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Chair

Mr. Robert Oliphant

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• (1200)

[Translation]

The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): Welcome, everyone.

[English]

I'm going to call to order the 20th meeting of the Standing Committee on Public Safety and National Security.

Welcome, Mr. Garrison, as you are joining us today for the first time in this Parliament. I hope you do well.

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Thank you.

The Chair: Also, I'm welcoming our minister, Mr. Goodale.

Before I do that, I wanted to inform the committee of a motion that was adopted in the House on Monday, May 30:

That, pursuant to Standing Order 81(4)(b), consideration by the Standing Committee on Public Safety and National Security of all Votes related to Public Safety in the Main Estimates for the fiscal year ending March 31, 2017, be extended beyond May 31, 2016.

I believe that was extended to June 16.

As a result of that motion, we have until June 13 to report back on the main estimates. However, taking into consideration the minister's availability, as well as our committee schedule that's been established, we think it would be difficult to have another time to review both the supplementary estimates (A) and the main estimates. As a result, I let both opposition parties and the government side know yesterday that we would be considering today both the main estimates and supplementary estimates (A).

I wanted to get that into the record of why we're doing it. It's a little unusual, but we're following what the Conservative motion said in the House. As a result, the minister will deal with both of them.

Mr. Goodale, welcome. I'm pleased that you're able to be here. Thank you for joining our committee and bringing your officials with you, whom you'll be introducing. I also want to welcome from the Security Intelligence Review Committee, Michael Doucet, the executive director, and Stéphanie Dion, the senior manager of corporate services.

Minister.

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness): Mr. Chair, and members of the committee, thank you very much.

As you have explained, Mr. Chair, we're doing double duty today with respect to supplementary estimates (A) and the main estimates. I hope we can do them justice in the time that's available.

In addition to the two people from the review committee whom you just introduced, let me introduce the other officials who are around the table: Paul MacKinnon, the assistant deputy minister for portfolio affairs and communications branch in the Department of Public Safety; and from the RCMP, Dennis Watters, the chief financial administration officer; the president of the Canada Border Services Agency, Linda Lizotte-MacPherson; Jeff Yaworski, the acting director of CSIS; Harvey Cenaiko, the chairperson of the Parole Board of Canada; and from Correctional Services Canada, Liette Dumas-Sluyter, the assistant commissioner, Corporate Services, and CFO.

[Translation]

I am always pleased to have an opportunity to discuss the work performed by the department and the agencies entrusted with protecting our public safety and national security all over Canada, both on the front lines and behind the scenes.

[English]

Before we get into the precise detail of the estimates, Mr. Chair, I would just like to take this opportunity before this committee to talk about some of the public policy work that has been mainly preoccupying me and my officials over the course of the last little while. The financial implications of these things appear in the various estimates, but I think maybe it's more informative to address the topics by subject matter rather than the specific column in the estimates.

The first thing I want to touch upon is the significant progress we've been making with the United States on issues that affect our shared border. There's nothing economically probably more important to Canada than the well-being of that long, lucrative, undefended border between Canada and the United States. As I've said on many occasions, there are about 400,000 people who move back and forth across that border every day. There is \$2.5 billion worth of trade that moves back and forth across that border every day. It's obviously important that it work well.

It was a topic that was clearly addressed when the Prime Minister was in Washington for the state visit with President Obama.

Let me talk for a moment about pre-clearance. This is an initiative that represents a longstanding area of mutual co-operation between our two countries. Pre-clearance strengthens our economic competitiveness by expediting the flow of legitimate travel and trade while ensuring that the perimeter security and border integrity are in place.

During the March visit, our countries reinforced our intention to support the necessary legislation to put our pre-clearance arrangements on a stronger footing. In the United States, the necessary legislative provisions have been introduced in Congress, and as I have indicated publicly before, the Government of Canada intends to introduce the necessary legislation in the House of Commons before we adjourn for the summer.

More importantly, given the many benefits of pre-clearance, Canada and the U.S. have agreed in principle to expand pre-clearance to four new Canadian sites: Billy Bishop airport in Toronto; Jean Lesage airport in Quebec City; the Montreal train to New York; and the Rocky Mountaineer train in British Columbia.

• (1205)

This is a significant opportunity to open new markets and drive economic growth, and we are working with our American partners to implement the agreement and, more importantly, to expand that business relationship. It can well go beyond the four specific sites I just mentioned.

The second thing we dealt with in the Washington visit was an announcement that our two countries will also fully implement a system to exchange basic biographic entry and exit information at the land border. By basic biographic information we're referring to the information that essentially can be found on page 2 of your passport, such as your name and date of birth, as well as the date, time, and location of departure. Essentially, when you're dealing with the land border, one country's entry information will be the other country's exit information, and vice versa.

The collection of exit information would allow the Government of Canada to identify the departure of individuals who may be involved, for example, in Amber Alerts about missing children. At the moment, we don't have that capacity. We will, with this new arrangement. It will provide us with a better ability to identify those who may be travelling for the purposes of terrorism or other serious crimes, ensure that residency requirements for immigration and citizenship applications have been met, and help us collect duties and taxes at the border.

I want to emphasize that the Government of Canada takes its obligation to protect the privacy of Canadians very seriously. To that end, I would note that the Canada Border Services Agency has been actively engaged with the Office of the Privacy Commissioner to identify and mitigate any potential privacy concerns with respect to this entry/exit initiative.

