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• (1100)

[English]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): We'll bring our meeting to order.

Good morning, everyone. Welcome to our meeting. I want to welcome the minister to our committee meeting today as we begin our study on the loss of Canadian citizenship for the years 1947, 1977, and 2007. I want to welcome the minister's deputy, Mr. Richard Fadden, to our meeting as well.

The meeting will run for approximately two hours, from 11 until 1 o'clock. It's a very important topic, and we're happy that the minister is here. She might be able to shed some light on the problem of the loss of Canadian citizenship and offer some solutions as well.

I'll hand it over to you, Minister, for your opening comments.

Hon. Diane Finley (Minister of Citizenship and Immigration): Thank you, Mr. Chair, and thank you to the honourable members.

[Translation]

Thank you for this invitation, which today affords me my first opportunity to appear before this committee as Minister of Citizenship and Immigration.

[English]

The Chair: Can we just hold it for a moment?

Do you have a point of order, Mr. Karygiannis?

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Can we get a copy of the minister's speech in both official languages? She's reading from notes.

Hon. Diane Finley: I'm sorry, they're not yet available. They will be available later.

Hon. Jim Karygiannis: It is customary, Mr. Chair, when a minister appears before a committee, that notes or a speech be given to the members. I'm sure the minister can probably send one of her staff to photocopy and bring it in for us to follow.

The Chair: The notes will be made available, I understand, from the minister in due course this morning. We'll wait for that to happen.

I'll ask the minister to continue.

Hon. Diane Finley: Merci.

Thank you for the invitation to appear before you on the important subject of citizenship. In my new capacity as Minister for Citizenship and Immigration, I am grateful for the opportunity to

share with you some of my thoughts and recent actions on a matter that is so fundamental to Canadian identity.

Just last week I had the honour of attending a very special citizenship ceremony at the Supreme Court. We celebrated the 60th anniversary of Canadian citizenship. We held a special event at which families from every province and territory gathered to take the oath of citizenship, and while the ceremony was very moving, the event gave me the chance to reflect on how fortunate we are to be Canadian citizens and what it means to be a citizen of Canada—that is, that citizenship isn't just about rights, but also about responsibilities.

With respect to my appearance before you today, I must say that I welcome this opportunity to discuss the issues surrounding the acquisition, the retention, and the resumption of Canadian citizenship.

Recently, the introduction of the U.S. western hemisphere travel initiative has increased attention on the issue of citizenship, and as people are seeking to get passports, questions about citizenship and proof of citizenship are emerging. Some media reports have highlighted cases of various individuals who have been affected by the loss of Canadian citizenship, and while some people have, for various reasons, lost their Canadian citizenship, there are also examples of people who never actually had citizenship, despite having every reason to believe they were Canadian citizens. Other cases have involved individuals who have not lost their citizenship, but rather—and this is an important difference—have lost their proof of citizenship and need to apply to replace it.

To reiterate what I said in a statement released on January 24, I wish to reassure concerned stakeholders that in almost all cases, anyone who was born in Canada is a Canadian citizen.

Recent media reports have highlighted very few examples of individuals who, having lived in Canada most of their lives, actually do not have citizenship. I will emphasize that my officials have identified a small number of people who fall under these anomaly categories. As I said before, these cases deserve immediate attention; that's why I have made these individual cases a priority, and I will continue to do so.

Before I go on, Mr. Chair, I know that many members of this committee and other stakeholders want the citizenship anomaly issues addressed through amendments to the Citizenship Act. In this regard, I am open to considering appropriate amendments to the Citizenship Act and I'd welcome the committee's participation in further examining the nature and scope of the problem to help us identify and evaluate a number of options. If there are responses to this issue that would protect the value and integrity of Canadian citizenship, then they should be considered. If all members of the committee support specific legislative changes, I'd be happy to look at those options.

In the present situation, the advantage of having unanimity is obvious. We all want a lasting solution, and I believe we can find one that's acceptable to all of us.

That said, my immediate focus is on helping people who are caught up in this situation right now. Legislative change could take time, and affected individuals should not have to wait indefinitely before amendments to the Citizenship Act are passed.

I look forward to the committee's recommendations and to hearing from the various witnesses who will be presenting over the next few weeks. It's my hope that these hearings will provide viable options for consideration in looking at the most effective ways to address the issues.

I want to assure all concerned that I will carefully examine and consider the options, legislative or otherwise, in the interest of creating a fairer system for all.

I appreciate the dedication and creativity that each member around this table has shown to resolve these issues, and I know that several of you have worked hard for countless hours on previous committee studies and reports relating to citizenship. I look forward to your sharing with me your combined 19 years of committee experience.

• (1105)

At this time, I would like to provide some context to the current situation. While the problem is real and deserves immediate attention, there is no evidence that it's as massive as has been reported in the media or portrayed by some honourable members.

These reports have mentioned thousands, hundreds of thousands, and even possibly over a million people being affected. But to put things in perspective, at this time we are talking about approximately 450 individuals whose cases have come to our attention and merit further consideration. Despite all the attention on this issue, that number has not grown significantly.

In fact, many of the calls we have received have been about Canadians who have simply lost their documents. These Canadians have not lost their citizenship; they have lost their proof of citizenship and have needed to replace it, much the same way as anyone who loses a birth certificate has to apply to replace it.

We recognize that this may be a frustrating step for someone who needs that proof to apply for a passport, for example. But in this age of heightened security concerns, it's important that we take steps to verify identity and check for potential fraudulent applications.

[Translation]

Every year, the Department of Citizenship and Immigration processes more than 60,000 citizenship applications from people who require citizenship in order to apply for a passport or benefits. Most receive it within a few months without any problem.

• (1110)

[English]

At this time, our focus is on the 450 cases. This includes people who by law had to take steps to retain their citizenship, but did not do so. It includes people who never became citizens and who could have registered to be citizens, but did not.

As members of the committee are well aware, a person's status may be affected by the 1947 act, the 1977 act, or amendments to those acts, depending on their situation. Not every application for Canadian citizenship is legitimate, but each application involves a human story and deserves close attention.

For the interests of all concerned, I'd like to outline some of the actions that I have recently taken to address the issues discussed since becoming minister last month.

My departmental officials are giving these applications serious attention, Mr. Chair. They are ensuring that the due diligence expected by you and the Canadians we represent is carried out.

As I mentioned earlier, I am using the powers available to me, as minister, under the Citizenship Act, and moving to resolve cases as quickly as possible. I have recently obtained approval, through the Governor in Council, for a special grant of citizenship for 33 individuals.

This group of individuals includes those who do not meet the provisions within the current legislation for a regular citizenship grant, but whose circumstances call for special considerations. These people demonstrate a significant attachment to Canada, currently live within the country, and have lived in Canada most of their lives.

In many cases we're dealing with individuals who never became citizens. For example, we have cases of people who were born abroad and didn't have their birth registered. Between 1947 and 1977, if you were born outside Canada to a Canadian parent, you had to register your birth abroad. Some people who lived on the Canada-U.S. border were born in the U.S., because that's where the closest hospital was. Under the laws in place at the time, if the birth was not registered, they would have U.S. citizenship and not Canadian citizenship. These individuals could have registered as Canadian citizens but did not.

In other cases we're dealing with individuals who were Canadian and had to take steps by a certain date to remain Canadian, but didn't do so. The current law says that if you were born abroad to a Canadian citizen, you're a Canadian citizen. But if your Canadian parent was also born outside Canada to a Canadian parent, you have to take steps to retain your citizenship by the time you reach 28 years of age. This government didn't put the rules in place; they date back to 1977.

As long as we have had citizenship, Mr. Chair, we have generally required individuals born abroad to Canadian parents to retain their citizenship. Some members have criticized this requirement, suggesting that a Canadian is a Canadian. But by extension, this would mean that an individual could move away from Canada and his or her descendants would continue to be Canadian citizens for generations to come, without ever setting foot here or developing any real attachment to Canada.

I'd like to note that in 2005, this committee recognized that there should be limits on this type of citizenship and that the department should revise its citizenship cards to make this clearer. I'm pleased to say that we have now done that.

With respect to cases, I made it my department's priority to review each one on an individual basis. With respect to the actions we are taking, I have asked my department to take a number of steps to deal with this situation. I'd like to list five of them for you.

We have assigned additional staff to handle these cases and have created a dedicated unit in our call centre, so that people with questions about their citizenship can speak directly with someone who can help them.

In most cases, where it is a question of the loss of citizenship, a program officer is being assigned to each case.

We are working with our partners to ensure that while cases are under review, nobody is removed from the country, and benefits such as health care and old age security continue.

We're working with the passport office to refer people to our call centre to speak directly with our citizenship agents.

We are also helping to expedite the process for people who have not lost their citizenship, but rather have lost their proof of citizenship and need to apply to replace it.

Mr. Chair, allow me to give members of the committee a sense of the response that we have been receiving to these measures.

● (1115)

We get status updates every working day, so the numbers will continue to change, but since we set up the dedicated line for citizenship issues in our call centre on January 26, 2007, we've received 692 inquiries about potential loss of citizenship. To put that in perspective, 692 calls represent about 0.05% of the overall calls to our call centre on all issues.

In 675 of those cases, their citizenship has been confirmed and no further action is required. Of the remaining 17, seven have been invited to apply for discretionary grants of citizenship. Another three were identified as permanent residents and were asked to apply for regular grants; two more have been asked to apply for permanent residence; and five require further examination.

That's a far cry from the hundreds of thousands of cases, indeed millions, we're hearing about in the media.

[Translation]

Mr. Chair, each case must be reviewed individually. Where the case is founded, I absolutely want to resolve it as soon as possible.

As I said, we have obtained approval to grant citizenship to 33 persons, and we will be working to resolve more cases.

[English]

I'd be remiss if I did not briefly mention the situation of Mr. Joseph Taylor, although I am limited in what I can say about Mr. Taylor because his case is currently before the courts. Although the Government of Canada is appealing the Federal Court decision on Mr. Taylor, I want to assure members that I'm not unsympathetic to his plight.

We are prepared to expedite an application for permanent resident status. This will allow him to apply for citizenship once he's satisfied certain requirements, which would include living in the country for a period of time. I wish to emphasize that we're appealing the Federal Court ruling because we believe it is wrong in law. It reinterprets citizenship and extends it to a time prior to Canada's having its own Citizenship Act in 1947. It applies to the charter retroactively, meaning that it applies to the charter at a point in time before the charter even existed. These and other factors have implications for all legal matters that go well beyond Mr. Taylor.

I'll give you one example, if I may. The Federal Court ruling suggested that not enough effort was made to directly notify Mr. Taylor and his family of the relevant provisions of the 1947 act that could impact his status. Mr. Taylor, who had lived here for three months when he was one year old, had moved back to Britain with his mother. The Canadian government had no way of knowing where he was. The judge's ruling suggested that the normal legislative and parliamentary process is insufficient and that all individuals who may be affected by a change in legislation must be notified no matter what the circumstances.

Now, imagine the impact this could have. Legislators regularly change tax laws, for example; individuals could claim that because they weren't notified individually and directly, the new law wouldn't apply to them. If that were the case, we'd have no way to apply the law to anyone.

Mr. Chair, I repeat what I said at the beginning: we are fortunate to be Canadian citizens, and Canadians expect us to take the issue of citizenship very seriously. We need to apply the law and to ensure that our system is functioning as it should and as it was designed to work. Of course, there must be room for compassion and common sense, and where it is merited, we have some flexibility to help individuals. I will continue to exercise that flexibility.

Before I conclude, I'd like to briefly address an issue that was in the media yesterday. We are committed to establishing an office that will help qualified foreign-trained professionals become accredited so that they can practise in their chosen fields right here in Canada. The 2006 federal budget set aside \$18 million over two years to take the first steps towards establishing this entity, and Advantage Canada reaffirmed that the government will move forward on this commitment. Improved labour market integration is critical so that Canada can continue attracting and retaining the skilled immigrants that it needs.

I want to stress that all levels of government have a role to play in integrating newcomers to Canadian society and into our economy. My colleague Monte Solberg, Minister of Human Resources and Social Development Canada, and I are engaging our partners as we move forward, including provinces, territories, the 440 separate regulatory agencies that are each provincially or territorially licensed, post-secondary institutions, sector councils, and employers right across the country. We look forward to making future announcements about our progress in the coming weeks.

To sum up, the issue of citizenship is fundamental to Canadian identity. With citizenship comes both rights and responsibilities. Moving forward, I want to assure honourable members and concerned stakeholders that as Minister of Citizenship and Immigration, I look forward to this committee's recommendations. I look forward to a collaborative and constructive effort on behalf of all members to address these issues in the most appropriate manner. And I want to assure all honourable members that I will carefully examine the options, legislative or otherwise, in the interest of creating a better and fairer system for all.

Merci. Thank you.

• (1120)

The Chair: Thank you, Madam Minister, for your very informative and very interesting statement.

