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Chair

Mr. Rob Merrifield

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• (1530)

[English]

The Chair (Mr. Rob Merrifield (Yellowhead, CPC)): Order, please.

It's 3:30. We have our witnesses with us and we have the members here, so I will call the meeting to order.

With that, we'll ask those who are from the media to leave the room. I appreciate that.

We want to thank the minister, the Honourable Diane Finley, for being here with us. This is our second meeting on the budget bill, Bill C-50. We want to thank her for taking the time to be here and to answer the questions of the committee.

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): I have a point of order, Mr. Chairman. I think out of respect for your kids you should say hi to your son.

The Chair: Okay, I'll do that.

Actually, my son and daughter-in-law are in the room. They wanted to come, so I do want to thank them for coming to Ottawa and being here.

Some hon. members: Hear, hear!

Mr. Mike Wallace (Burlington, CPC): They've never seen their dad work before.

The Chair: Yes, that's right. It's a new thing.

I knew you'd be easy on me after that. I do appreciate that support. Nonetheless, we want to continue with the meeting.

We thank the minister for being here and taking the time. We have her for an hour, and then we have some of her department staff, and you have some of those with you at the present time.

With that, I'm not going to take any more time to introduce anyone here.

We will start with the minister. You have 15 minutes, and then we will move to questions and answers.

The floor is yours, Honourable Minister.

[Translation]

Hon. Diane Finley (Minister of Citizenship and Immigration): Thank you, Mr. Chair.

I would like to thank the committee for this opportunity to speak on the immigration provisions of Bill C-50, The Budget Implementation Act 2008. With me today are my Deputy Minister,

Mr. Richard Fadden, and my Assistant Deputy Minister, Ms. Andrea Lyon.

[English]

Mr. Chair, I am proud to serve as the Minister of Citizenship and Immigration in a government that recognizes that immigration is as important to Canada's future as it has been to our past.

Our country was built on immigration, and our future prosperity and success as a country largely depends on it. Because immigration is so important to Canada's future, we need a modern and renewed vision for immigration. By 2012, all of Canada's net labour force growth will come from immigration. The stark reality is that if we do nothing to address the backlog, by 2012 applicants will face a 10-year wait time to have their application processed and the line-up of people waiting to get into Canada could easily reach upwards of 1.5 million.

Now, contrary to the previous government, we do not believe the status quo is acceptable. We are facing real and serious international competition for the talents and the skills that we need to fill the jobs that are waiting to be filled here in Canada. Whereas Australia and New Zealand are processing applications in as little as six months, it can take us up to six years to even begin looking at one's application, let alone to process it. The result is that there are approximately 925,000 people now in line waiting to immigrate to Canada, with almost 600,000 of these people applying in the skilled workers category.

When we compare ourselves to the United Kingdom, Australia, and New Zealand, we are the only country that does not use some kind of occupational filter to screen applications. This weakens our ability to select applicants who will be best placed to succeed in our labour market, and as a result, only 10% to 15% of skilled workers admitted here have a job arranged when they arrive, compared to over 80% of similar immigrants going to New Zealand.

[Translation]

This means two things. First, that we risk losing talented people to other countries, talented people that we need, right here in Canada. And second, the current system is preventing immigrants from getting the best possible start in their new lives.

[English]

This is unacceptable. It's unfair to our country, it's unfair to immigrants, it's unfair to those waiting for a response to their applications, and it's unfair to the families here. So it's time to act. We have a problem and we need to address it, and that is precisely what we are doing.

Currently we are required by law to completely process every application regardless of how many people apply or how many we're able to accept. And under law we are obliged to process applications in the order in which we receive them, with just a couple of exceptions.

The current system, if left unchanged, is on track to collapse under its own weight, so the system needs fixing. Urgent action is required so that we can bring more immigrant families here faster and more skilled workers here sooner.

To address these challenges, we're taking a three-pronged approach. First, we've committed to investing more money to address the backlog—\$109 million over five years. This funding will allow us to hire and train more visa officers to speed up processing in parts of the world where wait times are the longest. But increasing funding alone is not enough. We need to do things smarter, better, and faster.

In addition to increased funding, we're making administrative changes to increase both our efficiency and our effectiveness—sensible things like centralizing processing, improving and enhancing computer systems, sending in SWAT teams to tackle local backlogs where we believe they can make real progress on them, and transferring files from very busy to less busy missions.

Third, through Bill C-50 we've introduced legislative changes that will give us the flexibility and authority to both manage the backlog and set priorities that will match Canada's needs. Our proposed legislation will allow the minister to identify categories of occupations—not individuals—that will be processed on a priority basis, based on our country's needs and not on one's individual place in line.

To make sure we get these categories of occupations right and fair, we're placing several checks and balances on the minister. I like to call these controls the three Cs—the charter, consultations, and cabinet.

•(1535)

[Translation]

The ministerial instructions will, of course, comply with the Canadian Charter of Rights and Freedoms. They will maintain a system that is universal and non-discriminatory. And these instructions will also require broad input.

[English]

We will be required to consult with the provinces and territories, industry, and government departments to shape the approach every step of the way. Our consultations with the provinces will include getting reassurances from them that if regulated professions are on their list, they will have commitments from their provincial regulatory bodies that these individuals will be allowed to work in their chosen fields once they get here.

[Translation]

And finally, ministerial instructions will be subject to cabinet approval, and I can assure you from previous experience that that is not a rubber-stamp process.

[English]

Some are suggesting that this legislation will put too much power in the hands of the minister, without sufficient accountability. For example, there is a myth out there that the minister will be able to arbitrarily cherry-pick applicants in the queue and override visa officers' decisions on individual cases. This is simply not the case. The legislation will not allow the minister to override or reverse decisions made by visa officers to admit people. Our immigration officers will continue to make decisions about individual applications.

As to concerns being expressed about the impact of this legislation on family reunification and humanitarian and compassionate cases, any instruction from the minister will have to respect the objectives of the Immigration and Refugee Protection Act. These objectives include supporting Canada's economy and competitiveness, supporting family reunification, and upholding Canada's humanitarian commitments.

So to be clear, the ministerial instructions will not apply to refugees, protected persons, or humanitarian and compassionate applications made from within Canada.

[Translation]

The instructions must also respect our commitments to provinces and territories regarding the provincial nominee program and the Canada-Quebec Accord. And to be completely open and transparent, these instructions will be published in the *Canada Gazette*, on the departmental website, and reported on in Citizenship and Immigration Canada's annual report, which is tabled in Parliament.

[English]

But a key change, Mr. Chair, is that under the proposed legislative changes, we will not have to process every application. Those applications not processed in a given year could be held for future consideration or returned to the applicant with a refund of their application fee, and they would be welcome to reapply. The result, Mr. Chair, would be that the backlog will stop growing and will actually start to come down.

Some have rightly asked why these immigration provisions have been included in Budget 2008. It's because our government recognizes the critical role of immigration in the Canadian economy. Our government underlined the importance of immigration in our government's blueprint for economic growth and prosperity, known as Advantage Canada, in Budget 2006. The immigration provisions included in Budget 2008 build on what we said we would do in Advantage Canada in Budget 2006.

Advantage Canada acknowledged that people are key to having an economic plan that will make Canada a world leader today and in future generations. That's why we included amendments to the Immigration and Refugee Protection Act as part of the budget implementation provisions. Doing so serves the best interests of immigrants and their families, Canadians, and our economy.

• (1540)

[Translation]

So to sum up, Mr. Chair, our proposed measures will give us the flexibility to choose the skilled workers that best fit our needs, without affecting our objectives regarding family reunification or refugee protection.

[English]

Ultimately, the measures our government is proposing will ensure fairness by helping us to make decisions on cases faster while meeting the immediate requirements of Canada's labour market.

Our goal, Mr. Chair, is simple: to give Canada some common-sense tools to reduce the immigration backlog; to do it in a way that meets our needs; and to do it in a way that is fair and that respects our laws. It's about a vision for our country that makes sure that people who have gone through so much to get here find the opportunities to build their families, contribute to their communities, and excel in their chosen fields. It is a vision that will allow Canada to develop a system with the flexibility to supply our economy with the people we need to support our growth.

[Translation]

Thank you for this opportunity to address the committee. We would now be happy to take your questions. Thank you.

[English]

The Chair: Thank you for your presentation.

We'll now move to the question and answer portion. I'll remind the committee that when the minister is here we have all of the opposition and we have a round of seven minutes each. The last time a previous minister came we decided to collectively use five-minute slots. I don't know if that's the way you want to proceed. If not, we'll stay with the standing order.

Some hon. members: The standing order.

The Chair: Fair enough.

Mr. McCallum, you have seven minutes.

Hon. John McCallum (Markham—Unionville, Lib.): Thank you.

Thank you, Minister, for spending some time with us this afternoon.

I'd just like to begin with statistics from your department and ask you to confirm if you agree with them. In 2005 there were 262,236 landed immigrants; in 2006 there were 251,649; and in 2007 there were 236,689.

Hon. Diane Finley: Those numbers are approximately correct. I don't have the details.

Hon. John McCallum: If those numbers are correct, why did you state that last year your government brought in 430,00 new Canadians? Does this mean you consider students or temporary workers to be new Canadians?

Hon. Diane Finley: One of the challenges we have is that older applications for permanent residence take almost twice as long to process as new ones, and we have a finite pool of resources—

Hon. John McCallum: No, I'm just talking about the number, the 430,000.

Hon. Diane Finley: I know. I'm trying to explain the number to you.

That doesn't meet the needs of business, so we've very deliberately expanded the temporary foreign worker program to get the workers here that we need; we can't access them on a skills basis in the current backlog under the current rules. Not only that, but we also include in that foreign students who have come here. As we announced in Budget 2007, both of those streams will be forming part of the Canadian experience class, wherein individuals within those classes will be allowed to apply for permanent residence from within the country.

Hon. John McCallum: My question is a narrower one. Most people would not define temporary foreign workers or foreign students as new Canadians. Would you include them in the definition of new Canadians?

Hon. Diane Finley: We are making it possible for them to be new Canadians. We are adding them to the stream. We're deliberately blurring the line between permanent and temporary so as to meet the needs of our economy. We've developed a number of programs to make that happen, including the Canadian experience class, which will be launched this summer.