Finally, our two countries have agreed to establish a working group on issues related to Canadian and U.S. travellers who experience difficulties with aviation security lists. This includes Canada's Secure Air Travel Act and the United States' secure flight lists. Further to that commitment, on May 10, I announced that we would be forming a Canada-U.S. redress working group, which is now in place. That bilateral working group provides a means for

government officials on both sides to communicate more effectively and to reduce incidents of false positives and thus minimize negative impacts on the travelling public.

I am wholly committed to addressing issues experienced by Canadian travellers regarding aviation security lists while at the same time ensuring that our passenger protect program remains a strong and effective security tool for Canada. My department is also working with Transport Canada to develop the regulatory arrangements that will be necessary to the secure air travel regulations. These changes will bring flight manifest screening against the SATA list under government control, which will improve efficiency and address key security and privacy concerns. I know this has been an aggravation to many in the travelling public, particularly including those with young children, and we are determined to make the changes that are necessary to get this job done.

Mr. Chair, let me turn now to the topic of national security and the issue of accountability as it relates to that very important topic. As outlined in my mandate letter, I'm working very closely with the leader of the government in the House of Commons to establish a national security committee of parliamentarians with access to classified information. This new committee will be mandated to review all government departments and agencies with national security responsibilities. Its goal will be to ensure that our national security architecture is working effectively to keep Canadians safe, and at the same time to ensure that it is safeguarding Canadian values, rights, and freedoms. In terms of timelines, we intend to introduce the necessary legislation to establish this new committee—as promised during the course of the election last year—before the summer recess.

• (1210)

One other topic, Mr. Chair, that I would like to deal with briefly is Fort McMurray. I want to touch on the massive disaster that we have witnessed there over the course of the last month or so. I know we all celebrate the fact that at least some in that community are now able to move back home and undertake the very large task of trying to rebuild their lives.

The Government of Canada continues to support the people of Fort McMurray in the wake of the devastating wildfires. Every agency and department of the Government of Canada has been thoroughly engaged to make sure that all Canadians stand together, and that is certainly true of the department that I represent and the portfolio of agencies associated with it. The government operations centre, part of Public Safety Canada, has been leading the response coordination on behalf of the federal government. Using the federal emergency response plan, the government operations centre brings together provinces, territories, and key federal departments and agencies to assess the risk that fire poses—the risk not only to Canadians, but also to infrastructure and the economy—and to develop and implement the appropriate response plans.

We were able to respond quickly and, I'm happy to say, completely to every request that was made to us by the Province of Alberta and by the professional emergency management team on the ground at Fort McMurray.

As committee members know, to manage the recovery process going forward—beyond the necessities of immediate response, as we are now in the recovery phase—an ad hoc committee of the cabinet of the Government of Canada has been struck to coordinate federal efforts for the thousands who have been affected. I would also note, of course, the efforts of the local RCMP throughout this entire experience, since the very end of April when the fires began until the present time when people are beginning to move back into the community.

Deputy Commissioner Marianne Ryan, who heads up the division for the entire province of Alberta, and her team throughout Alberta, have been absolutely extraordinary in dealing what needed to be dealt with in that very difficult emergency situation. Now they continue to play a key role in support of the recovery efforts, managing access to affected areas, supporting the restoration of critical services and infrastructure, and the return of residents to the community.

I can assure all members of this committee that the Government of Canada is in this effort for the long haul. Sadly, the recovery will not be quick, simple, or easy. We all have to be there with patient, consistent, and long-lasting support, because that's just what Canadians do in emergency situations like this. We have each other's back and that is certainly the case in respect of Fort McMurray.

As a final note, congratulations to the Red Cross, which has worked extraordinarily well to provide services to raise funds and to contribute to the solutions that people in Fort McMurray have so desperately needed.

Thank you, Mr. Chair. I'd be glad to respond to questions.

• (1215)

The Chair: Thank you, Minister.

Just before I turn to the members of the committee, I want to make sure that you know that our committee passed a motion thanking you for your efforts in the Fort McMurray situation, as well as the department. Sometimes those motions get passed on; sometimes they don't, so I wanted you to know that we had done that a few weeks ago.

Hon. Ralph Goodale: Thank you, Mr. Chair, and I extend those congratulations into every corner of the House of Commons. Members of Parliament on all sides have stood in absolute solidarity on this issue in support of Fort McMurray.

The Chair: We begin the seven-minute rounds.

We're going to begin with Ms. Damoff, who will be splitting her seven minutes with Mr. Di Iorio.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Minister, for being here, and all of your officials, and for the fine work that you're doing.

We all know that to keep Canada safe and secure, we need to ensure that the men and women who are working as first responders—and I include our corrections officers in that—need to be at the top of their game both physically and mentally. Given that it's PTSD awareness month and that I know your mandate letter includes working on this issue, and that we on this committee have been

studying operational stress injuries and PTSD, could you briefly speak to what your department is doing for the mental wellness of our men and women who are working.

Hon. Ralph Goodale: First responders are extraordinary people, and in this portfolio I have a unique set of opportunities to watch them in action. They are truly remarkable. We call upon them to keep all the rest of us safe, whether they are police officers, firefighters, paramedics, or all of those others who are prepared to put themselves in harm's way to do their jobs and work for the safety and security of Canadians.

Those extraordinary people deserve to know that when they run into difficulty, their country has their back. That's why, in our platform last year and in my mandate letter, the Prime Minister laid out a series of things that need to be done to bolster the nation's support for first responders.