We will now go to committee members. We have a seven-minute round of questioning to begin with.

I will go to Mr. Telegdi.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Thank you very much, Mr. Chair.

Welcome, Minister.

Last Friday at the Supreme Court, we all saw the celebration of an event that occurred on January 3, 1947. I might mention, as we celebrate the sixtieth year of citizenship, that a more appropriate way of celebrating would have been to bring it into compliance with the charter, which is 25 years old this year.

Clearly, the 1947 Citizenship Act was very discriminatory. We had the Supreme Court rule on it under the Benner case.

Getting back to the citizenship ceremony, it might have been enhanced had you invited Paul Martin, the former Prime Minister, to the ceremonies. It was his father who was the original architect of citizenship. Further, it would have been useful if members of the committee had been invited to the ceremony. We obviously have a great interest.

But getting to your numbers, you threw down a marker and said 450 people. I dare say, Minister, we're going to hold you to that number. When these hearings are finished, you will see there are tens of thousands, possibly hundreds of thousands of people.

On that, here we have Mr. John Reynolds, who worked on Bill S-2, saying he remembered one of the bureaucrats telling him in committee that there could be as many as 200,000 of these people. Well, big deal; we bring in supposedly 300,000 a year in immigration, refugees, and others. If you're a Canadian, wouldn't

you like to straighten that out even quicker for somebody who has a birthright here?

Well, Minister, many people have been denied that right.

I direct you to the 1997 decision of the Supreme Court—the highest court in the land—that pertained to Benner. It ruled that you cannot discriminate on the basis of sexual discrimination, meaning whether you derived your citizenship from your father or from your mother. That was the Supreme Court.

That actually was applied by the department until 2004, when Patricia Birkett, registrar of Canadian citizenship at that time, called it a provisional decision. It was cancelled as of 2004.

Minister, how you can be appealing the Clark case, on the one hand...? One of the Clark brothers and a sister...and this is a family of four. Three of them had citizenship restored to them under subsection 5(4) of the act that you keep referring to, and the fourth one is going to court. We would like to know how that is going.

We want to know the number of cases handled by Citizenship that are before the courts. We also want to know the cost.

Madam Minister, you made some commentary about the Joe Taylor case. I'm going to pass some information on to you. Here's a picture of Mr. Taylor when he was a baby. He's a son of a Canadian veteran who fought for this country in the Second World War. I will also pass on a pamphlet that these people got when they landed on the ship.

It says: As soon as the ship docks, Canadian immigration officials will come aboard. These men will complete the formalities for your entry into Canada, which automatically makes you a Canadian citizen.

Madam Minister, I think you would benefit from having that information.

Another specific question I have for you is under subsection 5(4). You said you gave out 33. Well, don't you think that instead of having a minister giving citizenship to those she feels she likes...? Isn't that political? Shouldn't this be in law?

We have a figure of 30,000 people from the Mennonite Central Committee. I have a memo—and Mr. Janzen will be in front of us—about 30,000 people pertaining to lost retention. Then we have a whole bunch for people who were married abroad in religious, not civil ceremonies. I asked you this question in the House. How can we discriminate against people being married in a church?

I'll leave the questioning at that, Mr. Chair.

• (1125)

The Chair: I think you're climbing into five minutes now, and this is a seven-minute round. The minister has two minutes to answer. I thought I'd remind you of that.

Thank you, Mr. Telegdi.

We'll go to the minister or her official to answer.

Hon. Diane Finley: Thank you, Mr. Chair.

With the two minutes remaining, I'll try to address as many of those issues as I can, as time permits.

Unfortunately, I do not have the number of cases at hand at the moment, but I am told we can get them before this hearing is over.

I'd like to address the issue of the numbers again. When I said 450, that is the number of cases we have identified—people who have contacted us and with whom we have identified an issue arising out of the application of the various acts. Also, sometimes it's the interpretation of those, and people who have failed to renew or retain their citizenship when they need to.

In 1947 it was a very different world than it is now. Common-law marriage was not considered acceptable, and illegitimate children unfortunately had a stigma attached to them, which no longer exists. Times have changed, but as I'm sure the honourable member is well aware, the laws of the time were applied at the time. The way the laws are written, anyone who was affected by them was affected by the laws that were in place at that time. So if someone were born in 1946, that predates the Citizenship Act, so the laws under the Citizenship Act classically do not apply.

That's what's being debated in the courts right now, whether the laws are in fact retroactive. Up until this point, if someone were born in 1948 when Canadian citizenship did exist, the rules would have been different than they were in 1946. Those laws changed again in 1977. This is where a lot of the confusion arises because the rules changed once again, so someone born in 1978 was working under different rules than someone in 1976.

We're dealing with a variety of circumstances, and that's why I think it's really important that we look at each case individually on its own merits and look at it within the eyes of the law, not politically, but how do we do the right thing for these people? What is right by Canadian standards, the standards we hold dear today, and still fully within the legal system with respect to these individuals?

There has been a lot of speculation about the numbers, no question, but we've only identified the 450 individual cases to date. That's why we set up this special hotline so we can hear if there are more, because we want to address them as quickly as we can.

The Chair: Thank you, Minister.

We'll go to Madame Faillie.

[Translation]

Ms. Meili Faillie (Vaudreuil-Soulanges, BQ): Thank you, Mr. Chair.

I'd like to thank the minister for coming to meet with committee members.

I would definitely have appreciated receiving your notes in advance. We operate with a simultaneous interpretation system. However, I'm not sure all your remarks were translated as you would have liked.

The following subject is a concern for me. Earlier you announced that an expiry date would be added on citizenship cards in an attempt to solve the problem of young Canadians who have lost their

citizenship before the age of 28. I'm referring to an article on the subject that appeared in *La Presse* early in the week.

In that article—and this is what concerns me—the spokesperson for Citizenship and Immigration Canada emphasized that you can't determine the number of people who have lost their citizenship because they didn't have to complete a form before their twenty-eighth birthday. However, if those people didn't complete the form to obtain this card, how will adding an expiry date improve matters?

We know that the problem for these people dates back to February 15, 2005. I'd like to know what measures your department has taken to contact these young Canadians who are abroad. Have you gone through the embassies?

• (1130)

[English]

Hon. Diane Finley: Obviously, one of the challenges is for people who perhaps have very limited or even no real attachment to Canada. We don't know who they are and we don't know where they are. We track people who come into this country as they come in, but we don't track them as they leave. So if someone were abroad and reached this situation at the age of 28, even to find them to advise them they're in that circumstance is virtually impossible. We can make the information available at our embassies, but whether people check with them, we don't know.

[Translation]

Ms. Meili Faillie: Have you published information to that effect in a visible manner on your Web site?

[English]

Hon. Diane Finley: Yes, we have done that, and we've done it in our offices abroad.

Perhaps the deputy could tell you about a few more of the steps we've taken.

Mr. Richard Fadden (Deputy Minister, Department of Citizenship and Immigration): Mr. Chairman, we have systematically made the information available to all our missions abroad, and we have a practice there of having both pamphlets and posters in various Canadian embassies. And as people contact Canadian embassies abroad, if citizenship matters arise, people are reminded of this sort of thing.

We do the same thing at CIC offices in Canada; there are some in every province. We also regularly put information on our website, and at the time the changes were occurring, we also, I believe, purchased a number of advertisements in the media.

But as the minister said, our real problem is that a lot of people simply disappear, from the department's perspective, and they're impossible to find.

[Translation]

Ms. Meili Faillie: Can you provide us with the details of those advertising or information campaigns, confirm for us that each of your overseas offices posts that information on its Web site and tell us when it became available? In view of the need to have a passport since January 23, have efforts been made to make individuals aware that they may not be Canadian or that additional action is necessary?

Our offices are located near a border with the United States. So we deal with a number of cases of this kind. I know that some of the cases you referred to earlier were processed on a priority basis and quickly. Some Quebec citizens have benefited from that measure. We were aware, since we monitor those cases closely. We appreciate the gesture. However, I'd like to know what specific actions have been taken by the department in a more permanent perspective.

[English]

Mr. Richard Fadden: This is a matter of detail, so I'll answer, if I may.

The passport office, I think, was the lead in dealing with anticipated increases in demand because of the United States regulations, and we have shared some information with them. Since this became a significant issue, we've put into place arrangements with the passport office, which will remain in effect, whereby any case they encounter in which citizenship is an issue will be referred to Citizenship and Immigration Canada.

We also have a permanent and ongoing connection with them whereby if somebody is asking for a passport, and there's some urgency involved, we have a system whereby the various documents can be faxed to our citizenship processing centre in Cape Breton, and usually there's a 48-hour turnaround.

In practical terms what we've done is made sure that the passport office is fully aware of the citizenship issues. We have a dedicated call centre line, and they have standing arrangements to communicate with our processing centre in Cape Breton.

• (1135)

[Translation]

Ms. Meili Faille: But why have citizens filing passport renewal applications been told they weren't Canadian citizens?

[English]

Mr. Richard Fadden: It is basically because—

[Translation]

Ms. Meili Faille: There have been errors at the passport level?

[English]

Mr. Richard Fadden: —anyone who applies for a Canadian passport is required to provide proof of citizenship, and this can be done in a number of ways. If they don't have proof of Canadian citizenship, the matter then becomes an issue. It's become a particularly important issue because of the American decision to require passports.

[Translation]

Ms. Meili Faille: But people had passports in hand.

[English]

Hon. Diane Finley: I'm not aware of anyone who had a passport, was trying to renew it, and was then denied it. There may be cases, but I'm not aware of them.

We're generally finding it's with regard to people who are getting passports for the first time. They've never had a passport and are trying to furnish proof of citizenship—for example, a birth certificate, and they don't have it. It's when we go looking that we

discover that they never had citizenship or they lost it because they failed to retain it.

[Translation]

Ms. Meili Faille: Do I have a little time left?

[English]

The Chair: It can be a very short question. You're at seven minutes, but I'll allow a short question if you need to complete.

[Translation]

Ms. Meili Faille: Thank you very much.

The papers this morning suggest the possibility that some members here in the House of Commons may not be Canadian citizens. Is that information that you can confirm or deny? That's quite disturbing. The rumour is that one Conservative member isn't a Canadian citizen. I'm trying to determine whether that information is true.

Are you aware of that matter?

[English]

Hon. Diane Finley: Obviously we can't talk about individual cases, but to ease the minds of some members of the House, what I can say is that anyone who was born in Canada, unless they were born to a diplomat, is a Canadian citizen. Anyone who was born here is a Canadian citizen.

The Chair: Thank you, Madame Faille.

I will call upon Mr. Siksai to begin his seven-minute round.

Mr. Bill Siksai (Burnaby—Douglas, NDP): Thank you, Chair.

Thank you for being here this morning, Minister, and congratulations on your appointment. I hope you enjoy the portfolio as much as some of the people do who sit at this table and who understand the importance of citizenship and immigration policy to Canada.

You certainly seem to appreciate that, given your opening statement about the meaning of Canadian citizenship. I think that's why the folks who run into these problems are really disturbed and anxious when they're told that somehow they have to prove they're Canadian citizens, when they've assumed all their lives that this was the case. To be told, "You haven't lost your citizenship, you've just lost proof", is a bit hard to hear sometimes. To most people, that sounds like exactly the same thing. I can understand why people are very upset when they're confronted with that moment.

Minister, I appreciate you saying that you're open to reviewing the Citizenship Act and hearing new legislation, but we've heard that a number of times around this table. We certainly heard it from the last government, from the two ministers in the 38th Parliament who both encouraged us to work on citizenship issues and then never produced legislation.

I am concerned that your government has taken the money that was set aside out of the budget for developing a citizenship act, and that this money has been removed. Maybe you can comment on why that was done and why that development money is no longer there. It seems to me that if we are serious about fixing some of the issues with regard to the Citizenship Act, that money is very important to the process.

Minister, I wanted to ask something specifically with regard to some of the lost Canadians, and that's about the situation of children born to armed forces personnel who were serving overseas during the period from 1947 to 1977. This group has been in touch with me, and they are very concerned about the circumstances in which they find themselves.

They're being told they have to have a document known as the Registration of Birth Abroad, when many of them have a Department of National Defence-issued certificate of birth. They're finding that birth certificate is not acceptable proof of citizenship when they apply for passport applications.

I'm wondering if you can tell me what the exact problem has been with the DND-issued certificate of birth for these children who were born to Canadian armed forces personnel serving overseas during the Cold War period.

• (1140)

Hon. Diane Finley: There have been a number of different issues there. One thing I can assure you of is that CIC and the Department of National Defence are working together on this issue. Again, we want to do the right thing for these people.

As you are probably aware, there was an extension of the period in which the parents could apply to register the children. Quite frankly, in the last six months, about twenty of these children have been contacted or have contacted us, and we are working with DND to resolve their issues.

