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—
Chair

Mr. David Tilson

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• (0905)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)):
Good morning. Bonjour.

This is the Standing Committee on Citizenship and Immigration, meeting number 2, Tuesday, February 10, 2009. The orders of the day are the supplementary estimates 2008-09, vote 1b under Citizenship and Immigration.

We have before us today the honourable Jason Kenney Minister of Citizenship, Immigration and Multiculturalism. We have Mr. Richard Fadden, who is the deputy minister, and we have Mr. Wayne Ganim, the chief financial officer of the Finance Branch. Good morning, gentlemen.

You all know the drill with this process. The minister gives a few remarks, and then members of the committee will have some comments.

Minister, you may proceed. Thank you for coming.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism): *Merci beaucoup, monsieur le président.* Thank you, Mr. Chairman and colleagues. I am honoured to appear before this important standing committee for the first time as Minister of Citizenship, Immigration and Multiculturalism. I'm excited by the opportunity that I've been given to build on Canada's proud tradition of immigration as an indispensable part of our prosperity and our model of pluralism. At the same time, I acknowledge that with this opportunity comes a profound responsibility to ensure that immigration leads to rapid and successful integration of newcomers, to see that we stay true to our best traditions of being a refuge for those fleeing persecution, and to enforce Canada's laws in order to protect the safety and security of our citizens.

I'm very eager to work with the members of this committee and indeed all parliamentarians to canvass the best ideas for continuing to improve our immigration, citizenship, and multiculturalism programs. I know that partisanship and honest disagreements will be expressed here and in the House, which of course are entirely appropriate within our system. However, I think we should also acknowledge and celebrate the fact that in Canada there is actually a fairly broad consensus on the big issues facing immigration across the political spectrum. We should be proud of the fact that Canada has avoided some of the divisive debates on immigration that we see elsewhere and that there are very few xenophobic voices in our public discourse on questions like immigration, pluralism, and integration. I would say the differences around this table are largely differences of degree and not differences of kind.

[Translation]

And so I hope that this committee will be a place for thoughtful study and productive debate on how best to address the challenges that we face, particularly during these difficult economic times. For my part, I am very keen to work in a constructive and transparent way with this Committee, and I know that the dedicated officials at Citizenship and Immigration Canada are of a like mind.

I propose to overview recent improvements in our immigration programs and discuss government priorities for the years ahead.

[English]

In 2006 our government was elected on a promise of reducing the right of landing fee for permanent residence. We kept our word, reducing it from \$975 to \$490, which saves a family of six coming to Canada a not inconsiderable \$3,000. Our government is welcoming a historically high number of new Canadians. In fact, in 2008 we welcomed the largest number of newcomers ever to Canada's shores, with half a million permanent residents, temporary workers, international students, and live-in caregivers. And with the introduction of the new Canadian experience class, many of those temporary workers and international students, and, in principle, all of the live-in caregivers, will now have a pathway to permanent residency.

A growing immigrant population also means that there are growing demands for immigrant settlement services, of course. These services help new Canadians integrate faster into Canadian society. They fund language training in French and English, job placement programs, résumé writing workshops, and so on. Since we came to office, we've invested an additional \$1.4 billion over a five-year period to support settlement programs and services to help newcomers. This represents a 219% increase over 2005 levels. Practically speaking, it means that funding for successful programs like the immigrant settlement and adaptation program, ISAP, has increased from \$43 million to \$193 million, while language training has seen a threefold increase in the same period. This year's economic action plan also includes an additional \$50 million investment in foreign credentials recognition. This will help build on the Prime Minister's recent agreement with first ministers to develop a national framework for foreign credentials recognition.

[*Translation*]

Mr. Chair, Canada continues to need newcomers, which is why we expect to maintain our levels for permanent residents in 2009.

That's why, after consultations last year with cultural communities, immigration stakeholders, provinces, territories and others, we moved ahead to modernize our immigration system with our Action Plan for Faster Immigration.

[*English*]

This action plan is yielding results. Built on legislative, financial, and administrative measures, we are making progress in reducing waiting times for qualified skilled foreign workers and aligning our immigration system more closely with our labour market needs.

As a result of last year's amendments to the Immigration and Refugee Protection Act—as well as \$109 million in additional fiscal resources—we are now able to reduce the backlog for federal skilled workers while fast-tracking applications from those with the skills we need most on a national level, such as doctors, nurses, and electricians.

