send it to you all, because if you look at their Public Safety Canada handout from April 20, 2016, it doesn't speak about it very much. It has a couple of sentences in it.

This took us completely by surprise, and my membership is extremely worried about it, because our security clearances are 10 times better. I'll put our security clearances up against the U.S. security clearances any day of the week.

Ms. Dianne L. Watts: There doesn't seem to be any common sense behind the idea that the information would go to Homeland Security. If you're on Canadian soil, working for that day in Canada,... I think we really need to drill down on this and find out what's going on. I really appreciate you bringing this issue forward, because as I said, we've heard from a number of witnesses and this issue has never been brought up before, nor has Transport Canada given this committee that information, so I appreciate that.

• (1610)

The Chair: Just for the committee's awareness, we are finding it in clause 17 of the bill, on unlimited access. However, we also see there's a paragraph 17(d) about regulation. So we will follow up on it and get some more information from the departments on this.

I will give you an extra minute, Ms. Watts, because I took your time.

Ms. Dianne L. Watts: I don't think clause 17 as I'm looking at it articulates the way it's going to work on the ground as it's been laid out by Mr. Ashton. I think the committee just needs to drill down on it a bit.

Thank you.

You can have the rest of the time.

The Chair: Mr. Dubé.

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

It's an interesting question. Going back to this discussion about regulation, we usually want to get to the questions with witnesses, but I think it's worth raising on the record that I did find it troubling that we get officials in committee who are unable to tell us what regulations are going to change. To be fair, I received a follow-up response to my questions to the department, and I think it just continues to illustrate how problematic it is.

It says, "Work is underway to identify regulations that may be required under Parts 1 and 2 of Bill C-23. No regulations are anticipated to be required under Parts 3 and 4." The piece that's important for the point being raised by our friend in Vancouver is: "Establish categories of persons not already identified in the Act who may access the preclearance area as well as the conditions under which that access may be granted".

If we look at clause 17—as the chair has pointed out—and I think it's paragraph 17(d), "persons who are authorized by the Minister under section 45 or by regulation", basically that response tells me, to speak to Mr. Ashton's concerns, that essentially we can change regulations to determine exactly this kind of information sharing with Homeland Security and such. In particular, if public servants from Transport Canada are raising that with these workers, then clearly that's something that's on the table. Also, I certainly find it extremely problematic that there are no answers about that and that the work is under way while we are studying the bill.

My question to you, Mr. Ashton, is in that same vein. While we're talking about transparency and the transparency of all of this, I'm just wondering what concerns you have as a union president. One of the things unions fight for, obviously, is transparency in how the employer is dealing with information and what recourse your

members, those workers, would have. How concerned are you about that aspect of it, and whether it's happening at a certain level that you might not be aware of, such that you don't know what information is being exchanged or even where it's coming from, especially in keeping with the fact that even Canadian parliamentarians have very few tools to even know what the U.S. information is, and that's being used to prejudge whether someone may or may not be able to enter that area and do their job? How concerned are you about the lack of recourse and transparency in that whole process, potentially, because we don't even know what it's going to be?

Mr. Robert Ashton: The lack of transparency throughout this entire process is mind-boggling. First off, we have our employers—not the Government of Canada—sending information down to Homeland Security. Then Homeland Security sends back a derogatory comment—and we still don't know what that is—to our employers. We won't know what information they were given, because currently we don't have any rights to that information. Our employers could then use that to block our people from working elsewhere.

When we don't have an ability to defend our workers, or when our workers don't have an ability to defend themselves, on—I'm going to call it—a "ghost in insinuations", then what happens? We become a controlled state.

My duty as the president of International Longshore and Warehouse Union Canada is to give my members an ability to fight for their job and to fight people who will do us harm. When there is a ghost government sending back information to our employers that our employers don't have to tell us about and that they can use to the detriment of my workforce, and I have no ability to defend to them, it disgusts me. This isn't the Canada I know. This isn't the Canada I love. We're an open society.

• (1615)

Mr. Matthew Dubé: One of the points you raised, which I certainly agree with—and I think a lot of folks aren't grasping this piece—is that this isn't just about expanding where pre-clearance happens. This isn't just taking the current regime and applying it in more areas. There's actually a change in the powers. I know you've already said it, but I think it's worth repeating. You consider the current process of security checks that happen for your members acceptable.

Mr. Robert Ashton: Let me clarify. I feel the background security checks that we have currently, which my membership goes through, and that I have gone through because I'm the president, are sufficient. Our background checks are head and shoulders above those of the United States. I have absolute faith in our government to check our people and to make sure of their ability to work safely in secured areas.

We do have our issues with the current program, because we still don't know where the goalposts are. Under our current transport security program we still don't know what our people can be refused for. It does have its issues, but because of the success of the program so far—except for what I just mentioned—we don't need Americans telling Canadians when and where they can work on Canadian soil.

Mr. Matthew Dubé: Bearing in mind that the agreement was reached under a previous U.S. administration, you did mention where some of your members may be from and what their religious beliefs are, so it's safe to say that you and your union share our concerns about the Trump administration's approach and how that may be applied with whatever derogatory information is being provided and the way that the U.S. Department of Homeland Security might treat someone based on their background versus how the Government of Canada and Transport Canada, the current regime, would.

Mr. Robert Ashton: Yes. My union was founded on the basis that every person is equal, period. It doesn't matter who you are, what you look like, where you're from, or what your sexual orientation is. We have a government not too far down south from where I am right now that is banning people because of their religious beliefs. As I said, a vast number of my people are of South Asian descent. When you have an ability to target my members, and we have no ability to find out why and no ability to fight back, and our people have no rights and ability to defend themselves because of what religion they might practise, it is a very scary state of affairs.

The Chair: Thank you.

Mr. Spengemann.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Thank you very much, Mr. Chair. I will split my time with Mr. Picard

Mr. Ashton, to stay with you for a moment, is this unique to the Port of Vancouver, in your view?

Mr. Robert Ashton: We've been told that this is unique to Canada Place when it comes to the maritime industry. It will only be applied to Canada Place. That's correct.

Mr. Sven Spengemann: Bearing in mind that this was an agreement that was negotiated not only under a former U.S. administration but also under a former Canadian government, the Conservative government, do you have any greater insights into the negotiation history of the underlying agreement?

Mr. Robert Ashton: I wish I could say I do, but as per just about every other agreement that was negotiated with other countries under the last administration, we know nothing about it. We've never been consulted about it. We've never been told about it. We've never been asked to give our opinion on it.

Mr. Sven Spengemann: But if you were to speculate, would you say that the pending changeover and then the changeover that happened in the U.S. administration had a great deal to do with the current dynamics in which this might be interpreted? You alluded to this in your previous answer, that there's a possibility of targeting.