You made reference to people not understanding the difference between being citizens and having the proof. It does sound confusing, and I do sympathize with them and with their frustration. I might compare it, though, to having a job and having your corporate ID card. Even if you misplace your pass, you're still an employee there; you just need the card to prove it to various people. So these individuals are still Canadian citizens; they just don't have the piece of paper that proves it.

Mr. Bill Siksay: But you didn't answer my question about what was unacceptable about the DND certificate of birth. Why has that been shown to be unacceptable as proof of Canadian citizenship? Most people seem to have that one. The Registration of Birth Abroad is a document that they get issued subsequent to that. Why isn't this DND certificate of birth acceptable as proof of citizenship?

Mr. Richard Fadden: I can understand the frustration. As I understand it, DND births had to be registered both with the department—what you're talking about, with a Registration of Birth Abroad—and they also had to be registered with the Registrar of Canadian Citizenship.

The rules of the time required that a particular form be used in a particular manner. DND had the habit of both systematically registering those births for their own DND purposes, and system-

atically registering them with the Registrar of Canadian Citizenship. Insofar as we can make out, there are relatively few cases where DND didn't do both, but it was a requirement of the rules of the time. It could not just be the DND form. There was a specific form required by what was then the Department of Secretary of State to register the births abroad.

As the minister said, it's one of the situations in which the rules of the time required that particular form to be filled out in a particular way. Again as the minister said, we've only found about twenty cases so far in which there have been difficulties, and I have no doubt we'll work through them.

Mr. Bill Siksay: So it was essentially because a bureaucrat didn't fill out the necessary forms. Is that the issue for these folks who are being told that the document they have is not acceptable proof of Canadian citizenship?

Mr. Richard Fadden: There is a possibility of bureaucratic error, but I would also suggest that it's the responsibility of a parent to make sure things are done properly as well.

Mr. Bill Siksay: And you say it applies to only twenty children.

Mr. Richard Fadden: In the last six months, there have been twenty of them.

Mr. Bill Siksay: Do you know how many people would fit into that category? Do we have any sense of how many children were born to Canadian armed forces personnel in that period?

Mr. Richard Fadden: It would be thousands, but...I don't know.

Mr. Bill Siksay: Okay.

I wanted to ask another question, Minister, about another citizenship issue that we dealt with here at this committee, Bill C-14, on extending citizenship immediately to children adopted by Canadians abroad.

The committee has done its work on that and sent it back to the House, but it hasn't come back to the House for further debate. I'm wondering if there's some problem with the legislation. What's the delay in actually moving on something that everybody at this table thinks is very important legislation?

Hon. Diane Finley: It is important legislation. That's why we introduced it. If it's passed, it will make things fairer by treating children who are adopted fairly when compared to children who are born here.

We are reviewing the bill as it was amended. I do not set the agenda and the timetable for the House. The House leader does that. In terms of timing, I'm afraid we'd both have to take that up with him.

• (1145)

Mr. Bill Siksay: It's curious that it's something that has been a priority for a long time. The committee made recommendations about it in the last Parliament. There was an attempt by the previous government to introduce the same legislation. Unfortunately, it didn't move either.

I'm really anxious for that legislation, because I know how important it is to so many parents. It would make so many people's lives easier if that were extended, so I think anything you can do to move that back on the agenda would be appreciated by many Canadians.

If there are some problems with the legislation, I think everyone at this table would be enthusiastic about trying to resolve those problems. We've made that offer individually on a number of occasions, in order to see that done if there is some problem.

The Chair: Thank you, Mr. Siksay.

Mr. Komarnicki.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Thank you, Mr. Chair.

Thank you for your remarks and comments, Minister. I'll have some specific questions in the second round, but I'd like to just have an overview, in a general sort of way, perhaps commenting somewhat on the remarks made by Mr. Telegdi.

There's no question that former Prime Minister Paul Martin's father may have introduced the act, but the problems we are experiencing today relate to the 1947-77 act. There have since been six different Liberal ministers, and the problems didn't arise overnight. It certainly has been there for a long time and no action has been taken to remedy those problems.

I was heartened to hear that you were open to looking at this problem in two ways. On a short-term basis, as you've outlined, you've take steps on a very immediate basis to address some of the anomalies that were created by the legislation that existed for a long time but which have perhaps come to light just now. You're also looking at some ways and means to address the problems on a more permanent basis.

As we look back to what we've done so far in the year, before we go forward, this government certainly has indicated a commitment to newcomers. Our budget has reduced by 50% the right of permanent residence fee, which was \$975 but is now reduced to \$490. That's a significant factor for newcomers who need to establish themselves and need the funds on a more immediate basis.

Of course, an issue that you've been quite instrumentally involved in is foreign credentials recognition and—

Hon. Andrew Telegdi: On a point of order, Mr. Chair, we're here to talk about citizenship. Maybe the parliamentary secretary will tell us what that has to do with citizenship. I know we've moved from playing hardball to softball, or perhaps T-ball, by having the parliamentary secretary ask questions, but the questions still have to be relevant to the matter at hand.

The Chair: What members can talk about before an immigration committee is rather broad-ranging, especially when the minister is here to address all topics pertaining to this particular issue. I'll just ask Mr. Komarnicki to keep his remarks a little bit confined to the topic.

Mr. Ed Komarnicki: As I mentioned, I would get more specific, but I want to remind this member that this particular government has taken steps to address issues that have concerned newcomers, and indeed, after about nine or ten years of funding freezes, has

committed \$307 million to help integrate newcomers and citizens into our country, including opening up temporary foreign worker units in both Calgary and Vancouver. So there is a significant interest in this issue.

Specifically, because of the western hemisphere travel initiative, some anomalies have been brought to the attention of this government that have been there for a long time and need some remedy.

To the minister, in addition to some of the issues I've raised that we've already dealt with in the one year, what do you perceive as your direction for the next year on various issues, including specifically many of the anomalies that have been brought to your attention? And how might the committee be helpful in addressing these particular issues?

Hon. Diane Finley: Thank you very much for the question.

There are a lot of things, and I mentioned in my speech a few approaches that we are taking to address the situation. Obviously, there are short-, medium-, and long-term considerations here.

As you well pointed out, these situations didn't spring up overnight. They date back to a law that was enacted in 1977 and to one in 1947. The timing was such that many of the cases involved, for example, people who could lose their citizenship if they didn't apply to retain it, or those Canadians who are the second generation born out of the country—in other words, both they and their parents were born out of the country—and those people were just coming of age in 2005, so we're starting to hear about their situation.

Now, particularly with the U.S. western hemisphere travel initiative, where the passport is required, more people are applying for them. We're getting 21,000 applications a day for passports.

So people who always thought they had Canadian citizenship are now finding that they don't; or they're finding that they need proof of it and don't have it. Those constitute the vast majority of the cases with which we're dealing. It is people who have lost the piece of paper or who never had the piece of paper that shows they are Canadian citizens.

That's why we've set up the hotline. That's why we have the dedicated task force members. It's to deal with those specific cases. We want to make sure the needs of those people are met right now. We want to relieve the uncertainty that goes with these cases. That's in the short term, because we believe these people shouldn't have to wait for legislative change or even regulatory change. As you're well aware, that can take a considerable length of time. They need action now. That's what we're trying to provide.

That being said, there is a long-term issue here, with roughly four different circumstances under which people could be operating. We need to make sure there is some consistency, that there's some transparency.

That's why I'm appealing to the committee for your input into how we fix this for the longer term, so that we don't have situations like this coming in the future, while we still protect the currency of a Canadian citizenship.

Especially post-9/11, we simply can't afford to let everyone in. We have to maintain the integrity of the system. We have to continue with the security checks, because the number one thing is to protect the safety and security of those people who are already living in this country.

We need to have a balance. How do we grant citizenship to those people who deserve it, and how do we protect those of us who are already here?

• (1150)

Mr. Ed Komarnicki: Just as a follow-up to that, Madam Minister, there is no question that there are various issues related to unique situations that have developed because of the anomalies of the act. One of those anomalies involves second-generation Canadians; in other words, Canadians born outside Canada to Canadians who were born outside Canada. It was the immigration committee that indicated there needed to be some substantial connection to the country at some point to recognize citizenship and to preserve it. But there are others who have a substantial connection, as you mentioned; those, particularly, living on the border.

Can they be assured that all of the old age security, the supplements, and health benefits will continue while you approach matters on an interim and a more permanent basis?

Hon. Diane Finley: There are two aspects to that question. Number one, for the individuals who have been identified as having these anomalies of citizenship, yes, we have taken steps to ensure that while their case is being reviewed, they will not be removed from the country. As well, their benefits will continue if they're currently receiving them, because we do not want any hardship imposed upon them. That's for the short term for these specific individuals.

Over the long term and in the broader picture, most if not all of our social benefits are not based on citizenship, but rather on residence. Old age security, for example, is not based on whether you have citizenship or not. It's how long you've lived within the country that determines your eligibility.

So Canadians are not at risk from that point of view, but we are making sure that in the case of these people who are directly affected by the things we're trying to fix today, their benefits will continue, and they will not be removed from the country while their case is being reviewed.

The Chair: Thank you, Minister.

Thank you, Mr. Komarnicki.

That completes our seven-minute rounds. We'll now go to five-minute rounds, and I'll begin with Mr. Alhabra.

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

Good morning, Madam Minister. Thank you for coming here today.

I just want to clarify one thing. From what I heard from you today, I understand that you have a short-term solution to the individual cases that your department has come across of the so-called lost Canadians and that you are dealing with them on a case-by-case basis. You also acknowledged that those represented unfortunate, unintended consequences of the original Citizenship Act, but you are still looking for and inviting us to propose a way of dealing with them in the long term.

So you don't have a plan right now on how to overhaul the system or look at it from a fundamental point of view?

• (1155)

Hon. Diane Finley: Well, we do have things we know we'd like to do. The trick is always that it's not just what you do, it's how you do it.

I've been in this job for about six weeks now. Frankly, with the experience you have—I counted it up, and around this table you have 19 years of experience on these issues—I would like to benefit from that experience. I believe and always have believed that several heads are better than one. I never have pretended to have all the answers. I believe quality comes when a lot of good people with a lot of knowledge work together.

So that's why I'm quite eager to have your input.

Mr. Omar Alhabra: It is accurate, then, that right now there is no long-term...or what direction in which the overhaul will take place?

Hon. Diane Finley: The general direction is that we want to fix this for the long term. We don't want to keep using band-aid approaches.

Mr. Omar Alhabra: Very good.

You know that the previous government had set aside \$20 million for a review process for citizenship, which your government has cut. May I ask why it was cut?

Hon. Diane Finley: At that point there was not a citizenship act going forward. If those circumstances change, if there is an act to go forward, then, I believe, there could be some funding available.

Mr. Omar Alhabra: But the whole idea for that review was exactly to address these issues. The review was beginning to take place, and your government decided to cut that fund and to stop the review process, and now we're dealing with the situation. I'm just curious as to why the decision was made to stop that process and remove the \$20 million fund.

Hon. Diane Finley: We had a couple of choices to make. We could go ahead with a complete review of the Citizenship Act and replace it, or go with Bill C-14. We chose to go ahead with Bill C-14 as a priority.

Mr. Omar Alghabra: Okay. You're bringing up an interesting point. I want to note a pattern that we're seeing here. We're seeing that there's an IRB appointment review process on the go. There is a dual citizenship review process as we understand it. There's Bill C-14. There's the foreign credentials issue that we still haven't seen any progress on. So it looks as though there's a lot of inertia or lack of political will. None of these things has moved forward. It appears to us that none of them has moved forward.

I'm just curious: is this a pattern? What is going on? Why is there a lot of foot-dragging?

Hon. Diane Finley: Actually we have made a lot of progress on a lot of fronts. For example, I cite the temporary foreign workers program, and the announcements that were made in November to enhance that. There are facilities in British Columbia and Alberta and dedicated sites to help foreign workers, and help the employers that need them. We've developed with B.C., Ontario, and—

Mr. Omar Alghabra: What about these issues that I just raised? The IRB appointment review process; the dual citizenship review process; the Bill C-14, which is supposed to be a priority—you just said it's a priority—and the foreign credentials issue, which has been announced. The creation of the agency was announced earlier in 2006, but as far as we know, nothing has happened yet.

Hon. Diane Finley: On the foreign credentials review, we've actually made a lot of progress. We didn't want to just charge in, set something up, and then find out it was the wrong thing. We've taken the last year to do extensive consultations with the provinces and territories and a wide range of stakeholders. There are over 440 regulatory bodies involved, and we're going to be making an announcement soon.

Mr. Omar Alghabra: Can I address that point? It's really interesting. When it comes to cutting and stopping programs, you don't do any consultation. You do it right away. You just terminate the program and cut it. When it comes to implementing positive things that you yourself have promised, apparently it's multi-dimensional and very complicated and you need to consult a lot of stakeholders.

It appears to be very contradictory. When it comes to slashing, you do it right away, with no consultation. When it comes to implementing programs, we need to consult and we need to talk to stakeholders. And nothing happens.