I won't go into the detail now, but one of those is the establishment of a public safety officer compensation benefit. When a first responder is, sadly, killed or seriously injured in the line of duty, this would be a benefit that would provide to his or her family an immediate measure of support.

You've referred to another dimension of what the Prime Minister has asked us to do, and that is the creation of a coherent, comprehensive national strategy to deal with post-traumatic stress disorder or OSI, operational stress injuries, among first responders. We have held a series of consultations about what needs to go into that kind of a strategy, drawing on a great many sources of opinion and advice, but most especially first responders themselves on to how they see a national strategy and what needs to be in it.

The work this committee did a few weeks ago in studying the question will be very helpful in the development of that strategy.

What we need to do is to ensure that we have the proper research available and ongoing to fully understand PTSD and OSI in all of its dimensions and implications. We need to assure—

Ms. Pam Damoff: Minister, I'm going to have to cut you short, or Mr. Di Iorio won't get any time. I do know the importance you put on it, and I apologize for interrupting you.

Hon. Ralph Goodale: It's a very important topic.

[*Translation*]

Mr. Nicola Di Iorio (Saint-Léonard—Saint-Michel, Lib.): Good afternoon, Mr. Minister. A special welcome to you on Italy's Republic Day holiday. That makes us even more pleased to bid you a warm welcome.

Mr. Minister, I would like to talk to you about the preclearance agreement. On what date can people leaving from Jean Lesage International Airport in Quebec City expect the agreement to be in effect?

• (1220)

[English]

Hon. Ralph Goodale: What we agreed to in Washington was a business plan in conjunction with the United States. Understand here that what's required is that we need to persuade the Americans that it is good public policy and it is a good, efficient economic arrangement for them to come into our country and establish customs and immigration facilities on the Canadian side of the border so that people can quickly and efficiently go through that process before they actually cross the border. That's the whole nature of pre-clearance. The challenge here is for us to explain to them and to convince them from a business point of view that this is a good thing to do.

We know from the experience with pre-clearance already that it really is terrific from the perspective of the Canadian traveller. It just smooths the process so extraordinarily. The business negotiation needs to go on between the people who run Jean Lesage airport and the U.S. border agency to work out the fine details of how this can be established. What we did in Washington was to open the door for that negotiation to happen.

[Translation]

Mr. Nicola Di Iorio: Thank you.

Now I would like to deal with the matter of collecting information at departure.

Mr. Minister, I have learned that this information has not been collected for long and I confess that I am happy about that. But it raises a concern. We live in a country that enjoys freedom of movement, and when it appears that this kind of information is being collected by a government agency, concerns about privacy immediately arise.

I have seen the general statements in the document, but could you tell me about the concrete measures that will be taken to protect people's privacy?

[English]

The Chair: Answer briefly if you don't mind, Minister.

Hon. Ralph Goodale: I have two things to say in response. The information that's involved here is the basic information on page 2 of your passport. In other words, it's not intrusive information. It is what people call "tombstone" details of identification, as well as the date of crossing. It's not information that you wouldn't present to the American authorities when crossing the border—nothing beyond what they require when you enter their country, or vice versa.

Secondly, we have gone through the details of the process with the Office of the Privacy Commissioner. We sought the advice of the Privacy Commissioner every step of the way in structuring the arrangement. We wanted to ensure that we could respond to their advice and their questions and satisfy the Privacy Commissioner that this was being handled in a way that was respectful of the privacy of Canadians.

The Chair: Mr. Miller.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): I wanted to comment on Fort McMurray and certainly to support the government in doing whatever we can to help those people up

there. On behalf of the official opposition, we want to pass on that support. I think you're in agreement that all parliamentarians are in support of the people there at this tough time.

Hon. Ralph Goodale: Yes, and Ms. Ambrose was very helpful through this whole process.

Mr. Larry Miller: I'm glad to hear that.

Minister, you didn't really answer the question about what specifically was being done to make sure that information doesn't get out. We realize that one's name and address may be simple information, but I'd like to know exactly the process that is being used.

Hon. Ralph Goodale: Let me ask the president of the CBSA to comment.

Ms. Linda Lizotte-MacPherson (President, Canada Border Services Agency): Thank you, Minister.

There are a number of things we're doing to ensure that privacy is protected. First of all, MOUs are in place with the U.S. As the minister said, there is no derogatory information that will be exchanged; it's simply basic tombstone information. As well, the IT systems have a very tight security infrastructure built into them. We have been consulting and will continue to consult with the Office of the Privacy Commissioner. For example, in regard to some earlier pilot phases with did with foreign nationals, he had recommended that we put up some signage up. As we get feedback or any recommendations from the Privacy Commissioner, we certainly take those into consideration. Of course, we're all required to complete a comprehensive privacy impact assessment, to be shared with the Privacy Commissioner. That will be his opportunity to provide us with some feedback. That will happen once the legislation is in effect.

• (1225)

Mr. Larry Miller: Can you tell me off the top of your head if you know what the cost is? There's a cost to everything that we do. Do you know the number off hand?

Ms. Linda Lizotte-MacPherson: I don't know the number specifically.

Mr. Larry Miller: I would be interested in getting that if we could.

Ms. Linda Lizotte-MacPherson: We can certainly provide that for you.

Mr. Larry Miller: Just to move on—

Hon. Ralph Goodale: Mr. Miller, I'd like to point out that we've tried to keep this as simple and efficient as possible. Rather than establishing a whole new apparatus for collecting exit information, we simply have this exchange at the border. When you enter the United States, they scan your passport and that's all the information we need. That passport information is then transmitted back to Canada. That's it. That's the transaction. The entry is the flip side of the coin for the exit. This way, you don't have to go through a whole new process of information collection.