Mr. Robert Ashton: There's a possibility of targeting? Yes, for sure. When this was discussed, it could have been targeted back then.

We have another fear as well. On April 8, Bruce Josten, the executive vice-president of government affairs, sent a letter to Patrick Leahy and Ron Johnson of the United States Senate about the fact that U.S. personnel cannot be tried in Canadian courts. I'll quickly read a little excerpt from it:

The legislation would clarify that any U.S. employee or contractor working in Canada at a preclearance facility who commits a crime may be tried in a U.S. court of law, as opposed to a Canadian court, which would ensure the accountability of CBP officers, but also protect American personnel.

Protect them from what—Canadian laws? If they break our laws, they should be tried in Canada. They shouldn't be given immunity.

• (1620)

Mr. Sven Spengemann: No, and thank you for that.

I want to take you back to the reference you made to the agreement. If I have you correct, it's article VI, section 2. Is that right?

Mr. Robert Ashton: That's correct.

Mr. Sven Spengemann: So it's persons who are authorized by the host party, in the course of the normal certification and recertification process, in consultation with the inspecting party. If you look at that on its face, it's not actually that we're giving the U.S. a veto over Canadian hiring practices or pre-clearance. As you point out, if you take at face value the statement that our system is better, we're not obligated to take the U.S. information into account or to change our mind on a pre-clearance decision on the basis of what you call “derogatory information”.

Mr. Robert Ashton: Let me put it to you this way. If U.S. Homeland Security sends up derogatory information to my employer, and my employer chooses to ignore that, and they operate the cruise ship facilities, what do you think happens? The U.S. authorities, Homeland Security, I'm sure would take exception to that.

I don't even know what they could do, to be honest with you. I don't know if they could—

Mr. Sven Spengemann: That's what I'm trying to get at. I think if the quality of the Canadian process proves itself, again, this goes to the operation and the long-term implementation of this process. Depending on the course it takes, it may well be that the U.S. won't send any derogatory information and simply trust the Canadian process as revealing what needs to be revealed.

Mr. Robert Ashton: I don't believe that. I don't.

Mr. Sven Spengemann: But certainly legally, there isn't a U.S. veto. Would you agree with that?

Mr. Robert Ashton: No, I wouldn't agree with that.

Mr. Sven Spengemann: Okay. I think much of this really is an operational question in terms of the relationship between the two departments, and how this will play itself out in practice is open-ended.

Mr. Robert Ashton: I mean no disrespect by this, but if you feel that a foreign government taking away Canada's sovereignty by refusing Canadians their right to work in Canada is an operational issue, then I respectfully believe you're wrong on that.

Mr. Sven Spengemann: No, but if there were a refusal, what I'm trying to get at is that legally we're not at the point where refusal by the U.S. authorities will be determinative. They may say there's derogatory information. If our system is as good as you say it is, it may contradict that, and then it's an open question as to what happens to that individual.

I agree with your concern about the accountability of the mechanism, and I also very much agree with you on the concern about potential targeting. But the way I read the agreement itself, at the moment, it doesn't give the U.S. authority of a veto power to say this person isn't going to inspect this cruise ship or do this loading function.

Mr. Robert Ashton: But why would you even give a foreign government the ability to do that, to even enter that path? We're Canadians. We're working in Canada. No foreign government should allow that.

Mr. Sven Spengemann: The cruise ship or the cargo will end up in the U.S., which I guess is its security interest. But again, it's the balancing of the two interests. I take your points very much. I just wanted to check with you to see whether, legally speaking, you read this as a U.S. veto.

Mr. Chair, I'm going to delegate the rest of my time to my colleague Mr. Picard.

Mr. Michel Picard (Montarville, Lib.): Thank you.

I'll go back to you again, Mr. Ashton. Is your organization subject to the C-TPAT customs program in Canada since it is part of the Transport Canada chain of transactions?

Mr. Robert Ashton: I'm unsure. All I know is that in my union, members get their background checks when they go to work on the waterfront. And if they go to work in secured areas of the cruise ship terminals and other parts of the waterfront, they have to go through the marine transportation security clearance.

Mr. Michel Picard: Can you summarize for us the main big changes you had to go through in the last 10 or 15 years in terms of security? What would be the most important changes you had to go through in order to be up to date with security issues today?

Mr. Robert Ashton: The biggest thing for our members currently is our port passes, and those are part of the security clearance background checks. When I started on the waterfront about 20 years ago, I could get registered and go to work. Believe it or not, back then there were no fences around some of the terminals. Since then, with the marine transport security program, our people have to get background checks. And those are the biggest.... We have people who have been refused their background checks because they were in line at a nightclub behind somebody the police had been watching

out for, and through a bar check—because their licences were scanned right behind theirs—they were refused a security pass.

• (1625)

Mr. Michel Picard: So it's fair to say that the process you implemented is of such quality that it withstands any type of other process, namely the one in the U.S.?

Mr. Robert Ashton: I would say that the process we currently have is very good. That's why I don't believe we need to be a part of that.

Mr. Michel Picard: Thank you.

The Chair: Mr. Miller, go ahead for five minutes.

Mr. Larry Miller: Thank you very much.

Mr. Ashton, I've listened with interest to your concerns regarding your union members and your workers, and I agree with you to a point. But I have one question, which I am going to verify and ask to the department. My assumption, based on logic, is that this will be a reciprocal agreement. So in the event that the same situation happens in the United States, the Canadian government has the right to basically disapprove somebody who they feel isn't appropriate to do the job, the same way the U.S. could. I think that we as a country first of all have to make sure that it's reciprocal, and we should be able to reserve that right at any time in order to protect, as you call it, sovereignty. I don't call it sovereignty; I call it security. As long as that agreement is reciprocal, I presume that would satisfy your concerns with it.

Mr. Robert Ashton: The short answer is no, the reason being that, again, Canada shouldn't be allowing American workers to go to work in America. It's not our business and not our right—

Mr. Larry Miller: Well, that's not—

Mr. Robert Ashton: As you say, it is currently reciprocal. The documents I've read have said that it's a reciprocal agreement. I'll tell you that right now.

For my membership to get their Transport security clearance, we're waiting anywhere from six months to a year. If you add in the reciprocity part of this agreement whereby Transport Canada now has to go and investigate 70,000 longshore personnel plus, or 10,000 or however many they have to do, that's going to slow down our process.

Mr. Larry Miller: Okay, but once you have that approval, it's good. It's not that you're doing this every time a cruise ship comes in.

Mr. Robert Ashton: We do it every four years—

Mr. Larry Miller: Okay. Then it's a non-issue. At least to me, it is.

Mr. Robert Ashton: For my security clearance right now, I do it every four years. Under this new agreement, the names get sent down every day.