Hon. John McCallum: I just do not think those people, at the moment of their arrival, are new Canadians. Therefore, I think the 400,000 number is inflated, and the correct numbers are the landed immigrant numbers I quoted.

But let me move on now to questions of money. This is the finance committee. I would have thought that success in cleaning up a backlog requires resources to have more people interviewing and processing those people. I understand you're putting in \$22 million over two years, which is little more than 1% of the budget in each year, whereas in 2005 we had committed a \$700 million plan to reduce the backlog over five years. There's an order of magnitude difference in the amounts of money. So how can you credibly say that you're going to significantly reduce the backlog when you put so little—in terms of new resources—into the system?

• (1545)

Hon. Diane Finley: Quite frankly, throwing resources at a fundamentally flawed system is just pouring money down the drain. We do need to put more resources into it, but that's not enough. We have to do things smarter and better and faster. That's why we're making administrative changes, upgrading computer systems, and changing our operational techniques for processing.

But the key here is that we cannot control how many applications we receive in a year. They can come flooding in. Indeed, every year we receive more applications than we have the capacity to process, by a significant number, and the existing law requires that we process each and every application, even if it's a second, third, or fourth application that's been waiting in line for somebody who's already been admitted. That's a waste of time, it's a waste of taxpayers' money, and it's certainly not fair to the others who are in the line. So we need to make some structural changes to the system.

Hon. John McCallum: I don't disagree with structural changes. I would submit that a trivial increase in resources—even with the structural changes—is not going to make a big dent in the backlog. But I would now like to go on to ask you about family class.

My understanding is that you are saying that in your new rules, which you yourself can determine, you do not intend to include the family class, but the legislation would give you the power to do so if you wished to limit the number of family class people allowed to enter the country.

So I guess my question is this. Is it your intent to not disturb the status quo on family class? If it is your intent, why are you putting these new powers into the bill when you say you will not use them?

Hon. Diane Finley: I'd like to perhaps correct the misperception that was just stated. You said we would be limiting family class. That's not the intention here. When we set priorities on categories, they're to give those groups priority processing. That's a very big distinction here, and I'd like to make sure that we clear up some of the myths that have been propagated.

When we're setting categories, our intention right now is on groups of occupations—ones that meet the country's needs and ones that will be identified and determined only after extensive consultations with the provinces, territories, industry, and other government departments, and then approved by cabinet. The intention is to match the portion of our skilled workers to the economy's needs.

Hon. John McCallum: Yes, but I guess my point is that when you're putting in negligible additional total resources and when you state clearly that you're giving a high priority to people who meet economic needs, the inference is—in relative terms—that it's a lower priority for family reunification. That is how people are reading it. And I can't see any other way in which to read it. If you have essentially changed resources with a higher priority to one group, it must mean you're fast-tracking one group and you're slow-tracking another group, which is the family class.

So I go back to my question. It seems that if you emphasize the economic side, which is fine, you're putting a high priority on workers. Essentially, you're putting more priority on newcomers as commodities—as workers—rather than newcomers as people. So I ask you again, on the family class, how can you deny the implication that this group is relatively disfavoured when you're putting the maximum favour on the economic class? Why do you insist on new powers in this area?

Hon. Diane Finley: We're actually putting \$109 million in extra resources, and most people wouldn't call that either negligible or trivial—

Hon. John McCallum: It's \$22 million over two years.

Hon. Diane Finley: It's \$109 million. We're doing that, as I said, to address the 60% who are in the skilled worker class. Sixty percent of the applications—round numbers—are skilled workers. Of that group, 80% are their families; only about 20% are workers themselves. So over 80%, close to 90%, of people who are in the backlog are not the targeted skilled workers.

We've already made progress on reuniting families. We've improved processing times over your government by up to 40%,

because we are making families a priority as a government. We've done that in a number of fields. I was the minister who brought in the universal child care benefit, as an example. We do have a priority on family reunification. And yes, you're right, if at a future point in time we decide that is the priority, they could be fast-tracked, just like any of the worker categories.

• (1550)

The Chair: Thank you very much.

Mr. Laforest.

[*Translation*]

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Thank you, Mr. Chairman.

Good afternoon, Minister. Before asking you a question, I would like to say that I am disappointed and the Bloc Québécois is disappointed. We feel that the Conservative government has acted in an underhanded way, a little bit like the American right, by introducing measures to accelerate the immigration process in a budget implementation bill. It appears to us that you could have done things differently. You have said that this provision is directly related to the Canadian economy, but you certainly could have amended the Immigration and Refugee Protection Act and presented the budget provisions separately. This causes us to question your government's transparency in this regard.

Will the amendments proposed in this bill affect the existing accord between the Government of Quebec and the Government of Canada?

Hon. Diane Finley: No, not at all. I have spoken to the Quebec minister, and my officials have spoken with their Quebec counterparts. We all recognize that these amendments will have no effect on the Canada-Quebec Accord. That is very clear. The Government of Quebec understands that fully and is in agreement.

Mr. Jean-Yves Laforest: So there will be no changes.

Hon. Diane Finley: No, it will have no effect.

Mr. Jean-Yves Laforest: The reason for including these amendments in the budget implementation legislation is basically to accelerate the employability of immigrants. You are giving yourself the discretionary power to act in response to Canada's needs, in particular, since you have just said that the changes will not apply to Quebec.

There are currently some 50 positions open on the Immigration and Refugee Board. This high vacancy rate has a huge impact on efforts to try to bring immigrants in faster and assess them.

Why have you appointed only 27 board members since February 2006? Have you created a problem by not speeding up that process? Everyone agrees that it is a problem. There is a tremendous backlog, but you did not take appropriate action upstream to prevent the problem.

Hon. Diane Finley: Those are two separate issues. The process to apply for refugee status is completely separate from the immigration process. The IRB is responsible for refugees and not Quebec.

When we came to power, the process for appointing IRB commissioners did not meet the standards we expected it to. Therefore, we changed the process for appointing commissioners to the IRB. We now require all candidates successfully pass an exam, which was not the case in the past. We want commissioners who have proven their competency. We have already appointed more than 100 people to the IRB, and we are in the process of appointing many more.

• (1555)

Mr. Jean-Yves Laforest: Thank you, Madam Minister. I would like a little more information on this topic and I would like you to tell us how many immigrants enter the country each year. Among them, how many go to Quebec?

Hon. Diane Finley: Each year, 241,000 immigrants enter Canada. I do not have the numbers for Quebec.

Mr. Jean-Yves Laforest: At present, 241,000 immigrants are entering Canada.

Hon. Diane Finley: There are approximately 240,000 new permanent residents. According to our forecasts, temporary workers and foreign students will qualify and will obtain permanent residence status. Therefore, they must be included.

Mr. Jean-Yves Laforest: I want to go back to the IRB. In response to my question, you said that the two issues were separate. I was telling you that one third of the 556 positions remain unfilled. I will ask you again: why are these people not being nominated more quickly? The former Chairman of the IRB, Mr. Fleury, left his position in March 2007. There was a list of 80 candidates who could have been appointed. How is it that with 80 candidates, 50 positions remain unfilled?

Hon. Diane Finley: In the past, it was very easy or much easier to be hired by the IRB. Now, with the exams, the success rate is between 30% and 40%. It has become very difficult, because we want people who are qualified and competent. Our exam determines that. With the success rate between 30% and 40%, it is difficult to find the people we need.

Mr. Jean-Yves Laforest: Thank you, Madam Minister.

[English]

The Chair: Thank you.

Ms. Chow.

Ms. Olivia Chow (Trinity—Spadina, NDP): Thank you, Mr. Chair.

Our former GG Adrienne Clarkson's father came from Hong Kong, the same place my father came from. Under Bill C-50, his application probably would not be processed. It would be returned every year. He could apply, but his application probably wouldn't even be considered, because you now have the right to pick winners and losers. Losers include people like Tommy Douglas, who was voted the best Canadian.

In your definition, what are losers? Why are these people losers? You're going to have winners and you're going to have losers, and

sometimes losers are people like Tommy Douglas and Adrienne Clarkson.

Hon. Diane Finley: First of all, we won't be able to pick individuals. I thought I had made that clear.

Ms. Olivia Chow: I mean the category of people.

Hon. Diane Finley: We have a finite capacity to accept people now. The difference is they get invited here based on where they are in line and how much patience they have.

Ms. Olivia Chow: In your categories, who are the losers? You're going to fast-track some and leave some behind. Who are you going to leave behind, the ones who in your mind are not "skilled"?

Hon. Diane Finley: Right.

Ms. Olivia Chow: The ones who are not skilled won't fit under this criteria. They will be left behind.

• (1600)

Hon. Diane Finley: The ones who are getting left behind right now are waiting six years, and they may have to wait 10 years if we don't do something. They are getting left way behind. It takes so long to get accepted into Canada—six years versus six months for some other countries.

Ms. Olivia Chow: I agree.

Hon. Diane Finley: A lot of very qualified people are getting left behind. They won't even bother applying to come here, because they don't stand a chance of being processed in a timely manner. That's what we're trying to correct.

Ms. Olivia Chow: I agree that long wait times are a problem. It is an old problem that came from the former Liberal government.

Hon. Diane Finley: That's what we're trying to fix.

Ms. Olivia Chow: You have ads out there saying that you're doing all this because of the long wait. These ads are deceptive. Bill C-50 won't have any impact on the 925,000 applicants who are backlogged. Even if this bill passes, it won't affect those who applied before February 27, 2008. There's no backlog on student visas or work permits. Yet Bill C-50 says your department will have the right to reconsider these applications. Even if they qualify for a visa, you are taking their right to a visa. There's no backlog. Why would you change this rule so it affects everybody else? It doesn't make sense, and these ads are deceptive.

The community is saying it's damaging, it's dangerous. Yesterday, I heard another D word, which is "dumb". So you have your three Cs and the community has three Ds. That seems to be the comment out there.

Hon. Diane Finley: I guess there are a couple of things we need to clarify.

