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—
Chair

Mr. Norman Doyle

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• (1525)

[English]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): Good day, and welcome to our committee as we continue our study on the loss of Canadian citizenship for the years 1947, 1977, and 2007.

I want to welcome officials from CIC and thank them for their presence here today.

I don't know who the spokesman is, but first on my list would be Mr. Mark Davidson, director.

Maybe I'll pass it over to you, Mark, to introduce the people you've brought along here today.

Mr. Mark Davidson (Director, Legislation and Program Policy, Citizenship Branch, Department of Citizenship and Immigration): Thank you, Mr. Chair.

I'll have opening statements and my colleague Clark Goodman will also have a short opening statement, and then we'll get to questions.

The Chair: Okay.

Mr. Mark Davidson: Mr. Chair, honourable members, my name is Mark Davidson and I am the director of legislation and program policy in CIC's citizenship branch.

[Translation]

As you can imagine, I have followed the work of this committee closely over the past several months as you have been exploring issues of citizenship loss. So, I am pleased to be here, along with my colleagues, to help to answer questions you might have.

[English]

With me, as I mentioned, is Clark Goodman, who is the registrar of Canadian citizenship. We also have Rose Ann Poirier, from our case processing centre in Sydney; Rosemarie Redden and John Warner, from our case management branch; Margaret Dritsas, who is the nationality law adviser in my group; and Eric Stevens, from our legal services unit.

Mr. Chair, you heard from a number of witnesses who have testified about discovering they are not Canadian citizens. Some of them, like Mrs. Barbara Porteous, were born outside Canada but have lived most of their lives here. Witnesses such as Mrs. Porteous have told you their stories and of their shock at discovering they do not have the citizenship they believed they had.

[Translation]

Mr. Chair, I can certainly empathize with them. They have lived in Canada most of their lives, worked, paid taxes and participated in the lives of their community.

[English]

Their emotions upon discovering they are not actually citizens are perfectly understandable. I'm sure I'd feel the exactly the same way if I were in their shoes. You have heard from other witnesses whose lack of citizenship was not a surprise, but who nevertheless feel they have a legitimate claim to Canadian citizenship.

Mr. Chair, the testimony you've heard speaks volumes to the value that people do place on Canadian citizenship. It also highlights the fact that every case is different, that every person's story is unique.

The dilemma we as public servants face is that while every story is unique, the rules and the law are constant. As public servants, the decisions we make are, for the most part, framed by legislation approved by Parliament.

As you well know, there are two key pieces of legislation governing citizenship: the Canadian Citizenship Act of 1947 and the Citizenship Act of 1977, which replaced it.

• (1530)

[Translation]

Our job as public servants is to apply these pieces of legislation to the circumstances of individual cases to the best of our abilities.

[English]

Some of the laws passed by Parliament, particularly with regard to the 1947 act, might seem a bit archaic by today's standards. Provisions that limited the ability to pass on citizenship to a child born outside of Canada, depending on whether the father or the mother was Canadian, or whether the parents were married at the time of the child's birth, strike me as a very good example of that. But it is not our role, as civil servants, to stand in judgment of why the laws of the day were enacted. They were the laws of the day, and the role of civil servants is to evaluate cases on the basis of the applicable law.

When Parliament approved the 1977 Citizenship Act, it recognized that despite efforts to make the rules fair, there would be situations where the impact on certain individuals would not seem fair at all, so the act gives the minister discretionary authority under subsection 5.(4) to grant Canadian citizenship upon the approval of the Governor in Council, also known as the GIC.

[Translation]

When the minister appeared here in February, she made it clear that she was making it a priority to review the cases of people who did not have the citizenship they thought they had or felt they merited. She stated that she was prepared to use the authority the legislation provides her to grant citizenship where it is merited.

[English]

The minister has instructed us to bring forward cases where these individuals have demonstrated they have a significant attachment to Canada, have lived here most of their lives, and thus merit consideration for this special grant of citizenship.

We're here today to assist this committee in its work and to answer your questions as fully as possible, while of course respecting our role as civil servants.

I'll ask my colleague Clark Goodman to provide a few details on what has been done since the minister's appearance before this committee in February.

[Translation]

Clark is responsible for program delivery and so is better placed to given you an update on our activities.

[English]

Mr. Clark Goodman (Acting Director, Citizenship and Immigration Program Delivery, Department of Citizenship and Immigration): Thank you, Mark.

As Mark indicated, my name is Clark Goodman. I am the acting director of citizenship and immigration program delivery, and also the registrar of Canadian citizenship. My responsibilities including overseeing the operational activities related to Canadian citizenship.

As I mentioned, I also carry another title, that of registrar of Canadian citizenship. This authority is delegated to me by the Minister of Citizenship and Immigration. As registrar, I have the authority to determine who may function as a citizenship officer to grant citizenship on behalf of the minister and to approve citizenship applications in the case of a proof of citizenship. As well, I delegate people to administer the oath of Canadian citizenship. Furthermore, I am responsible for approving any forms used within the citizenship program.

[Translation]

I have been following your discussions on the issue of citizenship with interest. The issue has also received a fair amount of attention in the media in recent months.

[English]

As Mark suggested, I would like to give you a brief update of our department's response to this issue and an update on the volume of calls we have received and the number of confirmed cases of people who have learned that they do not have citizenship status.

The Chair: I believe we have a translation problem here.

Okay, everything is squared away. Sorry, about that, Mr. Goodman.

Mr. Clark Goodman: No worries.

As of May 1, we are managing an inventory of approximately 400 cases where people do not have citizenship. These cases are under review to see how they might be resolved and whether they merit a special grant of citizenship.

The number is down somewhat from when the minister appeared, as we were resolving cases more quickly than new ones were coming to our attention. On the minister's instructions, we created a dedicated unit in our call centre to deal with calls related to the loss of citizenship. That happened on January 26 of this year.

To understand the scope of the issue, we have received approximately 1,900 calls linked to questions of loss, and in the vast majority of cases the people are in fact Canadian citizens. Some simply needed to apply for a new card or to continue to use their birth certificate as proof of citizenship.

To put this in perspective, our call centre has received close to 800,000 calls overall in the same time period. So calls related to the loss of citizenship represent less than 0.5% of all calls in that period.

Of the approximately 1,900 calls, all but 75 received confirmation that they were indeed Canadian citizens. Some of these 75 have been identified as permanent residents and invited to apply for a regular grant of citizenship. Some were counselled to apply as permanent residents, others were invited to apply for the discretionary grant of citizenship, and of course some cases are still under review.

● (1535)

[Translation]

These cases are being treated as priorities. Case officers have been assigned to all of the cases that we have identified with potential citizenship issues. Each one is unique, and the individuals are being dealt with on a personal basis.

[English]

We are working with the Canada Border Services Agency and other partners to understand that no one is removed from Canada while the case is under review and that government benefits such as health care and old age security are continued.

Of the cases that have already been reviewed, 46 individuals have been approved for a grant of citizenship, and as Mark mentioned, the criteria we are using for recommending cases to the minister to approve grants of citizenship are those cases where the individuals have a significant attachment to Canada and have lived here most of their lives.

Some of them have already attended citizenship ceremonies and received their Canadian citizenship. One of those is now a bona fide citizen, Barbara Porteous, who herself made known the fact that she received her citizenship on April 19.

We are also remitting fees that we would normally charge for citizenship applications for those who have come forward since the minister's first statement on this issue and who are now receiving a special grant of Canadian citizenship.

[Translation]

There have also been discussions about how many people might be affected by some of the provisions in our Citizenship Act. From an operations perspective, my colleagues and I are very much focused on those confirmed cases where people have come forward.

[English]

Despite the widespread attention the issue has received, the number of people who have come forward with legitimate cases is, as you can see, relatively small.

Nonetheless, the department is committed to reaching out and allaying any concerns individuals may have about their citizenship status. To that end, the department is also coming forward with a targeted advertising campaign in an additional effort to try to reach people who may be affected.

For those cases that we receive, you have my assurance that Citizenship and Immigration Canada is working to resolve as many cases as possible, as quickly as possible, using the discretionary authority available to the Minister.

[Translation]

Thank you.

We will be happy to answer any questions.

[English]

The Chair: Thank you, Mr. Goodman. Thank you, Mr. Davidson.

Mr. Telegdi is next.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Chairman, prior to starting the questioning, I would like to have all the witnesses sworn in.

The Chair: You want to have the witnesses sworn in?

Hon. Andrew Telegdi: Yes, that is correct.

The Chair: Okay.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): I would like to speak to that, Mr. Chair.

I too would like to do that, because I've heard some comments right now that need to be addressed.

The Chair: Okay. We can direct the clerk to have witnesses sworn in.

Mr. Mark Davidson: Mr. Chair, may I make a brief statement?

The Chair: Sure. Go ahead, Mr. Davidson.

Mr. Mark Davidson: Mr. Chair, we would certainly be prepared to be sworn in. I'd just point out that to have witnesses sworn in is not a regular event, and indeed this committee has not previously sworn in witnesses on this matter.

I think it's also important to remind members that our role as civil servants—

Hon. Jim Karygiannis: Mr. Chair, I have a point of order.

I don't think it's for the witness to tell us or not to tell us. It's up to the committee to decide if we want to swear them in. You decide that you want them sworn in. Let's move on it and have the clerk do that.

● (1540)

The Chair: Order, please.

I'm going to hear Mr. Davidson, and then I'll have a comment to make on it, if you don't mind.

Go ahead, Mr. Davidson.

Mr. Mark Davidson: As I indicated, Mr. Chair, if it's the will of this committee, we will of course be sworn in, but it's important to understand that as civil servants, we are responsible to the minister and we have also sworn oaths as civil servants. If the committee understands that situation, we'd be quite happy to be sworn in.

Again, this is not a regular type of event and it has never happened with this particular study.