Mr. Larry Miller: Fair enough.

Ms. Reigate and Mr. Gooch, are there any major outstanding concerns in relation to what Mr. Ashton is talking about? Is there anything along the same lines when it comes to workers at your airport that either one of you has concerns with to the same degree or in the same manner?

Ms. Janik Reigate: My understanding is that through the restricted area identity card, the RAIC, that is issued for workers at Toronto Pearson, that process is what will govern whether or not an employee gets clearance to that area. The information gets sent down to the United States and gets vetted. A comment could come back, but the decision is still made by Canadians as to whether or not a RAIC gets issued so that an employee can work in those spaces. That's my understanding of how it will get operationalized.

Mr. Daniel-Robert Gooch: I'll just add that, coincidentally, a couple of weeks ago, a colleague of mine, Jennifer Sullivan, from Greater Toronto Airports Authority, and I presented at the transport committee on a series of questions about the screening of airport workers, where we were into a fair bit of the back-and-forth. Certainly, we share Mr. Ashton's concern about the delays, for example, for the transportation security clearances. We're seeing three to six months as well, so there is that level of concern.

We certainly could come back with regard to any specific questions on that follow-up.

• (1630)

Mr. Larry Miller: I think I would agree with you that three to six months is longer than necessary, and I would certainly be willing to support any recommendation to try to speed up that process. I think that only makes sense. I don't know what the delay is, but it does seem excessive. That still doesn't take away from the fact of the reciprocity in the agreement and the fact that we have a right to protect our security here.

Could you give me an example of something where either Canada would not allow a certain U.S. worker down there to work on one of these cruise ships, say, or the same kind of airport, or the U.S. is doing the same thing to Canada? What would be something that one of those workers may have done or is alleged to have done that would put them on that "we don't want them" list?

Mr. Daniel-Robert Gooch: I think that gets out of our area of expertise, but I would say that there is no Canada pre-clearance in the U.S. right now, so it's a bit of a one-sided arrangement in terms of how there is pre-clearance in Canada. We do not have it in the U.S., although that is something that is contemplated in the legislation of the treaty.

The Chair: I'm afraid I need you to end there.

Mr. Larry Miller: Okay. There's never enough time.

The Chair: I have three things.

Thank you to all the witnesses for your testimony today. It's been helpful.

Second, I want to thank the clerk for getting the clock fixed, which has been helpful for me.

Third, if it's the will of the committee, I think I would like to have the testimony Mr. Ashton has brought to us today sent to the two departments, Public Safety and Emergency Preparedness and

Transport Canada, for comment not exclusively but particularly with respect to clauses 17, 43, and 45. They can comment on it in other ways.

I think he has raised some important questions for us. I will ask them to review the testimony, so that we don't have to come up with direct questions, and respond to it for us. I'm going to try to give them a fairly tight timeline on that. If you will give me permission, if I don't think it's an appropriate response, I'll invite them to come to the committee, if that's okay with you. All right?

Some hon. members: Yes.

The Chair: We're going to take a brief pause as we get our next witnesses in.

Again, thank you.

• (1630)

(Pause)

• (1635)

The Chair: We will come back to order. We have two guests with us. Mr. Chan is doing a repeat performance. Thank you for the encore.

He has told me he won't give their opening statement again—we've heard it once—but he's available for questions. Ms. Greenwood is here from the Canadian American Business Council.

We'll start with your statement.

[*Translation*]

Ms. Maryscott Greenwood (Chief Executive Officer, Canadian American Business Council): Thank you.

Hello, everyone. I'm pleased to be here before you today, in Ottawa.

[*English*]

You can tell that this is a very important gathering, because if it weren't I would be at my pool in Northern Virginia with my kids, because it's Memorial Day and it's sunny in Washington, D.C., so that's how important you are.

Mrs. Mona Fortier (Ottawa—Vanier, Lib.): Oh, that's true.

Ms. Maryscott Greenwood: My kids are very mad at you. Actually, they're running rampant right now, so probably they're happy that I'm here. Anyway, it's a pleasure to be with you.

After years of quietly existing in relative obscurity, the North American Free Trade Agreement, and particularly its renegotiation, are now big news. What will remain intact? What will be scrapped? How fast will we get a new deal? Could dairy and lumber sink NAFTA? What about protections for intellectual property?

Apart from NAFTA, there's another critical piece in how the United States and Canada do business, and that's border management. Obviously, I don't have to tell any of you everything I'm about to say, but it's for the benefit of the record so you know precisely where the Canadian American Business Council lands on these issues.

The border is where many Canadian and American business travellers, in particular, get up close and personal with NAFTA. Fees are collected. Shipments are inspected for compliance. Those trying to work or do business stateside can be held up depending on whether they qualify for appropriate NAFTA work visas.

Indeed, the work of government agencies on both sides of the border to manage our shared boundary is nearly as important to the health of our integrated economies, to the viability of our businesses, and even to the quality of life of those living near the border as is the implementation or renegotiation of any particular trade agreement.

Canada and the United States have had various forms of border pre-clearance, as this committee knows very well, since the 1950s. By way of definition, pre-clearance allows Canadians to be screened and given the green light by American officials for immigration, customs, and agricultural purposes before entering the United States and while still on Canadian soil. In recent years, there's been real progress in moving the screening away from the actual border and to pre-screening facilities in airports at Calgary, Toronto, Edmonton, Halifax, Montreal, Ottawa, Vancouver, and Winnipeg. In practical terms—and again, I feel a little funny as I'm defining this for you, because I know this committee knows these things very well, but again for the purpose of the record so you know where we are—pre-clearance means air travellers can breeze through any American airport as if they're domestic passengers with no need to go through customs once they've landed in the United States. That opens up flight routes to any town that has a commercial airport, rather than limiting them to major cities with built-in U.S. customs facilities. Many communities in the United States don't have U.S. customs and border patrol at their airport, so they're not available for international flight routes. Any Canadian who's landed at JFK Airport or O'Hare and stood in long lines behind travellers from far-flung places appreciates the efficiency and the convenience of pre-clearance.

At its core, the practice of pre-clearance serves two significant policy goals. It helps Canadian and U.S. officials zero in on potentially bad actors and dangerous or illegal goods while at the same time making it easier for upstanding citizens and legitimate commerce to cross the border with relative ease and minimal hassle. I would add here that the former U.S. CBP official Alan Bersin—and I don't know whether he's testified before you or not—talked about operations at our border being like looking for a needle in a haystack. Pre-clearance is something that, in his terms, makes the haystack smaller, enhances security, and helps ease commerce.

Despite 50 years of pre-clearance measures at the border, however, everything changed after the terrible attacks of September 11, 2001. The U.S. and Canada understandably beefed up security at the border, and the boundaries subsequently became mired in congestion, delays, and hassles for those doing business or travelling frequently between our two countries.