Mr. Larry Miller: Okay, I have it. Thank you. I'm going to run out of time.

Regarding refugees and the extra security, getting them here, and what have you, I have two or three questions. One is about the cost of hotels, and probably the security related to that, and the cost of getting them there.

Also, I have a training centre in Meaford, in my riding. A lot of our military bases were ordered by someone in the government to build facilities that cost them millions of dollars, which then basically were not used. Who picks up that cost? Does that come out of the military budget or your budget?

Hon. Ralph Goodale: There was an allotment provided by the government for the incremental cost of conducting the refugee project. I'm happy to say that to the best of my knowledge, we came in well within the budget allocation. I did not take anything away from the other activities of any of the departments.

Mr. Larry Miller: Okay. Can I be assured that there was no extra cost out of the military's budget? Is that true?

Hon. Ralph Goodale: Ms. MacPherson is just giving me some detail here.

Mr. Larry Miller: Is it yes or no, Ms. MacPherson? Can you answer?

Ms. Linda Lizotte-MacPherson: Minister, if I may, the Government of Canada committed \$678 million over six years starting in 2015-16. That was to re-settle the 25,000 Syrian—

Mr. Larry Miller: Did any of it come out of the military's budget?

Ms. Linda Lizotte-MacPherson: To my knowledge, this was new funding that the government put in place for all departments. For example, in the case of CBSA we received \$23.9 million over six years. That was for the 25,000. Then there was additional funding also put in place for all of us for the additional 10,000—

Mr. Larry Miller: I don't want to run out of time, but I'd like information, Mr. Chairman, if they can get it to me, that basically shows that the military or any other department didn't pay for this. I'd like to have those figures.

I'd like to move—

Hon. Ralph Goodale: Mr. Miller, there will be a full accounting of the entire cost of the refugee project involving the various departments that were engaged in that so that Canadians can know the complete financial story.

Mr. Larry Miller: Sure.

The reason I'm pursuing this is that the military has already been gutted enough in the last six months. I just want to make sure they're not cut any more.

I'd like to move into—

Hon. Ralph Goodale: We could argue that, Mr. Miller, but not today.

Mr. Larry Miller: Yes.

Pre-clearance is a good thing, and I'm glad to see you carrying on what the previous government started on this.

Do you have any kind of overall cost estimate for pre-clearance of Canadians? I know it's an investment. Does anybody have that figure?

• (1230)

Hon. Ralph Goodale: Actually, it's a net gain for the country in terms of the cost compared to the millions of dollars of economic benefit that flow from this.

Mr. Larry Miller: I'm sure.

Hon. Ralph Goodale: It's more of a gain than a loss.

In terms of the new structures that will be put in place, they're essentially on a cost-recovery basis, so they're not incremental to the government.

Mr. Larry Miller: One other very important thing that Ms. Damoff touched on relates to the PTSD study that we're doing right now. It's very complex and widespread. It's not just for first responders.

My fear, Mr. Minister, and it would be the same for any government, is that it's so complicated, complex, and widespread, that in the end nothing gets done or started because nobody knows where to start.

I'd like to hear your comments on where you think we need to go with it. I think everybody on this committee, no doubt, is in agreement that we need to deal with the issue, but if we make it too broad, nothing may get done.

Maybe you could comment on this.

The Chair: I'm afraid I can't give you time to answer, Minister.

Hon. Ralph Goodale: I hope somebody will come back to it.

The Chair: We'll get back there.

You have about seven and a half minutes, Mr. Dubé, just to make sure I'm balancing the three parties. I'm sorry about that.

[*Translation*]

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thank you, Mr. Chair. This is clearly committee proportionality day.

Mr. Minister, thank you for joining us today.

You will not be surprised to learn that I am going to be talking about the Canadian Security Intelligence Service, CSIS, about Bill C-51, and about everything that will occur as a result. However, I would like to speak more particularly about the fact that, starting next spring, funding for the Security Intelligence Review Committee is going to be reduced by an average of \$2.5 million per year, meaning 11 analyst positions.

[*English*]

If I may, I'd like to quote the spokesperson from SIRC on the subject of these cuts, who said, "Our ability to maintain a certain level of coverage and our ability to review CSIS activities broadly and as effectively as possible will obviously be hampered. We haven't really been given any explanation."

How do you respond to that, given that Bill C-51 is on the books and the powers being used by CSIS and SIRC are more important than ever?

Hon. Ralph Goodale: We are beginning now, Mr. Dubé, probably the largest and most extensive review of Canada's national security architecture the country has ever undertaken. One new piece that we will be adding, as you know, is a committee of parliamentarians to provide a new level of review and scrutiny that has not previously been there—

Mr. Matthew Dubé: Minister, I don't mean to interrupt you, but what specifically do you have to say about the \$2.5 million per year to SIRC that's being cut?

Hon. Ralph Goodale: I think you have to understand the context, Mr. Dubé.

We are examining how all of this apparatus fits together, so that we can enhance review and scrutiny, not reduce it. In the process of doing that, we will examine the financial commitments that need to be made, not only to the new committee of parliamentarians but to the existing review agencies that are in place now, to make sure they can do the job that Canadians expect them to do.