Number one, there are literally millions of people in China and in India alone who qualify for admission to this country. That doesn't mean we can accept them all. We have a finite capacity to absorb newcomers, whether it's because of our settlement funding—which we have dramatically increased—or, more importantly, because of things like our hospitals, our infrastructure, our housing, and jobs for these people. We cannot accept everyone who is “qualified” to come here. And coming here isn't a right; it is a privilege. We have a finite capacity to process the applications, to accept these people, and to have them be successful. We have to recognize that.

With the backlog, the courts have ruled that we must process existing applications under the rules that were in place when the applicants applied, and we'll be following the law. But that's where a lot of our extra resources will go, to getting at that backlog.

We're going to be doing things smarter and better, because if we can put more people on the job, doing the job faster, we can get that backlog whittled down, especially if we put the cap on—

Ms. Olivia Chow: Minister, I don't want to run out of time. My friend will be mad at me.

The Chair: I realize you want to split your time with Mr. Mulcair. We'll allow that.

You have two and a half minutes.

[*Translation*]

Mr. Thomas Mulcair (Outremont, NDP): Thank you very much, Mr. Chairman.

On several occasions in her remarks, the minister has said that is not their intention, that that is not what they want to do. Does she realize that by saying that, she is admitting that it is possible? Does she realize, as the president of the Association québécoise des avocats et avocates en droit de l'immigration du Québec stated two weeks ago, that the most significant change made by her bill is the change from a safe system where it says “shall”, to a purely random, arbitrary system that opens the door to discrimination? What happens if the word “shall” is changed—people have a right if they meet all the criteria—to “may”? What she is proposing is purely arbitrary. And that is precisely what concerns the groups from the various cultural communities. Can she understand that?

Hon. Diane Finley: No, not at all. Putting forth discriminatory legislation is prohibited. We have the Canadian Charter of Rights and Freedoms. The government, the department, as well as the minister must acknowledge the charter and comply with it. And the charter stipulates that their action must not be discriminatory.

Mr. Thomas Mulcair: Mr. Chairman, does the minister understand that she is putting in place a structure to replace a system that has withstood charter challenges on several occasions? She is replacing something reliable, solid, and valid, with something that is purely arbitrary. She says that the charter is one of the guarantees, but what right would an immigrant have if he is not here yet? What right would someone in another country have to challenge a decision under the charter? She is creating an opportunity to exclude people by category, even by country of origin. That is exactly what becomes possible under what she is proposing, and she completely destroyed her own argument at the start of her presentation today, when she told us that the problem was the obligation to process all applications

in the order in which they arrive. In saying that, she is confirming that she wants people to be able to take the place of someone else ahead of them in the line. She is admitting to something shameful.

• (1605)

[*English*]

The Chair: A quick question and a quick answer. Go ahead.

Hon. Diane Finley: So I get a chance to answer. Thank you.

Our objective is to help business stay in business, to make sure that the immigrants who are coming here get a chance to succeed in their jobs. That means matching their skills with our labour needs. That hasn't been done.

If I could draw an analogy, it would be like saying, “Okay, you're going to build Team Canada as a hockey team and you'll take the first 25 people in line.” That might seem fair because they lined up in that order. That's the way our immigration system works. But if you take the first 25, you might end up without a goalie. That's not going to meet the needs of the team. So what we're doing is trying to make sure that we do meet the needs of the team.

For example, medical professionals at the front of the line.... Out of some 400,000 a year, we're not going to be processing 400,000 medical professional applications. There may be 400; there may be 4,000. That leaves a lot of room for the other people who have applied, to have their opportunity to come here as well. But we have to be fair to the people who are in the line; otherwise we're soon going to be facing 10-year wait times.

The Chair: Thank you very much.

[*Translation*]

Mr. Thomas Mulcair: Mr. Chairman, I have a point of order. Making an analogy with a hockey team is the most absurd thing I have ever heard here in the Canadian Parliament.

[*English*]

The Chair: No, I'm sorry, that's out of order, Mr. Mulcair.

We'll move on.

Mr. Menzies, you have seven minutes.

Mr. Ted Menzies (MacLeod, CPC): Thank you, Mr. Chair, and thank you, Minister, for coming here today.

I need to clarify with you, and I'm sure you will understand, that Ms. Chow's comments about groups not understanding this is not an accurate reflection of what many of us have heard in our meetings with groups. We have heard that indeed they do understand what is happening here and why it's happening. I'm sure we all have our own little horror story, if you will, from constituents.

I was elected at the same time you were, Minister, and one of the first issues I dealt with was family reunification. Maybe it's my failing—I don't know—but it still hasn't happened. So that's almost four years for one example of why the backlog isn't working. I congratulate you for putting this forward.

I tend not to deal in the past, but I can't help but ask—and you probably have a better understanding—what created this backlog. What is there in the system? What requirements in the system created such a backlog that we're dealing with?

Hon. Diane Finley: There are a number of factors. A few years ago there were 50,000 people in the backlog. When IRPA, the Immigration and Refugee Protection Act, was brought in, in 2002, we had a flood of applications in anticipation of that bill. Unfortunately, the bill as it was written requires us to deal with every single application, and some people put in more than one. So even if we have accepted an individual on their first application, if they've got two or three others in other streams or under related addresses or other names or whatever, we still have to go through and do the paperwork on each and every one. We have no control over the intake, the number of applications we receive.

It would be as if you had a policy to return every telephone call you received, but you could do it only in the sequence in which you received them. If you received a call from, say, somebody who called you five times, you would have to call them back five times. If you had a call from a family member on an urgent matter, it wouldn't matter. You would have to call them back in the order in which calls were received. So the system as it stands is totally inflexible. Not only does it not respond to our labour market needs, but frankly, it isn't fair, because it makes people wait for way too long to find out even if they're eligible to come. The really good ones have a tendency to go elsewhere, where they feel more welcome.

Mr. Ted Menzies: Thank you.

You referred to Advantage Canada, and I think this is something we need to emphasize. This is part of a plan that was put forward in 2006. As you know, I come from Alberta, and we have a tremendous labour shortage in our part of the world, as I understand Ontario still has. How is this plan going to fix that problem for my province and yours?

Hon. Diane Finley: Well, it will be in two ways. Number one, we're not looking at these changes in isolation. We have a total vision for immigration. Because of the huge backlog and the impact it's having, we're having to develop a number of workarounds to meet the needs of industry and to meet our other obligations. One of the things we've done is to expand the temporary foreign worker program rather considerably. We welcomed some 130,000 temporary foreign workers last year. We're recruiting foreign students because they contribute \$4 billion to our economy, and by getting credentials here, they have the skills we want, so they can stay here.

So we're going to be making it easier for both those groups to apply for permanent residence from within the country, without having to go home and wait six years to think about coming back here. That's a new program called the Canadian experience class that we'll be launching next summer.

So we're doing a number of things to try to meet the needs of industry. Let's face it, if foreign students have Canadian credentials,

why send them away? Let's keep them here. They go to school, get to know the town, meet someone, fall in love, and want to settle. Let's keep that talent here. Meanwhile, let's keep whittling down the backlog. Let's improve our processes. Once we get through the oldest of the files, each application on average will take less time. We'll be able to accelerate. With more people on the job doing it better and faster, we will eventually be able to process all applications faster and get everyone here in a timely and internationally competitive way.

● (1610)

Mr. Ted Menzies: So you think this will give us the flexibility we need, as we heard before, to reunite families—that has to be a priority—as well as to fill this skilled labour gap we have.

Hon. Diane Finley: It will also be supplemented by our expansion of the provincial nominee programs, where we've been lifting the caps on the PNPs, so that each region, like Alberta, can identify the specific people they need, which may be quite different from the people who Nova Scotia or Ontario needs. Frankly, in my part of the world we don't have the big oil sands activities that you have, but we do have other challenges. So we're trying to make sure the systems are flexible enough to meet all the needs across the country.

Mr. Ted Menzies: Good.

The Chair: Go ahead, Mr. Wallace.

Mr. Mike Wallace: Thank you, Minister, for coming, and I appreciate your coming to Burlington last week and explaining to our constituents in Burlington what changes you're proposing.

We heard earlier through some of the questioning that some critics of the approach are assuming that we can just throw money at the immigration system. Maybe you can highlight for me why these are unrealistic, in terms of the assumptions they're making about throwing money at the problem, and why this approach is simply just not really feasible at this time.

Hon. Diane Finley: There are a couple of parts to that answer.

Number one, if we just throw money at it, we're throwing it into a big dark hole, because we're dealing with a fundamentally broken system. We could actually double the size of the department by spending billions of dollars and it would still take four years to chew up the backlog, assuming there was no increase in it, assuming the number of applications we received each year matched the total we process. With the rules we're given to work with right now, if we were to speed that up, we would be attracting more applications, so we'd have to put more money into it, which would generate more applications, more money. It would become a relentless spiral. It's already out of control. We don't need that. That's why we have to change the system itself. You just have to do it better; you have to do it smarter.

We need the flexibility, because, quite frankly, the Immigration and Refugee Protection Act of 2002 was designed to protect the domestic labour market. We need to give it the flexibility so that it can respond to changing Canadian conditions, changing world conditions, as they change, and it needs to have a shelf life of more than three to five years, which this existing one has proven it has.

The Chair: Thank you very much.

We'll now move into a five-minute round. We'll start with Mr. Turner.

Hon. Garth Turner (Halton, Lib.): Thank you, Minister. I have three quick questions for you.

Why are you and the government blocking the immigration committee from having a look at this particular issue? This is the finance committee. I'm certainly not an expert in immigration. Why is this happening?

Hon. Diane Finley: We're not. In fact, it was our members here who suggested we vote unanimously to support this committee's motion that the citizenship and immigration committee review this and study this subject. As well, we're quite prepared to discuss it in that venue. We've supported that every step of the way.

•(1615)

Hon. Garth Turner: With these proposed changes, the Conservative government seems to be asking Canadians to give you, the minister, sweeping new powers. But it seems to us, to many people, that you have tried to bury these provisions in Bill C-50. As my colleague Mr. McCallum showed, you actually misled the House on the number of immigrants, and the chair of the Immigration and Refugee Board actually resigned after you brought in increased ministerial discretion.

So how can Canadians trust you with such sweeping powers when it seems you have back-doored a number of things so far?