Hon. Diane Finley: When you're designing something new, it's important to make sure.... It's much easier to cut something, for example, than...or to tear down a tent than it is to put it up.

• (1200)

Mr. Omar Alghabra: We know that.

Hon. Diane Finley: When you're building something, you want to design it right, because it's going to last a long time.

Look at these two acts we're discussing today and the implications they have for Canadians. These are consequences that were, hopefully, never intended. This is the sort of thing we're trying to avoid. We want to get it right the first time, as we build it, so it is effective and doesn't have to be cut.

The Chair: Thank you, Minister.

That completes the five minutes.

We'll go to Mr. Jaffer.

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Thank you, Mr. Chair.

Thank you, Madam Minister, and your officials, for being here.

I have to agree with Mr. Alghabra. I mean, he's mentioning a number of issues that are in the pipeline, and some slow movement. I understand his frustration. There's a big mess that our government had to clean up from the previous government. So I can understand his frustration.

I know, Madam Minister, that in the short time you've been there, it's clear that you've been working very diligently to not only get caught up on, I think, such an important file, but you're bringing forward some really important processes and doing that carefully, as you say, by consulting with the provinces. I think that's something our government feels very strongly about, respecting provincial jurisdiction.

Looking particularly in the area of Alberta—I say this at the outset, and then I have a specific question on lost Canadians—we have a huge challenge right now with labour shortages. We have a huge challenge trying to process, often, the temporary workers' permits. I think you're very well placed, being that you've had the chance to sit with HRSD, and now, Citizenship and Immigration, to help move some of those challenges along.

It's really a crisis we're facing in Alberta when it comes to meeting the labour shortages. We're working, as you know, because of the leadership of our government, on expanding the provincial nominee program and also on coordinating better with the temporary workers' permits. So I encourage all the work you can do, Minister, to continue to streamline it and improve the timelines for processing some of those temporary workers' permits. Because as I deal with industries, particularly in Alberta, I continually hear that that is a huge challenge. I do appreciate your hard work on that file.

Specifically, I remember that in 2005, one of our colleagues, John Reynold—he's no longer here—co-sponsored a private member's bill, Bill S-2. That was the first time I learned about the issue of lost Canadians, and I remember the debate that took place. From what I remember, the bill amended the Citizenship Act to change the resumption of citizenship provisions for people who ceased to be Canadian citizens as minors between January 1, 1947, and February 14, 1977. The one thing that was interesting about this bill was that it actually did receive royal assent. I think all parties were behind the bill and appreciated the fact that it needed to be passed.

Since this issue did actually become law, from what I understand, I was wondering whether you or your officials could comment on the course of action the department took to deal specifically with the provisions in this bill and whether it was successful. Is that why some of these things are happening that we've heard in your report today, Madam Minister?

Hon. Diane Finley: Bill S-2 certainly did have some very desirable outcomes intended, and it was a good start. A lot had to be done to inform the public, and we did that. People were informed through the website and through the call centre. Embassies and consulates were made aware of it. We've been able to go ahead with the implementation, and naturally, every time you raise awareness of a subject, it identifies more people who you didn't know existed. It did address part of it. We've actually dealt with 168 applications so far in our Sydney office, which are now in various stages of processing.

So there is a success story there.

Mr. Rahim Jaffer: It seemed that there had been some building on that. I just wanted to know how that process was streamlined at the time.

In your report you mentioned a fair amount about citizenship and your participation in the citizenship ceremony last week. At this table, we have a fair amount of diversity represented here when we're dealing with immigration issues. As you know, my family came here as refugees in the early seventies. Mr. Telegdi's family was in a similar situation as well, and obviously others were the same. We've seen more and more diversity not only in this country but—

• (1205)

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Especially on this side of the House.

Mr. Rahim Jaffer: I don't think anyone has a monopoly on citizenship and diversity in this country. It's something we can all take pride in.

Nonetheless, one of the things we have to remember is that we obviously all define ourselves differently as Canadians. That's one of the beautiful aspects of this country. But outside of the actual legislation that we often debate and get caught up in here, I'm curious to hear, in your own words, Minister, how you would define the characteristics that define us as Canadians and where you expect to take this particular department. Since you're a new minister, I'd like to hear that.

Hon. Diane Finley: Canadians are known around the world for a lot of good things. That's why people from other countries, when they're backpacking around Europe, for example, put the Canadian flag on their backpacks. They want to be seen as being Canadian. It really says something special when members of other countries want to be identified as being part of our country rather than their own, because they obviously see there's a lot of value in it.

There are a lot of ways in which Canadians have been described. Probably the best word would be “welcoming”. If you take a look back, most of the growth of our country has been based on immigration, whether people came here as.... In the area where I come from, Haldimand—Norfolk, the early settlers were there in the 1790s. But even if they're people who have arrived recently, they come from all different countries of the world. We saw that last week at the swearing-in ceremony.

Maybe it's because we've all ultimately come from somewhere else that we tend to be welcoming of new people. There's a tolerance. There's a cross-cultural learning that's celebrated.

I look at my wonderful area of Haldimand—Norfolk, where we had a large influx of immigration in the fifties, mainly from eastern Europe. Those people have made a fabulous success story out of developing the area, and we still celebrate our various cultures. I see that, going forward, as something special.

The Chair: Thank you, Minister.

I would ask members to try to stay within the time limit. Of course, it's my responsibility to bang the gavel, but the questions have been quite lengthy, and the answers have been quite lengthy as well. I'm going to hold members strictly to the five-minute rule from now on to ensure that everyone gets an opportunity to address the minister.

I will now go to Mr. Gravel, please.

[Translation]

Mr. Raymond Gravel (Repentigny, BQ): Thank you for being here, Madam Minister.

I have a number of questions to ask, after reading the notes you've distributed to us. That's why I would have liked to have your text. I'm a new member of this committee. I have the translation, and that's also a problem. I had a number of questions to ask; you've answered some of them, concerning Mr. Taylor, among other things.

I'd like to ask you a question about the ancestors of the Mennonite community whose marriages were not recognized because they had religious weddings. Are there a number of people now living in Canada who perhaps don't know whether they're Canadian citizens or not? How do you deal with those cases?

There's the case of Mr. Teichroeb, who's been living in Canada since he was six months old. Under the rules, they say he lost his job and house. He waited for three years before finding out that he could be recognized as a Canadian citizen. I don't know whether there are a number of people in the same situation. If so, how are you going to manage that? What is meant by illegitimate marriage today? If there were illegitimate marriages at the time, it seems to me those cases would be easy to resolve today.

[English]

Hon. Diane Finley: You bring up a very good point.

First of all, congratulations on joining the committee. That's exciting.

There are significant issues here. One thing we're trying to identify and are working on in this regard is the numbers involved; we're not sure, because every case has to be looked at individually to determine eligibility.

If there is a significant “attachment”, as we call it, to Canada—a demonstration that people have lived here a large portion of their lives, have contributed to the workforce, have a reason to be part of Canada or to consider themselves tied to Canada—then we consider the use of subsection 5(4), which is how we granted citizenship to the 33 original ones.

[Translation]

Mr. Raymond Gravel: Has Mr. Taylor's case been resolved, even though you filed an appeal?

[English]

Hon. Diane Finley: That case is currently still before the courts. As I mention in my notes, we believe there was an error in law in the last decision, so we're appealing that.

• (1210)

The Chair: Thank you, Mr. Gravel.

There are a couple of minutes left here, so if you want to go ahead with the remaining time, Madame Faillie, it's okay.

[Translation]

Ms. Meili Faillie: Again on the subject of Mennonite ancestors, based on what file or what information do you determine that an individual is no longer a Canadian citizen? When did Mr. Teichroeb realize that he was no longer Canadian? What information, what files did you crosscheck in order to determine that that person was no longer a Canadian citizen?

[English]

Hon. Diane Finley: I'm sure you can respect that for the sake of privacy, we cannot talk about individual cases. But each case is different. When I first arrived at CIC recently, I was amazed to see the variety of circumstances and how no two cases are identical. They may seem so on the surface, but once you start examining the documentation, there are different sources for different pieces of information.

[Translation]

Ms. Meili Faillie: It's not the case as such that interests me. I raised Mr. Teichroeb's case because I'm sure there are other people in that situation. For whoever files an application, what's your source of information for determining whether that person is an illegitimate child and is not entitled to citizenship?

[English]

Hon. Diane Finley: There's a wide range of documentation that we review, whether it be Canadian or from elsewhere. We have to authenticate those documents as well. Many people do unfortunately try to get into this country using fraudulent documents, because we are such a great place to be.

So we have to authenticate the documents, but we do look at a wide range of them, depending on the circumstances, and they do vary considerably.

[Translation]

Ms. Meili Faillie: So you're confirming for us that you have no electronic files containing the names of all persons who are illegitimate Canadian citizens.

[English]

Hon. Diane Finley: No.

The Chair: Thank you, Madame Faillie.

Mr. Devolin, please.

Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC): Thanks, Mr. Chair.

Thanks for being here today, Madam Minister.

This is an interesting issue because of the people it affects. We've seen the anecdotal stories in the media and we've heard a bit about some of them this morning.

About a year and a half ago, someone who was having a problem came to my constituency office. He was a lost Canadian. He was born in Ontario, moved to Australia in the 1960s when he was in his twenties, and played hockey in Australia. They wanted him to play on their Olympic team in 1968, so they rushed through citizenship for him. It was his understanding that it didn't affect his Canadian citizenship.

Anyway, he played in the 1968 Olympics and lived in Australia for ten years. He then moved back to Canada and has been here for thirty years. He married a Canadian woman and recently decided that he should get a passport to make it easier to travel back and forth to the United States. Instead of using his Ontario birth certificate, he thought he should get a Canadian passport, only to discover that he in fact wasn't a Canadian citizen any more.

When he came to my office, he had been advised by an immigration lawyer that he should get his wife to sponsor him as Canadian citizen. He pointed out that his wife was actually an immigrant. Someone who was born in another country was actually going to be sponsoring him to become a Canadian citizen. His proof of ID was his Ontario birth certificate.

There's also another group that I've been dealing with. I have a lot of retired people in my riding, and I've had a significant number of war brides come forward in the past couple of years. It seems odd that fifty or sixty years later, people are dealing with the citizenship issue. I think it is the change in the rules to enter the United States that has precipitated this issue, but these citizenship problems are long-standing issues that are coming to light now as people are coming in to get passports.

I think you said earlier that for people who think they're Canadian citizens or people who are going through this process, there won't be any interruption to their benefits, to their Canada Pension Plan or old age security. I can appreciate that some older people might be nervous about dealing with an important issue like this, because they would think they're getting their assistance now and don't want to upset the apple cart.

Can you clarify for Canadians, whether they're lost Canadians or whether they're long-time permanent residents who want to go through this process to become Canadian citizens, that by bringing themselves to light, they're not going to lose benefits?

• (1215)

Hon. Diane Finley: I'll try to make it simple, although it gets very complex and probably is outside the amount of time we have here. Basically anyone who is born in Canada is a Canadian citizen. That's the number one rule. There are cases, a few—we've identified about 450 so far—where there is some dispute as to whether an individual is a Canadian citizen, was a Canadian citizen, or is entitled to be one, for a wide variety of reasons.

We are reviewing each of those cases on an individual basis because each one is unique. While we review those, we have made the commitment that none of those individuals involved in those cases will lose their benefits, such as old age security. They will not be removed from the country, because we want to make sure that all of these determinations are made first, before anything else happens.

So while we are reviewing those cases, they will definitely retain their benefits.

Mr. Barry Devolin: Thank you. I think that will cause some people to take comfort from that.

As my last comment, I forgot to mention that the individual whom I mentioned actually is one of your 450 and is being dealt with now and seems to be on the way to resolution.

Also, another issue. There has been reference to the Mennonite issue, and I know there are Mennonite families who moved to Mexico in the past. Births were registered. There was a church marriage, but not a registered marriage. There are also Mennonites who come from other places, including the United States. Are there any special concerns that you have regarding Mennonites? Are there any provisions in place for them?

Hon. Diane Finley: We don't deal with specific groups in that way, as a rule. I wouldn't say I have specific concerns about any particular group. We always have to be vigilant, though, to make sure that whoever is applying to come to Canada, to stay in Canada, meets all of our safety and security needs, which includes having to prove that they are who they say they are and in the circumstances they say they are.

As I mentioned earlier, there are far too many people who want to come to this country because it's a land of opportunity in their eyes. And that's a good thing. The bad thing is that they're prepared to go to extreme lengths to do it, and so for the safety and security of everyone who is already here, we do have to validate all of the documentation and all of the submissions and claims that are made in the applications.

The Chair: Thank you, Minister, and thank you, Mr. Devolin.

Mr. Siksay, five minutes, please.

Mr. Bill Siksay: Thank you, Chair.