On a personal note, it was in 2001 that I first became engaged with the Canadian American Business Council, which was, until then, kind of a lunch club in Washington for expats. After 9/11, when the border basically came to a close for commerce, the board of directors said, "You know, we really need to communicate to policy members how important for our economic security and health this border really is." That's when I got involved with this particular

organization in 2001, after having served four years here at the U.S. Embassy in Ottawa, which was the honour of my lifetime.

Canada began to complain. Inefficiencies at the border, after all, have a disproportionate impact on the Canadian economy, and for more than a decade a frustrated Canada pushed the U.S. to cooperate on initiatives aimed at fixing what had become a woefully inefficient boundary. The U.S., however, balked until, this committee will remember, in 2011, when a border vision was announced between then Prime Minister Harper and his counterpart, President Obama, followed by the 2015 signing of an updated and expanded pre-clearance agreement.

• (1640)

Your colleague and I were at the signing in Washington with the Secretary of Homeland Security and the Canadian counterparts back in 2015.

But there's been an odd reversal of fortunes recently. The enabling legislation for the Harper-Obama pre-clearance agreement easily passed both chambers of Congress late last year, and now Americans are intently waiting for Canadians to enact their own pre-clearance companion law. This is interesting and ironic when you consider how utterly slow and dysfunctional the U.S. congressional system is. Usually Canada's parliamentary process is much more efficient, but not so on this particular issue at the moment.

Canada's Bill C-23 would implement the 2015 border pact. It was introduced, as you all know well, in June 2016 and is working its way through the process. The legislation, when passed, will expand the number of pre-clearance locations at airports and various other land, rail, and marine crossings, including Montreal's central train station.

For Canadian citizens, regardless of nationality, there are myriad advantages to pre-clearance. They'll be able to get all customs, immigration, and agriculture processes out of the way before they board planes or cross the border on Canadian soil, consistent with Canadian law and Canada's Charter of Rights and Freedoms.

In order to comply with the new agreement, U.S. Customs and Border Protection officials needed clear legal authority to question and search those in pre-clearance areas seeking to enter the United States, and Canadian border officials operating in pre-clearance areas in the U.S. would get the equivalent powers. It is not a one-way street but a truly reciprocal initiative.

As an aside—and I think you heard about this earlier today and you probably know—Canada has not exercised its prerogative to open pre-clearance facilities in the U.S. in the air environment but may wish to do so in years to come. I know that Canadian snowbirds who spend their winters in Arizona or Florida would welcome the opportunity to pre-clear customs before returning home.

Canada agreed that it was a fair trade-off that would give Canadians and Canadian businesses easier access to the U.S., and at long last we had a deal to create an efficient border. Yet we're still waiting—I say with the utmost respect—for Canadian Parliament to make the pre-clearance deal come to life. In our opinion, it is time to speed up the process and get people moving for the benefit of both Canada and the United States and for the health of our deeply integrated economies.

Thank you so very much.

• (1645)

The Chair: Thank you.

Monsieur Picard.

Mr. Michel Picard: Ms. Greenwood, you talk about zeroing in on bad actors as being one of the concerns. Part of the discussion we have had in the past relates to surveillance activities of customs actions in the pre-clearance zone. I understand that when something goes—let's say—wrong and we have complaints, on the U.S. side we count on the Office of Inspector General, the Office of Civil Rights and Civil Liberties, and the Office of the Citizenship and Immigration Services Ombudsman. U.S. Customs and Border Protection has the Office of Internal Affairs to take care of complaints.

We don't have that many organizations in Canada to oversee Canadian customs. Are those issues part of your concerns? When you elaborate on any strategic planning, going back and forth on both sides of the border, what is your position on the surveillance capacity over those U.S. and Canadian customs officers and their activities?

Ms. Maryscott Greenwood: Our view is that both the United States government and the Canadian government have had years and decades and generations of working together on securing our border and on facilitating commerce. We would argue that they've made less progress on the facilitation of commerce side and actually more progress on the security side, as important as that is.

We think the intelligence sharing and the shared approach, whether it's in the integrated border enforcement teams or the way we operate together in NORAD, a defence agreement, as you know, in Colorado Springs, and whether that which is applied to our airspace could be applied to our physical continent and going back and forth across the border, are very important kinds of protocols. We also think that if any two countries in the world can figure out how to operate appropriately with each other in this new era, those are Canada and the United States.

Mr. Michel Picard: Mr. Chan, with pre-clearance way before going through the border, how do you manage in between in terms of security? Do you lock the train?

Mr. Alroy Chan (Senior Director, Corporate Development, Rocky Mountaineer): Yes. Currently in our operations, when we go, say, southbound from Vancouver to Seattle, there's no pre-clearance or pre-inspection at our station. The train leaves from our Rocky Mountaineer station, and as soon as passengers are boarded, the train is completely secured and locked up and goes non-stop past the border directly into Seattle's King Street Station, where U.S. CBP officers then come on and conduct post-clearance activities on their soil at their station. So it's completely secure all the way down.

• (1650)

Mr. Michel Picard: Is there more than one railroad to go across this border? I don't know the region. Can you go from where you're going to put your pre-clearance activities to more than one destination, or do you have to go to the same railroad and then, after the U.S., go anywhere you want?

Mr. Alroy Chan: In Canada there would be more than one track. Before you hit the border, you would have CN, CP, and BNSF tracks all together. I don't know if they all merge at exactly the same spot, but once you cross the border you are solely on BNSF's track. There would be no other way to go to get down to Seattle.

Mr. Michel Picard: Maybe I misunderstood, then. You go by different tracks, but you cross the border at one and the same place.

Mr. Alroy Chan: Correct.

Mr. Michel Picard: So I'm wondering what the economic advantage is of doing pre-clearance before, if you have to go through one door only, as compared with an airport like Bishop, for example, where you leave from Bishop and can fly in different destinations because you don't have to go through customs at destination. In our case, you have to go through the same door in the U.S., and then you go everywhere, as if going through customs at the border or before. You have to go through the same door anyway, and it's only then that you have to maybe change the railroad you want in order to go to any destination you've chosen.

Mr. Alroy Chan: Yes. For Rocky Mountaineer's operations, we currently only have one international cross-border route, Vancouver to Seattle, but the economic advantage for Rocky Mountaineer and primarily for our customers, or "guests", as we call them, is just time and efficiency. They are at our station already most likely about 90 minutes ahead of departure. As soon as we check them in, they're waiting. Currently the operation is that when they get to Seattle and conduct the post-clearance, it could take upwards of 45 minutes for the very last passenger to get cleared. Meanwhile, they have travel plans to get to maybe a cruise ship or other activities. Speeding it up on this side of the border would help us achieve our mission of providing a much better guest experience.