Leading up to February 27 of last year, our backlog of immigration applications had climbed steadily. In terms of the federal skilled workers stream, it exploded from less than 50,000 in 1993, to 363,000 people in 2000, to approximately 600,000 in 2008. When I announced the “Action Plan for Faster Immigration”, I promised we would reduce this backlog for the first time in a generation.

I am pleased to announce that we have kept that commitment. The growth in the backlog has ended. The backlog of skilled worker applicants who applied before February 27, 2008, now stands at approximately 515,000, a significant drop of 15%. We expect the backlog to be reduced even further by the end of this year. A lower backlog means faster processing times, less red tape, and, at the end of the day, faster immigration.

Contrast this to where Canada would have been without our plan had Parliament continued to let the backlog grow. Had we not taken action, official department projections indicate that the backlog of skilled workers and their families who were already in the system waiting to be processed would have reached 700,000 cases by next year, representing a rise of 15% rather than a cut of 15%.

We are also working to ensure that other streams of immigration work better. We have expanded our provincial nominee programs, creating greater flexibility and a closer alignment of our immigration intake with our regional economic needs. It's important to note that other avenues, such as provincial nominee programs, are open to those who do not fall within the priority occupations identified in the ministerial instructions under the action plan.

We have also created the exciting new Canadian experience class, which now provides a pathway to permanent residency, and eventually citizenship, for international students and qualified temporary foreign workers. As a result, it makes Canada more competitive as we seek to attract the best and the brightest.

● (0910)

[*Translation*]

Mr. Chair, our government is also upholding Canada's humanitarian obligations to refugees and the United Nations continues to call our system a model for other nations.

But our system still faces challenges. Two key concerns have been the lengthy times required to process claims and the number of vacancies at the Immigration and Refugee Board.

This is why, in January, I announced appointments of 13 members and three reappointed members to the Immigration and Refugee Board of Canada. I am optimistic that this will serve to improve the processing times for refugee claims.

[*English*]

I also anticipate that there will be a very large number of additional appointments in the very near future.

On a related note, I have reviewed with great interest the committee's hearings in the last Parliament on the issue of Iraqi refugees. I've always been a passionate supporter of the humanitarian dimension of our immigration system. This is something I'm keen on strengthening as Minister of Immigration.

Last year, our government, at the behest of the UNHCR, committed to increase by more than 50% the number of resettled refugees from the Middle East in response to the Iraqi refugee crisis. I'm happy to announce further increases today. I have instructed my officials to increase the number of privately sponsored refugees that Canada will accept from its mission at Damascus by at least 1,300 persons for 2009. We chose Damascus because that's where the majority of Iraqi refugees apply. Thus, in 2009, Canada will resettle approximately 2,500 refugees under its private sponsorship program and 1,400 through the government-assisted refugees program through the Damascus mission. This represents a fourfold increase over 2005, when approximately 800 Iraqi refugees were accepted under both programs combined. It also means that Canada is welcoming more Iraqi refugees to this country than any other country in the world, except the United States.

[*Translation*]

Last month, I travelled to Pakistan and India, where I witnessed first-hand the operations of some of our country's busiest visa offices. Along with the professionalism and dedication of these officers, I was impressed with their attention to security matters.

Such attention is crucial, so that we do not admit visa applicants who could pose a threat to this country and so that we weed out unscrupulous applicants who might use phony documents or claims to support their applications.

We will also work to ensure the legitimacy of immigration representatives around the world, to expand warnings about these fraudulent representatives and to combat illegal activities such as human trafficking.

I would welcome the committee to examine these complex matters and provide me with input on how we might best address them.

Mr. Chair, each year, we grant citizenship to more than 200,000 people from around the world. But citizenship is not the end of their story. It is another chapter, as these people take on the rights that citizenship affords them and the responsibilities that go with it.

• (0915)

[*English*]

That is why the government has decided to bring together the multicultural and citizenship programs.

I know I'm running out of time, so let me cut to the end of my written remarks, Mr. Chairman.

The multiculturalism program will also naturally compliment the robust settlement programs of CIC, helping to advance the goal of faster and more successful integration of newcomers into our society. Restoring the link between multiculturalism and citizenship is a logical extension of Canada's commitment to promoting our national identity.

[*Translation*]

Thank you for this opportunity to address the committee. My officials and I would now be happy to respond to your questions.