The Chair: I appreciate your comments, but I don't believe it's unusual that witnesses be sworn in.

I think it's the will of the committee. Is that what I see from committee members? Is that the will?

Mr. Batters, please go ahead.

Mr. Dave Batters (Palliser, CPC): Mr. Chair, I am new to this committee. Just for my clarification, what is the difference between witnesses just coming before a parliamentary committee and giving testimony or providing information to parliamentarians, versus being sworn in when they're answering questions from parliamentarians? What are the ramifications, and what's the difference?

The Chair: You're asking me a question I can't answer. I don't know what the difference is. I'll hear from members who want to speak to this. I don't know what the difference would be, so—

Order, please. I'm going to recognize people. You don't have to go jumping at this so quickly. I'm going to recognize everyone in turn.

Mr. Batters has asked a legitimate question, which I'm trying to deal with here. I'm simply responding to him and telling him that I don't know what the ramifications are.

I know it's not an unusual procedure for people to be sworn in, and that's as much as I can say on the issue, Mr. Batters.

Other people wish to make a comment on it. I would ask you to be patient. I'll get around to you.

Go ahead, Mr. Telegdi, please.

Hon. Andrew Telegdi: I'm just going to point out to you that we have Mr. Tardi here from the legal branch. If anybody wants to ask him any questions, he's right over here. In case you don't know the answer, our expert on it is over here.

The Chair: The clerk has pointed out to me that any person examined under this part who wilfully gives false evidence is liable to such punishment as may be imposed for perjury. That certainly doesn't answer Mr. Batters' question, but I will say that it's not totally unusual that witnesses are sworn in. I've seen it happen at many committees, and I don't believe there's any point in pursuing this much further, except to direct the clerk to take the necessary action to have it done.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): I thought you said you were going to hear those who wanted to speak on the matter. I know that Mr. Siksay has something he wants to say—and I may.

The Chair: Okay, I'll direct the clerk to hold off on doing that.

Next on our list of people is Mr. Komarnicki. Mr. Karygiannis has a comment, as well as Mr. Siksay.

Hon. Jim Karygiannis: If you want him to run the chair, do that.

Mr. Ed Komarnicki: Mr. Karygiannis, if you want to—

The Chair: Order, please.

Hon. Jim Karygiannis: Your minister came here and lied to this

The Chair: I want to direct members of this committee that the chair has the gavel. If the chair doesn't perceive progress being made here, he can easily adjourn this meeting. I'm asking people to be patient here. Everyone will get a chance to speak on this issue.

Mr. Komarnicki, direct your comments to the chair, please.

Mr. Ed Komarnicki: I think it's fair. We need to allow some time to debate some issues without getting overly excited about it. We've had witnesses from various departments testify, and no one has asked that they be sworn in. I'm not sure, but there may be some basis for it. I'm sure it's a procedure that can be utilized. I would like to at least see some reasons why you would want to have department people sworn in.

I would expect them all to speak truthfully, indicate what the facts are, and what they want to testify on. We've done that routinely from time to time. Because I've seen that done routinely, it seems to me you would have to somehow establish that this is a different case from the ones we've had before, or establish some basis upon which you think it would be necessary to have people sworn in.

We have had much testimony before without swearing in, and there's been no indication why you would want to do it in this case, other than that we want to do it.

• (1545)

The Chair: Thank you.

Mr. Karygiannis.

Hon. Jim Karygiannis: I will only point out to the parliamentary secretary and other colleagues sitting around this table that when the minister was in, along with her deputy minister, I asked how much advertising had been done. The minister did not know. She turned around and looked at the deputy minister. The deputy minister turned around and looked at somebody at the back and said they had advertised. Since then, the deputy minister has come back and said they haven't advertised.

For anything said here today, let's put it under oath. If we're going to advertise in the future, as we're told we did, or if some other questions are asked about health care and old age security, those questions should be put under oath. It's not a threat to the officials; it's just a matter of making sure that the officials... We don't dance and we don't walk, and if you make a statement today, stick by that statement. Your deputy minister certainly made the statement and then he had to reverse it, going back 1,000 miles an hour.

Mr. Ed Komarnicki: That's a bunch of bunk, Mr. Chair, absolute bunk. He did the proper thing. He said, "I'll clarify what I said to make sure it's correct."

The Chair: Order, please.

Mr. Komarnicki.

Mr. Ed Komarnicki: What you're suggesting, Mr. Karygiannis, is pure bunk.

Hon. Jim Karygiannis: Your deputy minister came to this committee and misled it.

The Chair: Order. We're wasting valuable time here.

I've gone around to the various members and no one has objected to the witnesses being sworn in, yet everyone's arguing about it for some reason. I want to go to Mr. Siksay first.

[Translation]

Mr. Roger Gaudet (Montcalm, BQ): Point of order.

[English]

The Chair: You're on the list, sir.

[Translation]

Mr. Roger Gaudet: Point of order.

Mr. Chair, you are giving everyone the floor. When there is a problem, I suggest that the mikes be turned off. This way, no one will be able to speak or people will talk without being heard. That's all.

[English]

The Chair: Thank you.

Mr. Siksay, please.

Mr. Bill Siksay (Burnaby—Douglas, NDP): If we take this action, I wonder if it needs to be done through a motion of the committee and voted on. Is there a procedural point that we need to follow more closely there, so you can just declare the request and go ahead?

It's not clear to me, after Mr. Karygiannis's recent intervention, why we would proceed this way when it hasn't been our practice in my time on this committee. At the moment I don't have any reason to doubt that the witnesses who are prepared to speak to us today are going to do anything other than answer our questions to the best of their ability. I am not convinced that this action is necessary.

I'm not prepared to take this action on the basis of the testimony of the minister or the deputy minister. They are not the individuals who are here. I'm not prepared to take that step on the basis of some perceived problem with testimony that might have been heard earlier. So at this point I remain to be convinced, but I don't support moving this way.

The Chair: Okay. Instead of a motion, Mr. Siksay, perhaps you're asking for consensus among committee members.

I'll ask all those in favour of witnesses being sworn in to please raise your hands. All those who are opposed?

Four members are against it, and three members are for it.

Witnesses, would you carry on please? Were you finished with your statements?

Mr. Mark Davidson: We were, Mr. Chair.

The Chair: Okay. I have one question, before moving to Mr. Telegdi.

Did you mention how many people were involved? How many applications do you currently have before you? I remember when the minister was here, she mentioned a figure of about 400. Did you mention a figure in your opening statements?

Mr. Clark Goodman: Yes, Mr. Chair, I mentioned that we have approximately 400 cases of active files on hand that we're looking at right now.

The Chair: I'm curious as to the numbers we've been hearing about. We've been hearing from some people that it's in the thousands. Obviously those numbers are wrong, and it's roughly about 400.

Thank you.

Mr. Telegdi.

• (1550)

Hon. Andrew Telegdi: Thank you very much, Mr. Chair.

It looks like we'll probably hold more than one set of hearings on this issue, because this issue is of great urgency, and I sense absolutely no sense of urgency from the department.

One thing that really struck me was the comment made that not many people came forward despite widespread attention to the issue. Well, the answer for that is very simple. If you happen to have a job that involves being a Canadian citizen, you can end up losing the job if you are found not to be a Canadian citizen.

This committee heard witnesses on the question and the cost. The case was the Mennonites and their circumstances. I think Mr. Teichroeb told us it cost him \$100,000, and I detected absolutely no urgency on the part of the department.

I have a series of questions, and I want very quick answers.

Does your department keep a genealogical file specifically targeting Mennonites in Sydney, yes or no?

The Chair: Who are directing the question to?

Hon. Andrew Telegdi: Mr. Goodman.

The Chair: Mr. Goodman.

Hon. Andrew Telegdi: Is the answer yes or no?

Mr. Mark Davidson: We have Rose Anne Poirier, from our Sydney office, and perhaps she'd like to answer the question.

Ms. Rose Anne Poirier (Manager, Program Support, Case Processing Centre - Sydney, Nova Scotia, Department of Citizenship and Immigration): Mr. Chair, at the case processing centre in Sydney, in the program support unit, which is the unit that deals with these types of applications, we have a series of family trees. If you want to refer to them as a genealogical tool, we have an in-house system that we use on a regular basis to help us facilitate applications coming from people from the Mennonite community.

Hon. Andrew Telegdi: Okay. Quickly, how many do you have on file?

Ms. Rose Anne Poirier: At this moment, I really could not answer that question. However, it is information that we could provide to you at a later time.

Hon. Andrew Telegdi: Okay. We'll stop there and have you send us the information to the committee.

My next question is this. How many people were affected by the Taylor decision and are being held up right now?

Mr. Clark Goodman: As I indicated, we have about 400 active files that we are looking at.

Hon. Andrew Telegdi: How many cases are held up because of the Taylor decision before the court? A lot of people are being told they're not proceeding until the Taylor decision is settled.

Mr. Clark Goodman: Oh, it's the ones on hold. Excuse me.

Hon. Andrew Telegdi: That's right.

Ms. Rose Anne Poirier: Perhaps again, Mr. Chair, I could provide a response.

Currently, at the case processing centre in Sydney, we have some cases that are held in abeyance as result of the Taylor case. Of course, as this case is in front of the court of appeal, we cannot go into too much detail. But I can assure you that applicants whose cases have been affected by this stay of motion have been notified and have received the proper information concerning their cases.

Hon. Andrew Telegdi: I want a number. Please, if you don't have the number—

Ms. Rose Anne Poirier: It's approximately 400.

Hon. Andrew Telegdi: Four hundred cases by the Taylor decision.

Ms. Rose Anne Poirier: Yes.

Hon. Andrew Telegdi: Okay, that's what I wanted to know.

Next question: Why did the department ignore the order in council specifically granting war brides and their children Canadian citizenship?