Minister, I wanted to come back to the matter of the children born to Canadian armed forces personnel in the Cold War period. One of the people who has been working on this issue is a woman named Christine Eden from British Columbia. In her informal work on this, pretty intense work, she says she has over 200 files of people who fall into that circumstance, whose citizenship is in question related to having been born out of Canada on a military base while parents were serving with the Canadian armed forces.

You had mentioned that you thought a lot of the passport issues were people who were applying for an initial passport, a first-time passport. Some of the examples, some of the anecdotal stories she sent me, are about people who say they've held several Canadian passports over the years, and when they went to get them renewed recently they were told that their documentation was no longer valid.

She points to a number of examples of people in that circumstance, so I'm looking forward to when she appears before

the committee. She is coming to talk to us about those circumstances and her experience of this issue.

But people who have served in the military—RCMP officers, she points out—have had the same experience of renewing a passport and being told that they weren't Canadian and needed to resolve that issue before a new passport could be issued.

She also raises the issue of people who move between provinces. There's one example here of someone who moved from Alberta to B.C. and applied for a B.C. driver's licence but was told that the record of birth abroad wasn't an acceptable document provincially for proof of birth.

I'm wondering if you can tell me what kind of coordination happens between provincial agencies that issue identification documents and your department in terms of resolving issues around what's acceptable proof of citizenship and what's not. For instance, would your department have negotiations with the people who issue licences in British Columbia about what's acceptable ID?

● (1220)

Hon. Diane Finley: As the federal government, we are the national registry for citizenship and for applications. Each province obviously has the freedom and the authority to make its own decisions on what it will accept or respect in terms of proof for anything else, for its own programs. Driver's licences being provincial programs, they get to determine what they want, but we are the national registry for new Canadians.

Mr. Bill Siksay: So they would be able to reject a document that the department finds acceptable as proof of Canadian citizenship.

Hon. Diane Finley: I would doubt that, but I could follow up for you.

Mr. Bill Siksay: Okay.

Minister, you said you were currently dealing with 450 cases of this. Has there been any looking back to see how many people in recent years might have fallen into these categories and had to go through a more complicated process to resolve the issues of their citizenship? Has there been any analysis of the previous requests for new citizenship documents or a resumption of citizenship, one that would determine how many people fell into these kinds of categories?

Hon. Diane Finley: I will defer to the deputy on that one.

Mr. Richard Fadden: We tried to do that, Mr. Chairman, but given the way in which the citizenship system is organized, it's all on a case-by-case basis. From our perspective, whether the minister is entirely correct and there are 450 cases, or you are perhaps correct and there are hundreds more, the key is that those who are involved must register with CIC.

A lot of people are talking about problems of one sort or the other, but we do not have the capacity to deal with the cases unless they register with CIC. So I would register a plea, through the minister and you, that if you have any constituents who have concerns, the first thing they should do is register.

Mr. Bill Siksay: So there could in fact be many more cases that have been resolved through the normal channels of the department in the past years.

I want to ask specifically about the border babies. It seems to me that this is an interesting situation, with people who happened to go to the nearest hospital to have their child. Sometimes that was across the border. The border wasn't always taken as seriously as it is today. Are there any special measures in place to assist those people in proving their Canadian citizenship? The only time they may have spent in the United States was the moment of their birth and however long it took to get released from that hospital, yet from what you said earlier, you're saying they are American citizens, not Canadian citizens. They would have to go through the entire process of applying for permanent residence status and then applying for citizenship.

Is that the case in those circumstances?

Hon. Diane Finley: Not necessarily. It's true that if they were born in the United States, that would give them U.S. citizenship. The parents were expected and required to register the birth when they got back to Canada. If they did that, there's no problem and they're also Canadian citizens. If the parents did not register the birth, then the issue comes up despite the fact that they may only have been out of the country those three days in their entire lives.

Those are some of the types of cases that we're reviewing. In fact, that's where we can exercise subsection 5(4) to grant them citizenship in those unusual circumstances.

The Chair: Thank you, Mr. Siksay.

Mr. Shipley, and then Mr. Karygiannis.

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Thank you, Mr. Chairman.

Madam Minister, it's good to have you here. I appreciate very much some of the comments you have been making.

I just want to go to our Canadian labour market. I have a couple of questions. I know you touched on this in your opening remarks...and I think it's critical, and very supportive, that you did this. It has to do with foreign credential recognition.

In my former life as mayor of our municipality in southwestern Ontario, we seemed to be struggling in a number of areas with this foreign credential process. Whether it was the profession of medical doctors or the profession of skilled tradespeople coming in, we'd always hear the story that these people were coming in and driving taxicabs for five years. We had professional doctors doing this. Those always seemed to be the ones who floated to the top. But then we were struggling in our communities to be able to fill the vacancies, whether it was for doctors or professional skilled labourers.

A little earlier, you touched on creating an office that would be able to deal with the professionals coming into Canada, so that when they get here, they might be able to practise their profession. I have a couple of questions on setting this office up. Just for clarification, I'd like you to expand a little bit on how that would actually speed up the recognition of those individuals, and on what we're doing about it to make this happen.

We're doing something now. Is this a new problem, or has it been an existing one? I would have said this is something that has been out in front for many years, yet there doesn't seem to have been anything done about it. From your comments, I'm assuming that you're very much on track.

● (1225)

Hon. Andrew Telegdi: On a point of order, Mr. Chair, we decided that we were going to hold special hearings on the whole issue of citizenship particularly because it has been such a problem. That's what our agenda is, and it relates to citizenship. I really wish we would spend the time that we have with the minister talking about citizenship. All four of these meetings were specifically called to deal with the citizenship issue.

I would suggest that if the member doesn't have a question on citizenship, then we should go on to a member who does. People are tuning into the telecast and webcast of this program to watch it specifically for citizenship.

The Chair: Mr. Shipley, for a response to the point of order.

Mr. Bev Shipley: This is to the Minister of Citizenship and Immigration. It has very much to do with getting people into our country in terms of the immigration and citizenship side, and I look forward to the minister's response.

The Chair: I'm informed by the clerk that no standing order specifically covers that.

I know what the member is bringing up, that we should be homing in on the citizenship problem, but I've been flexible with members on my left and members on my right. The minister is here to provide information, so I will allow the question to stand and for the minister to respond.

[Translation]

Ms. Meili Faille: Mr. Chair, I'd like to speak to this point of order.

[English]

The Chair: We have a point of order again.

[Translation]

Ms. Meili Faille: We are currently holding extraordinary, special meetings on the subject. We're meeting on Tuesday and Thursday to discuss other topics. The committee has certain priorities.

Our colleague opposite is a new member of the committee. We really wanted to address the citizenship question, having regard to the priorities we have in this committee. I normally don't speak when a point of order is raised, but committee members were specifically discussing citizenship this morning. So I would ask our colleague to stick to questions concerning citizenship.

[English]

The Chair: Since there is no standing order that specifically addresses that particular point, we are in the hands of the committee. If the committee wishes to confine itself just to the issue at hand today, then I'm in its hands on that.

Mr. Devolin, in response to the point of order.

Mr. Barry Devolin: To this point, yes.

I appreciate the sentiment, but if there's no restriction, if there's no standing order that restricts what members can ask of a minister, whether this is a regular meeting or a special meeting—meaning it's being held at a different time—I'm quite frankly shocked that the opposition members want to give control to the chair to determine whether people are on topic or not.

I've been to lots of committee meetings, and the questioning often veers from what is laid out in the agenda. I think it's appropriate. I appreciate the sentiment and my colleague from the Bloc asking that we do that, but that's different from restricting members in terms of what they can ask. The minister should be given an opportunity to answer the question that was put to her.

The Chair: Mr. Karygiannis, in response to the point of order.

Hon. Jim Karygiannis: Mr. Chair, every member has five minutes, and they can use that time as they wish with the minister. I think we're wasting time here.

The Chair: Yes, we are. I was about to point out that we are wasting a great deal of time here that could be put into questioning the minister. We don't very often have the minister here.

Mr. Shipley, you have approximately a minute or so. Do you have a last follow-up question, or do you want the minister to answer?

Mr. Bev Shipley: I want an answer from the minister, please.

The Chair: I'll allow the minister to answer that.

Hon. Diane Finley: Thank you, Mr. Chair.

The honourable member is absolutely right, we do have a lot of people coming to this country who have a lot of talent, a lot of skill. Those are skills and talents that we need in this country, quite frankly, because our labour market needs are such right now that we're not getting enough of those skills home-grown. We're going to have to increasingly rely, going forward, on immigrants to meet those needs.

We have taken a number of steps going forward. I hope to have some announcements to make soon on some exciting steps that we've taken in this regard, to make sure that those who have credentials get to exercise them here.

• (1230)

The Chair: You have one minute left, Mr. Shipley.

Mr. Bev Shipley: I'll hand off to Ed.

The Chair: Mr. Komarnicki, for one minute.

Mr. Ed Komarnicki: I have a brief question.

I notice that there has been some mention of issues relating to the Mennonite community. Of course, the fact is that there was some issue relating to the recognition of their marriages being other than civil marriages.

You've taken some proactive steps to deal with individual cases, and I appreciate that it's a constructive approach for the short term. How have your steps been taken by the community at large? Have they been receptive to your actions? How have they viewed what you have done so far?

The Chair: You have 15 seconds, Minister.

Hon. Diane Finley: To keep it very short, the Mennonite Central Committee has welcomed our efforts. They are very pleased with the progress we've made and where we're taking this.

The Chair: Thank you.

Mr. Karygiannis.

Hon. Jim Karygiannis: Madam Minister, I want to thank you for taking some of the implementations that came from the opposition, which you certainly looked at and worked on.

However, I'm wondering if I can ask you a question about Stats Canada. Do you find it to be a credible organization? Would you say they provide Canadians with right information, and accurate information?

Hon. Diane Finley: Stats Canada collects a wide range of information. I couldn't possibly comment on the accuracy of all of it—

Hon. Jim Karygiannis: Do you find their information credible? Yes or no.

Hon. Diane Finley: I haven't had occasion to use it, except in an official capacity, for quite some time, I'm afraid. So I wouldn't be in a position to evaluate how reliable it is.

Hon. Jim Karygiannis: Minister, I'm looking for a simple answer to a simple question. Is Stats Canada, a government organization and arm's-length, that has valuable information for our day-to-day lives—we spend millions of dollars in order to collect that information—a credible organization?

Hon. Diane Finley: I would say yes.

Hon. Jim Karygiannis: Okay.

So when Stats Canada reports, through CBC, that there are about 50,000 people in this category, are they wrong?

Hon. Diane Finley: I don't know how they derived that number. I couldn't say how they derived it. I know we've tried to, and we haven't found the means, so I'm curious as to how they managed to.

Hon. Jim Karygiannis: Madam Minister, two days after the letter came in from your predecessor—it was very vague—I called your department, because I thought this issue would probably affect one of my daughters who was born abroad. I was asking specific questions. I even called the deputy minister's office. At that point in time, they couldn't give me answers. It took them two days to come up with the suggestion that it was children of children.

So if it took them two days to come up with the suggestion that it was children of children, I say to you that Stats Canada has more reliable figures than the figure of 450 or 600 people you're giving us today.

Hon. Diane Finley: I'm sorry, was there a question there?

Hon. Jim Karygiannis: I'm saying to you that you don't know what you're talking about.

Now, your deputy said there's information about Canadians and their citizenship, if they've lost it, on websites across the country or across the globe.

Is that right, Deputy?

Mr. Richard Fadden: Yes, sir.

Hon. Jim Karygiannis: Okay.

One of our largest consular offices around the world would be Hong Kong. So on the Hong Kong website, you would have information right up front and centre?

Mr. Richard Fadden: I have no idea, Mr. Chairman, whether it's front and centre. I was told that at every Canadian mission, and in particular any mission that has an immigration office, that information would be made available.

Hon. Jim Karygiannis: Then, Deputy and Minister, I'd like to pass on to you what our Hong Kong website has on it. It doesn't have much information. It's not up front and centre. I just took this right off the website.

I represent 16,000 Chinese people, and a lot of them have dual nationality and go back and forth to Hong Kong. If the Hong Kong office does not have it on there, then which office does have it? You've had close to a month since you made the announcements.

Hon. Diane Finley: It is on our main website at the CIC, as part of the Government of Canada website.

Hon. Jim Karygiannis: It's on the CIC website. Now, wouldn't you think that Hong Kong should also have it? The deputy minister said it's on all the websites across the world.

Hon. Diane Finley: We were advised that this had happened.

Hon. Jim Karygiannis: You also said that you had extensively advertised in the media. I'd like to ask how much and where you advertised.

Hon. Diane Finley: I'd have to get that information to you, and we'd be happy to do so.

Hon. Jim Karygiannis: Are you trying to tell me that you don't know, off the top of your head, in which major newspapers you advertised? Was it the *Star*? Was it the *Globe and Mail*? Was it the *National Post*? Was it CBC? Was it CTV?