Hon. Diane Finley: With all due respect, we brought in this legislation, it was tabled in the House of Commons, and it has been debated there, live on national television, with transcripts for any and all who want it. It's being debated here today. We've agreed to have it discussed at the citizenship and immigration committee. We're encouraging that. We've been engaged in debate across the country with literally hundreds of groups to make sure they are aware of it. We're quite prepared to discuss it. But the key point here is that—

Hon. Garth Turner: Why didn't it come in as a separate bill, Minister?

Hon. Diane Finley: Because, number one, as I explained in my opening remarks, immigration is going to provide all of our net labour growth in this country by 2012—

Hon. Garth Turner: I heard that, but why not as a separate bill?

Hon. Diane Finley: Without labour, business will not be able to stay in business, and our budget is our economic blueprint for the country. It's a very logical—

Hon. Garth Turner: I heard that. I just wondered if you could answer why it wasn't brought in as a separate bill.

Hon. Diane Finley: For two reasons. Number one, it's logical to include it in the budget. We said we'd do that in Budget 2006. We announced we'd do it. We did what we said we'd do.

Number two, if you think back to some other really good legislation we've brought before the House, it's been allowed to languish over the course of two years. We can't afford to wait that long. If we do, we're going to be inflicting 10-year wait times on immigrants. I can't find any justification to do that and to give them false hope of coming here when that's really what would happen.

Hon. Garth Turner: That obviously doesn't answer the question.

My third question is this, and I'm asking this on behalf of some people who asked me to ask you. They live in Norfolk County, and they're pretty upset that a couple of nights ago you were a no-show at Delhi. They asked me to ask you why you didn't go there.

Hon. Diane Finley: I'm sorry, that has nothing to do with what's being discussed here today. I thought we were here to address Bill C-50. I didn't realize that my riding activities were part of the debate of Bill C-50.

Hon. Garth Turner: You are the minister. Can you answer that question?

The Chair: The minister has answered that question. Do you have another one, Mr. Turner?

Go ahead. Ask her another one.

Hon. Garth Turner: Can you give an explanation as to why you weren't at that particular meeting?

An hon. member: A point of order.

Hon. Garth Turner: She can answer the question or she cannot answer the question. She's a big girl.

The Chair: I'm sorry, Mr. Turner, your time is gone.

Monsieur Bachand, the time is yours. Go ahead.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Thank you, Mr. Chairman.

Madam Minister, I would like to continue on a topic raised earlier by my colleague. The figures he gave you speak volumes. I have some other figures that I would like to share with you.

[*English*]

The Chair: Go ahead.

Mr. Turner, if you have something to say, do it outside.

Go ahead, Mr. Bachand.

[Translation]

Mr. Claude Bachand: I have some figures on the IRB. They show that at the end of 2006, 23,495 people were on the waiting list, in other words 3,000 more than the previous year. The processing time has gone from 11.7 months to 14.3 months, which has consequences for a number of people. For example, Quebec is responsible for providing social services to these people. The fact that the processing time has gone from 11 to 14 months has a direct consequence on the budgets of Quebec and the provinces. Since I do not have much time, I will ask my three questions one after the other.

In the bill, would you be prepared to compensate the provinces for the waiting time caused because commissioners have not been appointed? I think that is important. The provinces or Quebec should not have to pick up the tab just because Ottawa is not moving quickly enough.

Moreover, are you open to the idea of providing compensation on the family reunification side, since the increased waiting period represents additional costs for families?

As regards national security, some people who are waiting for a response have a criminal record. I don't know how your colleague, Mr. Stockwell Day, considers this situation in terms of national security, but it is nevertheless worrisome. The longer the delays get the more likely we are to see an increase in terrorist or criminal infiltration. I would like to hear your comments on that question.

Finally, experts are of the opinion that you are not proceeding with the nominations because some people do not share your ideology. What do you have to say to these experts?

•(1620)

[English]

Hon. Diane Finley: What we're trying to do here is bring some common sense and some good management techniques to the backlog. We're trying to make sure we get families together faster than they have been. The wait times for those people have been growing. We're also trying to get skilled workers here sooner and get the ones here who are needed for the jobs. It's a better fit for everybody.

We do have arrangements with the provinces for compensation in terms of refugees, and it's a factor that goes into the annual general transfer. Recognition of increases or decreases in the number of refugees going to each province is already accounted for there.

When you talk about the families, this is very important. Refugees are, as I mentioned earlier, a separate case from the regular immigration stream. Yes, we have some challenges. Yes, we have to make sure we uphold our number one responsibility as a department, which is to ensure the safety, the security, and the health of those who are already in this country. To do that we have to do extensive security checks; we have to make sure that people who are allowed to come pass the criminality test because we don't want bad guys coming in; we want good guys coming. And we, as a country, as a government, believe every government's first job is to defend its people, and that's what we're doing when we stop people from coming in who we have determined have criminal records.

[Translation]

Mr. Claude Bachand: Experts are alleging that you are delaying nominations to the position of commissioner because you are trying to find people who share the Conservative Party's ideology. Are you going to tell me that is entirely false? You are already vigorously nodding to say that is not the case, but I would like to know if it is true in part? Appointing commissioners who are very open-minded and who want to let everyone in will run counter to your ideology.

You said earlier that you now wanted people who are competent to hold these positions. I understand that Conservatives will not necessarily be appointed, but as part of the test that they take, are the candidates required to share at least in part the Conservative Party's philosophy on immigration?

[English]

Hon. Diane Finley: What we're looking for are people on the Immigration and Refugee Board who are going to be competent. I think competence transcends party lines. I actually happen to believe that all parties can have competent people.

We have a test we administer. We have a rigorous interview process. We have a selection board of people who are independent who choose those who can advance. It's a very rigorous process, and as you say, only 30% to 40% make it through. That means it's a high standard.

We do that to make sure we are getting qualified people, people who can recognize when somebody is trying to abuse our system. Unfortunately, we do have a lot of people who claim refugee status who are trying to abuse what is a really good program.

The Chair: Thank you.

We'll go to Mr. Del Mastro.

Mr. Dean Del Mastro (Peterborough, CPC): Thank you, Mr. Chair.

Madam Minister, you would hope....

Hon. Diane Finley: Can I just add one thing?

I would point out that of our nominations, more than 50, I believe, have been reappointments.

The Chair: Thank you.

Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you, Mr. Chair.

Madam Minister, first, I have an apology. You would think that someone who opened their questioning by saying they don't understand a lot about immigration would have stuck to questioning rather than petty partisanship; they might have learned something about immigration. Unfortunately, we do see that at this committee from time to time from that individual.

In terms of history in Canada, we are all relative newcomers to this country, so we understand the value of immigration. We understand the very real contributions immigrants have made to Canadian society. With that in mind, could you please share with us more details with respect to how the proposed legislative changes in part 6 are crucial to the ongoing future success of Canada's economy and to immigrants to Canada?

•(1625)

Hon. Diane Finley: Thank you. What a very good question.

By 2012, according to all the forecasts, net labour growth, all of it, will be from immigration, because as a country we have an aging population, early retirements, and people having fewer babies much later in life.

To keep our economy going, we need people. Businesses can't stay in business without the right people. They have to be the right people in the right place at the right time. Right now we're not getting those people through our existing permanent resident program, which is why we've had to do workarounds. But workarounds aren't sustainable in the long term. The system is fundamentally flawed. That needs to be fixed. The previous government talked about doing it. The problem is that they never did. Under their watch, the backlog ballooned from 50,000 to over 800,000.

Because there are systemic flaws, we can't just throw money at it, because that won't make the systemic flaws go away. We have to fix the system, the structure of it, which is what these amendments will do, and put more resources towards it, which is what we're doing—\$109 million. But we also have to get smarter about how we do things—deploy more current technology, review and revise all our processes—so that we're doing things as efficiently and as effectively as we can to get more people here faster.

Mr. Dean Del Mastro: Mr. Chair, I'd like to share the balance of my time with Mr. Dykstra.

The Chair: Okay.

Mr. Dykstra, go ahead.

Mr. Rick Dykstra (St. Catharines, CPC): Thank you, Mr. Chair.

Through you to the minister, one part of all of this, and it's been alluded to a few times, is that there are millions of dollars involved in this year's and next year's budgets and in subsequent budgets. There is up to \$37 million a year in increased funding to try to deal with the backlog and to try to address the issues you've outlined here today. One of the important parts of that I think is to understand the changes to IRPA in part 6 of Bill C-50 and exactly how those funding increases will assist you, and more particularly, assist those working within the ministry, to do some of the work you've outlined in the bill.

Hon. Diane Finley: For one, we'll be able to hire more visa officers overseas. That's a good thing. It's just putting more volume in, which is what many here have suggested we do.

It will also help us fund systems and allow the centralizing of processing, because, quite frankly, it costs us less to have someone in this country do the processing than in many places offshore. We will be able to modernize our systems; some of our computer systems are ancient, by any standard. We have members of Parliament who are younger than some of our computer systems. So we need to take a giant leap forward—into the 1990s, in some cases.

We're also going to be coding files so that we can identify newcomers or applicants by their occupation, and by their province of destination, so that we can share that with the provincial nominee programs.

We're going to be doing a letter campaign to the oldest files, asking them if they'd like a refund if they've decided to get on with their lives, or whether they still want to come here. Hopefully, that will withdraw some people from the backlog as well.

So we're going to take a number of measures.

Mr. Rick Dykstra: I have one really quick question. Do you think it is part of the reason the Liberals in the former government introduced an almost \$1,000 landing fee? Was it a way, in part, to stop the backlog from growing from where it was?

Hon. Diane Finley: To be honest, I hadn't thought of that. Frankly, I see that as the wrong kind of barrier, because it discriminates against large families and it doesn't recognize that we need a wide range of people coming to this country—and it doesn't help us serve anybody faster.

The Chair: Thank you very much.

I want to honour the minister's time. We have one more questioner, Mr. McKay, and I'll give him a couple of minutes.

Hon. John McKay (Scarborough—Guildwood, Lib.): Minister, this request in Bill C-50 is all about expanding your discretionary power, yet with the IRB, and under your watch, you have increased the refugee backlog by something in the order of 300%, from about 20,000 up to 60,000. You've reduced the number of judges available. At one point, there was a backlog of about only 10 appointments, and now it's up to around 60 appointments. To no one's great surprise, therefore, the processing times have gone up exponentially.