Mr. Mark Davidson: Mr. Chair, presumably Mr. Telegdi is referring to an order in council that came into effect in the mid-1940s. This matter is before the Federal Court of Appeal in the Taylor case. So because it's before the court, I would find it difficult to answer that question.

Hon. Andrew Telegdi: The direction was ignored.

Why did your department suddenly decide not to honour a unanimous Supreme Court decision in the Benner v. Canada case?

Mr. Mark Davidson: The Benner case you're referring to was a case that was a decision of the Supreme Court of Canada in 1997. We certainly have been implementing that decision since that date.

• (1555)

Hon. Andrew Telegdi: You have been implementing that decision since that date?

Mr. Mark Davidson: The Benner decision, yes; it dealt with a certain group of individuals who were covered under the 1977 act. And yes, we certainly implemented and took into consideration the Supreme Court's ruling in that case.

Hon. Andrew Telegdi: Is this still in effect?

Mr. Mark Davidson: The Benner decision, Mr. Chair, turned on a group of individuals under paragraph 5(2)(b) of the act, which dealt with individuals in a particular group who had access to a grant of citizenship for a temporary period of time. These are individuals who were born outside Canada between 1947 and 1977. That temporary period of time was originally stated by Parliament in 1977 to last two years, or such further period that the minister authorized. That further period wound up in August 2004.

Hon. Andrew Telegdi: Thank you.

Finally, Dr. Barry Edmonston gave us numbers and so has the CBC. I take it that you dispute those numbers. I want you to file with this committee the basis for disputing those numbers. Dr. Edmonston talked about a couple of hundred thousand, the CBC upwards of 380,000 people at risk. I want your department to file and come back and explain to this committee at some point on what basis you challenge Dr. Edmonston's numbers. He's an expert in this field.

Mr. Mark Davidson: Mr. Chair, Professor Edmonston is a noted demographer at the University of Victoria, and we welcome his analysis of this demographic issue. As he said in his brief to you and as he said in his testimony to you a while back, he had done some analysis based on a number of data sources, including the Canadian census and the American census. His analysis dealt with particular population groups. He defined those groups as border babies or war brides or children of war brides.

Professor Edmonston himself said this analysis is not an indication that these are the number of people who have citizenship problems. He went so far as to say the one piece of data we can be sure about are those who have come to bring their case forward to the department. So Professor Edmonston's statement goes to how solid that information is in terms of the cases we know about.

The Chair: Thank you, Mr. Davidson.

Mr. Gravel, I believe you're splitting some time with Mr. Gaudet? Okay, thank you.

[*Translation*]

Mr. Raymond Gravel (Repentigny, BQ): Thank you for coming.

Ms. Faille is not here today, and I am new to this committee. I don't know if I understood correctly, but I think I heard that you had only 400 cases of lost Canadians. Is that true? There must be many more, I think, who have not come forward and who don't yet know that they are lost. The individuals in question do not all know that they are lost Canadians.

Do you know approximately how many people in Canada are in this situation?

[*English*]

Mr. Clark Goodman: Mr. Chairman, in response to that question, one of the reasons why we're going forward with a promotional campaign is to make people aware of needing to regularize or to find out about their citizenship status.

In response to the question about the 400 cases, those are the cases that we do know about and that we have in front of us right now to look at.

[*Translation*]

Mr. Raymond Gravel: That does not answer my question, but anyway—

Earlier, you said that you were speeding up the process for lost Canadians. What measures are you taking to speed up the citizenship recognition process? What is the department doing?

• (1600)

[*English*]

Mr. Clark Goodman: Chair, at the direction of the minister we have created a special call centre unit to respond to people who are phoning in to check their status from within Canada. The case processing centre, or CPC, in Sydney has dedicated agents waiting to take calls when people phone, and if they think they have a question about their citizenship, a qualified agent in the case processing centre is there ready to answer them. They have also dedicated resources to prioritizing these cases and ensuring they receive fast service.

[*Translation*]

Mr. Raymond Gravel: How long must these people wait to recover their citizenship?

Mr. Clark Goodman: I believe that it takes approximately three or four months.

[*English*]

Rosemarie, can you speak to that?

[*Translation*]

Mr. Raymond Gravel: Some witnesses who appeared before us have said that, in some cases, it was painful and difficult. Yet, we are talking about people who have always lived here. So, it's a bit difficult to understand.

Mr. Clark Goodman: Mr. Chair, I believe that it takes on average three or four months. In some cases, it may take a bit longer, but it usually takes approximately three or four months.

Mr. Raymond Gravel: Citizenship and Immigration also told us that an order in council could be used to resolve certain cases. Has this order been issued?

[*English*]

Mr. Mark Davidson: The Governor in Council mechanism is indeed subsection 5(4) of the Citizenship Act, this special grant of citizenship that I referred to in my opening statement. When the minister was here in February, I think she indicated that at that stage the Governor in Council had made a positive decision in 33 cases. I believe now the more updated figure is 46 individuals who have received a special grant of citizenship under subsection 5(4), as directed by the Governor in Council.

[*Translation*]

Mr. Raymond Gravel: I have no further questions, Mr. Chair.

[English]

The Chair: Okay.

You have about three minutes, Mr. Gaudet.

[Translation]

Mr. Roger Gaudet: Thank you, Mr. Chair.

When you meet with lost Canadians at Immigration, what problems are they experiencing? In other words, what steps does an individual born in the United States need to take in order to be recognized here? What step is taking so long? If an individual has worked for 40 years in Canada, I think that it shouldn't take so long. If we are talking about a Canadian citizen who was born down there, their case should be able to be resolved in 10 minutes.

[English]

Mr. Mark Davidson: There are a number of steps that are taken, and actually I'll ask Rose Anne Poirier from Sydney to start describing those steps, and then turn to our colleagues from case management to pick up the file from there.

Ms. Rose Anne Poirier: Mr. Chair, I'll try to answer the question as best I can.

Anyone who has the need to get their proof of Canadian citizenship is asked to file an application and submit the application with the case processing centre in Sydney. If any of the cases that are received fall under the categories of the criteria that were identified by our minister as requiring expedited service, those cases are identified up front and are processed urgently. Resources have been deployed to ensure that this is happening.

For cases that are of a more regular nature, that can follow the normal course of process, those cases are being processed within a two- to three-month period for the time being.

Cases that are identified as requiring urgent processing are dealt with immediately. Clients are being contacted by a special group at the case processing centre, the program support officer group, and clients are counselled specifically on the basis of their individual cases. We are providing this service quickly within a 24-hour period, whether it's clients who are coming to us via the format of an application or contacting us by phone through our call centre. So we are trying to focus a lot of our resources in making sure that the commitment made by the minister is followed.

For cases where we can identify that need that can be processed through the discretionary grant process, those are immediately identified as well, and they are sent to the case management branch unit here in Ottawa.

Perhaps my colleague Rosemarie Redden could expand on the process at that point.

• (1605)

Ms. Rosemarie Redden (Manager, Citizenship Case Review, Case Management Branch, Department of Citizenship and Immigration): Thank you.

Once the file gets to the case management branch in our unit that handles citizenship cases, staff have been instructed to treat these as a top priority, which we are currently doing. A case summary is prepared and it is reviewed by the analyst, the director of legislation

and program policy, as well as the legal adviser, to ensure that it fits within the parameters of the types of cases the minister has asked us to focus on and that it fits within the parameters of subsection 5.(4) of the Citizenship Act.

Once we determine that it is a case that falls within that parameter, the client is contacted by an analyst and provided with individual counselling. An application under subsection 5.(4) is invited. Once the application is received, the clearances are initiated and a submission is prepared for the minister to forward to the Governor in Council with a favourable recommendation. And by clearances, I'm talking about the regular security and criminality checks.

The Chair: Thank you, Ms. Redden.

[Translation]

Mr. Roger Gaudet: I have another quick question to ask.

[English]

The Chair: Well, I think I have to interrupt you there, sir. We have gone to eight and a half minutes. It was a rather lengthy answer there, but we'll try to pick you up at another point.

Mr. Siksay.

Mr. Bill Siksay: Thank you, Chair.

Thank you to the witnesses for being here today. I have to apologize, because I have to leave committee early today. It's not a protest. I just have another responsibility this afternoon.

I wanted to come back to the issue of the number of cases that are outstanding. Of the 400 cases that are currently being worked on, does that include the 400 cases related to the Taylor case that are in abeyance? Is that the same number, or are we talking about 800 cases that are on hold related to these issues?

Mr. Clark Goodman: It's the same 400.

Mr. Bill Siksay: So there are 75 or so that you're actively working on, and these other 400 are in abeyance?

Mr. Clark Goodman: I think the 75 that are being referred to in here—Initially, I said we received 1,900-odd callers, and all but 75 received confirmation that they were indeed citizens. So it's two different things.

Mr. Bill Siksay: Okay. Mr. Goodman, you mentioned the promotional and advertising campaign. Can I ask why the department is undertaking this campaign? Why was the decision made to go ahead with that kind of campaign?

Mr. Clark Goodman: I can speak about the campaign itself; I can't really speak about the decision to do it.

From my point of view, we're trying to make sure that our websites are updated, that we now have, going into production, some promotional material around how to retain citizenship, how to prove citizenship, and such.

We had several documents out before in the past to assist people in submitting an application, either for a grant or a proof of citizenship, and what we've done is updated them to make sure they're more relevant.

Mr. Bill Siksay: It would seem to me that undertaking a promotional or advertising campaign at this point would be some indication that the department seems to think there are potentially more people out there who may be affected by the kinds of circumstances that have come up. Has that been part of the decision-making process in the department?

Mr. Mark Davidson: Mr. Chair, perhaps I'll answer that, if that's okay.