I look at those papers religiously, every day. I didn't see an advertisement.

• (1235)

Hon. Diane Finley: I'd be happy to provide that information to you.

Hon. Jim Karygiannis: Well, Minister, wouldn't you know which newspaper you advertised with?

Hon. Diane Finley: If I could provide that to you right now, I would. I'm sorry, but I don't have that information at hand.

Hon. Jim Karygiannis: Did you advertise with any...?

Well, Minister, I see your senior staff is here. Wouldn't one of your staff or your deputy minister be able to answer that question?

Mr. Richard Fadden: The information in the very short term that I was referring to was retained by the passport office. I remember seeing some in the *Globe and Mail* and the *Citizen*.

The other advertising I was talking about related to the change in the rules in 2004-05. I was told by the department that we had advertised, but I really don't know in which newspapers we advertised.

We'd be happy to provide that information.

Hon. Jim Karygiannis: So you might have advertised or you might not have advertised.

Mr. Richard Fadden: No, I said we advertised, I just don't know where. It was a couple of years ago, and I wasn't there.

Hon. Jim Karygiannis: Can you also tell me what steps you're taking to advise Canadians who are living abroad and are having children and who go to register their children? Can you give me some advice as to what the department has been doing on that over the years? Does it say to them, look, if you're second generation, you could lose your citizenship?

Hon. Diane Finley: Well, now when they receive the card, it does have, thanks to this committee, an advisory on it. There is an indication on it that it does have a limited life. But as the deputy said, when people contact the embassy....

Remember, we don't always know who's anywhere near one of our mission offices, but if they have reason to be in touch with our mission office, there is information available there to advise them. And if the topic of citizenship comes up, then we try to make sure they are aware of the circumstances.

But we have no way of knowing who is in a given country at any time, unless they register.

Hon. Jim Karygiannis: If I were to tell you that some of your officials abroad are bringing hindrance to people applying for citizenship—in Kenya, for example—

The Chair: A very brief response.

Hon. Diane Finley: I'm sorry, I couldn't hear the question.

Hon. Jim Karygiannis: Some of your missions abroad are bringing hindrance to Canadians applying for citizenship—in Kenya, for example—and who have been living in Canada for many years and have gone back to Somalia or Somaliland. I'm dealing with a case right now. Your office is certainly bringing blocks to this case.

Hon. Diane Finley: I'm not familiar with it. I need to know more information.

The Chair: Actually, that's six minutes, so we will go to Mr. Komarnicki.

Mr. Ed Komarnicki: Yes, thank you, Mr. Chairman.

To Mr. Fadden, I notice we had remarks about the number of people who might be affected in the various categories and so on. To put it in some proper perspective or context, I know that the minister has added additional staff to the case processing centre and has implemented a dedicated referral line at the call centre for clients who wish to speak to an agent about their citizenship status. I'm sure that people are encouraged to call if they have any questions regarding their citizenship. And the department, I'm sure, would be more than happy to dedicate time and resources to answer those questions.

I know that there is a greater degree of coordination between the various departments, whether that be Passport Canada or Canada Border Services. But can you give some context to what has been incoming over the last number of weeks, given those resources and the call lines?

Mr. Richard Fadden: Yes, Mr. Chairman.

We opened a dedicated call line on January 26, and between then and the end of the day on February 14, we had 10,200-odd calls to that line on a variety of issues. Of those, 713 related to the loss of citizenship. Of that number, we were able to confirm citizenship for 670, and 43 were referred to Sydney for further review.

I think we understand that 450 is not a magic number. That's what we have in the system now. But when we find that we've had 10,000 calls, and only 43 merited further review, we have some difficulty coping with the idea that there are tens and tens of thousands.

I go back to the earlier point I made, which is that if anybody knows of a difficult case, they should register with the department. What we're dealing with now are those that have been registered, and every case that is a significant anomaly has been assigned to particular program officers. And I know that in many cases there have been many telephone exchanges with them. We're dealing with the cases, as the minister said, on an ongoing basis.

Mr. Ed Komarnicki: Thank you for that response. I certainly appreciate the additional effort and dedication to this issue, and I hope you continue in that regard.

I myself happen to be in a riding that borders the United States. Certainly there are many along my constituency border that might be deemed to be border babies, in that many communities are almost right on the border or are very close to the border. Many of them may have been born in the United States, but for all intents and purposes, they reside in my constituency, do their business in my constituency, and in fact have every attribute of citizenship that one might imagine. They are not only well connected to my constituency, but I would consider them to be in every way Canadian citizens. So they have a substantial connection with Canada.

Tell us, what exactly is the legislation as it relates to what we call border babies, and how has that been dealt with? How will that be dealt with down the road should people identify themselves as being in that peculiar circumstance?

• (1240)

Mr. Richard Fadden: Mr. Chairman, between 1947 and 1977, a person born outside of Canada to a Canadian parent had to register that birth within two years. Post-1977, they were eligible to be registered, as well, and it was extended.

The approach we've taken in dealing with these cases is that if there has been a substantive and substantial connection with Canada, in those circumstances where they have not registered, we are recommending to the minister that she use her authority under subsection 5(4). So if there's a case where somebody simply went abroad, as the minister said, for three days to be born, and they spent their entire time....

I was born in Quebec, 10 miles from the Vermont border. It is the same sort of situation. A lot of my friends were born in Burlington,

Vermont. If they spent their entire life in Canada, we can provide documentation on that. We'll recommend to the minister that she exercise her authority under 5(4). There's no requirement for permanent residence. There's no requirement to do anything. We simply have to prove the facts to the satisfaction of the minister, and she's able to provide citizenship.

Mr. Ed Komarnicki: Anyone finding themselves in that situation obviously ought to get in contact with your department on the short-term basis for resolution.

I see Mr. Chapman here as well. He was one of the individuals who was quite instrumental, along with Mr. Reynolds, in the promulgation of Bill S-2 that came through the Senate and actually addressed what can appropriately be called "lost Canadians". I know the term has been used interchangeably and perhaps incorrectly to fit situations, but that particular bill allows citizens who were minors between January 1, 1947, and February 14, 1977, who have lost their citizenship in some fashion or other through their parents, to apply online, I understand, to get that situation corrected.

Can you tell us a little bit about the process and what's involved there?

I appreciate that Mr. Chapman would think there needs to be some additional work done, and perhaps that's the case, but for the moment, what does exist?

Mr. Richard Fadden: The minister briefly answered this question earlier. We've had information on our website, we've produced information kits, and people are prepared to answer the question through our call centre. Since the statute has been proclaimed we've had 168 applications, and they're all in the process of being dealt with through the processing centre in Sydney.

The Chair: Thank you.

Mr. Gravel.

[Translation]

Mr. Raymond Gravel: I'd like to go back to the border babies issue. Listening to my colleagues on the other side of the table, I wondered whether things were done in the same way across Canada. I come from Quebec and I'm a priest. I've registered a lot of babies during my career. It was the churches that registered births at the time of baptism.

I wonder how we can blame parents today for not registering their children, for example those born in the United States, in view of the fact that, until 1994, it was the churches, not they, who were responsible for registration. People weren't even aware they had to register their children. Mistakes may have been made by the churches. You have to go and check where people had their babies baptized or registered.

[English]

Hon. Diane Finley: I do not want it to be construed that I am blaming the churches, not at all. There are a number of reasons why births weren't registered, some of them administrative, some then through failure of the parents to do so themselves. What we're trying to do here is apply the law as it exists. That's why we are using special circumstances like subsection 5(4) to remedy those situations.

[Translation]

Mr. Raymond Gravel: It should be easier to determine whether these individuals born before 1994 are really Canadians, even if they were born and incorrectly registered in the United States. I don't want to blame the churches, but some of them nevertheless must have made that kind of mistake. Those cases must be easy to resolve.

• (1245)

Mr. Richard Fadden: The act is very clear on the subject. If there has been no registration, the person is not a Canadian citizen. Whether it was an error by the Crown or a church is of little importance. Under the act that we have to enforce, proof of registration within a period of two years is required.

In the absence of any legislative amendments, our solution is to exercise the minister's exceptional power to grant those people citizenship under subsection 5(4) of the act. It's a relatively quick process. It simply requires documents proving a specific situation.

[English]

The Chair: Mr. Gravel, thank you.

Mr. Jaffer...or Mr. Devolin now, instead of Mr. Jaffer.

Mr. Barry Devolin: The problem we have, Mr. Chair, is that the minister has done such a great job answering the questions that we're actually.... I think we've exhausted a lot of the points on this issue.

I want to make a quick comment before I turn my time over to Mr. Komarnicki. I think the notion is a good idea that in the short term you're going to deal with people who bring themselves forward on a case-by-case basis and use the tools and the discretion that you have as minister to try to resolve those issues. I can't imagine how somebody could disagree with that.

You've also expressed a willingness, at the same time, to look at long-term legislative solutions. I'm relatively new to this committee, but you're right that there are many people on this committee with a lot of experience. I appreciate your willingness to work with the committee—and I'm sure many of the committee members feel the same way—in terms of proposing something that kind of tidies this up. As I read some of the quotes from the 1947 and the 1977 acts, it reminded me of that old TV show *This is the Law*, where they showed you the little skit and you had to guess which arcane law was being broken.

I think trying to create a level playing field and trying to figure out a way whereby people can be treated fairly and consistently is long overdue, and I applaud you if that's a problem you're willing to tackle.

Anyway, Mr. Komarnicki...?

Mr. Ed Komarnicki: Yes.

To Mr. Fadden, we've obviously heard about various categories and cases that come up. Some of them are referred to incorrectly or interchangeably. Can you set out for us the difference between resumption of citizenship and confirmation of citizenship? How many categories are there? What's the big picture? What are we dealing with in this area?

Mr. Richard Fadden: I can give it a try, Mr. Chairman.

To go back to one of the points the minister made initially, you have to start from the premise that most of the people who seem to be affected by these difficulties are likely Canadians who have lost their proof of that citizenship. I understand that for many of these people this is frustrating, but in many ways it's no different from the situation I am in. If I apply for a passport, I have to find a way of proving I was born in Canada. As it turns out, I was born in Quebec, and one of Mr. Gravel's colleagues gave me a baptismal certificate. That's no longer valid, so I got a certificate of birth from the authorities in Quebec.

So it is an administrative process to prove that you're already a Canadian.

The second broad category encompasses those who either were or could have been Canadians. For instance, with border babies, if they were registered within the two years provided by the statute, they were Canadians from the moment they were born. If they were not registered, either within the two years or the somewhat longer period provided by the statute, we have to find a way to make them Canadians. That was in part my answer to Monsieur Gravel. There is no other provision in the law short of the regular process. They are in Canada, they are permanent residents, and they apply. The minister has indicated that in those cases, she's prepared to use her extraordinary powers under subsection 5(4) to short-circuit the process and make it happen much faster.

For other circumstances, such as the Mennonite marriages, or people who lost their citizenship because their parents abjured their Canadian citizenship and therefore they lost theirs, I come back again to what the minister said. It's very difficult to develop a neat little chart saying there were six categories, nor more no less. What we're trying to do is that if there's a substantive connection with Canada, we'll make recommendations to the minister that she use her authority under subsection 5(4).

The difficulty of course arises with those cases where we're going to have to decide, if over the course of the last 30 years the person has been in Canada three months, whether that is a substantial connection or not. It's a conversation we started having with the minister. But in most of the cases we've had so far, people have been in Canada for a long time and in those cases we're able to make the recommendation to the minister.

• (1250)

The Chair: Thank you, Mr. Komarnicki.

Mr. Siksay.

Mr. Bill Siksay: Thank you, Chair.

Minister, I have a couple of questions.

A few weeks back we had several of the new appointees to the citizenship court judges appear. The senior citizenship court judge at that time told us about a screening process that had been in place to screen potential new citizenship court judges. But he also told us that none of the people we were examining that day had gone through that process—none of the appointees of the current government.

Can you explain to us why that process isn't being engaged?

Hon. Diane Finley: There are two issues.

First, a couple of years ago a process was put in place for selection of citizenship judges. It was supposed to be temporary, but it's still there. It's time to do a review of that process. One of the challenges with it from various reports is that it seems to be cumbersome and concentrates the decision-making power to an unacceptable degree. I have instructed that a review be done of that process to make sure it's open and transparent, but that could take some time.

We do have a shortage of judges at the moment, and there are more openings coming up. There is also a backlog of people needing citizenship swearing-in ceremonies and such, and the services of the judges. Those people deserve to have service, so we are moving forward making appointments as openly and transparently as possible based on the criteria that the appointees must be merit-based. The ones who've come forward have already gone through some processes. Going forward, we are going to make sure that it is competence-based and that we deliver the services Canadians need and deserve.

Mr. Bill Siksay: Minister, when that sort of process was already in place, when it seemed fairly transparent, when it was run by the senior citizenship court judge, can you tell us what process has replaced that in this interim period? Is there any kind of review or screening process in place?