[*English*]

The Chair: Thank you, Mr. Minister.

We will proceed with Mr. Bevilacqua.

Hon. Maurizio Bevilacqua (Vaughan, Lib.): Thank you very much.

Minister, welcome to your first committee meeting as minister. I'd like to thank you very much for outlining your plans and priorities for your ministry and department.

I am wondering why ministers consistently present numbers. I'm referring to landed immigrants. Why do you put them together with temporary workers, with students? I think it's misleading. We raised this point earlier, but there's this insistence that you've allowed more people than any previous government. I wonder why that is. Perhaps you can explain.

My colleagues will be dealing with specific issues related to waiting times and other related issues, but here's a broader question. I was struck by your presentation in one significant way. It makes one reference here that "In tough economic times, the demands placed on governments are greater. And our government will meet the needs of Canadians."

As a minister who is in a cabinet that is facing perhaps one of the most significant economic periods of our history as a country—this recession—I was struck that there was no reference to the great concerns you may have in relation to immigrants themselves, who fare poorly during these times, and who require, may I say, special attention. As you know, it is women, young people, and new Canadians who are affected by the recession more than any other group.

I was quite surprised that your presentation had just one line in reference to this period of economic turmoil. What is your specific plan to help immigrants deal with these tough economic times?

Hon. Jason Kenney: Thank you, Mr. Chairman.

To address the first point, one reason I think it's relevant to draw attention to the total intake as I've defined it is that all of those streams are for permanent residency, or else lead to permanent residency. The live-in caregiver program, as you know, leads to permanent residency if the terms of the visa are respected. Now with the Canadian experience class, the same applies to qualified visa holders of student and temporary foreign worker visas. So that total number, last year in the range of half a million, represents either actual future permanent residents or potential permanent residents.

You've raised a very important question...and obviously I did have more than one line about the economy in my remarks. It's the greatest preoccupation for all of us. Let me say, first of all, that most other developed countries have already announced cuts, and significant cuts, in their immigration intake levels for 2009 because of the economic situation. Canada stands alone in having announced its intention to maintain the same planning levels for permanent residents. We are looking mid- to long-term. We believe that when we reach the recovery, we will have to face the labour market reality that we'll need newcomers to help fuel the jobs of the future.

That said, we will closely monitor the labour market developments this year. My deputy minister will be meeting with his provincial colleagues at the end of March to review the economic data and to see if we need to make modifications to reflect the emerging labour market situation.

Finally, let me agree with you, Mr. Bevilacqua, that we need to be concerned about the effects of the recession, not just on long-term Canadians but on newcomers. That's one of the reasons we're investing a whole lot more in settlement programming and in giving some people a head start.

I was just in India visiting the Canadian immigration and integration project, a new program funded through our foreign credential referral office, which is actually giving newcomers a head start on both credential recognition and job placement. I actually met people who had secured job offers from overseas. We'd like to expand that program, and we intend to do so in the year ahead.

There is no doubt that newcomers, like all Canadians, will have a tougher time this year. I suspect that some people will take that into consideration in their decisions on whether or not to actually use the visas we're offering them to come here as skilled foreign workers.

● (0920)

Hon. Maurizio Bevilacqua: A very specific question: how many foreign credentials have been accredited as a result of your program?

Hon. Jason Kenney: As you know, Mr. Bevilacqua, foreign credential recognition is a responsibility of the provinces, which they in turn have delegated to over 400 professional agencies. The Government of Canada does not recognize credentials. What we can do is facilitate the acceleration of credential recognition, which we have done through the creation of the FCRO and its \$32 million budget. That's in addition to the large programs already provided by HRSDC in this respect, and now an additional \$50 million included in this year's economic action plan, which will be directed toward setting up the national framework that the Prime Minister and premiers agreed to on January 16.

Hon. Maurizio Bevilacqua: I gather from your answer that you don't know how many people have actually been accredited foreign credentials as a result of—

Hon. Jason Kenney: I'll tell you what, Mr. Bevilacqua. I will undertake to consult with the provincial ministers of labour and human resources to ask them how many people's credentials have been recognized by their over 400 professional agencies since the FCRO was set up.

Hon. Maurizio Bevilacqua: I ask that question only because as minister you will have to return to this committee to illustrate whether the particular program is successful in terms of the money invested. I would gather that the only way you could have a benchmark would be to find out if in fact people are getting their foreign credentials accredited as a result of your program.