Yes, we are certainly trying to ensure that individuals are aware. We've asked individuals to come forward if they have concerns about their citizenship. As Clark has indicated, the vast majority of individuals who have phoned that dedicated line have turned out not to have problems. As an abundance of caution, we felt it was a good practice to expand that message, not only on the website and through pamphlets, but also by beginning a new public campaign to bring that message even further to the fore.

We've also been working very closely with our partners in government and outside the government—for example, Passport Canada, Service Canada, and indeed the Mennonite Central Committee. Clark and I were at a meeting last week with 20 or so documentation workers from the Mennonite Central Committee in southwestern Ontario to talk about citizenship issues with them; this is also part of that expanded messaging we're undertaking.

• (1610)

Mr. Bill Siksay: In terms of the numbers that Professor Edmonston brought to the committee, has the department discussed those as a potential bank of people who may face these kinds of problems? Clearly, not all of them have come forward, and we certainly don't have anywhere near those kinds of numbers in the system at the moment. Does the department recognize those as numbers that could indicate the potential size of the group of people affected by these kinds of problems?

Mr. Mark Davidson: The challenge with these numbers is that many of the figures are just unknowable—for instance, the number of individuals who are born outside Canada to Canadian citizens. The federal government does not have access to that number—indeed, no government has access to that number—whether they were born before 1947, between 1947 and 1977, or after 1977. We can't possibly know that. There was no obligation, and there is no obligation, for Canadian citizens to report their foreign births to the federal government.

We do know those cases who have approached us. We're aware of those individuals. We're working through those cases and trying to process them in as expedited and facilitated a manner as possible.

Mr. Bill Siksay: I'll follow up where I think Ms. Redden left off. Mr. Goodman also made a comment that the discretionary grants of citizenship referred to in subsection 5(4) happen in cases of individuals who have “a significant attachment to Canada and have lived here most of their lives”. I think that's the phrase from your statement, Mr. Goodman.

Can you tell us exactly how “significant attachment” is defined or determined, and what “most of their lives” means? Are there specific parameters considered around both of those issues? What kind of flexibility exists? How do you actually decide on that?

Ms. Rosemarie Redden: In most of the cases we're seeing, people have come to Canada as infants and have been here all their lives. Those are very obviously the types of people we want to help.

During review of the cases, the mechanism of subsection 5(4) has always been available as a tool to alleviate undue hardship in special cases. When we're looking at these cases, if somebody has not spent most of his life here, or 50% of it, but there are certainly circumstances that indicate hardship, we could nevertheless recommend a subsection 5(4) grant in that situation.

Mr. Bill Siksay: Have most of the 46 individuals who've already been granted citizenship in that way been here since infancy? Is that the criterion?

Ms. Rosemarie Redden: Not all of them were, but the majority of them were.

Mr. Bill Siksay: Basically it's people who have been here literally all of their lives who have been successful in the process so far.

Ms. Rosemarie Redden: They've been here most of their lives or they came in as children, if not as infants, because they were born across the border. They came in as children, but there have been a few others.

Mr. Mark Davidson: May I give an example? Mrs. Porteous had appeared here as a witness—

Mr. Bill Siksay: Right. I think we're aware of her case.

Mr. Mark Davidson: She's the kind of case that has been resolved, even though she has not lived in Canada her entire life.

Mr. Bill Siksay: Is 46 an unusual number in terms of the use of section 5(4), from past experience in the department? How often has it been used in the past?

Ms. Rosemarie Redden: Typically, we do fewer than ten a year. Last year we did ten, and six of those were people who fall into the category of people we're talking about today. They had been erroneously admitted at some point in time with landed immigrant documents stating that this was Canadian first entry, things like that. But traditionally, the number has not been higher than ten, certainly in my experience since I've joined the Department of Citizenship or in the numbers we've had since 2001.

Mr. Mark Davidson: I'll just add one other thing. There's another group of section 5(4) cases. Rosemarie might know.

Ms. Rosemarie Redden: Yes, sorry. Thanks for reminding me, Mark.

There is one other group of cases for which we have been using this provision since 2001, as well, I believe, or 2002. These are the people who are adopted by Canadian citizens residing abroad. This is a temporary measure. We're using section 5(4) in order to have citizenship granted to those children, pending the passage of legislation.

• (1615)

The Chair: Thank you, Mr. Siksay.

We'll go to Mr. Devolin.

Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC): Thank you to the witnesses for being here today. I'm sure there's nowhere you'd rather be on a Wednesday afternoon.

Like Mr. Siksay, I must also leave a bit early. This is not a regular meeting time for this committee, so I apologize for leaving early.

We heard lots of witnesses who came forward during this process who gave some pretty compelling testimony. As a relatively new member of the committee, and as a lay person in this field, it seemed like what I would call a no-brainer, quite frankly. The evidence seemed overwhelming that they ought to be, that they were, Canadian citizens and that somehow, there was a glitch in the system. The department didn't look very good that day.

I appreciate the fact that you have to work with the legislation and the regulations you have, but we were certainly left with the impression that the department wasn't as sensitive as it could or should have been in different cases.

I have a couple of questions. This was one of the things that was brought forward. Someone goes in to get documentation for something, and they think they've been a Canadian for 50 years, and all of a sudden, some, possibly junior, person in an office somewhere tells them that, by the way, they're not even a Canadian citizen. I remember thinking that it would be like the receptionist in a doctor's office telling you that, by the way, it says here that you have cancer and you're going to die next week. That would never happen in a medical office, because there's an understanding that that kind of information is very traumatic, particularly if you're not even sure whether it's right.

So has the department taken any steps to make sure that your staff—your front-line staff and your staff in the main offices—appreciates this and appreciates that when they're talking to someone in this situation, they shouldn't just be blurting that information out? Quite frankly, I would almost think that the department should have a process on how that information should be conveyed to a person, and not in that haphazard way. Can anyone tell me what steps have been made in that area?

Mr. Mark Davidson: Thank you for the question. I'll ask Clark to answer part of it.

On the first part of your question, dealing with the legislation, citizenship law is exceptionally complicated. And it's probably one of the rare areas of public law in which decisions made by legislators decades ago, parliaments ago, generations ago, still have some sort of carriage. It's not an area that we see at all in the immigration world. We don't deal with the 1952 Immigration Act; it's just not part of our environment. Yet with citizenship, because citizenship can be passed on generation upon generation, those parliamentary decisions that were made in 1946 and 1976 have carriage.

So we do have to be conscious of that. That is just a bit of the context around your question. I'll ask Clark to reply to the second part.

Mr. Clark Goodman: I can appreciate the fact that someone walking into an office doesn't want to be told flat out one way or another what the decision could be on the case. And to that end, I have instructed local offices to be sensitive to people coming in and asking questions. I think part of our response to that in fact is

creating the dedicated line in the call centre to respond to these questions. So when someone calls in and has questions, if the person can't be dealt with by the special unit within the call centre, someone from the CPC will follow up and call back within a couple of days.

I would agree that having someone just walk into an office and present documents and expect a decision might not be the best way to go because of the sensitivities around the case.

Mr. Barry Devolin: Actually, I appreciate what you're saying, but I was saying something slightly different, which is that even when a determination has been made that there is a problem with a person's citizenship, there ought to be a protocol for how that is communicated to the person, recognizing that it will be a surprise and will be a traumatic piece of news for them to receive.

You mentioned the 800 number. One of the things we heard—and quite frankly this is a pet peeve of mine with all kinds of organizations—is that they publish an 800 number that you can only call from certain area codes, and you can't call that number from other places. So is there another number published? Is there a 613 number, or—I don't know what the area code in Sydney?

But we heard that. People said they'd try to call from the United States, they'd try to call some 800 number that is only available in Canada, and they couldn't even get through. Has that been addressed?

• (1620)

Mr. Clark Goodman: You are correct that the 1-800 number is for people living in Canada. For people living outside of Canada, the two main avenues open to them are our missions around the globe and of course our website, for information.

Mr. Barry Devolin: Might I just suggest that you attach another non-800 number to that? If someone lives in California and they want to call, they might be glad to pay the 25¢ for a long-distance call to a 613 number, if they can't get through on the 800 number, or 902, or whatever it is.

My final point is one that Mr. Telegdi made, and I can appreciate this. For someone who is not sure about this, do they ask the question and maybe get the wrong answer, or do they just ignore it and hope it goes away or hope nobody ever finds out that they're not a citizen?

In terms of the advertising campaign you're putting out, you're going to identify which groups of people could potentially fall into this category and encourage people. Have you thought this one through—that, quite frankly, there are a lot of people out there who don't trust the government, either its intentions in the broadest sense or its competence in dealing with these things, so they just stay away from it? How are you going to deal with that? How are you going to encourage people who are reluctant to come forward?

Mr. Clark Goodman: Again, as part of our promotional campaign, we'll encourage people to want to regularize their status. I cannot argue with you saying that some people may be hesitant to come forward because they don't like the outcome; however, by not dealing with it now and finding out what they need to find out now, that may affect them down the road.

Mr. Barry Devolin: Your answer is rationally correct.

I'm a procrastinator. I have great empathy for people who say, "You know what? I'll let sleeping dogs lie, because the cost of the wrong answer is so high." So I think you need to encourage those people to come forward in such a way that we're not going to drop them on their head if they get the wrong answer, and to maybe communicate some of the challenges they may face down the road if they don't clarify this at this point.

Mr. Mark Davidson: Mr. Chair, just briefly—

The Chair: Yes, Mr. Davidson.

Mr. Mark Davidson: We certainly have heard the testimony or were reading the testimony of witnesses here at the committee, so we're conscious that this communication issue is a problem for us. We're going to try to be sensitive to that and encourage as many people as possible to come forward, while at the same time passing along those messages that the minister passed along, that it's a good step to come forward, that we've made a commitment about ensuring that, working with the CBSA, no one's status will be subject while they're under review.