Then, in a blatant political move, you substituted your own political discretion for the advice of the advisory panel, and a week later the advisory panel quit en masse. Then you come to this committee and say, "Trust me, I want to have more discretionary power."

My question is quite simple, Minister. Given your track record with respect to the IRB, where you reduced appointments and increased wait times, and in effect substituted your own political decisions for those of the advisory panel, why should we trust you with respect to this increased discretion?

•(1630)

Hon. Diane Finley: I think one of the key things is that when we present figures, we present them in the entire context to give people the background needed. To say there was a 100% increase in something could mean that the number had maybe gone from one to two, or maybe from 100,000 to 200,000. On a scale of magnitude, that's a big difference.

When one looks at the IRB backlog and how it's grown, there are a number of factors that have caused that. When we took over, there were approximately 100 vacancies imminent; they weren't open on the day we took over, but they were imminent within the next few months, and nothing had been done to fill them. So we looked at how the appointments were done and said that's not good enough. We improved the quality and the standards. We've made over 100 appointments—and we have several more in the works—and we've also expanded the total number of positions we're trying to fill.

Another reason for the backlog growing is that we've seen a significant increase in the number of applications. Remember, as I said before, we can't control the number of applications that come in. If more come in than we can process, then, yes, the backlog is going to grow significantly. There are a couple of reasons for that. There have been particular responses to the activities of our neighbours to the south that have caused dramatic increases in the number of applications we've received. No, we can't process them all, but we are well on our way to filling a much larger complement of IRB positions with very competent people.

The Chair: Thank you very much.

We want to close this part of the session and thank the minister for her time and for coming to our committee and answering our questions.

We'll have the department stay behind. We have another hour, if there are further questions from the committee.

I want to thank you, on behalf of the committee, Madam Minister, for spending the time with us.

Hon. Diane Finley: Thank you.

- _____ (Pause) _____
-
- (1635)

The Chair: I call the meeting back to order.

We have with us Andrea Lyon and Jamie McNamee from the department. We have them both here and we will continue with our questioning.

First of all, next in line would be the Conservative Party.

Do we have any questions from the Conservative Party? If not, we'll move to the Liberal Party.

Mr. McCallum, the floor is yours for five minutes.

Hon. John McCallum: Thank you.

My first question is, would you define a foreign student studying in Canada as a new Canadian?

Mrs. Andrea Lyon (Assistant Deputy Minister, Strategic and Program Policy, Department of Citizenship and Immigration Canada): I guess, Mr. McCallum, that would depend on the context in which they were arriving. As the minister described in her remarks, the government is moving to implement a program that will facilitate the movement of foreign students and certain temporary foreign workers into permanent residency in a much faster manner. That program will come into place sometime later this year, and as I

say, it will greatly expedite that process of permanent residency. So it really depends on where on the continuum this person falls.

Hon. John McCallum: But that hasn't happened yet, and not all of them will become landed immigrants, so how can you refer to those students and temporary workers as new Canadians?

Mrs. Andrea Lyon: The system or the new program will be in effect very soon.

Hon. John McCallum: But even if there is a new program, they won't be new Canadians until they've applied and been accepted. Is that not true?

Mrs. Andrea Lyon: That's correct.

Hon. John McCallum: So then you can't say there are 400,000-plus new Canadians admitted into the country in a given year.

Mrs. Andrea Lyon: I think what the minister was referring to in her press release was the fact that in the year 2007 there was a record number of people who entered Canada under a variety of different classes. Yes, there was a large increase in temporary foreign workers year over year, reflecting a fairly large economic growth in some—

Hon. John McCallum: I wouldn't disagree that a large number of people entered Canada, but my point is they were not new Canadians. It is inaccurate to say 400,000 new Canadians, is it not?

Mrs. Andrea Lyon: I'm not going to comment on the accuracy or inaccuracy of that.

Hon. John McCallum: Okay. I'll move on.

An hon. member: Who is going to comment on that?

The Chair: I think this question was there. I believe you're talking about a definition. Is a student...? I'm just trying to interpret what I've heard here, and what I heard was that the definition of whether you call a student a Canadian, in Canada or not, was the issue. But go ahead.

Hon. John McCallum: Well, maybe I'll move on to a different subject.

The Chair: Mr. McCallum, you can make that issue in another forum than this one, but carry on.

Mrs. Andrea Lyon: Can I respond to that, Mr. Chairman, in terms of what you said there, in terms of a Canadian? There is of course a separate process, as members know, leading to citizenship. So there are various points on the continuum, beginning from a temporary foreign worker or a student, that can allow people to gain permanent residency, and then thereafter, should they meet application processes, to in fact become a Canadian.

Hon. John McCallum: Right, but I think you would agree that upon point of entry, a foreign student is not a new Canadian.

Mrs. Andrea Lyon: Not on point of entry, no.

Hon. John McCallum: Okay, good, because she said there were 400,000 new Canadians who had entered.

So that solves that one. Let me now go on.

I'll change the subject. The minister spoke a lot about using her new ministerial instruction powers to choose certain classes of immigrants based on their skills. My question is whether these clauses also give the minister the authority to pick which applications do or don't get considered in the family class. For example, could a future minister—not “would”, but “could” a future minister—issue a ministerial instruction to not process grandparent or parent reunification applications?

Mrs. Andrea Lyon: It would not give the minister that authority, insofar as it is inconsistent with the overall objectives of the Immigration and Refugee Protection Act, which, for one, requires the government to ensure that the immigration program supports economic competitiveness and family reunification, and that it also provides protection to those in need. The minister also talked about the potential to use the instruction process as a way to attach priority processing to certain groups, as indeed is our intention with respect to those occupations.

• (1640)

Hon. John McCallum: It would be possible, then, to attach a higher priority to occupations A, B, and C and a low priority to family reunification.

Mrs. Andrea Lyon: No, because she must, and we must, make sure there is a balance across those three objectives of economic competitiveness, family reunification, and protection to those in need. It is not one at the expense of the other.

Hon. John McCallum: Is she bound by certain percentages of family versus economic?

Mrs. Andrea Lyon: No, the statute does not specify certain percentages. But she is required to abide by that objective that's laid out in the Immigration and Refugee Protection Act.

Hon. John McCallum: All right, but that's a general objective. She could claim that she was still pursuing a policy of balance and put a higher priority on economic immigrants to certain trades and, implicitly or explicitly, a lower priority on family reunification. Is that not right?

Mrs. Andrea Lyon: I think it's also useful to point out that at the moment we have established some priority processing for certain family classes. Indeed, the processing of those tends to proceed on a fairly expeditious basis. What we're faced with is a backlog of some 600,000 in the federal skilled worker category, where the processing times, as the minister described, can be up to six years. You can almost look at it as a way of ensuring that the economic side is gaining the same sort of priority that the family class is currently receiving.

That is one way of looking at these amendments.

The Chair: Thank you very much. Your time is gone.

Mr. Wallace, you have five minutes.

Mr. Mike Wallace: Thank you, Mr. Chair.

Thank you for joining us today. I wasn't ready when they came to us before, but I have a few questions for you today.

Are there any changes you would recommend, from a staff perspective, to anything in Bill C-50, since that's what we're actually here to discuss? Are there any minor changes at all that we need to

implement to achieve what we are trying to accomplish? Is what's in the implementation bill satisfactory to the staff's requirements to make that happen?

Mrs. Andrea Lyon: From our perspective, it will provide us with that additional flexibility we require in order to bring the Canadian system up to the level of some of our competitors, those other immigrant-receiving countries such as Australia and New Zealand. We think it will provide (a) the sort of budgetary investments that will be helpful, and (b) correct some of those structural deficiencies that currently exist in the legislation.

Mr. Mike Wallace: Let's guess that this bill actually passes and assume we get it through the House of Commons and the Senate. In terms of implementation, what's the timeframe for making these changes that are required?

Mrs. Andrea Lyon: The minister has talked as well about the instruction process requiring a fairly broad consultation with interested stakeholders. Once the legislation is passed, assuming it is passed, we will then need to engage in that consultative process with those stakeholders. I would include among them the provinces, the territories, business groups, labour groups, and other interested parties who are probably very well placed to give us a sense of those occupations that are a high priority for Canada.

Mr. Mike Wallace: Using this as an example, I met recently with laboratory medical professionals who work basically at hospital labs, carrying out the medical tests that your doctor or nurse orders, and who then give the results to the doctor. About 20% of their staffing comes from immigrants at this point. They have to meet the qualifications, of course, but they are desperate for additional people, and one of the solutions—only one part of the solution—is to maybe attract more laboratory professionals from overseas.

As their MP, what would you recommend I tell them in terms of a timeframe? Are they looking at this time next year, or two years from now? Based on your experience, what do you think is the real timeframe to actually seeing some tangible results for Canada?

Mrs. Andrea Lyon: It's difficult to say in terms of the instruction process. Clearly, our objective is to finalize the instructions as quickly as possible, ideally by early fall, so that we can begin that process.

That's sort of a rough timeframe, but we do still need to map out exactly what the consultation process will look like and what sorts of steps that will involve.

• (1645)

Mr. Mike Wallace: Since I have you here and we're not on the citizenship and immigration committee, I thought I'd ask you another question in your field.

We launched the Foreign Credentials Referral Office. Could you give us an update, a progress report—it hasn't even been quite a year yet since this was launched—on how that's developing and where you see that headed?

Mrs. Andrea Lyon: Sure. The minister in fact just spoke at a conference on the issue last week in Calgary. You're quite right, the program has been in effect just shy of a year. We've now set out 320 points of service across Canada to provide information with respect to labour market conditions in Canada and information in order to connect prospective immigrants with professional associations in Canada that will allow them to become aware of what the rules and procedures are so that they can start the process before they actually come to Canada.

We've also set up a pilot project involving some of our high-volume missions, such as Manila and Delhi, to give advice abroad so that again people can access this information. There's a 1-800 number; there's a call number. We have a website that receives an awful lot of hits that gives that kind of general information as well.

Mr. Mike Wallace: So the process has started?

Mrs. Andrea Lyon: Yes.