So it's an important question. You have a responsibility, in terms of every single dollar you invest as minister, to find out if the program is successful.

Hon. Jason Kenney: Right. Fair point. But I think it would also be fair to acknowledge that there's nothing the federal government can do to force a provincial professional agency to recognize anyone's credentials.

I would also suggest that at the provincial level, the mark of success isn't necessarily whether more people are getting credentials recognized but whether they're getting decisions, and reasonable decisions, in a faster period of time. We can't say to the Ontario professional engineers association that every person who applies ought to be recognized; we can say that those people ought to have a decision rendered faster and in accordance with a transparent process.

I'd like to commend some of the provincial governments, including the Ontario government, for taking this matter much more seriously. Ontario has set up the fairness commission, chaired by our former colleague, Ms. Augustine. I gather she's begun the process of auditing the conduct of those professional agencies in Ontario. The B.C. government has taken important steps as well.

What we're doing is we're working with the provinces, trying to get them, frankly, to bring the professional agencies to the table and to get with the program, to ensure that the door is not arbitrarily closed to newcomers who are seeking credential recognition.

[*Translation*]

The Chair: Thank you.

Mr. St-Cyr.

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Thank you, Mr. Chair.

Thank you for being here today, Minister.

I would like to start with a question that I've previously asked you in the House. It concerns the fact that it is increasingly difficult for Quebec immigration lawyers to speak French before the Immigration and Refugee Board. That state of affairs has been reported to you. Recently, there were two cases in which the board member simply refused to use French as a procedural language. And yet, according to IRB regulations, it is possible to proceed in French provided you make a request five days in advance. The Official Languages Act also provides that it is possible to use French in the courts in Canada.

When I asked you the question in the House, you answered that you were going to consult your officials and give me an answer. I would therefore like to know your answer on this subject.

● (0925)

Hon. Jason Kenney: Thank you for raising this matter, Mr. St-Cyr.

I questioned officials in my department and they informed me of the decision of the IRB member in that specific case. I must emphasize that the board is a quasi-judicial agency independent of government. It would be utterly inappropriate on my part, as minister, to dictate a decision to a board member concerning a case before him.

That said, however, the government obviously expects all agencies and boards to comply with the letter and spirit of the Official Languages Act and the Charter of Rights and Freedoms.

Mr. Thierry St-Cyr: All right. Now I'd like to know your opinion on the fact that the Refugee Appeal Division, which is provided for by the Immigration and Refugee Protection Act of 2002, if my memory serves me, was not implemented by the previous Liberal government or by the Conservative government that succeeded it. In the last Parliament, the Bloc Québécois introduced a bill to compel the implementation of the Appeal Division. It was passed in the House of Commons. Even in the Senate, there was an agreement between Liberal and Conservative senators on the matter. In the current Parliament, I have once again introduced a bill to that effect, and it contains what was agreed upon in the Senate between the Liberals and Conservatives, as requested by the Immigration minister at the time.

Does that bill suit you? Do you intend to work with parliamentarians to have it passed?

Hon. Jason Kenney: Mr. St-Cyr, thank you for your question and your concern for the refugee system.

Canada already has one of the best refugee determination systems in the world, even according to the UN High Commissioner. The system provides for a number of recourse mechanisms for rejected refugee claimants. They may file an application for judicial review by the Federal Court of the decision rendered against them. They may also request a pre-removal risk assessment, as well as permanent residence on compassionate grounds. I would add that, at this stage, the implementation of the Refugee Appeal Division to which you refer would, in my view, only complicate the process, which is already a lengthy one. It would increase pressure on the system.

Lastly, I believe that the implementation of an appeal process would be possible only if we simplified the current system to prevent applicants from gaining access to numerous overlapping types of recourse. Ultimately, that means that we already have a number of support levels. As you know, our waiting list is very long. So I don't want to complicate matters further by adding another support level without first simplifying the system.

Mr. Thierry St-Cyr: I'd like to know what appeal options are available to a refugee who is refused by a board member who rejects all applications because, in his view, everyone who appears before him is lying. What opportunity does that person have to file an appeal on the merits, not on the form—and I emphasize that aspect of the question?