Hon. Diane Finley: For starters, we have been recruiting from a broader talent pool. We've advertised extensively across the country in areas where we hadn't advertised before. Broadening the talent pool is number one.

In terms of evaluating them, there is a process. We're using part of that, and then going forward.

Mr. Bill Siksay: It sounds a little skimpy, unfortunately, Minister.

I had another question about the 33 special grants that you've done so far. Can you characterize the circumstances of those folks? Can you give us any details on the kinds of cases that led to you granting the special grants of citizenship?

Hon. Diane Finley: As the deputy minister indicated, there was one common thread: most of these people had demonstrated a truly substantial attachment to Canada. They may have lived here all of their lives, or virtually all, or they live here currently. A wide range of circumstances got them into the situation—in some cases, administrative error. Perhaps coming back from the U.S., the baby's documents were stamped "Canadian citizen" when in fact they weren't.

So there was a broad range, but in every case there was a substantial commitment to Canada.

Mr. Bill Siksay: What is the usual number of special grants per year or per period?

Hon. Diane Finley: Very few.

Mr. Bill Siksay: So 33 is an extraordinary number?

Hon. Diane Finley: Yes.

Mr. Bill Siksay: So it's less than ten?

Hon. Diane Finley: Yes.

Mr. Bill Siksay: Thank you.

The Chair: Thank you, Mr. Siksay.

Madame Folco.

[Translation]

Ms. Raymonde Folco: Thank you, Mr. Chair.

First, I'd like to thank my colleagues opposite for the opportunity to ask the minister a question.

Welcome, Minister.

You've told us a number of times this morning that you want to review the Citizenship Act. I'd simply like to inform this committee of facts of which it does not appear to be aware.

I joined this committee in 1997 as Vice-Chair. The Liberal minister at the time had introduced a citizenship bill. Unfortunately, because the election was called, we were unable to table it in the House of Commons. However, it would really be necessary to take an overall and very specific look at citizenship rather than state clichés or good intentions. Minister, I urge you to do so as soon as possible. From what I understood from your comments, you intend to do so.

I want to know whether you intend to table a bill on citizenship very soon, and, if so, when.

● (1255)

[English]

Hon. Diane Finley: At the moment, I don't have any plans to table a whole new citizenship act. As I explained earlier, we set our priority on Bill C-14. However, I have indicated that when it comes to a long-term solution for the citizenship anomalies, I'm willing to consider a wide range of solutions. They could be administrative, regulatory, or legislative. If it's legislative, then I'm seeking your input. Actually, I'm seeking your input whatever the solutions are that you come up with.

[Translation]

Ms. Raymonde Folco: That's very nice of you, and I appreciate your kindness. However, with all due respect, Minister, I would like to remind you that you are the Minister of Immigration and Citizenship, that your mandate has been assigned you by the Prime Minister and that it is your responsibility to solve the problems, not to ask your colleagues to do it for you. Thank you.

[English]

The Chair: Thank you.

Before I go to Mr. Karygiannis, I should make the committee, and specifically the minister, aware of something. When the notices went out for the meeting, they indicated that the minister was to appear between 11 and 1 o'clock. It's been brought to my attention that when we decided to have these meetings, we said they would take place between 11 and 1:30 p.m. I realize this might place the minister in a bit of a dilemma.

Is the minister prepared to stay until 1:30, or does she have to go somewhere else?

Hon. Diane Finley: Regretfully, I have other commitments.

The Chair: Okay.

I will go then to Mr. Karygiannis as the last questioner for a five-minute round. It is now three minutes before 1 o'clock.

We have a point of order from Mr. Telegdi.

Hon. Andrew Telegdi: Mr. Chairman, I'm going to have the officials stick around. The minister doesn't want to answer any more questions, and I can understand why. But the mistake was that....

We were supposed to be sitting until 1:30, so I want to have some of the officials stick around. We need information, information that has to be tabled with this committee.

The Chair: Okay. The point of order you're making here, Mr. Telegdi....

Mr. Komarnicki, you had your hand up.

Mr. Ed Komarnicki: The notice of the meeting was shown to be 11 to 1 o'clock, and those are the time restraints we ought to respect. The meetings were set extraordinarily beyond that because of the great numbers of witnesses we were going to have, who were actually to have appeared last Monday but didn't. For this particular meeting the notice was specific to that time, and I think it should be respected.

I think Meili Faille had one question she wanted to put forward, and that would certainly be something that might be accommodated. Beyond that, I would have a vote on the matter, if necessary.

It specifically officially said 1 o'clock.

The Chair: Mr. Telegdi, you have your hand up again.

Hon. Andrew Telegdi: Yes, Mr. Chair.

The motion we passed said until 1:30. If the minister goes, so be it, but if the officials can stay, we'd like to have them. If they cannot stay, we do have Mr. Chapman in the crowd. He's one of those lost Canadians, so he could come and talk. The committee could keep going until 1:30.

We are being webcast, and it was supposed to go until 1:30. We're not going to cut it short because of a clerical error.

The Chair: Mr. Devolin, you had a submission.

Mr. Barry Devolin: It was certainly my understanding that it was until 1 o'clock. The agenda says until 1 o'clock. I'm on House duty. I'm supposed to be back there.

I'd like to move a motion. I think we've asked all the questions we need to ask of the minister.

An hon. member: We haven't; you have.

Mr. Barry Devolin: I'd like to move a motion that we adjourn at 1 o'clock.

• (1300)

The Chair: I understand that the minister cannot go beyond 1 o'clock because of scheduling problems, so that's fine. I don't know if officials are prepared to stay for any questions, but I think the minister has a comment.

Hon. Diane Finley: Mr. Chair, our scheduling was based on the information we received, which said from 11 until 1 o'clock. Regrettably, we do have other commitments. However, the officials would be happy to return at some future time, perhaps if you have an extra half-hour in one of your other special meetings or something like that. Would that...?

The Chair: Since I did recognize Mr. Karygiannis for two minutes—it's now 1 o'clock—perhaps you would be prepared to take those couple of questions.

Hon. Jim Karygiannis: Madam Minister, when your government was in opposition you were climbing the bastions, screaming and shouting about waiting times and decreasing waiting times. Have those waiting times decreased since you became the minister, especially for inland spouses?

Hon. Diane Finley: We have reduced some of the wait times. We have made improvements in the last 12 months on processing times.

Hon. Jim Karygiannis: Inland spousal applications, Minister, that's my specific question.

Hon. Diane Finley: I don't have that specific number with me. I'd be happy to get it for you.

I can tell you that we have made significant progress.

Hon. Jim Karygiannis: Minister, let me read you a fax that I got in 2003. This was under the previous government. It states: "Our current processing time for an initial decision is approximately six months from the date of receipt."

A fax dated January 8, 2007, states: "Our office is currently processing applications of this nature received on March 27, 2006."

Minister, that's a year. Your inland spousal processing times have increased, not decreased. I'll give this to you: your official is here, you're here. So obviously you're either misleading us or you don't know your facts.

Hon. Diane Finley: I did point out that I did not have that particular category, although I do know that we have made progress on other sections.

And let's remember too that the backlog is so significant, it grew by 750,000—

Hon. Jim Karygiannis: Inland spouses, Minister, Canadian citizens wanting to join their families; you're kiboshing them. You're kiboshing them.

The Chair: I think that's about the end of our hearing today.

I want to thank the minister—

Hon. Andrew Telegdi: Mr. Chair, before you adjourn, we might have the minister go, but we can go until 1:30, because that's what we said we'd go until.

The Chair: I think the minister has indicated that this is not an option for her officials either.

Hon. Andrew Telegdi: She doesn't have to stay for us to continue with the meeting.

The Chair: But the minister has indicated that it's not an option for her officials. I think the minister is in charge there, for her officials, so—

Hon. Andrew Telegdi: Mr. Chair, I mentioned that we have Mr. Chapman here, and we can continue on the lost Canadians.

We said that the meeting was going to go until 1:30. The committee can keep going with or without the minister.

The Chair: Are you moving a motion to do that, then?

Hon. Andrew Telegdi: I am moving that we keep going until the time we said we would, which was 1:30.

The Chair: Well, let's dismiss the minister and her deputy first.

I want to thank the minister and her deputy for being here today. Hopefully, all the questioning the minister has heard will be helpful to her in making decisions regarding this very important issue.

I'll dismiss the minister right now, and we will entertain Mr. Telegdi's motion.

Again, thank you, Minister.

I'm going to go to Mr. Telegdi to present his motion.

• (1305)

Hon. Andrew Telegdi: Mr. Chairman, my motion is that we extend the hearings until 1:30, just as we indicated before. The minister numerous times made mention that Canadians born here are Canadians, and we have somebody with us today, Mr. Chapman, who happens to be a lost Canadian who was born in Canada. He represents, I dare say, hundreds of thousands of people like him.

So my motion is that we continue our meeting until 1:30, as we said originally that we were going to do.

The Chair: All in favour of the motion, which is to continue until 1:30, please signify.

Those opposed, please signify.

Hon. Jim Karygiannis: Can we have a recorded vote, Mr. Chair?

The Chair: A recorded vote?

Hon. Jim Karygiannis: Yes, please.

The Chair: It's already been decided, the clerk says.

Hon. Jim Karygiannis: Mr. Chair, I'd like a recorded vote. I'm talking to you and not the clerk. I'm asking you for a recorded vote, regardless—

The Chair: So you want each party to record—

Hon. Jim Karygiannis: You're damn right I do.

Mr. Rahim Jaffer: On a point of order, Mr. Chair, I'm very surprised right now at what's happening in this committee. Generally we've had a really good relationship working in this committee.

There's obviously been a mistake here. There's been a mistake in what was sent to our offices and in the time this committee was supposed to be scheduled. I have a meeting right now, at one o'clock.

We have generally tended to agree, Mr. Telegdi, that we always work in that sort of relationship...and you guys are making it incredibly difficult for us to have this good will towards you. We understand that you've sidelined us here with a witness, but none of us knew that this was going to happen.

Generally we accommodate you, Mr. Telegdi, so I think this is completely unfair. If you want to poison the relationship on this committee with your actions today, then that's your choice. But I'm actually very frustrated right now. When I get a notice like this, and the clerk has said he's made the mistake—

Hon. Jim Karygiannis: Mr. Jaffer is completely out of order.

Mr. Rahim Jaffer: No, I'm simply raising a point of order.

Hon. Jim Karygiannis: You're out of order, sir.

The Chair: Order, order!

Mr. Rahim Jaffer: I think we could have good will here—

The Chair: Mr. Karygiannis, you're out of order.

Hon. Jim Karygiannis: Mr. Jaffer is out of order. I asked for a recorded vote, Mr. Chair, and I'd like to know the recorded vote.

The Chair: Order.

Mr. Jaffer has the floor. We will get around to the recorded vote—

Hon. Jim Karygiannis: Then go to the recorded vote.

The Chair: —in a moment.

Are you finished, Mr. Jaffer? Okay.

Now we will go to a recorded vote.

(Motion agreed to: yeas 6; nays 5)

The Chair: We will continue with the meeting until 1:30.

Mr. Devolin.

Mr. Barry Devolin: On a point of order, Mr. Chair, I have a question. I don't know my rules that well, but is it acceptable in a meeting to just name a witness who happens to be in the room but who doesn't show up on the agenda and bring them forward to—

The Chair: As long as that happens to be the matter of study, yes, we can call witnesses that way.

We will ask our witness to come to the table.

We have approximately 20 minutes to deal with this witness. We will begin our round.

Mr. Don Chapman (Lost Canadian Organization): Would you like me to just give a statement of how I started this?

The Chair: Yes, an opening statement might be in order.

Mr. Don Chapman: Well, I was born in Canada, and I was born in Canada to two Canadian parents, but I am not Canadian. I was stripped of my Canadian citizenship against my will and against my knowledge.

Citizenship has become something that's extremely important to me, and I have to admit that this has nothing to do with politics. I'll embrace anybody who embraces *me* on this.

I am fighting for rights, just as my father did. My father was an officer for Canada in World War II, and he died not being able to be a member of the Canadian Legion, nor was he a Canadian citizen when he died. My mother was born in Vancouver in 1917, and she is not a Canadian citizen. I am seventh generation. I am very proud of my roots and of who and what I am.

The problem is we're dealing with a country that will not recognize people like me.

The 1947 Citizenship Act was brought about, and it all started back in 1868. Actually, let's go back to 1867. We had the British North American Act, where Canada actually became kind of a separate country.

In 1868, Canada introduced the first Naturalization Act. You were a British subject, but you were a Canadian national. The actual wording of the actual law, word for word, was that married women, minors, lunatics, and idiots were classified under the same disability for their national status. That law remained on the books for the next 79 years.

During World War II, Paul Martin Sr. and several people came up with the idea of having a separate Canadian identity. It was after World War II, when Paul Martin Sr. was walking through the graveyards of Dieppe, that he looked down at the 707 graves and said, these Canadian soldiers died as British subjects; we are a country without citizens.