Mr. Mike Wallace: Thank you.

The Chair: Thank you very much.

We'll move now to Monsieur Mulcair.

You have five minutes.

[Translation]

Mr. Thomas Mulcair: Thank you, Mr. Chairman.

First of all, I want to say that our colleague, Mr. Paré, the clerk, distributed a document that simply proposes—somewhat along the same lines as what was contained in our motions last week—that the committee meet jointly at the first opportunity with the Standing Committee on Citizenship and Immigration.

I apologize, there was a typo in the French version. The English version is complete. Since this motion deals with today's topic, I do not need to give 48 hours' notice. I am seeking the unanimous consent of our committee to meet jointly with the Standing Committee on Citizenship and Immigration. The two chairs would rotate. In addition, it would be scheduled immediately following the adoption of this motion. That is what I am proposing. We hope to have the cooperation of all colleagues in this matter.

[English]

The Chair: This is business that we can perhaps deal with, but I think we're still in the question and answer period.

Let's ask the questions. If not, we'll have time at the end of the meeting to deal with that.

[Translation]

Mr. Thomas Mulcair: Very well. I will very briefly ask a question of the two witnesses who are here with us today, and I thank them for coming.

Earlier, the minister talked about categories of people. You know as well as I do that the regulation of professions is an area of exclusive provincial jurisdiction. Let's look at the example of a doctor who was trained in the former Soviet Union and who, in all likelihood, meets all of the criteria, except having done an internship in a hospital.

How will this bill change anything for this doctor? Personally, I don't see how it will.

[English]

Mrs. Andrea Lyon: It's quite clear that the issue we were just talking about for foreign credential recognition is going to be an important consideration as we proceed to develop our instructions. It is for that reason that we are going to need to discuss very closely with the provinces what they view as priority occupations.

The issue of foreign credential recognition falls, as you know, under provincial jurisdiction, so we need to work with them to ensure that those priority occupations that we identify...that those people who fall within that category can actually practise medicine or practise law once they come to Canada. So we recognize that this is going to be an important component of our consideration.

[Translation]

Mr. Thomas Mulcair: Thank you for your very complete answer. If I understand correctly, you are saying that not a single penny will go to recognizing foreign diplomas or training. It will therefore be up to the provinces to take on that additional responsibility.

• (1650)

[English]

Mrs. Andrea Lyon: We haven't quite sorted out precisely how we're going to proceed on the consultation process. We have talked to them about the foreign credential recognition issue. We have said that this process is going to need to proceed hand-in-glove. The minister referred to this in her remarks last week in Calgary as well. So once the formal consultative process is fully engaged, I suspect we will want to talk to the provinces about that issue, and vice versa.

The Chair: Ms. Chow.

Ms. Olivia Chow: I see there are ads being put out by your department that don't really tell the whole truth. They say the information will be published, etc., but they don't say that the Charter of Rights wouldn't really impact on cases that are outside Canada. The backlog really doesn't have a lot to do with the student visa work permits. There's no backlog there, so why change the "shall" to "may" and deny them the right to a visa, even if the applicants meet all criteria? What does that have to do with the backlog?

Mrs. Andrea Lyon: Thanks for the question. I think those are two areas where there has been a lot of discussion in particular. I'll start with the charter issue in the first instance.

The charter does apply to everything we do as officials. The charter binds Government of Canada officials in the execution of all government policy, be it in Canada or abroad. That is likewise specified in section 3 of the Immigration and Refugee Protection Act. So we are bound by the charter.

With respect to your second point on the "shall" versus "may" issue, that provision in the bill means that we, the government, are no longer required to process each and every application. It is that requirement—

Ms. Olivia Chow: Does that include student visas and workers' permits?

Mrs. Andrea Lyon: No, that's only on the permanent residency side. It doesn't apply on the temporary side.

Ms. Olivia Chow: But the wording of that change impacts on all visas.

Mrs. Andrea Lyon: It applies just for permanent residents.

The Chair: Your time is gone.

Mr. McKay, you have five minutes.

Hon. John McKay: Thank you, Mr. Chairman.

I learned something interesting today, and that is that Canada has a shortage of lawyers. I can't believe it. I'm having difficulty accepting that, Mr. Chairman.

This is again the issue of an expansion of discretionary powers, where this minister has demonstrated something less than candour with respect to other issues. Can you confirm that the refugee backlog is up from 20,000 to about 60,000? Is that true?

Mrs. Andrea Lyon: I think as we sit here the backlog is around 41,000.

Hon. John McKay: Can you confirm that the outstanding appointments have gone from about 10 to about 60—vacancies on the board?

Mrs. Andrea Lyon: I have to apologize. I don't have the specific number here. I think it is under 60.

Hon. John McKay: Does that sound right?

Mrs. Andrea Lyon: We'd have to confirm that number.

Hon. John McKay: And the board is about 150 people?

Mrs. Andrea Lyon: That's right.

Hon. John McKay: So your staffing complement is about 60% of capacity. Is that fair?

Mrs. Andrea Lyon: I don't have the numbers, so I can't confirm those.

Hon. John McKay: Can you tell me whether the effect of the change with respect to the advisory panel was that instead of the advisory panel essentially making the appointments, effectively the minister now trumps the advisory panel? Is that a fair observation?

•(1655)

Mrs. Andrea Lyon: I don't know that I would necessarily say trump. I think what the process provides for is a final decision by the Governor in Council.

Hon. John McKay: That's essentially the minister.

Mrs. Andrea Lyon: Yes.

Hon. John McKay: So it's trump, by any other word. Before this change of process, the minister was essentially obliged to take the advice of the advisory panel, because it was, if you will, an arm's-length and quasi-judicial appointment. Now we've turned it into, or now the minister has turned it into, a position whereby the minister says these will be the appointments. Is that fair?

Mrs. Andrea Lyon: That's generally the process.

I must apologize, I'm not an expert on the IRB. I thought we were discussing Bill C-50.

Hon. John McKay: Over the course of this minister's watch, we've run up the refugee backlog by something in the order of 100% on your numbers, 200% on other people's numbers. We're down to about 60% complement on the board, and she gets to decide who is on the board and who is not. Is that a fair summary?

Mrs. Andrea Lyon: Sorry. I am looking at some numbers in terms of the backlog inventory. What I can say—and I don't know what the precise situation was in terms of IRB complement at various points in time—is that the numbers have gone from 41,000 in 2003, down to 27,000 in 2004, and then up a bit, so there seems to be an ebb and flow.

Hon. John McKay: Of course there's variation.

Mrs. Andrea Lyon: Exactly.

What I can't say is whether or not there were commensurate decreases in terms of the IRB complement at that time.

Hon. John McKay: The minister said that's because we're getting rushes from third countries, but we have this third-party agreement that a lot of these refugee claimants, particularly from the United States, are turned right around. You don't have that system that existed previously, you're still not adequately staffing the IRB, and you're running up the backlog. Then you put a section into the bill and say, "Trust me. I want to have more discretion. Look what I did with the IRB. Didn't I do a good job?" By any statistical measurement, let alone political measurement, the minister has not done a good job. She has run up the numbers on the backlog and she has reduced the numbers on the board. It makes it very difficult to say, "Trust me. I'll do a better job next time."

Thank you.

Mrs. Andrea Lyon: I guess I can only comment as an official on the facts that are before us, and the facts are that we have a backlog at the moment of 925,000 people—a reality that is greatly constricting our ability to do our work.

Hon. John McKay: To which you are applying \$22 million.

Mrs. Andrea Lyon: The large component of that constitutes the federal skilled worker program. What the government is pursuing is a strategy for resolving or helping to tackle that backlog, the existence of which impedes our ability to deal with the immigration system as a whole, because it is one system that deals with all the different categories.

You talked about the budgetary investments. The minister elaborated on what we intend to do with those moneys, in terms of letter-writing campaigns to confirm the interest of people who are currently in the backlog, in terms of attaching additional resources to some of our high-volume missions, and to undertake some administrative efficiencies.

The Chair: I'm sorry, your time is gone.

It's a good try. I already told you that.

Mr. Laforest, the floor is yours.

[Translation]

Mr. Jean-Yves Laforest: Thank you, Mr. Chairman.

We are seeing something quite new. I would like you to give me your view. Is the introduction of criteria like employability and professional qualifications in the immigration process something completely new?

[English]

Mrs. Andrea Lyon: Do you mean the issue of identifying particular priorities?

[Translation]

Mr. Jean-Yves Laforest: Is prioritizing immigrants based on their professional qualifications something entirely new? Did it exist in part?

[English]

Mrs. Andrea Lyon: It's certainly not new in terms of other jurisdictions. In fact, Canada I think is one of the only major immigrant-receiving countries that currently lacks the ability to go through some sort of occupational filter to ensure we are matching skills with needs in the domestic market. Other countries, such as Australia, New Zealand, and the U.K., have similar sorts of systems that allow them to establish priorities based on labour market needs.

• (1700)

[Translation]

Mr. Jean-Yves Laforest: So it is new in Canada, but not elsewhere. Given the importance of this process and this radical change, you must have been required to produce, within the department, notes and studies and prepare arguments to justify why the minister is asking for amendments to the immigration system and even new powers. You must have examined that.

[English]

Mrs. Andrea Lyon: Actually, if you go to the CIC website, you'll find a good deal of that information up there. Some of the rationale for the amendments, for the budgetary investments, and indeed for the kinds of things the minister was talking about this afternoon form the basis of the analysis we did that appears on our website.

[Translation]

Mr. Jean-Yves Laforest: I am convinced that all proposals from officials to a minister contain arguments in favour of the proposals as well as other arguments outlining the disadvantages and dangers of moving in that direction. The minister then makes a decision based on both sets of arguments.

What disadvantages and dangers did you share with the minister before making a greater commitment to this process?

[English]

Mrs. Andrea Lyon: I'm not going to get into breaching confidence in terms of advice to ministers.

One of the factors we looked at very seriously was the consequence of doing nothing over the next few years. With the prospect of having the backlog grow from its current size, which is already fairly daunting, up to over 1.5 million potential applications, with wait times associated with them of some 10 years, that was a fairly motivating factor in identifying a solution that would help the government begin to tackle the backlog and make the system more competitive with some of the other countries that are currently having more success in terms of newcomers.