We're conscious that there is a communication challenge. The other part of that communication challenge is that in some of our messages to individuals, we're not saying they're not a citizen, we're saying they do not have the documentation that's required to prove they are a citizen.

When the minister was here, she used the example of someone who has lost the employee card from their employer. She said just because someone has lost their proof of employment, that doesn't mean they're not an employee of that company. So that's part of our communications challenge.

The Chair: Thank you.

That completes our seven-minute rounds. We will go to five-minute rounds now, and I would ask individuals, if you haven't spoken, to put up your hand if you wish to get on the list, because we don't have a lengthy list here.

We'll go to Mr. Karygiannis in a five-minute round.

Hon. Jim Karygiannis: Would you be willing to share with this committee your promotional material or the promotional campaign that you're going to put forward, before you engage in it?

Mr. Clark Goodman: I would like to discuss that with the minister first, before responding.

Hon. Jim Karygiannis: I'm aware that 8% of the Canadian government's advertising last year was used for multicultural papers, and that 8% represents \$1.9 million. A lot of it was going through your department, so I would like this committee to have an opportunity to see what kind of promotional material you will be putting out and who you will be engaging. The deputy minister said that you had engaged, but certainly that's not the case.

I have another question for you. In order for somebody to become a citizen, they have to go through background checks. Can you tell us the three departments that are involved in that?

• (1625)

Ms. Rosemarie Redden: Normally, the three departments would be our department—to check with Immigration, to ensure that they're

landed or permanent residents. In this case, we know that they're not permanent—

Hon. Jim Karygiannis: You're talking RCMP, CSIS, and your integrity unit—right?

Ms. Rosemarie Redden: It would be Immigration, normally, RCMP and CSIS—exactly.

Hon. Jim Karygiannis: How long does it take for RCMP to clear fingerprints?

Ms. Rosemarie Redden: It depends on the case. We've had some back within a week, and the police have taken—

Hon. Jim Karygiannis: Sorry—you had some back within a week?

Ms. Rosemarie Redden: Yes.

Hon. Jim Karygiannis: Again, I caution you that you're giving testimony to this committee. Again, what is the average, and what's the RCMP response time every time that something is sent in? Is it a week, two weeks, three weeks, or eight months?

Ms. Rosemarie Redden: Are you talking about a regular grant process? Because we are getting expedited—

Hon. Jim Karygiannis: Are you telling me today that you have made arrangements with the RCMP and CSIS to fast-track lost Canadians?

Ms. Rosemarie Redden: The CSIS things are going as per usual, and it doesn't normally take very long. With the RCMP, too, if there's no problem, the information goes—

Hon. Jim Karygiannis: Sorry, my question is have you made provisions with RCMP and CSIS to fast-track lost Canadians? Yes or no?

Ms. Rosemarie Redden: We have asked the RCMP to help us fast-track fingerprints.

Hon. Jim Karygiannis: So if I were to call the RCMP folks, they would say to me that you have asked them to fast-track these applications?

Ms. Rosemarie Redden: Yes.

Hon. Jim Karygiannis: Please be careful, because I've got one particular case, and I caution you, you're giving testimony to the committee.

Ms. Rosemarie Redden: Yes.

Hon. Jim Karygiannis: Have you reached out to that department, RCMP and CSIS, and asked them to fast-track lost Canadians, yes or no?

Mr. Mark Davidson: I believe the answer has been yes.

Hon. Jim Karygiannis: Okay. I was talking today to an individual who works for another department of the Canadian government, and she was told eight months. This was not yesterday; it was today, this morning.

Ms. Rosemarie Redden: She was told that. And was she one of these lost Canadians?

Hon. Jim Karygiannis: Yes, she was.

Ms. Rosemarie Redden: I'd have to look into the specifics of the case.

Hon. Jim Karygiannis: This individual works for another department that needs to have clearances up and down.

Ms. Rosemarie Redden: I'm not aware of the specific case.

Hon. Jim Karygiannis: I'll certainly bring it to your attention.

Ms. Rosemarie Redden: Okay, thanks.

Hon. Jim Karygiannis: Now, will you also be doing promotions in other countries, such as the U.K., for war babies, as we have a lot of them that would be over there who might not know and would want to know?

Mr. Clark Goodman: As I mentioned, we're updating our websites, and the promotional paper material that we'll make available will be sent to our missions around the globe.

Mr. Mark Davidson: I might add, Mr. Chair, as well, that the minister indicated, when she was here at committee, that the priority at the moment is those individuals who are in Canada and who have spent the majority of their time in Canada.

Hon. Jim Karygiannis: Mr. Goodman, you said if somebody walks into an immigration centre—Can you please tell me the last immigration centre that you walked into in which you saw a friendly face and people who were able to answer your questions? Name me one, please.

That's what I figured. You don't have one.

Mr. Clark Goodman: No, I would say to that, Mr. Chairman, that we pride ourselves on trying to be client-centred and to serve the public. This is our role.

Hon. Jim Karygiannis: Mr. Goodman, again, you said coming in, walking in. Is there a centre where somebody can walk in?

No, there isn't.

Mr. Clark Goodman: Right now, we do have a mail-in process for people—

Hon. Jim Karygiannis: So there's nobody who can walk in. There are no walk-in centres right across this country. Correct?

Mr. Clark Goodman: There is no walk-in; however, I have dealt with a case in British Columbia where someone did happen to come in and speak to someone. What we did in that case was advise the local offices that if they encounter people coming in—

Hon. Jim Karygiannis: I'll send you the statement from that individual and the reaction in that particular office. I will share it with you, sir.

Mr. Clark Goodman: Thank you.

Hon. Jim Karygiannis: What's the number for the case processing centre in Sydney, if people want to call from overseas?

Mr. Clark Goodman: For—?

Hon. Jim Karygiannis: People want to call CPC Sydney.

Mr. Clark Goodman: I'm not sure.

Hon. Jim Karygiannis: Is it 902-564-3300?

Mr. Clark Goodman: I believe that when people have questions about their status, they should be going to the missions.

Hon. Jim Karygiannis: But if they want to call from overseas, is the number 902-564-3300?

Okay.

The last question that I have, Mr. Chair, is why is Melba Heffron not responding to faxes and e-mails that are sent by clients, and why is she not here? She's the person who looks after these cases. A fax was sent to her by Joe Taylor years ago, and I sent her a copy of his fax. Why is she not responding?

The Chair: A very brief response, please; we're at the six minutes here.

Mr. Clark Goodman: To respond to why Melba isn't here today, Melba is the primary caregiver at home and she was unable to travel to Ottawa.

• (1630)

The Chair: Okay, thank you.

Hon. Jim Karygiannis: But that's—

The Chair: Order, please. You're over six minutes, so you'll have to pick it up on the next round.

Mr. Gravel.

[*Translation*]

Mr. Raymond Gravel: I have a question and a comment.

Mr. Davidson, in your document, you say that we cannot stand in judgment of legislation enacted in 1947; those were the laws. Although what you say may be true, we know that they make no sense today for Canadians who are lost because of marriage or parents.

So, why is it taking so much time to resolve these problems? If these people lost their citizenship because of such legislation, could we not bypass the system and restore their Canadian citizenship to them? This would save time and avoid unnecessary expenses and drama. We're talking about human beings.

My comment is that you may speak in French. We have interpretation in both languages, and you are public servants in a country that is supposed to be bilingual.

[*English*]

Mr. Mark Davidson: Mr. Chair, the reason why these cases are out there is because of decisions that were made by Parliament for the 1947 act, and also in 1977. As bureaucrats, our responsibility as civil servants is to implement the legislation that we have. The minister had indicated to the committee that she was looking for advice from the committee on how to solve those legislative problems. And obviously, as civil servants as well, we're looking forward to any advice the committee may give to the minister on how to resolve those problems.

We are taking advantage of the mechanism we do have that Parliament has given to the minister and the Governor in Council to resolve these cases. That mechanism is contained in subsection 5(4) of the Citizenship Act.

The Chair: Thank you.

[Translation]

Mr. Raymond Gravel: If I were a lost Canadian and I came to your office, would you speak to me in English, if I spoke to you in French?

Mr. Mark Davidson: Yes, but what can I say? I can understand and respond in English and French. It's a question of choice.

Mr. Raymond Gravel: I wouldn't know that to listen to you, sir.

Mr. Roger Gaudet: First, do you have a legal department at the Department of Citizenship and Immigration? A legal department is a group of lawyers with the mandate to advise public servants and the department, who in turn advise the minister. Is there one?

[English]

Mr. Mark Davidson: Eric, would you like to address this?

Mr. Eric Stevens (Legal Counsel, Legal Services, Department of Citizenship and Immigration): We certainly have a legal service unit within Citizenship and Immigration, Department of Justice lawyers there who can provide advice to the Minister of Citizenship and Immigration on citizenship matters.

[Translation]

Mr. Roger Gaudet: The legislation goes back to 1945 and 1977. I find it difficult to believe that your legal experts are not able to eliminate this problem and draft new legislation.

Mr. Raymond Gravel: That was done.

Mr. Roger Gaudet: If it was done, it was done badly. I have not attended all the meetings, but I fail to understand why no one in your legal department is able to advise you. If the Department of Justice is involved, we will ask the Department of Justice questions.

[English]

Mr. Mark Davidson: The way to change the law, the responsibility to change the law, is the role of parliamentarians. Our responsibility as civil servants is to implement and administer the law that we've been given. This is why the minister has asked the committee for their advice on how to change the law.

The Chair: You have 30 seconds.

[Translation]

Mr. Raymond Gravel: I'd like to make a comment. The legislation is there for the good of individuals, and not the opposite. Individuals are not there for the legislation.

• (1635)

[English]

The Chair: Well, you have 20 seconds, if you can fit something in.

Mr. Batters.

Mr. Dave Batters: Thank you very much, Mr. Chair.

Thank you to the witnesses for being here today.