[Translation]

Mr. Matthew Dubé: You mention the committee, and I know that you are starting a study, but we must recognize that there is some urgency. While the study is being done, CSIS is using the powers that it has been granted, as Mr. Coulombe said in committee. I read your testimony at the Senate committee. The key question to ask ourselves is this: will the committee do the review after CSIS acts or while it is acting? Let me explain.

As I understand it, our allies that have similar committees analyze decisions made by their spy agencies—CSIS in our case—before its actions happen, not afterwards. Essentially, it is the same mandate that the current committee has, although it will not be made up of parliamentarians.

Will the legislation stipulate that the analysis is done before CSIS acts or afterwards?

[English]

Hon. Ralph Goodale: I'm not sure if I completely get that question, Mr. Dubé, but we hope to have before Parliament the legislation with respect to the committee of parliamentarians before the end of this month, for the beginning of the parliamentary process.

• (1235)

Mr. Matthew Dubé: Perhaps I could rephrase my question.

My understanding is that the Five Eyes, who have similar parliamentary committees or elected officials, review what happens while it's happening and don't simply have an after-the-fact review. Am I correct in that statement?

Therefore, will the committee that you're putting together with this legislation be reviewing things after the fact? That's already what SIRC does. We need some oversight during events, when CSIS is actually taking action.

Hon. Ralph Goodale: We will lay out in the legislation the exact mandate of the committee of parliamentarians. Obviously, I can't pre-empt the legislation, Mr. Dubé. You'll understand the parliamentary rules on that one. However, this committee will have the authority to examine all of the security intelligence activities of the Government of Canada, with two objectives: are those activities

effective in keeping Canadians safe, and are they safeguarding the rights and values and freedoms of Canadians?

They will have extraordinary access to classified information. That's why the members of this new committee will be sworn to the top security level and will be able to examine information and activities and operations to ensure that they are meeting the standards that Canadians would want met. In terms of how that is expressed in the legislation, I'll have to leave that to the tabling of the legislation, but it will accomplish that objective.

[Translation]

Mr. Matthew Dubé: That's great. We are looking forward to that.

Let me turn to another matter.

I do not want you to tell us about upcoming bills. However, I would like to have an idea of the amendments that you intend to propose to the provisions in Bill C-51 that are already adopted.

The Liberal Party's Aboriginal People's Commission has asked the government to immediately repeal the provisions of Bill C-51 because they are incompatible with the implementation of the United Nations Declaration on the Rights of Indigenous People.

Is that an example of an amendment that the Liberal Party could introduce? We in the NDP have always thought that the provisions in that bill must be repealed. What changes to the act do you envisage to ensure that we are respecting the rights and freedoms of Canadians?

[English]

Hon. Ralph Goodale: That particular motion before our recent convention was defeated, Mr. Dubé. The platform—

Mr. Matthew Dubé: There are preoccupations, nonetheless.

Hon. Ralph Goodale: —laid out specifically where we would begin in correcting the defects in Bill C-51 by, for example, ensuring its compliance with the Charter of Rights and Freedoms, protecting advocacy and protest, dealing with certain defects in the procedures around the no-fly list, providing a better and more precise definition of terrorist propaganda, and providing for a full review of the legislation after three years. Those items were expressly enumerated in the platform. The consultation I'm about to begin with Canadians is to determine what else Canadians would want to see included in the changes to our security legislation. What's in the platform is the minimum of what we will do. The consultation will determine what what other things beyond that Canadians want to see fixed.

Mr. Matthew Dubé: After that consultation, if you you realize that the best course of action is to repeal Bill C-51, would you be open to doing that?

Hon. Ralph Goodale: We will correct the defects in the law. You understand that C-51 no longer exists. It's embedded in five or six other different pieces of legislation. Rather than using the defective bill as the reference point, we need to have a fresh look at the entire security architecture of the Government of Canada to make sure that we get it right, without being wedged into an old form that was obviously defective.

The Chair: Thank you, Minister.

Mr. Erskine-Smith.

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): I note that funding for SIRC has been increased by \$4 million due to the expanded operations of CSIS, in part. I also note that CSIS is receiving increased funding from the previous year, and a \$60 million increase from 2014-2015. This reflects the importance of security, but to pick up on my friend's question from before, we have to strike a balance. I previously volunteered for the Canadian Civil Liberties Association. Certainly, Beaches-East York, which is my riding, cares a lot about changing and fixing Bill C-51. I'd like you to speak a bit more about how we can best strike that balance and if there are other changes that you see us making and, more importantly how we intend to engage Canadians in this process. What will that engagement process look like?

• (1240)

Hon. Ralph Goodale: There was a moment after the tragedies in October of 2014 when Canadians were looking forward to a good discussion, analysis, and debate about our national security architecture. I think people recognized at that time, in the light of those tragedies, that things needed to be improved, strengthened, and changed. At the same time, they wanted to make sure that their rights and freedoms were being properly respected and safeguarded, along with the open, generous nature of the country.

Unfortunately, that consultation did not happen at the time. I think the legislation that was presented, which turned out to be Bill C-51, could have been much improved had an opportunity been given to Canadians of all different views and perspectives to contribute to the process. We're going to provide that opportunity through this consultation, which will begin almost immediately and continue through the balance of this year.

The pieces of it would involve the cross-border relationship with the United States, which we have discussed, and the legislation that will be coming forward to strengthen our border arrangements, both to make those arrangements more secure and more efficient from an economic point of view.