[Translation]

Mr. Jean-Yves Laforest: Did you propose other scenarios to the minister and arrive at the same outcome? Would other scenarios or other options have made it possible to achieve similar results?

[English]

Mrs. Andrea Lyon: There are always other options one can examine. As I said, I'm not going to disclose ministerial confidences in this forum. But certainly if you look at some of the academic papers or at what some other countries have done, they may or may not necessarily be portable to the Canadian scene and respond to some of the Canadian demands. We also have a fairly unique system in that the constitutional responsibility for immigration is shared jointly with the provinces. That also weighs in terms of the options we pursue and look at.

The Chair: Thank you very much.

We'll now move to Mr. Dykstra. The floor is yours for five minutes.

Mr. Rick Dykstra: Through you, Chair, I've had a chance to look through Bill C-50 and through all the materials the ministry has provided. I've heard Ms. Chow say it, I've heard members of the Bloc say it, I've heard members of the Liberal Party say it, and I've heard obviously not just Ms. Chow but other members of the NDP Party say that this part of the bill is built on Conservative ideology. I wonder if you could tell me where in this document you as ministry officials put those two words. I can't find them.

Mrs. Andrea Lyon: I can only really speak to what the intent is from an official's perspective. Our primary concern is ensuring that the system operates as efficiently and responsibly as it can. Our view is that the sorts of amendments that have been put forward, most notably the fact that we no longer would be required to process all applications, will give us that agility to make the system more modern and more responsive to deal with labour market pressures, but also ensuring and applying the human capital model that we have over the longer term, the sorts of skill sets that Canada will need in the coming years. So I can only comment on what....

• (1705)

Mr. Rick Dykstra: Sure. Thank you. That is very helpful.

Your position and the advice—and I don't want to get into the advice because I realize it's confidential. But the way you have put this forward, in terms of moving this part of the bill, has been to do... I guess more than what Mr. McKay is suggesting, which is that we do nothing. These changes, these amendments, from your perspective, from a ministry perspective, are to improve the way we deal with the issue of immigration.

Mrs. Andrea Lyon: That's correct. We're operating as well within a framework that you're familiar with, in terms of the overall levels we need to attain each year, and that is set out in the annual plan. So everything we do in terms of the exercise of these instructions must be seen in the context of those overall levels. That ultimately is going to be what guides us as we pursue this, and we think these amendments will allow us to respond much more flexibly than we're able to today.

Mr. Rick Dykstra: The third and final question I have is with respect to the comments being made that somehow this gives the minister some *carte blanche* ability to be the self-professed “chooser” of who comes into this country and who does not. Can you clarify that this has been stated by the opposition parties and also by some members of interest groups that have moved in on this in terms of debate? It has been healthy debate, there is no question about it. Can you explain how that is or is not the case with respect to the amendments in this legislation, that it does not or perhaps does...? Let us know whether it does or does not give the minister sweeping powers to let anyone into the country that she wishes.

Mrs. Andrea Lyon: It does not give the minister that sort of unfettered discretion at all.

It is framed by a number of important realities, which I will just go through very quickly, if I may. One of them is the annual levels exercise, so whatever we do on the instructions must be consistent with the overall levels the Government of Canada will have determined, and those are published every year and tabled in the House of Commons. It also must be consistent with those objectives in the Immigration and Refugee Protection Act that I talked about earlier, so economic competitiveness, family reunification, and providing protection to those in need. Very importantly, it must be consistent with the Canadian Charter of Rights and Freedoms. Everything we do must be consistent with the Charter of Rights and Freedoms, and that explicitly prohibits any form of discrimination.

The instructions will be the subject of consultations with provinces, with territories, with industry groups, with labour groups, and other stakeholders to make sure we have it right when we go through that process of identifying what sorts of priorities we want to accord among certain occupational groups.

Finally, on the transparency side, the minister has committed to having the document go through cabinet (a) to have it published in the *Canada Gazette* and (b) to have it published on the CIC website and included in the annual levels document.

The point the minister made in her remarks is also worth underscoring, and that is about an allegation that the minister would be able to override a decision of a visa officer. That is incorrect. Once the decision is taken with respect to a priority, it is the visa officer who must go through the process and examine it, to determine whether or not the point systems have been made...and all those other standard processes involved.

The Chair: Thank you very much.

We'll now move to Ms. Hall Findlay.

Some hon. members: Hear, hear!

Ms. Martha Hall Findlay (Willowdale, Lib.): Thanks, guys.

The Chair: She's almost official. Go ahead.

Mr. Massimo Pacetti: Can we say the chairman is biased?

Ms. Martha Hall Findlay: Just hush, okay? I'm about to ask my question.

Ms. Lyon, my understanding is that with these changed rules, if you are applying on humanitarian and compassionate grounds but are living abroad, you will no longer be eligible to apply to come to

Canada. In the words of one department official, this is a tool to protect the integrity of the system. Is that your understanding?

•(1710)

Mrs. Andrea Lyon: It is not. That particular clause you are citing is not a blanket prohibition.

When considering that particular amendment and H and Cs, humanitarian and compassionate applications, we did distinguish between those made in Canada and those abroad. The reason the legislation expressly prohibits the instructions applying to those in Canada is that some unique circumstances may arise with respect to those people who are affected by it—they are established here, they have children here, occupations, etc.

Ms. Martha Hall Findlay: Yes, but the concern is the prohibition on the ones outside the country.

Mrs. Andrea Lyon: It's not a prohibition. What the legislation does is give visa officers the discretion to deny this in circumstances, so it's not an outright prohibition. But it could apply in those circumstances where it might otherwise be used as a way to circumvent the priority occupations list.

For example, if somebody applies as profession X, and profession X is not on the priorities list, and then they subsequently seek H and C application status abroad, the officer would have that discretion.

Ms. Martha Hall Findlay: But is there any requirement that the discretion that is allowed would in fact be used on that basis as opposed to being used for any other reasons? I ask that because the language of its being a tool to protect the integrity of the system raises eyebrows here, and I think it raises a significant number of eyebrows elsewhere in the country, and I would suggest for good reason.

Again, there is concern about discretion. Is it your understanding that the discretion would have to be used in a case such as you just described, where somebody has applied only after not being accepted under another basis?

Mrs. Andrea Lyon: Certainly, the intention of that particular provision is not to deny H and C access to those deserving of H and C. Those people deserving of it will continue to have their applications heard in the normal manner and normal fashion.

Ms. Martha Hall Findlay: But it's not clear that this is the intention. Is there anything in the provisions that actually clarifies that rather than just a blanket discretion to somehow protect the integrity, there are actually parameters or details in the provisions to specify that the intention—if I turn it around—is in fact to continue to accept people who are applying from abroad on legitimately humanitarian and compassionate grounds?

Mrs. Andrea Lyon: I can't comment on the specific legal drafting. I can say, certainly, that the advice from our counsel was that this was an appropriate way to draft the language so as to accord the discretion to the visa officer and so as not to impose an outright prohibition.

Ms. Martha Hall Findlay: Again, my point is that the concern we have is exactly with the discretion, without anything else to suggest that the discretion be used in a way that would still allow people to apply who really do need to apply on humanitarian and compassionate grounds. Our concern is that this can be used, with open discretion, to deny people that some bureaucrat or political person might feel was arguably cheating the system, and that discretion might be used inappropriately.

Mrs. Andrea Lyon: What we have, in the context of the amendment, is the overall parameters, in terms of the authorities that can be exercised. The instructions, once they're issued, are going to elaborate on a number of things. One will be those priority occupations—the numbers permitted, the disposition of various applications, issues such as H and C applications—so that people abroad will have a clear sense as to what the rules of the game are going to be.

The Chair: Thank you very much.

Monsieur Gaudet, you have a couple of questions.

[Translation]

Mr. Roger Gaudet (Montcalm, BQ): Thank you, Mr. Chair.

You say that 900,000 people are waiting to enter the country. I don't understand why you would have waited for 900,000 people to begin lining up before amending the legislation.

Is it because there are not enough officials working at the department? I do not understand. Is this a bureaucracy problem? If 900,000 people are waiting, then there is a problem. I have been a mayor. The municipality was not very large, but I do know that problems have to be resolved when they occur. Why wait until there are 900,000 people lining up? Is this a problem of bureaucracy? Can you answer this question?

To my mind, this makes no sense. Was our legislation poorly drafted? Do you believe that the bill we are considering will accelerate things? Do you think there will a shorter waiting list?

If the problem is one of bureaucracy... Where I come from, people say that public servants are "pencil pushers". I'm beginning to believe them.

Of the 900,000 people waiting to enter Canada, 600,000, 700,000, or 800,000 are probably undesirables. Why are those people still on your list?

I simply would like an answer.

• (1715)

[English]

Mrs. Andrea Lyon: While I certainly agree with you that the 925,000 is a problem, I don't know that I would necessarily agree with your depiction of officials' work on it. But it is an issue that we need to address, because as I mentioned earlier, and I think as the minister pointed out, it is having a serious impact in terms of the efficiency and the effectiveness of the overall system.

One of the primary problems with the system as it exists right now is the obligation to process all applications. Canada is a very attractive and popular place, and every year we receive far more applicants than we can reasonably absorb—by absorb, I mean

having the capacity to ensure appropriate integration—so we're obliged to establish certain targets in terms of the number of people we accept each year.

I agree with you that the problem has been long-standing and that it's growing. But from an official's perspective, we believe that the investments and the amendments that have been proposed in Bill C-50 will help us grapple with the problem and gradually bring down the backlog so as to ensure that we're as competitive as some of our other immigrant-receiving counterparts.

The Chair: Thank you very much.

We want to leave time....

You have one more question, Mr. Pacetti?

Okay, keep it very, very tight. Go ahead.

Mr. Massimo Pacetti: It's a finance-related question.

I used to sit on the immigration committee, and one of my favourite questions was how much it costs to bring in an immigrant, on a yearly basis. I know it's a complicated calculation, but we can never get an answer. We're still not clear whether the goal is to bring in fewer people or more people, so I'm not even sure if... Last year the government didn't respect its commitment. I believe they wanted to bring in between 240,000 and 260,000 people, and only 220,000 were brought in.