I am a new member of the committee, so I'm going to ask you to help me out a little bit so that I can help the minister responsible by providing him with some insight on how he might be able to change things for the better, especially regarding this issue of lost Canadians, which is new to me.

I fully respect the fact that you are public servants and not policy-makers, yet as a new member of this committee, I ask you to give me two or three very specific common headaches that plague you on a daily basis that, if dealt with, would make your lives and the lives of lost Canadians a lot easier. I'm not asking you for recommendations on policy changes; I'm asking for two or three common headaches that you, in your experience, face on a regular basis.

The Chair: That might be a difficult question to answer, but I'm sure Mr. Davidson is up to it.

Mr. Mark Davidson: It is indeed a difficult question to answer, because it does stray towards the line of civil servants not providing policy advice, in confidence to their minister. I would say that the legislation we have, both the 1947 and 1977 legislation, is quite old.

Mr. Dave Batters: I'm going to stop you there, Mr. Davidson, because I know which road this is going down.

I'm asking you to help me out a little bit, sir. Just restrict your comments, then, to something that everyone in your department—Again, I'm a new member of the committee, and, yes, I'm playing dumb a little bit here, but I truly am brand new to this. So give me something that everyone recognizes is a problem and that the minister will have heard a number of times is a problem. So you're not divulging any confidences here. These are things that could be addressed, and which everybody knows are problematic.

Mr. Mark Davidson: Probably the best example would be that piece of legislation the minister has indicated is a priority, and that's Bill C-14. We're aware that the treatment of adopted children, or children who have been adopted by Canadians outside of Canada, is not what it should be. Via the subsection 5(4) mechanism, we have a way to resolve these individual cases, but it's not an ideal situation. There is a bill in the House at the moment that is dealing with resolving that particular problem in citizenship.

Mr. Dave Batters: Thank you, Mr. Davidson.

The second question is about your indication that you don't really know how many lost Canadians might come forward when you do your ad campaign.

Are your offices prepared to deal with the influx of calls you might receive as a result of this ad campaign?

Mr. Clark Goodman: We've been talking about that, obviously. We've been going out and updating our websites and putting out materials, which may spur people to contact us with their questions. So our plan is to adjust our resources accordingly, in terms of what our priorities are. So if we have an influx of calls, be they at the call centre, or applications later on at the CPC, we'll adjust accordingly to make sure we can respond to those demands.

Mr. Dave Batters: Will the individuals who fall into this lost Canadians category continue to be priorities for your department?

Mr. Clark Goodman: We have assigned many resources, yes.

A voice: The answer is yes.

Mr. Dave Batters: I just have a little bit more, Mr. Chair.

I want to know where you're at with your ad campaign. When are we going to see it? What form is it going to take? You talked about the website. Am I going to see television ads that say if one falls into this category, this category, or this category, you should check to see if you're a citizen? I want to know where that ad campaign is at.

Mr. Clark Goodman: I would say that it's still in the preliminary stages. I've indicated that we would take it under advisement to share with the committee the documents and the strategy.

• (1640)

Mr. Dave Batters: My last question, Mr. Chair, is—

Hon. Jim Karygiannis: On a point of order, I'm not sure, my hearing was—Did the witness say that he will share the campaign with the committee?

The Chair: That's what he said.

Mr. Clark Goodman: The original question to me was whether I would be willing to come back to the committee with information on the campaign, and I said I had to take that under advisement to the minister.

Mr. Dave Batters: Okay. I was just asking what the status or the progress was.

My last question, Mr. Chair—and I'm really at a loss in this, because I'm new to the committee—is how did these people not know that they were lost Canadians? Many individuals are well into adulthood. For example, I have a social insurance number, and I really couldn't work without it. How does this happen? How do so many people not realize that they're not Canadians well into adulthood?

That's my question. It may be a very easy one.

Mr. Mark Davidson: It's actually a very good one.

The short answer is that every case is just a tiny little bit different from every other case. A lot of them turn on some archaic provisions in the 1947 act, where individuals could lose citizenship without their knowing about it because of some other action that they may have taken. So it's quite possible for individuals to have lost their citizenship without being aware of that, because of the way the legislation worked.

The Chair: Thank you, Mr. Batters.

Mr. Alhabra.

Mr. Omar Alhabra (Mississauga—Erindale, Lib.): Thank you, Mr. Chair.

I do want to thank all the witnesses for coming here this afternoon.

I want to follow up on a couple of the items that were raised here earlier today.

I have a question for you, Mr. Davidson. Do you believe that the issue of lost Canadians—maybe we can't judge all of them—is an unintended consequence of the law, or was it intended by the 1977 law?

Mr. Mark Davidson: I think we'd probably have to go back to the transcripts of Parliament in 1946 and in 1976. In some cases, I'd have to say it was intended. For some of these individuals who lost their citizenship, this is how the law had been intended to operate by Parliament. I'm not saying that's the case in every situation, but in some situations I think the short answer is yes.

Mr. Omar Alhabra: You're probably right.

I think to fix all of the errors in the legislation, if you want to call them such, would require parliamentarians and the minister to come together.

I want to focus on the unintended consequences. By saying that many of them were intended, it implies that many of them were unintended.

If we know there are some unintended consequences, and we know that Parliament is not always fast to act, especially in a minority government, and we know, as Mr. Devolin said, that some individuals are concerned about stepping forward and hearing something they don't want to hear, and they'd rather ignore this issue, is there a way that we can fix at least the unintended consequences administratively?

Mr. Mark Davidson: The mechanism that we have is the mechanism that's in the law. That is this subsection 5(4) process. This is what we're using to resolve those cases that fall within the minister's guidelines, and that seems to be the way we have.

If the committee can identify other amendments to the act that may be necessary, that would be ideal.

Mr. Omar Alhabra: So you're saying the only discretion the department has is through the minister in subsection 5(4)?

Mr. Mark Davidson: The Citizenship Act has very little discretion for citizenship officers. The discretion is given to the Governor in Council to direct the minister.

Mr. Omar Alhabra: Was there a \$20 million fund that was set aside for review of the Citizenship Act that was cancelled recently?

Mr. Mark Davidson: Mr. Chair, last September, I believe, the government announced a series of cost-saving measures of program review, and I believe the total figure was in the range of \$1 billion. In that was twenty point something or other million dollars that had been allocated a number of years ago for the Department of Citizenship and Immigration, RCMP, possibly CSIS, and maybe one or two other departments for implementation of comprehensive citizenship legislation. So this is money that had been allocated by a previous government many years ago but had never been used because that comprehensive citizenship legislation never came to fruition, the comprehensive bill having died on the order paper in a number of previous Parliaments.

• (1645)

Mr. Omar Alhabra: The question is, then, should a brand-new or comprehensive review of the Citizenship Act come from the department first, or should parliamentarians be the ones who do the review?

Why was a review set aside? Isn't that an implication that departments should start reviewing the Citizenship Act?

Mr. Mark Davidson: The money that had been set aside was actually money for implementation of an ultimate bill, of an ultimate piece of legislation. It was not money that was allocated for a review of citizenship legislation.

Mr. Omar Alhabra: There was a pending new citizenship act?

Mr. Mark Davidson: There were three pending citizenship comprehensive bills that died on the order paper in previous Parliaments.

Mr. Omar Alhabra: Where is it now?

Mr. Mark Davidson: They have all died on the order paper. The minister has indicated and the former minister had indicated that their legislative priorities were Bill C-14.

Mr. Omar Alhabra: Where is Bill C-14 now?

Mr. Mark Davidson: I understand Bill C-14 is in the House at report stage.

Mr. Omar Alhabra: It has been delayed, actually, but we should ask the minister that.

How much time do I have left?

The Chair: You have about 20 seconds.

Mr. Omar Alhabra: Thank you.

The Chair: Thank you, Mr. Alhabra.

Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair.

Thank you to all for coming here today.

I think the citizenship problems we are discussing here today haven't risen overnight. They have existed for many years. The previous governments did very little or nothing at all to address these problems. When the minister met with us, she explained the department—

Hon. Jim Karygiannis: She lied.

Mrs. Nina Grewal: —was implementing both short-term as well as long-term solutions to address the problems of so-called lost Canadians. In your experience, please can you tell us if there are any steps helping to address the cases brought before the department?

Mr. Mark Davidson: The department is using the mechanisms that we have in order to present cases to the minister and the Governor in Council that fall within the minister's parameters. That mechanism is subsection 5(4) of the Citizenship Act and is the only area of discretion that's available to us. As Clark had indicated, we've also assigned additional resources to process these cases and set up a dedicated unit at the call centre in order to process these cases on an urgent basis.

Mrs. Nina Grewal: Is there anyone else who would like to answer this question?

Mr. Clark Goodman: Just to tack on to what Mark said, we have the call centre agents standing by to answer your calls. There are people in CPC Sydney ready to contact clients when the call centre isn't able to answer the questions, or when the questions are of such a nature that it really requires a citizenship expert. It's the officers in CPC Sydney who can answer those. Also, as I indicated, we're

looking at measures to ensure that information is getting out to everyone. Those are the two areas that we're concentrating our efforts on.

Mrs. Nina Grewal: With the western hemisphere travel initiative and the need for a passport to travel to the U.S. and the publicity surrounding lost citizenship, has there been a large influx of inquiries concerning citizenship?

Mr. Clark Goodman: I believe that we process over 60,000 proof applications a year. That has probably gone up over the previous years for a variety of reasons. As I indicated, the call centre numbers are that we've received about 1,900 calls on lost citizenship.

Getting back to the proofs, we process about 60,000 a year, and that has risen over the past few years, but that's due to various issues: as you mentioned, WHTI; people wanting to resolve their status; and of course just the very nature that as more people have grants of citizenship, they just lose their cards and need to replace them. Part of our business comes from the natural flow of having to replace cards that are damaged or lost.