The architecture will include the new committee of parliamentarians, which will provide a new level of review and scrutiny that has never been there before. Every other country in the western world has a vehicle of that kind. We don't. We're going to add that to make sure of two things, that we are being effective in keeping Canadians safe, and that we are safeguarding their rights and values.

We will have a new national office on community outreach to try to identify potentially vulnerable and risky situations in advance and to have the means and the wherewithal to intervene before tragedies occur. That's the new office on outreach and counter radicalization.

We will be beginning an initiative on cybersecurity. Canada's cyber policy was first established in 2010, but a lot has changed since then, and we need to bring that up to date.

Then we will make the specific amendments to Bill C-51 that I referred to, and we will ask Canadians this key question—that's the minimum we will do to make sure that rights and freedoms are properly respected—what else in the architecture do Canadians want to see changed?

Mr. Nathaniel Erskine-Smith: Certainly one important promise was the inclusion of sunset clause provisions so that we can assess down the road whether the provisions in Bill C-51 were ultimately necessary at the end of the day. Do you remain committed to having sunset clause provisions?

Hon. Ralph Goodale: What the platform said explicitly was that, after three years, there would be a complete review of every element of our anti-terrorism legislation. That is what we will undertake three years down the road. Where parts of it are found to be defective, redundant, or no longer necessary in the circumstances, then Parliament would make those changes at that time.

Mr. Nathaniel Erskine-Smith: I appreciate that we are currently taking action, or you are currently taking action with respect to the no-fly list. The working group has been struck.

First, one, when can we expect to see changes?

Second, there are going to be certain changes that are being proposed. Included in those proposed changes, might we see fixing the appeal mechanism, changing the legal standards of review that academics have questioned, and perhaps including special advocates, where the Immigration Protection and Refugee Act has been changed properly to include them and Bill C-51 was missing them?

• (1245)

Hon. Ralph Goodale: Having special advocates is a very important idea that should be included in the consultation that we're doing over the next six months.

In terms of the specific commitment in the platform, it zeroed in on that issue of recourse, where someone believes they are improperly on a no-fly list. The law presently says that they can complain to the minister, and the minister has a certain period of time, 90 days I think, to consider the appeal and give an answer, but if the minister doesn't do so within the 90 days, he's deemed to have said no.

We would want a provision in the law to require the minister to give an answer. It may be yes or it may be no, but just don't deal with the situation by benign neglect.

Mr. Nathaniel Erskine-Smith: My final question is with respect to the language that I think is unfortunate. Certainly academics have accused the legislation, Bill C-51, of allowing for judicial authorization of acts that would violate charter rights.

You've spoken to this previously. Could you, for the sake of Canadians, be as clear as possible as to whether this government would allow that to occur?

The Chair: In 10 seconds, please.

Hon. Ralph Goodale: The wording of that section in the act, section 12.1, is obscure. I consider it to be very odd draftsmanship. Whether that was deliberate or accidental, I don't know, but we would want to make it clear that the behaviour of our security agencies needs to comply with the Canadian Charter of Rights and Freedoms.

Mr. Nathaniel Erskine-Smith: Thank you.

The Chair: Very good.

Monsieur Rayes.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair.

Mr. Minister, my thanks to you and the senior officials accompanying you for taking the time to come and talk to us, despite your busy schedules.

I believe that the questions that we have for you are extremely important. I have three, so I am going to try to move along quickly. The first question deals with farmers, the second is about radicalization and the third is about refugees. Those topics are not at all related to each other.

You are aware that a loss of farmers and dairy producers will be coming to demonstrate on the Hill today. They have major concerns about diafiltered milk coming across our borders. There are difficulties: we do not have the resources or perhaps the technology capable of identifying that product.

My question is extremely simple and it could equally well go to Ms. Lizotte-MacPherson as to you, Mr. Minister. What is the amount allocated in the budget to solve the problem of diafiltered milk made in United States that is not used to make cheese and dairy products in that country, but that is imported to Canada?

[*English*]

Hon. Ralph Goodale: CBSA has the responsibility of administering the tariffs of Canada. It does not establish the tariffs. The policy decision is essentially taken by the Department of Finance.

The short answer to the question is that several departments of the Government of Canada are focused on this issue, understand the concerns of producers, and are working very hard to find a solution that will satisfy the needs of Canadian farmers.

[*Translation*]

Mr. Alain Rayes: I hear what you are saying, but my question is about finding out whether there is more money in this budget and whether the details of what the government plans to do to solve this problem are described. The government has said that it wants to solve this problem. We hear about it in the House given that a lot of questions have been asked about it. This is a really urgent problem.

My question is very simple: is there new money in the budget to solve this problem at the border?

[*English*]

Hon. Ralph Goodale: Let me ask Ms. Lizotte-MacPherson to describe the situation and whether additional revenue for CBSA is required in these circumstances.

[*Translation*]

Mr. Alain Rayes: As I would like to ask other questions, I don't want to know the details. I just want to know whether or not money has been allocated, and if so, how much.

[*English*]

Hon. Ralph Goodale: My information is that money has not been allotted in the budget for the simple reason that it's not necessary. If CBSA needs to reassign personnel to deal with a particular issue, they do that internally. It doesn't require an extra allotment from outside.

• (1250)

[*Translation*]

Mr. Alain Rayes: That is great. You have answered the question well. Thank you.

My second question goes to the officials from the Security Intelligence Review Committee.