Hon. Jason Kenney: First, I would say that the government thinks it is important to ensure that the people appointed to the board are qualified and well trained. That is why we have adopted a new appointment system. Under that system, the board, with a panel of nine members, makes a pre-selection and conducts a very vigorous review of the candidates. Since last year, the people appointed to the board have been highly qualified and knowledgeable in the law. However, the Federal Court of Appeal can review the decisions, as you pointed out. In practice, the IRB does it.

• (0930)

Mr. Thierry St-Cyr: Minister, the judicial reviews conducted by the Federal Court of Appeal concern the form, the procedure, but it is not possible to appeal on the merits.

On the question of board members' qualifications, I would point out to you that the judges who sit on our courts are also extremely qualified. Our justice system always provides for the possibility of an appeal on the merits. However, the Refugee Board is the only tribunal in the Canadian justice system that does not provide for appeals on the merits. Am I correct in saying it is not possible to appeal on the merits?

Hon. Jason Kenney: Technically, you're correct, Mr. St-Cyr, but the Federal Court has interpreted its mandate to conduct a judicial review of these cases in practice. So I believe that, in practice, such a review is available.

Mr. Thierry St-Cyr: I'll continue—

[*English*]

The Chair: Madam Chow, please.

Ms. Olivia Chow (Trinity—Spadina, NDP): Good morning, Minister.

Since you mentioned the backlog, why don't we go there for a few minutes?

Hon. Jason Kenney: Sure.

Ms. Olivia Chow: Applications were in fact frozen between March and November, so it's not surprising that the backlog has dropped, because there were no applications that could come between March 1 and what you were able to put out, the categories of people who can be admitted. So it's not surprising that it dropped, because the applications were frozen.

Since we're really talking about the supplementary budget, I have an area that I have a great deal of difficulty with. You are asking for \$2 million to advertise. I was able to pull out some of former Minister Diane Finley's communication costs. I noticed that \$1 million was spent advertising for Bill C-50. Bill C-50, of course, was the bill we were debating in Parliament, and this advertisement money was spent before this committee and Parliament actually had a chance to even approve the bill.

The amount that was spent on accommodation, for example, was \$3,000. There were meals, there were transportation costs, refreshments, overtime. Printing was another \$5,000. Advertisement to ethnic media was \$915,000; to the mainstream media it was \$24,000. The media buy was \$7,000; the media plan was \$48,000. That, to me, is not a good use of taxpayers' money—perhaps it's a good use for Conservative Party funding, because the bill wasn't approved at that time and it was still in Parliament.

So I can't see how we could possibly justify putting more money, \$2 million, into a pot when we don't know for sure how it would be spent or not spent.

I searched high and low in the Citizenship and Immigration performance reports. I went to the plans and priorities document for your website. I looked at supplementary estimates. There really is no detailed analysis of how you're going to be spending this \$2 million. So I have a great deal of difficulty supporting why we should be supporting these funds. There may be a controversial bill in front of us, and all of sudden there will be even more advertisement that's not necessarily coming from Parliament.

I have two other questions. The other one is that MyCIC is really supposed to do the e-application. I really think one of the reasons why we have a backlog is because we don't have the e-application for family class application, for skilled workers' application. It's only available for students.

In your performance report you said, "Over the next few years, CIC, together with its delivery partners, is moving towards implementing e-services and electronic processing for the full range of immigration and citizenship services." There's no deadline as to when you're going to get there or how you're going to get there; there's no work plan precisely on how MyCIC will work. The system right now is quite opaque; it's not very transparent. People can't tell where the applications are, and, as a result, there is a lot of backlog, especially in the family class. It takes three to five years to bring in a family, a mother and father, and some even say that people die waiting. So that's an area I want to question.

● (0935)

The third, because I don't have a whole lot of time, is that Citizenship spent \$73 million last year and this year you're only looking for \$54 million. What are you cutting? It's important to welcome our new citizens, and that's a lot of money you're not putting in.

Hon. Jason Kenney: Thank you for your thoughtful questions.

The Chair: Ms. Chow, the problem is that you've given the minister about one and a half minutes to answer his questions.

Ms. Olivia Chow: Yes, but I was only given seven minutes. I'm sorry.

The Chair: You can attempt it, of course.

Hon. Jason Kenney: I'll do my best.

On the backlog, we were receiving applications between February 28 and the November launch of the action plan. Those applications for skilled foreign workers went into the inventory, so it's not fair to say that no applications were being received. Those applications are included in the total inventory for skilled foreign workers I mentioned, which is now down by 15%.