He came back and did a wonderful thing. He authored the first Canadian Citizenship Act, which went into effect on January 1, 1947. He finally allowed married women the right to be recognized as citizens, but they did not have equality of rights.

The 1947 Citizenship Act was a product of its time. What we had there was language, word for word, that "a minor, a lunatic, or an idiot" will be classified under the same disability for their citizenship.

Now, what happened is that Canada made a grotesque error in the 1700s and again in 1977. In the 1700s Canada abolished slavery, but they did it with this sort of language. Upper Canada said that if you were already enslaved, you would remain a slave until you die, but for anybody new, slavery would now be illegal in Canada. That's what they did in 1977. They came in with a new Citizenship Act. Senator Kinsella was on that committee, and he knows all about it. They talked about children like me, but it was the bureaucracy that stood opposed to it.

So Canada changed the law, but they kind of changed it only for people going forward. They left behind children like me.

Now, it wasn't alone to Canada. This was a very bad thing that came from the British empire. Lots of countries had this sort of language and laws on their books—Trinidad, Australia, Mexico, South Africa, the Philippines, India. A lot of countries have now fixed their laws to incorporate today's language.

I'm from Vancouver, and in the 1940s, if you were Jewish in Vancouver, you couldn't live in the British Properties or join the Royal Vancouver Yacht Club or the Point Grey Golf and Country Club. Asians, Indos, native aboriginals could not vote in this country.

We go back to 1914 and the *Komagata Maru*. We go back to about 1935, I think, and the ship *St. Louis*. Canada has had major problems with their immigration and citizenship.

● (1310)

This is the time for Canada to join the rest of the world, update their Citizenship Act to be charter-compliant, and do what every other British colony has done, which is go back and accept all their people.

Welcome the people, even the adults who took out citizenship, because if there's one consistency of Citizenship and Immigration....

Mr. Karygiannis, you said one thing; you said you called CIC three times and got three different answers.

Hon. Jim Karygiannis: I called them regarding my daughter who was born abroad.

● (1315)

Mr. Don Chapman: But you got different answers every time you talked to them.

Well, I've been dealing with them all my life. I'm 52 years old, and I tried to get back into this country in 1972 when I was 18 years old. I was turned away at the border and told I was not welcome here. That's the way it has stood for me all my life.

The consistency is that CIC doesn't know what they're talking about, and lots of people have been given the wrong answers. Today the Government of Canada is making the individual responsible when in fact it was the Government of Canada that made the mistakes.

There is a very simple solution. It's one paragraph in Trinidad. They could come in with a paragraph 3(1)(f) in the current act and basically end this almost overnight. I went into Ed Komarnicki's office a while back and said we could make the Taylor case go away with a subsection 5(4), but this government persisted and put him in court. But they got something they never bargained for; they lost bigger than they ever imagined. And they're going to lose even harder if they continue pressing forward, because in British law, the 1947 Canadian Citizenship Act was not legal.

So we have to go forward, pick up the chips, rewrite the Citizenship Act, and make it charter-compliant for everybody. We start with a paragraph 3(1)(f) and make the Taylor case go away. We get promises...we can't even get promises; promises don't work with politicians. We have to redo a Citizenship Act that everybody can agree with that is charter-compliant. There's your problem. We have three separate classes of Canadian citizens in this country right now.

I'll take any questions, but that's the gist of where I'm coming from.

The Chair: We have approximately 14 minutes.

Mr. Telegdi is our first questioner.

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

Thank you, Mr. Chapman. The minister said that people born in Canada are Canadian citizens. Obviously you and tens of thousands or hundreds of thousands of people like you don't fall in that category.

One thing that has bothered me in terms of this government.... We had previous attempts at citizenship act...with Bill C-63, Bill C-16, Bill C-18, that we attempted to put through. In the last Parliament, at the invitation of two ministers, we produced three reports in this committee that would give guidance to the government on how to fix the Citizenship Act. We had a budget attached to that for the Citizenship Act. Had we not had the election when we did, I dare say Canada would have a new Citizenship Act right now.

Those recommendations—which were supported unanimously, I might add, by the Conservative members of the committee and in the House when the occasion arose—gave guidance to the government on how to fix the Citizenship Act.

Now, with the new government of Prime Minister Stephen Harper, in less than a year we've had two ministers of citizenship and immigration. Citizenship and Immigration is a difficult department. If you want to do nothing in a department, what you do is you put in a brand new minister. I quoted Mr. John Reynolds before, who made the comment that CIC is one department that needs a massive clean-up, and we have to straighten that mess out.

The problem is that the department is spending all sorts of money fighting court cases. They had the Benner case in 1997. It went to the Supreme Court. The Benner case was very clear. It gave direction that they cannot discriminate on the basis of whether it is the mother or father who has citizenship. The department ignored it. They have the Taylor case, where they're fighting against the son of a veteran who fought for this country in the Second World War to deny him his birthright. They ignored the ruling of Justice Luc Martineau. They have said they are going to the Federal Court of Appeal, and if that case is lost, they'll go to the Supreme Court. So essentially they're using taxpayers' money—after they eliminated the court program—to fight the sons of veterans from reclaiming their legitimate birthright.

Does this come down to the fact that when this government did not appoint Diane Ablonczy, who is the most knowledgeable person in the Conservative Party, as the Minister of Citizenship and Immigration, they were really sending a signal that they're not interested in this issue, so let the bureaucrats keep running the department?

• (1320)

Mr. Don Chapman: Well, I would like to have seen Diane... because she certainly knew this portfolio.

The courts are the wrong places to fix this. It becomes a barnacle. The minute you have one decision, it affects another, and you have results you don't expect. The Benner decision was odd. It went to the

Supreme Court of Canada. In essence they ruled that the 1947 Citizenship Act was blatantly discriminatory, thus granting the effect of citizenship to foreign-born children of a Canadian parent. Therefore, had I been born outside of Canada, today I would be Canadian and so would my children. But I was born in Canada, so I was passed over.

When I brought that little anomaly to the attention of the Senate, every senator's head in the room was going up and down as if saying this doesn't make any sense. Seven days later, the then acting director general of Citizenship and Immigration, Patricia Birkett, said they were going to throw out the Benner decision effective August 14, 2004. That brought in all of these other lost provisions. It didn't work, and that's why we have all these different groups.

By the way, I do know the numbers. I know the numbers very well on how many people are lost Canadians. Why? Canada's leading statistician on this, Dr. Barry Edmonston—he's coming before this committee—has worked with CIC before. He's a PhD. He has been at the University of Toronto, Simon Fraser University, and he's currently at the University of Victoria. He knows the statistics, and he has shared them with me. So I do know the numbers.

The Chair: We'll go with five-minute rounds, I guess, because of the time constraints.

Madame—

Mr. Ed Komarnicki: Mr. Chair, wouldn't it now come to me? In this next half-hour, if we're going back and forth—

The Chair: Well, no, we started a new round of witnesses. The rule is that you have to go down the table and back again.

So Madam Faillie is next.

[Translation]

Ms. Meili Faillie: In the case of Ms. Jennings, there's one thing that I don't understand. The minister told you earlier that Ms. Jennings was born in Canada; so she's necessarily Canadian.

The act normally applies depending on the person's date of birth. So under the 1947 act, it would have been her father's citizenship that was transferred to her. Was it under the amendment made in 1977 that Ms. Jennings received Canadian citizenship?

[English]

Mr. Don Chapman: No, she had it...because I was a Canadian child. But we were still chattel of our fathers. Really, about looking back, I would suggest it's time to look forward and correct these laws. We shouldn't go on witch hunts of who is and who is not a Canadian. This is clearly a common-sense issue and can be dealt with very quickly. One paragraph for a lot of countries did the trick.

So the minister got her citizenship by being born in Canada, but she could have lost it because of her father. These are really wacky, screwy laws, and we should go forward with common sense.

[Translation]

Ms. Meili Faille: Ms. Jennings still has her Canadian citizenship because her father didn't give up his American citizenship?

[English]

Mr. Don Chapman: Right.

I talked with one of the bureaucrats back here, and he assured me that Ms. Jennings is Canadian. There is one section in a CIC document that says quite clearly that if you are born in Canada to a non-citizen father and a citizen mother, you are not Canadian. So it is subject to interpretation. But never should Ms. Jennings or anybody else have their citizenship put in question. This is a pretty common-sense issue.

By the way, when it comes to that, we talked a great deal about remedies, such as subsection 5(4). They don't work, because for children such as me, my citizenship was stripped away based on the 1948 act. But the remedy they're giving me is out of the 1977 act. In 1947, it says that any child like me can come up to Canada at any time by age 21, and they will grant citizenship. I did that, and they didn't give it to me. Then it says that with special circumstances, anytime in your life you can come back and the minister must give citizenship. Guess what? They're ignoring that.

So this case-by-case subsection 5(4) doesn't work.

Citizenship should never be in the hands of politicians. It should either be judges or very good legislation—and that's our problem: we had lousy legislation in 1947 and lousy legislation in 1977.

• (1325)

[Translation]

Ms. Meili Faille: From what I understand of your answer, Ms. Jennings could have come up against a bureaucrat who interpreted the act differently, and she then could have lost her citizenship. Is that correct?

[English]

Mr. Don Chapman: In that case, yes. We have lots of bureaucratic errors. Next week you're going to hear about some people who have come in and who have been on their third passport. It wasn't until then that they were told that they were no longer Canadian. In fact it was the government that made the mistake, but it forced this person into court and forced this person out of Canada.

[Translation]

Ms. Meili Faille: Thank you.

[English]

The Chair: Do you have any questions, Mr. Siksay?

Mr. Bill Siksay: Thank you, Chair.

Thank you, Mr. Chapman, for being here. Your passion about this has always inspired the committee, and I have a feeling that we're in the process of this happening yet again. Someday it would be nice not to have to do that.

You've mentioned a couple of times that a number of countries have solved this problem, and you said there's one paragraph that would do the trick. Can you tell us what that paragraph is?

Mr. Don Chapman: I think Mr. Telegdi has it, and I will provide it next week.

Trinidad had a solution that was one paragraph. Australia had a little better solution. Trinidad just said that if you ever lost citizenship, you are now a citizen again. Australia added one word, that you have to be of "good" character. Now, what "good" is, I don't know. Then Australia went a little further and included children, war brides, war brides' children, and then they gave preferential treatment for the spouse to get into the country.

Traditionally, Australia has been one of the hardest countries to get into. So I dare say it would be nice for the committee to go travel and take a vacation in Australia. And if they haven't had all these problems post-9/11, I doubt Canada will.

The Chair: Are you finished, Mr. Siksay?

Mr. Bill Siksay: I have a couple more questions.

The Chair: Okay.

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

The Chair: Mr. Karygiannis.

Hon. Jim Karygiannis: The witness held something up, and I was wondering, for the record, if he can tell us what it was.

Mr. Don Chapman: This one's my Canadian Legion card, so I'm a member of the Legion. My dad couldn't be a member, but I got it based on my dad. Because he had taken out U.S. citizenship, he couldn't be a member. This is my Canadian birth certificate, and this is my permanent residence card in Canada, which says I'm a landed immigrant. So it's quite insulting to me.

We talked earlier about Bill S-2. Bill S-2 did not correct this problem. It gave children like me the right to come back to Canada, but then I have to pay a Canadian head tax, and I can't bring my children. I have to leave my children at the border. So for me to be a good Canadian, I have to be a lousy father and a lousy son.

Mr. Bill Siksay: Mr. Chapman, would you explain what you mean by a Canadian head tax?

Mr. Don Chapman: Well, I have to pay a tax to get my Canadian citizenship restored. And you know what? It's my birthright. And that's one of the questions we have: is citizenship a right or a privilege?

Mr. Bill Siksay: Mr. Chapman, are you saying you have to apply—

Mr. Don Chapman: I have to apply and—

Mr. Bill Siksay: —and pay the fee for the application?

Mr. Don Chapman: —I have to pay a fee.

They talked a lot about Bill C-14, with the right of being able to have adoption. So the Government of Canada, this government, made it a priority to allow any Canadian to adopt pretty much any foreign child, and that child will be Canadian within six weeks.

But I will be Canadian, and I don't have the right to bring my own children. I can't adopt them; they're already mine. For the government to process my application—this is a former Canadian, not somebody who's never been Canadian, but a guy who's got a real track record—it says that they could take upwards of 18 months, maybe two years.

I'm sorry, the punishment here doesn't fit the crime. I didn't do anything wrong. I'm guilty only of being a very proud Canadian.

• (1330)

The Chair: I'm sorry to interrupt the proceedings, but we are at 1:30.

Some members of the committee would like photocopies of these documents, Mr. Chapman.

I'm sorry I couldn't entertain your questions, Mr. Komarnicki.

I do want to thank you, Mr. Chapman, for being here on such short notice.

We will now adjourn our meeting.

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