We know the significance of radicalization. We are hearing a lot about it at the moment. We can see that amount of \$3 million has been allocated for this issue in the overall budget and that the committee is asking for \$1.9 million to deal with the increasing complexity of its workload and \$2.2 million for all the relocation of offices and modernization of equipment, and so on.

Could you tell us what you would like to do with those \$2.2 million and could you clarify that the amount of \$1.9 million is allocated for new human resources? If so, would you tell me how many people you are thinking of hiring in this area?

[*English*]

Hon. Ralph Goodale: Can you just tell us exactly what budget item you're referring to?

Mr. Michael Doucet (Executive Director, Security Intelligence Review Committee): It would be in the Security Intelligence Review Committee—

Hon. Ralph Goodale: Let me ask Mr. Doucet to reply to that.

Mr. Michael Doucet: Thank you.

To respond to your question on the main estimates for SIRC's budget, our relocation and modernization project is roughly \$2.1 million, and the funds are being provided to SIRC primarily this year and next. The reason for that, first, is that we have to change facilities. Our current facility is being decommissioned and, therefore, we have to move. Second, we are upgrading our IT environment, which is out of date. That's what we're referring to as a our "relocation and modernization project".

With respect to the \$1.8 million in increased capacity, that is primarily for human resources to not only review the service but also to handle complaints against the service.

[*Translation*]

Mr. Alain Rayes: That's great.

How many people are you planning on hiring with that budget increase of \$1.9 million?

Mr. Michael Doucet: For this financial year, we are planning on hiring 11 full-time equivalents.

Mr. Alain Rayes: With \$1.9 million, you are going to hire 11 people?

Mr. Michael Doucet: Yes.

Mr. Alain Rayes: Thank you. That answers my question very well.

[English]

The Chair: Mr. Mendicino.

Mr. Marco Mendicino (Eglinton—Lawrence, Lib.): Mr. Minister, it's good to see you. Thanks for coming this morning.

You testified earlier this week before the Senate on the need to strengthen transparency and accountability on the national security file. When you were there, you identified a gap with respect to review and oversight in the CBSA. Do you recall giving that testimony?

Hon. Ralph Goodale: Yes, indeed.

Mr. Marco Mendicino: I want to take this opportunity to try to educate the members of the public and the committee about the distinction between review and oversight. What I'd like to do is to talk about a few concepts under each of those two headers, and then I want to hear your ideas about how you draw that distinction in the context of the new parliamentary committee that will be created with forthcoming legislation.

Review, in my mind, is generally retrospective. It looks backwards in time. It tends to be public, although there are aspects of certain review committees that do consider information that is confidential and sensitive. Moreover, review committees do adjudicate external complaints from civilians. That's the review side.

The oversight framework that I believe we're contemplating on a go-forward basis with new legislation could be operational and real time. It's likely to preside over this committee largely in camera. The general rule of thumb would be that it would not be accessible to the public. Moreover, it may not adjudicate external complaints from civilians.

Those are the two conceptual ways that I see review and oversight. The question I have for you is this. Take CBSA right now, which has no external review body that looks after that specific organization within the Public Safety portfolio. How would you keep review and oversight conceptually apart? Or do you see that the oversight committee would exist concurrently with some of the pre-existing review committees? How do you see that working?

Hon. Ralph Goodale: Each one of the security and intelligence operations of the government has some amount of review apparatus attached to it now. In the case of CBSA, it does not have a mechanism to review specific officer conduct and complaints from the public about that conduct. That's a clear gap in the process that we intend to fill, and we're considering a variety of tools for doing that. It may be a body like the civilian review committee that applies to the RCMP. Others have suggested that we shouldn't have a separate review body for each one of these agencies, but some kind of comprehensive review body that can examine all of them together, and thereby cross-fertilize the experience, if you will. We're looking at all of the alternatives as to what would be the best arrangement. Senator Moore, in the other place, has come up with the idea of an

inspector general for the CBSA. That's one of the ideas that will be taken into account.

As we have developed the concept of the overarching committee of parliamentarians, it has become obvious that there are some gaps, like this one in relation to the CBSA, that will need to be filled. We'll have to think through very carefully the relationship between the existing review bodies, or some new configuration of those review bodies, and the committee of parliamentarians. How does it all fit together? The objective here is not to have three or four different review bodies all examining the same thing, wasting time and effort, and not doing the job that Canadians would expect them to do, but in fact to make sure that they work efficiently together and comprehensively cover the waterfront so there are no gaps in the process. We don't want to create redundancies where they're all doing the same thing over and over again.

• (1255)

Mr. Marco Mendicino: Am I correct in inferring from your answer, which was very helpful, that the best solution to all of this is to have a clear mandate for each of these various bodies, which are all aimed at enhancing transparency and accountability? When it comes to creating this new parliamentary committee for oversight, it would spell out its mandate in clear language and the relationship between that new parliamentary committee and the other pre-existing review committees.

Hon. Ralph Goodale: The language obviously does need to be clear as to what we expect the committee of parliamentarians to do. When Mr. LeBlanc has his homework done, that legislation will be put before the House in the next short while.

In terms of the working relationship among the various organizations, I think that's going to take a little bit of time for the organizations themselves to understand how they work well together. I'm sure that the committee of parliamentarians would very much benefit from consultation with Mr. Doucet about the expertise that SIRC can bring to the table, and what SIRC can do better in these circumstances than the committee of parliamentarians, for example, and what the committee of parliamentarians could do better than SIRC.

From my consultation with the review bodies, I think there's a real desire to work together and to make this work efficiently. We all understand that the bottom line here is to keep Canadians safe and to safeguard Canadian rights and freedoms. Let's get the best expertise properly configured to do that.