Mr. Michel Picard: Have you estimated the impact from an economic standpoint of this advantage? How does that improve your business? From your side, more generally, what are the economic impacts of working with new pre-clearance zones?

Mr. Alroy Chan: There's no quantum financial impact, but we've definitely done a lot of research and interviewed past guests on the efficiency of moving our guests from Vancouver to Seattle. They recognize that there would be a benefit of actually pre-clearing them in Vancouver versus having an unknown delay in Seattle. It would be ideal for them.

Ms. Maryscott Greenwood: Sir, as you know, the Canada-U.S. economic relationship is over \$700 billion a year, and 400,000 people cross back and forth every single day. Our members have experienced a lot of pilot projects over the years, usually at the instigation of Canada, on figuring out ways to expand the idea of pre-clearance beyond just air traffic to commercial cargo and commercial facilities.

Take Campbell Soup Company as an example. You know Campbell's soup, "M'm! M'm! Good!" and all that.

Ms. Dianne L. Watts: Nope. Never heard of it.

Voices: Oh, oh!

Ms. Maryscott Greenwood: Grilled cheese and tomato soup—it's delicious.

Do you know where their biggest facility in the world is, this good American iconic brand? It's in Ontario. Campbell Soup participates in every single pilot project there is to try to get their soup to market in the United States once it's made in the facility in Ontario. They experience, though, a myriad of different challenges. When you had the mad cow epidemic, for their meat-containing soup, such as beef barley soup, they had a different regime for inspection even though they were part of a pre-clearance project. Whenever anything happens at the border that causes....

In Washington we say that government does two things really well: nothing or overreact.

Mr. Michel Picard: Is that on the record?

Voices: Oh, oh!

Ms. Maryscott Greenwood: And that's what happens with the border.

Ms. Dianne L. Watts: Up here it's pretty much the same thing.

Ms. Maryscott Greenwood: I can say that about the United States because I'm American.

At any rate, when those overreactions occur from time to time, it really impacts business. I don't have a direct number for you on the economic impact of expanding pre-clearance beyond the air environment into marine and rail and all of that, but I can tell you that it's been at the top of the Canadian American Business Council's priority list for the last decade as our number one issue to facilitate commerce between our two countries.

•(1655)

Mr. Michel Picard: Thank you.

The Chair: Mr. Miller.

Mr. Larry Miller: Thank you very much.

I'd like to continue along that line a bit, Mr. Chan. I'm quite familiar with your business out there and how very important it is to our tourism industry here in Canada and particularly in British Columbia. How many times a week do some of your trains cross into the U.S.?

Mr. Alroy Chan: That's what we call our "Coastal Passage" route, from Vancouver to Seattle. It was launched four years ago. This is just the start of our fourth year of operation. It's been a slow ramp-up to get to where we are today, but it's been growing by

double digits, at about 20% a year, in terms of passenger growth. We currently run only 12 round trips a year within our six-month seasonal business. It's not a lot compared to our main business within Vancouver and the Rockies, with about 70 trips per year per route. It's quite a small piece right now.

Mr. Larry Miller: Right, but will this pre-clearance in general help your customers in terms of the service and fewer headaches, if I can put it that way?

Mr. Alroy Chan: Yes, fewer headaches and more certainty, and a more seamless travel experience for sure. There will be less disruption when they get to Seattle. If they're wanting to try to catch a cruise ship from Seattle to Alaska that day, it could be challenging. It would alleviate some of their travel risks if we could implement this at the Rocky Mountaineer station.

Mr. Larry Miller: With everything, there's always somewhat of a cost. I presume in this whole thing, and I guess in a perfect world, although the world isn't perfect.... What would you project that cost to be on a per passenger basis? Has your company crunched any numbers on that?

Mr. Alroy Chan: The cost to the passenger?

Mr. Larry Miller: Yes.

Mr. Alroy Chan: We have not done that yet on a formal basis, but as I mentioned earlier, we know through past guest surveys and out of the research we have done that they would prefer a pre-clearance type of method versus a post-clearance method and the uncertainty of it all. Given the type of clientele we have, which is typically international and an older demographic, they want more certainty on that, and this should give them that certainty, better certainty.

Mr. Larry Miller: Right, and I think that if we look at acceptance, for most of us who travel on a regular basis, things have been different ever since 9/11, not just in Canada and the U.S., but in the world. You can call it one of those "necessary inconveniences" sometimes, but I think that in general people will realize that not only are there some guidelines and regulations that weren't there before, but they are there and costs come with them, I think. Do you suspect much push-back there or see it hurting your numbers of travellers with this extra little cost that's added there? Do you see that as a big hindrance?

Mr. Alroy Chan: Not at this time, no. We don't.

Mr. Larry Miller: That's good to hear.

On this, even for Parliament Hill, when I came here 13 years ago it was kind of what it is today. It's beefed up a bit, but prior to that.... It's the same as going through airports. Things have totally changed since 9/11, as I've said, so there's that acceptance out there.

Ms. Greenwood, you made some comments business-wise and what have you. Are you getting much or any negative feedback from American businesses over this? What kind of feedback are you getting from them?

Ms. Maryscott Greenwood: There's huge enthusiasm for any effort that makes it more efficient to cross our common border. If I might just elaborate on your earlier question to my colleague, the prediction we have is that the more efficient you make this and the easier you make this, with more certainty, travel and tourism would go up a lot. The opportunity to really grow is there, going back and forth both ways.

Businesses that operate in both Canada and the United States look for... After 2008, after the economy collapsed, everybody was trying to squeeze out efficiencies, and they found a lot of efficiencies. Business got way more efficient in its supply chain and everything it does. The things that now cost a lot of money, those efficiencies that weren't found, are typically caused by government-imposed inefficiencies. They're usually inadvertent, so regulatory incoherence is another issue that we work on, as well as delays at the border, going either way, or unpredictability at the border.

A big idea for us is that if you're going to be deemed a trusted traveller, while we respect government's right to always have a random inspection, even for the most trusted travellers, if business is going to give up a lot of information and spend a lot of time and money complying with manifests in advance, and all sorts of supply chain certifications that what's in the truck or the railcar or the ship is actually what you say it is, the deal is supposed to be that if you do all of that, your travel back and forth across the border is more efficient. You're supposed to get a gain. That's the deal between government and business on that.

Again, our observation is that since the Beyond the Border agreement was signed several years ago under previous governments in both countries, there has been a lot more collaboration on the security side, and the collaboration on efficiency in commerce has been slower than we would like.

• (1700)

Mr. Larry Miller: You mentioned the Beyond the Border agreement. I think it was four or five years ago that it was signed. I can remember it. Do you see this bill enhancing that agreement?