• (1650)

Mrs. Nina Grewal: Do I have any time left?

The Chair: A few minutes.

Mrs. Nina Grewal: You can go ahead.

Mr. Dave Batters: Ms. Grewal has yielded some of her time, Mr. Chair.

I wonder if the witnesses could tell us something. Could they enlighten me as to which provisions in the 1947 act still apply? There was a more recent act in 1977, of course. Which specific provisions still apply from 1947 that were not changed in 1977? If it's a huge, exhaustive list, please tell me that as well.

Mr. Mark Davidson: Mr. Chair, when Parliament passed the new Citizenship Act in 1977, the entire 1947 act was repealed. In citizenship law, the status or the citizenship that an individual may have would depend, sometimes, on the law that was in place at a particular major life moment—for example, when someone was born or when someone lost their citizenship. Therefore, although the 1947 act is no longer in effect, individuals may not be citizens today because of something that had happened during the time that 1947 act was in place—in other words, between 1947 and 1977.

Mr. Dave Batters: I understand.

Mr. Chair, how much time do I have?

The Chair: You are over by about 15 seconds.

Mr. Dave Batters: I'll come back.

The Chair: Thank you.

Mr. Wilson.

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you, Mr. Chair.

I'd like to thank the officials for coming and giving testimony.

I have just a couple of really straightforward questions to start off with. A constituent of mine, Mr. Don Chapman, is actually in the room today, and I'm sure you're aware of the good work that he's done with respect to lost Canadians. Obviously he was trapped under the laws in the 1947 act, and is classified as a lost Canadian. I'm wondering—It's a really simple question—why is the department ignoring the 1947 remedies, subsection 5(4), to deal with giving Mr. Chapman his citizenship?

Mr. Mark Davidson: In 1977 Parliament, as I said, repealed the law. In 2005 Parliament, via the mechanism of Bill S-2, permitted individuals in Mr. Chapman's circumstances, who had lost citizenship under the 1947 act as minors, to apply for a resumption of citizenship. Mr. Chapman and a number of other individuals had appeared before this committee and Senate committees in order to encourage the passage of that law. So in order to allow individuals such as himself to apply for citizenship, Mr. Chapman, in a previous appearance at this committee, had indicated that he's chosen not to apply under the provision of the law that he had encouraged Parliament to take advantage of.

Mr. Blair Wilson: Has he not asked the minister to remedy his situation based on the laws in place in 1947, which took away his citizenship, and asked for a subsection 5(4) ministerial intervention to grant him his citizenship?

Mr. Mark Davidson: I can't comment on that; I'm not aware of it. I am aware that there is an amendment to the Citizenship Act that had been made by Parliament in 2005 that would permit individuals such as him to apply to resume their citizenship, and indeed, about 170 people have taken advantage of that provision and have applied to resume their citizenship.

Mr. Blair Wilson: Thank you, Mr. Davidson.

Mr. Chair, I'd like to go on to the testimony of Mr. Goodman here. Although I may be wearing a white shirt and a grey pinstripe suit, I was raised in North Vancouver on a school of hard knocks. I think I can tell when we're getting snowed, and I think the committee here is being snowed.

I asked specific questions. In your testimony you said that you're managing an inventory of 400 cases, and then we learn that there are actually 400 cases that are being held in abatement. Are there 800 cases? Are there 400, or is there zero in inventory?

Mr. Clark Goodman: We have 400 active files that we are working on right now.

Mr. Blair Wilson: Are those 400 active files the ones that were held in abatement due to the Taylor case?

•(1655)

Ms. Rose Anne Poirier: Yes. They are also subject to the motion for abeyance as a result of the Taylor case, Mr. Chairman. As we were instructed to do, notification to all these applicants has been completed and we have proceeded with notifying the applicants, offering options to the applicants who are affected by the Taylor case.

Mr. Blair Wilson: And they were notified by whom?

Ms. Rose Anne Poirier: They were notified by the program support officers in a unit at the case processing centre in Sydney responsible for dealing with those types of cases.

Mr. Blair Wilson: And who instructed you to do that?

Ms. Rose Anne Poirier: It was an operational direction that we received as a result of the court proceedings with the Taylor case.

Mr. Blair Wilson: Who specifically gave you the instructions?

Mr. Mark Davidson: Mr. Chair, the abeyance decision was a stay decision that was issued by the Federal Court of Appeal in the Taylor matter. So we are following the instructions of the Federal Court of Appeal in that matter.

I'd also just like to clarify that we are working through some of these cases. We have been able to resolve individual cases in the Taylor stay. As Rose Anne indicated, we're giving individuals options and giving them the opportunity to take advantage of different options, in order for us to continue to operate within the instruction of the Federal Court of Appeal.

Mr. Blair Wilson: Specifically, who told you to give these different people the options you've laid out? Who specifically gave that order?

Mr. Mark Davidson: This was worked out within the department, taking into consideration the ruling of the Federal Court of Appeal.

Mr. Blair Wilson: Was it the deputy minister, or how high did it go? Was it the minister?

Mr. Mark Davidson: I can't recall exactly who made the decision. But it was certainly made within the department.

Mr. Blair Wilson: Can anybody recall where the decision was made? Was it a minister's decision? Was it a deputy minister's decision? Was it verbal? Was it written? Was it faxed?

Mr. Mark Davidson: It was certainly arrived at through a number of meetings. The decision to do this was communicated, definitely in writing.

Hon. Jim Karygiannis: Mr. Chair, I have a point of order.

A direct question was asked. I am sure that the memories of the officials at this table, who were asked to be sworn in, have not lapsed. Can we ask the officials, or can we, through you, ask the department to get minutes of those meetings that were held in order for that directive to be given to them?

The Chair: It's not a point of order. Officials are answering the questions as best they can. I can't determine as chair whether the answers are correct or not, so it's not a point of order.

I have to go to Mr. Komarnicki.

Hon. Jim Karygiannis: Mr. Chair, I'd like to challenge your ruling. There was a direct question; nothing was answered.

The Chair: There's no ruling. It's not a point of order.

Mr. Komarnicki.

Mr. Ed Komarnicki: Thank you, Mr. Chair, and thank you, witnesses, for your patience and indulgence and taking the time to answer the questions that have been put.

With respect to the numbers and the numbers game, I know Mr. Telegdi has referred to the numbers, but when I was there, when Mr. Edmonston testified, he himself indicated that he wasn't able to say what the numbers might be. He identified categories or groups of people, some of which, or none of which, or a percentage of which might be affected, but he wasn't able to say definitively one way or another. I simply want to dispel any suggestion of the types of numbers Mr. Telegdi indicated.

Would you agree that was the essence of Mr. Edmonston's testimony?

Mr. Mark Davidson: I think that was the essence not only of his testimony, his response to questions, but also of the brief he gave the committee in advance of his testimony.

Mr. Ed Komarnicki: It was good to hear clarification that the money Mr. Alghabra referred to was for implementation that never took place and of course wasn't necessary.

As I try to summarize, what I hear is that what the department is attempting to do is apply the existing rules on a consistent basis, but that there are some rules that are limiting, for one reason or another. Perhaps you are looking to parliamentarians to fix those rules that need fixing to ensure that the problems we've struggled with are taken care of in an appropriate manner.

I appreciate also that there is ministerial intervention, but that intervention of course is circumscribed for appropriate cases.

Would you agree with me that ultimately some type of legislative fix, if you want to call it that, would be required?

• (1700)

Mr. Mark Davidson: As civil servants, we must operate within the law we have. Obviously if Parliament feels that law is deficient, it's up to Parliament to take the necessary action.

Mr. Ed Komarnicki: I see that the call centre obviously received a good number of calls. We have to be careful to distinguish between calls that are not so much about lost citizenship and calls that are citizenship questions that can legitimately be answered or have proof of citizenship, many of which can be taken care of in the ordinary course of events.

For the ones that would actually fall into the category of lost citizenship, the number is relatively small. Would you agree with me on that?

Mr. Clark Goodman: I can only point to the hard numbers I have presented today. As I indicated, I think it was less than one-half of 1% of the overall calls that the call centre received.

Mr. Ed Komarnicki: I'm pleased to see you have taken a proactive approach and a focused approach, with respect to the issue that has been raised around citizenship and lost citizenship, by way of a dedicated unit and an expedited process, where possible. As we've heard from the questioners, it's something that is to be encouraged as we move forward with further action from this committee or however the committee wishes to deal with it.

Ultimately, we would want to see that focus continue and be sharpened to ensure that those who have legitimate issues, particularly those who have a strong connection with our country,

are given the appropriate attention to ensure their concerns are addressed in one fashion or another.

I think that's all the questions I have, Mr. Chair.

The Chair: Thank you.

Mr. Telegdi.

Hon. Andrew Telegdi: Thank you very much, Mr. Chair.

I dare say we will have many more meetings at which we'll get to discuss this, because the answers we are getting and the rationale we are getting are, I think, totally unsatisfactory.

You know, to say that a law exists.... Well, instead of fixing discriminatory laws that have been judged by the courts to be not compliant with the charter, they're litigating them. We're wasting resources litigating them. And to say that Bill C-14, on international adoptions, is the priority I don't think is acceptable.

I want to commend you, Mr. Davidson, for pointing out to the committee that the previous government had \$20 million to fix the Citizenship Act. When this government came into office, they cancelled it. So I just want to thank you for making the committee aware of that.

Yes, it's a good thing you know this: \$20 million, just to repeat it.

Now, one of the problems I have is dealing with the bureaucracy. This whole citizenship thing is incredibly Kafkaesque, as was stated by *The Economist*. We're the laughingstock of the world. It seems to me that if civil servants in Trinidad and Australia can fix their acts, we should be able to fix our act too, instead of wasting money on putting people like Mr. Chapman...or else turning a tenth-generation Québécois into a first-generation Canadian, denying her heritage. It's a bad law.