With the amount of money that is now being allocated, do you want to be bringing in more immigrants or less?

The Chair: Could we have a quick answer on that, and then we'll move on.

Mr. Massimo Pacetti: And with that, how much money would it cost? Is it \$72 million, \$700 million, \$22 million, or \$109 million?

Mrs. Andrea Lyon: I don't have statistics with respect to a per-immigrant cost. I can address the issue with respect to our objective. Our objective is as framed in those levels exercises, and that is to maximize the number.

The minister talked about the acute demographic challenges we're facing as a nation. We're not unique in that respect, but we do have an aging population, we do have certain labour force demands—

Mr. Massimo Pacetti: But to bring in the goal of 250,000—

Mrs. Andrea Lyon: —and we do have an obligation to ensure that by 2012 we have enough numbers to respond to the labour force, because immigrants will be the sole source of our labour force growth.

Mr. Massimo Pacetti: It's a question, and I'm not getting....

What is the cost of bringing in 250,000 immigrants?

The Chair: That's it.

Thank you very much to the department for coming forward. I appreciate your being here and the time that was spent. We'll dismiss that part of the meeting.

We will now ask Mr. Mulcair to put forward his motion, please.

[Translation]

Mr. Thomas Mulcair: I'd like to speak to our guests, Mr. Chair. The motion can wait. I prefer to benefit from the presence of departmental officials and ask a question.

• (1720)

[English]

The Chair: You'd prefer not to put your motion forward today?

[Translation]

Mr. Thomas Mulcair: That's right, it can wait another day. I will ask a question to the departmental officials who are here with us today.

[English]

The Chair: Okay.

Just before we do that, we will allow Mr. Pacetti to continue, because we do have a few more minutes.

Go ahead, if you would like to continue.

Mr. Massimo Pacetti: The question is very simple. To meet the goal, let's say, of 250,000 immigrants, what is it going to cost?

Mrs. Andrea Lyon: I'm sorry, I just don't have that number.

Mr. Massimo Pacetti: How can you not have it? Somebody has to have it. If the Department of Finance, the Department of Immigration, the Minister of Finance, and the Minister of Immigration don't have it, who is supposed to have it?

Mrs. Andrea Lyon: Well, I can tell you some of the factors involved in this. We have 90 missions across the globe dealing with these sorts of issues. We have about 1,500 officers. Processing times are going to vary from mission to mission. There are costs associated with processing times. There are going to be complexities associated with processing individual applicants—

Mr. Massimo Pacetti: I don't mean to interrupt, but our time is limited.

Mrs. Andrea Lyon: —because some people may have security concerns that cause further investigations.

Mr. Massimo Pacetti: I understand all that. I come from a—

Mrs. Andrea Lyon: So there is certainly a range of factors that one would have to take into account.

I regret I don't have more specific numbers for you.

Mr. Massimo Pacetti: I understand all this. It's not the first time we are bringing in immigrants, but if we're going to change the way we do things, it's going to require money.

How much money is it going to require to actually bring in the 250,000 immigrants? You don't have to give it to me to the dollar, but round it to the nearest billion, if you like. At least you should be able to come within a couple of billion bucks.

If you don't want to commit to it, you can get back to us.

Mrs. Andrea Lyon: The levels exercise that we have, and have had, has been founded on a number of factors. One would be the overall departmental budget, which I think is \$1.4 billion, or something in that ballpark. That is one of the myriad factors that allows us to establish what those levels are.

Provinces have concerns. They have certain financial obligations in terms of supporting—

Mr. Massimo Pacetti: Do we need to increase the \$1.4 billion?

The Chair: Your time is gone.

Mr. Del Mastro, you'll be the last questioner. Then I have an announcement to make to the committee, and then we'll call it.

Mr. Dean Del Mastro: Thank you, Mr. Chair.

Madam Lyon, I have a couple of questions.

I'm assuming that departmental budgets are based somewhat on past experience as well as on current need. Would I be correct in assuming that?

I suppose those questions you just dealt with on budgeting and how much money is needed were fairly open-ended. I'm sure we look at past experience as well as departmental need for things like equipment, personnel, and so forth. Is that how the budgets are established?

Mrs. Andrea Lyon: We do indeed. Just to give you an example, posting people abroad is a fairly expensive undertaking. As I mentioned, we have some 1,500 people abroad, including Canada-based and locally engaged staff. It is, indeed, a fairly expensive undertaking.

Mr. Dean Del Mastro: Thank you.

Could you elaborate on how the proposed changes will ensure that there's no discrimination based on race, ethnicity, place of origin, and so forth?

Mrs. Andrea Lyon: As I mentioned in response to one of the other questions, one of the important considerations that we will need to take into account as we develop the instructions is our range of obligations and commitments internationally and domestically.

Domestically, we have the Immigration and Refugee Protection Act, the objectives in it that require us to ensure an appropriate balance among the various programs. We also have our obligations under the Charter of Rights and Freedoms that ensure that we apply the law and exercise all our authority in full conformity with those rights and obligations, which explicitly prohibit any form of discrimination.

Mr. Dean Del Mastro: Thank you.

I think all of us as members of Parliament can speak to our experience with this issue. I know Mr. Menzies spoke of an issue that he's dealt with for some time. I have experience in my office. I'm not that far from Toronto, and I have applicants bringing files to my office that are also being worked on in other MPs' offices. I know there are incidents of people reapplying. There are various methods of trying to end-run around the system. It's because the system is grinding to a halt. It's because it's taking so long. So I support these amendments that are aimed at speeding up the system.

Can you elaborate on how the applications of those people who have applied, the current applications, will be dealt with, how the old system will be transformed, and how those people can rest assured that their place in the queue won't be simply forgotten?

• (1725)

Mrs. Andrea Lyon: The amendments contain some transition provisions that deal with applicants both pre- and post-February 27. For those who are in the backlog, that is the pre-February 27 backlog, the minister's obligation and undertaking is to bring that number down as quickly as possible, because it is that enormous amount that is constricting the overall system.

By way of the budgetary amounts that were accorded to the department, we'll undertake a number of activities in terms of letter-writing campaigns to confirm people's interest in some of the administrative efficiency measures that the minister talked about—for example, centralized processing and coding applications so that we can then refer to the provinces' occupational groups that may match provincial demands.

There is the resource issue in terms of buttressing resources in some of our higher-volume missions, such as Manila and Delhi, to make sure they have some of the tools to chew through the backlog as quickly as they can.

Mr. Dean Del Mastro: Can you please confirm for me whether the current system forces immigration officials to process applications for people who have either already immigrated to other nations or who have in fact died since they've put their application in? Do they remain in the queue and still need to be processed?

Mrs. Andrea Lyon: We're obliged to process all applications.

Mr. Dean Del Mastro: Thank you.

The Chair: Thank you.

Monsieur Mulcair has insisted on a couple of quick questions, so I'll allow him the last couple of minutes.

[*Translation*]

Mr. Thomas Mulcair: It is not so much that I had insisted to such an extent; it is what you had proposed, Mr. Chair.

Ms. Lyon, earlier you talked about ethnic and national origins. Do you collect statistics on the ethnic and national origin of the 925,000 people who are waiting?

[*English*]

Mrs. Andrea Lyon: I don't, and I don't recall referring to ethnic or national origin. I was referring to the resources at certain of our missions.

[*Translation*]

Mr. Thomas Mulcair: In a previous answer, you raised the matter of the ethnic and national origins of people. You were telling us that the department responsible for these 925,000 people does not possess any statistical data on the ethnic or national origin of those applying to immigrate to Canada.

Is that what you're testifying before this committee this afternoon?

[*English*]

Mrs. Andrea Lyon: We have national and regional information, but we do not have ethnic breakdowns.

[*Translation*]

Mr. Thomas Mulcair: Earlier, you referred to ethnic and national origins as regards the Charter of Rights and Freedoms, saying that the matter goes against the charter.

Therefore, the best way to make sure that the department is not ill-intentioned would be to publish this information. Is the information you hold on ethnic, regional or national origins public? If so, where could we access it?

[*English*]

Mrs. Andrea Lyon: We can certainly get you that information. Some of it is available on our website. Some is available in the levels plan. We can certainly provide the committee with that.

[*Translation*]

Mr. Thomas Mulcair: For the public, therefore, it would be easy to monitor the progression of this backlog, this log-jam, if you will. One could monitor the processing of these 925,000 cases to make sure that there is no discrimination based on ethnic, national, regional, or religious origin. That would be possible, I assume.

[*English*]

Mrs. Andrea Lyon: We have the distinction, I think, of being one of the most highly litigated departments in the government, so I think if there were to be any suggestion, then there would certainly be challenges brought to bear.

[*Translation*]

Mr. Thomas Mulcair: That was not my question. I simply wanted to make sure that we would be in a position to monitor things. It's one thing to be able to pursue litigation, but another to obtain proof. Therefore, we are starting with 925,000 people. You have documentation, statistics categorized along lines of national and regional origin. We are therefore able to monitor this. As the department implements the minister's solutions, we will be able to judge whether or not they were the right ones. She said that it was not her intention. But we will be in a position to measure what truly goes on in reality. That is what you are telling me.

• (1730)

[*English*]

The Chair: That will be the last question.

Go ahead and answer.

Mrs. Andrea Lyon: Thank you.

You can certainly see the statistics as to whether or not that is going to imply that there has been any sort of charter breach. That would be an argument that a lawyer would need to construct. But I must repeat that it's certainly our obligation, and one that we take very seriously, to ensure that we exercise our responsibilities in full conformity with the Charter of Rights and Freedoms.

The Chair: Thank you very much.

Now just before we adjourn, I want to inform the committee that the finance committee of the great nation of Ghana has asked to meet with our finance committee on Tuesday, May 6, at eleven o'clock. That information will get to your office via the clerk tomorrow, but I just want to give you that information. That's here, not in Ghana, unfortunately, but nonetheless, with that, I want to call this meeting —

Hon. Garth Turner: Mr. Chairman, before the break I put a motion in. We haven't dealt with it yet. I would like it dealt with.

The Chair: The time has gone, and we can deal with it at the next meeting, unless there is unanimous consent to extend the hours. There is not.

The meeting is adjourned.

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