Ms. Maryscott Greenwood: Yes. We think this is an enormously important piece of legislation. The agreement was signed, but it needs the enabling legislation in order to make it real, if you will, so that Canadians and Americans can fully enjoy the benefits of a common approach to the border. We think it's enormously important. As I said, it's a top priority of ours, and we would encourage its swift passage.

Mr. Larry Miller: Thank you very much.

The Chair: Monsieur Dubé.

[Translation]

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

I simply want to make sure that I have this straight.

Ms. Greenwood, you said that Canada hadn't exercised its pre-clearance right on the American side. I may have been wrong to assume the situation was relatively new. Perhaps pre-clearance was already allowed, and Canada could have taken advantage of pre-clearance on the American side if it had wanted to do so. However, pre-clearance isn't done anywhere else at this time. Can you shed light on this issue?

[English]

Ms. Maryscott Greenwood: Canada has had the right to have pre-clearance facilities at U.S. airports as long as the U.S. has had the right to have them in Canada, and I don't actually know why it hasn't been done. If I had to guess, I would say that it's probably due to resource constraints, because it's expensive to locate a facility. Or maybe there just wasn't a demand.

As I said in my testimony, I think it would be terrific, particularly in places such as Arizona and Florida, where you have a large population of snowbirds who go down there for the winter and come back here for the summer. That would be a tremendous convenience.

[Translation]

Mr. Matthew Dubé: I wanted to ask why Canada isn't exercising its right. You have some ideas, but we can only speculate. We don't have the answer.

Let's look at the Quebec City airport, for example. One of the concerns raised is that, for the Montreal and Toronto airports, part of the costs were recovered as a result of different agreements with the government. The new agreement says that airports that choose to set up pre-clearance—this also includes stations—will cover the related costs.

Let's take the example of an American airport in Arizona or Florida. Perhaps the airports don't want the system because they find it too expensive and they don't see the benefit?

[English]

Ms. Maryscott Greenwood: I don't think there is specific opposition to Canadian pre-clearance in the United States. I don't think anybody has tried. We would have to go back and check. We could ask somebody who was in government. Monsieur Chrétien might have a view on this. I don't know.

The costs are something that are typically negotiated between the governments and the private sector. We find that private sector players are often willing to pay for the government function if it means more efficiency. If you were to propose opening up a facility in Florida or in Arizona, there would probably be a negotiation between the air carriers, the governmental authority, and the federal budget that pays the salaries of the Canadian customs officers involved.

• (1705)

[Translation]

Mr. Matthew Dubé: I'm asking the question because it may not necessarily be Canada that didn't want the system. It may also be the other party concerned.

A port or airport authority may decide that, even though Canada wants to set up the facilities, it doesn't see the benefit under the current agreement.

[English]

Ms. Maryscott Greenwood: That's possible, sir. I have been working on Canada-U.S. for only 20 years, so my knowledge doesn't go back before that, but in the last 20 years, to my knowledge, there hasn't been a Canadian desire, so it's hard to know if it would be opposed if you have never asked the question.

[Translation]

Mr. Matthew Dubé: Okay.

[English]

Mr. Chan, I might have asked you this question the last time you were here, but we all had to flee rather quickly, so I'll apologize if we have to rehash some of this stuff.

Monsieur Picard asked a similar question about how it all works security-wise and everything. I just want to understand the efficacy for a train. It's very obvious for flights. It has been well explained that it changes the number of destinations you can go to, but for a train going from Montreal to New York on Amtrak let's say, or, for you, from Vancouver to Seattle, the destination remains the same. Where does the efficiency of having pre-clearance for travel by rail come from?

Mr. Alroy Chan: I'll first speak to Rocky Mountaineer and then I can speak on behalf of our Amtrak colleagues and also some of the ferry operators operating in B.C.

As I mentioned earlier, for Rocky Mountaineer, our guests tend to check into our station. For an 8 a.m. departure from Vancouver to Seattle on a Saturday, the guests would be there around 6:30 a.m. Most of them would be there by seven o'clock. It takes about 15 seconds to check them in. To process them, we take their luggage, and then they are lounging in our waiting area. That would be an opportune time—an hour of time—to conduct pre-clearance activities if we could implement that. We could board them on our train, and they could be off on their way, and then they wouldn't have to do the post-clearance in Seattle. They would arrive and be out the door. Right now if you're the last guest to depart from the train in Seattle, there is 45 minutes of post-clearance time. That would be a huge efficiency for us.

In terms of the overall rail industry, on the passenger side, Amtrak does have a couple of trains that cross the border. In B.C. and Washington state, they have to stop at the border right now, which actually causes congestion overall in the rail infrastructure. Whether for a passenger train going southbound or northbound, or freight going southbound or northbound, the more we can do pre-clearance to move commercial goods more efficiently, the more we could free up rail infrastructure for all parties that use and leverage that infrastructure.

Additionally on the ferry side, there are a couple of ferries that go across the border between Victoria and Seattle, for example, or Victoria and Port Angeles. They move hundreds of thousands of passengers, and they are currently on a pre-inspection, post-clearance basis, and that takes a lot of time and has inefficiencies as well.

The tourism, commercial movement, and freight operators would value this to free up infrastructure and time.

[Translation]

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

[English]

The Chair: Mr. Spengemann.

Mr. Sven Spengemann: Thanks very much, Mr. Chair.

I may not need the entire 10 minutes, so I'll delegate it to the next Liberal speakers.

Thank you both for being here.

Ms. Greenwood, I want to ask you about the composition of the council and its membership. Can you tell us a bit about the council's background, what it does, and what its function is?

Ms. Maryscott Greenwood: I would be delighted to. Thank you.

With my testimony I gave the clerk a progress report like an annual report, and if there aren't enough I would be delighted to send more.

The Canadian American Business Council is a non-partisan, non-profit organization that has been in existence for 30 years. It's our 30th birthday. I know you're 150 and Montreal is 375.

Happy birthday to everyone. You look amazing.

The Canadian American Business Council works on issues of importance to Canada and the United States in a policy area. Our members are iconic big companies and small start-ups, so companies that you've heard of and some that you haven't. CN Rail would be one, TD Bank, on the Canadian side. On the U.S. side, it would be Google, Amazon, energy companies, Ford Motor Company, and then some start-ups. Beauty Revolution is one of my favourites. It is an Ottawa-based company that has organic cosmetic products from Vermont.

We advocate for good public policy between Canada and the United States. This year, we're also bringing attention in the United States to the special nature of the Canada-U.S. relationship. Since you asked, I'll tell you we have a book that has just come out called *With Faith and Goodwill*. It's presidential and prime ministerial speeches and photographs for the last 150 years. Again, if the clerk would like, we can make copies available to members of the committee.