I've been on this committee for a long time, Mr. Davidson. I sat through Bill C-63, twice introduced to Parliament, to the committee, with extensive hearings. I sat through Bill C-16. I sat through Bill C-18. In not one of those cases has the department alerted the committee or the minister...because I don't believe the ministers knew about this problem. It wasn't until Mr. Chapman came forward, I believe in 2003, that I was alerted, that the committee was alerted that this problem existed.

This problem has been going on for a long time; I think it's really critical that we understand it. And I believe it is the job of the bureaucracy to alert the minister.

I will read from a letter written in 2005 to Mr. Siksay, signed by Minister Volpe, as follows:

The Canadian Citizenship Act, which came into force on January 1, 1947, automatically granted Canadian citizenship to women who were married to Canadian soldiers overseas before that day. Children born to these couples also obtained citizenship automatically, by birth on Canadian soil or through their Canadian father, if born outside Canada.

I mean, that's what a politician will know. That's what a minister will know. And if you believed that, Mr. Chapman wouldn't have a problem. All those folks wouldn't have a problem.

In 1999, on the CIC website, it said that if you were born in Canada, you were a Canadian. The fact of the matter is that I have served that length of time on this committee, and I did not know about this whole issue until it came to 2003.

I think the lost Canadians listening to us—and they are many—are pulling out their hair. They really are pulling out their hair at the complacency and the answers they are getting from the bureaucracy.

Conferring subsection 5(4)... This was done to Magali. It turned her from a tenth-generation Québécois into a first-generation Canadian—just unbelievable.

My question to you—And there are going to be many more coming, because this just won't do. I have the question for every member here.

Will you tell us, Mr. Davidson, did you get together and caucus and talk about what you were going to say at this committee—that you're going to stick to your 450 numbers and about what kind of evidence you're going to get? Did you do that?

I want an answer from every one of you at the table; just yes or no.

•(1705)

Mr. Mark Davidson: Mr. Chair—

Hon. Andrew Telegdi: Yes or no.

Mr. Mark Davidson: —we took our appearance here very seriously. We definitely prepared, and yes, we definitely met a number of times over the last couple of weeks in order to prepare for this appearance. We take the actions of this committee—

Hon. Andrew Telegdi: Thank you, Mr. Chairman. I have my answer.

I'm just giving notice that the next time they come, I want to see them sworn in. I'm giving notice, because I'm going to see them back again and I want them sworn in.

The Chair: That depends on whether or not the committee wishes to do that.

Hon. Andrew Telegdi: I'll be putting that forward to the committee.

The Chair: Okay, time's up. That was five and a half minutes, so we will now go to Mr. Gravel.

[*Translation*]

Mr. Raymond Gravel: I want to come back to a question that Mr. Wilson asked earlier. He said that Mr. Chapman had lost his citizenship because of the 1947 legislation, but, according to section 5 of that same statute, his Canadian citizenship could have been restored to him.

So, if he lost his citizenship under a statute that was out of date, even if it was repealed in 1977, why was he not given back his citizenship under that same statute? Was this question answered? If so, what was the answer?

[*English*]

Mr. Mark Davidson: I had understood Mr. Wilson to be referring to subsection 5(4) of the present Citizenship Act, and my answer was that I was not aware of whether or not Mr. Chapman had made a submission to the minister on that matter.

I can't comment on whether or not Mr. Chapman did make a claim to get his citizenship back under the previous Citizenship Act, the 1947 act, during that period from 1947 to 1977, because frankly I don't know the answer to the question.

[*Translation*]

Mr. Raymond Gravel: In my opinion, Mr. Chapman's case is unacceptable. He's a member of the Royal Canadian Legion. This is incredible. Why is the legislation being followed to the letter in such a case? Other witnesses appeared before the committee, including a woman who cried because she had lost her citizenship.

So, why is the process taking so long? The people coming here are human beings, not animals. You are public servants, you are human beings as well. You should understand, therefore, how they feel. You are blindly enforcing the legislation. It's as if you believe that the legislation comes first and that there's nothing to be done other than to comply with the legislation.

I find this difficult to swallow.

•(1710)

[*English*]

Mr. Mark Davidson: It would have been impossible not to have been affected by the testimony that the committee heard. Yes, we understand that it's quite shocking. It has been shocking for individuals to hear these messages. Nevertheless, we can't ignore the law. It would be inappropriate for civil servants not to pay attention to the law. It's the role of parliamentarians to take the initiative to change the law if they feel it's necessary. Our job is to implement and administer the law that is given to us by Parliament.

[*Translation*]

Mr. Raymond Gravel: I understand that the legislation must be taken into consideration. I am not telling you to disregard the law, but if Mr. Chapman's brother and sister are Canadians, how is it that he is not? This is unacceptable, because it's the same family.

[*English*]

Mr. Mark Davidson: I couldn't disagree with you more. There are some very strange outcomes as a result of the 1947 act. I use the word “archaic”. The 1947 act had a number of very bizarre provisions whereby individuals lost their citizenship, not because of anything they had done, not because they wanted to lose their citizenship. Nevertheless, that was the will of Parliament in the late 1940s, that individuals such as Mr. Chapman, who were born in Canada, would lose their citizenship if certain actions were taken. At the time, I can only presume, Parliament had the feeling that that was appropriate.

[*Translation*]

Mr. Raymond Gravel: I would like to make a final comment. I'm a Catholic priest and I thought that such aberrations were the exclusive jurisdiction of the Catholic church. I realize that there are just as many in the Government of Canada.

Thank you.

Some Hon. Members: Oh, oh!

[English]

The Chair: Are you finished, Mr. Gravel? Because you do have a minute left.

[Translation]

Mr. Raymond Gravel: I am finished.

Mr. Roger Gaudet: I'd like to take the remaining minute.

Could you tell me the difference between a refugee who comes here by boat, in a container, and someone like Mr. Chapman? What is the difference between the two, in your opinion? Are these two individuals treated in the same way? Could you tell me what the difference is between the two, from a human perspective?

[English]

Mr. Mark Davidson: I'm not sure I can respond to the issue of a refugee who arrives in a container. What I can say is that in the case of Mr. Chapman and other individuals like him, Parliament, in 2005, felt there was a reason to amend the law. Parliament, the House and the Senate, amended the law to provide an opportunity for individuals like Mr. Chapman to resume their citizenship.

About 170 individuals have taken up the offer Parliament has provided, and we are processing those applications for a resumption of citizenship.

The Chair: Thank you, Mr. Davidson.

Mr. Batters.

Mr. Dave Batters: Thank you very much, Mr. Chair.

First of all, I want to change the focus of the meeting a little bit, if I might.

We have before us respected civil servants, public servants, who serve their country on a daily basis, who do the best job they can under the legislation that's been created for them. We recognize there are some flaws in a 1947 act. There may be flaws in a 1977 act. A lot of these problems seem to have emerged from an act that was made by parliamentarians in 1947.

Some members of the committee want these public servants to sit here on the hot seat and take a tremendous amount of abuse today for a problem in the law. I think it's distinctly unfair that you've been placed on the hot seat, you've been accused of... We've heard about Mr. Wilson's snowstorm, that we're being snowed. I couldn't disagree more.

Your comments, Mr. Goodman, on the bottom of page 2, I think that paragraph says it all. You've got 37,693 calls. In the end, you've got a problem with 75 cases. You've got 75 cases we are working very hard to resolve. You've dedicated the appropriate resources.

I sympathize with these individuals who are lost Canadians. I have a lot of sympathy. I think every one of you would say you sympathize with these individuals. These are anomalies in legislation that you're working hard to address and correct.

Am I right in that? You're sympathizing and you're working hard to address it.

• (1715)

Mr. Mark Davidson: If I might just make a comment, in the citizenship program we prefer to make people citizens. We prefer to promote citizenship. We do about 2,500 citizenship ceremonies a year. It's something we enjoy a lot.

Since 1947, we've granted citizenship to about six million people. That's an activity we really enjoy. We all get a lot of satisfaction from playing that role.

Mr. Dave Batters: Right. For anyone on this committee to suggest that you'd have any other motives to the contrary is absolutely ridiculous. You're respected public servants, you have families, you have lives, and I hope you sleep better tonight because of this intervention.

I'm being very sincere, Mr. Chair. I have a lot of sympathy for lost Canadians, a lot of sympathy, some of whom are probably in this room and a lot of people paying attention to every word at this committee.

I do not have a lot of sympathy for the Liberal members opposite. Why haven't you, as civil servants, heard this indignation for the years they were in power? The previous Liberal government was in power for—

Hon. Jim Karygiannis: We did!

Mr. Dave Batters: Sorry, Mr. Karygiannis, I have the microphone.

Hon. Jim Karygiannis: You might have the floor, but check your figures and the facts. We've been here time and time again. Let's not make innuendos here.

The Chair: Order.

Mr. Dave Batters: Mr. Telegdi commented that this problem has been going on a long time. He then said we have a bad law. He talked about the Chapman case. He became aware of that in 2003.

Why didn't you change it then? Flat out, Mr. Karygiannis, why didn't you change the law? You promised—

Hon. Jim Karygiannis: You don't know what the hell you're talking about.

Mr. Dave Batters: You promised \$20 million. You said you promised \$20 million to—

Hon. Jim Karygiannis: It was there and your government went through it.

Mr. Dave Batters: I've heard so many expressions from your government.

Hon. Jim Karygiannis: Get on with the program.

Mr. Dave Batters: We've promised it, we've booked it. How many different expressions...? You've promised the moon. There's a full moon today, and that's the only thing that can explain your actions, Mr. Karygiannis.

Hon. Jim Karygiannis: There is a full moon today, and that's what you're going to.

The Chair: Thank you to the witnesses.

The meeting stands adjourned.

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