The Chair: Thank you, Minister. That's a good ending.

My apologies to the other members who were hoping to ask questions, or answer them, as we have run out of time. We have 20 votes to do and we could simplify it. I have votes on the main estimates and then votes on the supplementary estimates. You will see that you have a large sheet of them. We could consider all the first 15 motions together or we could vote on them individually. I need unanimous consent to vote on the 15 motions together. Do I have unanimous consent?

Mr. Dubé.

[Translation]

Mr. Matthew Dubé: If we call the question on all the votes, can we still carry them on division, without necessarily having a recorded vote?

[English]

The Chair: Yes.

All are in favour that we will consider them together, and you would like it to be a recorded vote, or on division—

• (1300)

[Translation]

Mr. Matthew Dubé: No, no. I just want them to be carried on division.

[English]

The Chair: It's on division.

The Chair: Okay, then I would entertain a motion to approve the main estimates for the year ending March 31, 2017, less the amounts granted in interim supply. Do I have consent for that?

Some hon. members: Agreed.

CANADA BORDER SERVICES AGENCY
Vote 1—Operating expenditures.....\$1,357,329,190
Vote 5—Capital expenditures.....\$130,999,015

(Votes 1 and 5 agreed to on division)

CANADIAN SECURITY INTELLIGENCE SERVICE
Vote 1—Program expenditures.....\$518,483,607

(Vote 1 agreed to on division)

CIVILIAN REVIEW AND COMPLAINTS COMMISSION FOR ROYAL
CANADIAN MOUNTED POLICE
Vote 1—Program expenditures.....\$9,025,809

(Vote 1 agreed to on division)

CORRECTIONAL SERVICE OF CANADA
Vote 1—Operating expenditures, grants and contributions.....\$1,925,556,005
Vote 5—Capital expenditures.....\$185,711,724

(Votes 1 and 5 agreed to on division)

OFFICE OF THE CORRECTIONAL INVESTIGATOR
Vote 1—Program expenditures.....\$4,102,301

(Vote 1 agreed to on division)

PAROLE BOARD OF CANADA
Vote 1—Program expenditures.....\$40,671,103

(Vote 1 agreed to on division)

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS
Vote 1—Operating expenditures.....\$128,080,019
Vote 5—Grants and contributions.....\$952,867,801

(Votes 1 and 5 agreed to on division)

ROYAL CANADIAN MOUNTED POLICE
Vote 1—Operating expenditures.....\$1,835,514,525
Vote 5—Capital expenditures.....\$246,780,724
Vote 10—Grants and contributions.....\$194,973,483

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

ROYAL CANADIAN MOUNTED POLICE EXTERNAL REVIEW COMMIT-
TEE

Vote 1—Program expenditures.....\$1,447,634

(Vote 1 agreed to on division)

SECURITY INTELLIGENCE REVIEW COMMITTEE
Vote 1—Program expenditures.....\$2,477,401

(Vote 1 agreed to on division)

The Chair: Shall I report the main estimates ending on March 31, 2017, less the amounts granted in interim supply, to the House? Are all agreed?

Some hon. members: Agreed.

The Chair: Okay, now we have voting on the supplementary estimates (A). Do I have unanimous consent that we can carry the three votes together?

Some hon. members: Agreed

The Chair: The votes will be agreed to on division.

CANADA BORDER SERVICES AGENCY
Vote 1a—Operating expenditures.....\$5,311,942
Vote 5a—Capital expenditures.....\$19,614,850

(Votes 1a and 5a agreed to on division)

SECURITY INTELLIGENCE REVIEW COMMITTEE
Vote 1a—Program expenditures.....\$4,044,756

(Vote 1a agreed to on division)

The Chair: Thank you. Shall I report the supplementary estimates (A) 2016-17 to the House?

Some hon. members: Agreed.

The Chair: Thank you.

That ends our consideration of the main estimates and the supplementary estimates (A).

As a reminder, we will be cancelling the meeting on the 7th. On the 9th we'll be considering the report. We'll get the report hopefully before the 9th. I'm looking at the analyst in saying this—

Ms. Tanya Dupuis (Committee Researcher): Yes.

The Chair: I've left two meetings, on the 9th and 14th, to consider the report.

Mr. Miller.

Mr. Larry Miller: Why is the meeting not happening on the 7th?

The Chair: We have no agenda for it. I had left it open for the minister's appearance, but he wasn't able to come on the 7th, so he's here. Our current plan is to consider the report on the 9th and the 14th, and to leave the 16th open for consideration of the report, or an all-party press conference on the release of our report on the 16th. Then Fort McMurray, if we have that last week of June. We may not have meetings. The problem is starting something new in one meeting. It's an orphaned meeting.

Mr. Larry Miller: Okay, I thought we were having more witnesses on PTSD.

The Chair: No, it's now at report writing stage.

Mr. Larry Miller: Okay.

The Chair: Monsieur Dubé.

[*Translation*]

Mr. Matthew Dubé: Was the meeting about Fort McMurray not supposed to take place that day? Which date did we schedule for that meeting?

[*English*]

The Chair: I tried to put it on the 7th, but no officials were available then or on the 14th. I tried to juggle them, but we couldn't

get officials on the 7th. The earliest date we could get them was the 21st. That was our problem, so it's an orphaned meeting. I would suggest you use the time wisely.

All right, thank you.

The meeting is adjourned.

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