We're launching it with presidential and prime ministerial chats at presidential libraries across the U.S. We're trying to build an understanding, especially in the United States, about how special this relationship is with Canada, so that when the NAFTA negotiations get fully into the difficult conversations that will occur, people will have a better appreciation for that special partnership. We find that the same education is not as needed in Canada because people in Canada already appreciate the importance of our integration.

Much of our work is done in the United States. I'll add that we just hosted your colleague, Minister Sajjan, for a conversation on defence policy in Washington. It's non-partisan, bilateral advocacy.

• (1710)

Mr. Sven Spengemann: Thanks very much. That's very helpful.

How do you engage with your membership on a legislative proposal such as Bill C-23? Do you have a mechanism to reach out and to solicit views, or do they just come to you saying here's what we want you to do?

Ms. Maryscott Greenwood: We do both, informally and formally.

We have a policy review every year where we engage our members and ask what's important to them, what are they worried about? Efficiency at the border has been something, ever since I started in 2001, that has been in the top three issues. Companies will just come to us and say, "You seem to have a pretty good megaphone, will you take on our issue?"

We have a criteria. It has to advance the Canada-U.S. relationship. It has to be a consensus of our members that agree with it. You wouldn't think that Campbell Soup would be focused on border policies so much, you'd think they'd be focused on food and ag regulations, but border policy is their top issue.

Mr. Sven Spengemann: I think it's fair to say as a general proposition, the logic is overwhelmingly in favour of pre-clearance, certainly from an economic perspective. I think the cases that are giving us cause for a closer look are statistically very few.

Did your membership raise any concerns with respect to what law should apply, what rights people should have when they're pre-cleared, any of the legal framework embedded in Bill C-23, either on the U.S. side or Canadian side?

Ms. Maryscott Greenwood: No. Our members were for the underlying agreement, and we see this legislation as enabling the underlying agreement. The difficult conversations, if you will, would have occurred back in 2011 with Beyond the Border, and then in 2015 with the agreement. This we see as almost housekeeping, to make it a reality.

Mr. Sven Spengemann: Within the context of the agreement then, were there any concerns raised in terms of some of the provisions that were migrated from the agreement into the bill?

I want to just zoom right in here. Particularly, I think one of the scenarios that's giving us cause for some concern is the possibility of a U.S. officer, for example, performing a strip search in the absence of a Canadian officer.

How often a scenario like that might happen is a statistical question, but in terms of the legal mechanism and trust in this process both from the American and Canadian public, what would be the considerations there?

Ms. Maryscott Greenwood: Yes, I understand.

Again, our view is that the governments have been working together in good faith for generations and that they will figure out.... You know, you have an option, which is don't go into the other country.

Our sort of overall view is to the extent that you want travel at the 49th parallel to be more efficient, the further away from the border you can have the screening, the better it is both for efficiency and security. There are trade-offs, as I mentioned.

Mr. Sven Spengemann: I'd like to ask for your reflection just personally.

You know Canada very well. You know the U.S. very well. How divergent are we when it comes to an inspection regime at the border and the potential for somebody being detained and questioned, potentially searched? How close are Canada and the United States in terms of the daily operation of their respective legal regimes, both of which have constitutional protection? Are we far apart, or are we really close?

Ms. Maryscott Greenwood: I think it's pretty close. When there is a raised threat level, it becomes a little more difficult, regardless of which way you're going.

As you mentioned, I travel back and forth, both ways. It depends a bit on how you're acting. I would say that maybe 20 years ago coming into Canada felt more like you were being welcomed by the Convention and Visitors Bureau, as opposed to law enforcement. I think that's all changed.

• (1715)

Mr. Sven Spengemann: That's very helpful.

Mr. Chair, that's all I have. Thank you.

Ms. Pam Damoff: Is there any time?

The Chair: We'll get a round. We had only about 20 seconds left in that little bit of the round.

Ms. Watts, you have five minutes.

Ms. Dianne L. Watts: I'm good.

The Chair: Okay.

Ms. Dzerowicz.

Ms. Julie Dzerowicz (Davenport, Lib.): Great thinking.

I'm quite new to this committee, and I want to say to all my colleagues that it's a pleasure to be here.

Thanks to both of you for being here, and especially to you, Ms. Greenwood, for being away from the pool on a national holiday and your kids—

Voices: Oh, oh!

Ms. Julie Dzerowicz: I'm going state up front that I very much support additional pre-clearance. I very much support the intent of this legislation. I have a business background, and all the things you've talked about are things that we have also been talking about, such as efficiencies and moving trade back and forth. We understand the importance of the economic relationship.

That being said, I will tell you that this is an issue of great importance for people in my riding of Davenport. They have raised two key things. They've raised the fact that, under the new legislation, if they wanted to walk away from going into the United States in a pre-cleared situation, they would have a bit more of an issue in walking away, because they would have to be questioned.

Ms. Maryscott Greenwood: Right.

Ms. Julie Dzerowicz: They also feel a little bit uncomfortable with regard to whether there will be a bias against them if they are a person of a particular religion or culture. I think it's because of the U.S. travel bans that have actually been put in place, although they're not supported by the courts in the United States, and we know that. That's been where the concern has come out.

Here are the questions they ask me. To what extent do the U.S. pre-clearance officers know Canadian law? To what extent do they know the charter? The other thing they ask about is that even though the travel ban is not backed up by the U.S. court system, what might the impact be on Canadians who might be of particular backgrounds in terms of them crossing over?

I know that this is not your area of expertise, but I wonder if you have a response that we might be able to give them. I'll direct that question to you, Ms. Greenwood.

Ms. Maryscott Greenwood: I understand the anxiety. The rhetoric has been heated. As heated as it's been in the United States, it's been welcoming in Canada, so I understand that.

However, my answer on that question is that our customs and border patrol officers are extraordinarily professional. They're extraordinarily well trained. Also, they are public servants, so they serve not at the pleasure of any particular administration; this is their career, and they know a lot about what they're supposed to do in their job.

As you rightly point out, the proposed travel ban is being held up in court, so our system of constitutional democracy is working. The President isn't above the law and, regardless of his rhetoric, our system is working and our officials are acting as they should.

In terms of the question of approaching the border and not being able to turn away, I think people just have to get used to deciding a bit earlier whether they want to go. If you're going to change your mind, do it before you enter the zone, if you will, and then you can leave without any further questioning. Again, it's a trade-off. Do you want to come into the United States to do business, or travel, or vacation—and the same in the United States for Canada—or not? It's your choice, but it's also important to recognize how closely our countries work together.

Ms. Julie Dzerowicz: If I can just be clear, Ms. Greenwood, you said that U.S. officials are very professional and they know their job. Would you say that also includes knowing Canadian law and the Canadian charter? Those are the rules under which they are supposed to be operating in pre-clearance situations here in Canada.

Ms. Maryscott Greenwood: I believe they are. I believe that's part of their training. Again, U.S. officials have been operating in Canadian airports on Canadian soil for more than my entire lifetime. I think it's baked into the DNA of living and working up here.

Ms. Julie Dzerowicz: That's great.

I have three more questions, if I can get through them.

I know that we have eight pre-clearance areas right now. I'm assuming that those have been working really well and that's the reason why we wanted to expand them.

Are there areas that have been problematic and that you feel were addressed or not addressed in the new legislation? Under the current

pre-clearance system, were there some things that needed to be addressed? If so, what were they, and have they been addressed in the new legislation?

• (1720)

Ms. Maryscott Greenwood: In the air environment?

Ms. Julie Dzerowicz: It could be air, it could be rail, it could be anything. But to me, we're talking pre-clearance, so have we studied what went well, what hasn't gone well, and addressed it in the new legislation?

Ms. Maryscott Greenwood: We have a lot of data about how to run pre-clearance. The main thing that the new agreement and legislation does is expand it beyond the air agreement. We figured out over the last 50 years how to do it pretty well, and over the years there have been some modifications to the protection and security arrangements at the airports, but I think the main feature is in expanding into other environments beyond air.

Ms. Julie Dzerowicz: Okay.

My next question is—

The Chair: You're actually over, but you may get another little bit of time.

Ms. Damoff.

Ms. Pam Damoff: I have a quick question for Rocky Mountaineer. One of the issues that's come up has been about the availability of Canadian Border Services agents. At Pearson Airport that's likely not going to be an issue because you have both U.S. and Canadian agents in the airport. For Rocky Mountaineer, would you have Canadian Border Services agents at the rail station as well as American ones if there were to be pre-clearance?

Mr. Alroy Chan: We're still working through that. We don't know what the service model will look like yet on the northbound journey back up to Rocky Mountaineer Station. Currently while we go southbound post-clearance, we actually arrive out of our station. Northbound we arrive into Via Rail's Pacific Central Station, which already has an established CBSA staff there, recognizing that it's a challenge for CBSA to make a visit to our station even on our operations today, but we're still exploring that. We still have to go through the research and analysis to figure out how best to implement that, if we were to pursue that.

Ms. Pam Damoff: Because it's really important.

Mr. Alroy Chan: Yes.

Ms. Pam Damoff: Part of the legislation, in particular when we're talking about strip searches, is the availability of a Canadian within a reasonable time. I don't think we have much of a concern in an airport, but we would, depending on how you set up your model for the Rocky Mountaineer. So if you can keep that in mind as you are going through your—

Mr. Alroy Chan: Yes. I can address that one.

If we implement pre-clearance at Rocky Mountaineer Station, about a kilometre away is Pacific Central Station, so our current thinking right now is CBSA officers are actually at Pacific Central around the same time that we depart, or shortly thereafter. We have had discussions with CBSA on whether those officers could come to our station when our departure is scheduled. It's only a kilometre away, so we can share some efficiencies there. That is our current thinking. We'll have to revisit that as we get more departures and more dates, but that currently can work. It's one of the avenues that we're pursuing to make sure this works.

Ms. Pam Damoff: Okay.

Ms. Maryscott Greenwood: May I address this?

From our point of view, the big vision would be that Canadian and U.S. agents are cross-trained, and they would be interchangeable. If you think about NORAD, if you think about the defence of North American security, on any given day a Canadian officer might be commanding U.S. military to secure our airspace, and in fact it was a Canadian officer who directed the planes to Gander, Newfoundland on 9/11 and secured the airspace.

That works enormously well, so if you look at the defence collaboration as a model for law enforcement, it would be much more efficient from our point of view to have that at all of these little communities across the Canada/U.S. border. I think of Derby Line, Vermont and the Eastern Townships of Quebec. It's really expensive to staff those, so sometimes they're closed because you don't have staffing. From a broad vision from our point of view, it would be terrific to have Canadian and U.S. officials cross-trained and be able to deal with whatever they need to deal with at the border. That would be in the future from our point of view.

Ms. Pam Damoff: So they would both be trained at the same time on the same laws, and they'd be basically interchangeable then.

Ms. Maryscott Greenwood: That would be the vision from our point of view, yes.

Ms. Pam Damoff: That's not what's in the legislation now but that would be further—

Ms. Maryscott Greenwood: That's sort of the idea. If you really want to have a perimeter approach to the border, and if you're constrained with government resources, personnel, and all of that, our thought is think creatively and look at... Again, the United States doesn't have this kind of relationship with any other country in the world, and I don't think it would consider it. But because Canada and the United States are so close, because we trust each other so much and we work together, and because we have such giant economies and security at stake, we think this is the place in the world that it can be done.

•(1725)

The Chair: You have about half a minute if you'd like to ask anything else.

Ms. Pam Damoff: I can't ask a question in half a minute. I'm sorry, Mr. Chair.

The Chair: We'll give you two minutes, and then we're done.

Ms. Julie Dzerowicz: This might be a little bit of an odd question. I recently was reading that there might be a ban on laptops from the U.S. The world changes constantly. While the core of this bill is really about business, the pre-clearance, efficiencies, and allowing people and goods to move as quickly as possible—that's what we need for our economy to work well—security gets in the way, and it is a key consideration.

Do you believe the bill is flexible enough for us to be adjusting as different security requirements come up? I don't know if you can respond to that, but it's just something that has come to mind.

Ms. Maryscott Greenwood: It's a great question. I think it probably is because it gives the reciprocal agreements, but I'm not entirely certain of that. It's certainly an important step. You have the ability to change things at a moment's notice here, right?

Ms. Julie Dzerowicz: Sometimes, but sometimes it takes a while.

The last question should be very short. How does our pre-clearance stack up to others in the world? I'm sure Europe does it, I'm sure different parts of the world do this, but how does our pre-clearance process stack up? Is it best in class, or are there things that other people can do that we can't? Do you know?

Ms. Maryscott Greenwood: The U.S. and Canada are clearly the model for the world. The U.S. has other pre-clearance agreements that are limited with other countries, and which are much newer than the Canada-U.S. one, but the Canada-U.S. agreement is light years ahead of anything else that the U.S. would consider. It's not the same as an EU model, for example, as between the Europeans, but that's an entirely different agreement and arrangement that takes on a lot of other things. When you're talking about the United States and a reciprocal agreement with the United States, the Canada-U.S. agreement is light years ahead of any others that the United States would have.

The Chair: Thank you to our witnesses.

No last questions, anybody? Very good.

The meeting is adjourned. We will see you again on Wednesday.

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