On the advertising expenses that are before us, the department had authorization to spend those moneys. I can give you detailed information on how the funds were spent. There was \$90,000 in production costs; \$900,000 on placement in 143 ethnic media print publications for 714 insertions; \$200,000 in the budget for ethnic radio ads on 57 stations with 4,728 spots; \$85,000 for mainstream free publications in six publications for 36 insertions; and \$87,000 for the required public opinion research, which was translated into 21 languages, including French and English. The target audience was newcomers to Canada of less than five years, based on the list of source country. A total of \$1.45 million was spent, which is less than the budget forecast.

We do this because the principal source of information for many newcomers is not so-called mainstream media; it's non-official language media. We want to make sure those people are included and get information that's important to them about immigration and citizenship programs.

On the budget for the citizenship program, that was a result of the loss of one-time money that had ended, which typically happens. I could perhaps invite Mr. Ganim to elaborate.

Mr. Wayne Ganim (Chief Financial Officer, Finance Branch, Department of Citizenship and Immigration): Basically we were able to secure funding for two years to decrease the backlog. Those moneys were sunsetted, and we are currently in the process of seeking additional funds to again deal with that backlog situation.

The Chair: We're now up to eight minutes. If the committee has no problem, we'll continue.

Mr. Minister, proceed.

Mr. Rick Dykstra (St. Catharines, CPC): I'll allocate him a little time from my seven minutes.

The Chair: We're all very agreeable.

● (0940)

Hon. Jason Kenney: I'm very keen on having a more robust citizenship program. I've asked our officials to come to me with recommendations for a more robust citizenship program, in terms of educational materials, a test, and symbolic elements. I think we have adequate resources.

Obviously there is a backlog in proofs of citizenship, and that does concern me. Since coming to office we have increased the overall budget for CIC quite considerably. In 2004-05 it was in the range of \$900 million, and it is now \$3.6 billion. It's difficult in these economic times for me to go to the Minister of Finance and say that we need endless increases. We have to manage our resources better internally.

The Chair: Thank you.

Mr. Dykstra.

Mr. Rick Dykstra: Thank you, Mr. Chair.

Thank you, Mr. Minister, for appearing this morning.

It's certainly not easy to jump into getting involved in a new ministry right away, but you are obviously prepared and ready for the committee.

One of the comments you just made was about the additional investments we've made over the last three years in the ministry. Perhaps you could comment further on that.

One of the additional investments we made was the \$109 million over five years to reduce our backlog. You've done a very good job of outlining how we've addressed that backlog in the 2008-09 budget, and we're seeing the results of that investment. It was implemented based on the action plan for faster immigration. Perhaps you could describe further the effort and work put forward, and what that additional investment will mean for immigrants who come to our country.

Hon. Jason Kenney: Thank you very much.

First I need to correct myself. I just had a brain lapse and read the wrong number. In fact, our spending total in the department now is \$1.3 billion.

Let me say, Mr. Chairman, in response to Mr. Dykstra's question, that I think we're all very concerned about the backlog. As I point out, this total backlog grew from about 50,000 cases in 1993 to more than 800,000 when our government took office. Because of the action plan for faster immigration we've begun to turn the corner significantly in the largest inventory, which is skilled foreign workers. The \$109 million that was included in last year's budget will also assist the department in accelerating processing in different inventories.

The department has made certain operational improvements: for instance, moving the processing of files in really busy operational centres like New Delhi to other immigration bureaus that have a little more flexibility, to help accelerate things. They're constantly seeking ways to innovate and improve. Because this is an operational question, I'd like to invite the deputy to supplement that answer.

Mr. Richard Fadden (Deputy Minister, Department of Citizenship and Immigration): Thank you, Mr. Chairman.

We've done a variety of things to make use of the funds that have been made available to us. We've significantly increased the number of temporary duty officers. We often hire people who are retired, and we send them to the various posts that need to have their backlogs worked on. We've created a number of term positions in London and Singapore, where they have very large backlogs. We've also done two things that Mr. Kenney's predecessor talked about.

One thing is that we've coded all the files that are in the backlog. We're in the process of doing that, and if they have not expressed a preference for a particular province, we'll be referring those to the provinces in the event they're interested in making use of those files. That would lower the backlog.

As well, we're trying an experiment in writing to something like 60,000 of the older file holders to ask them if they're still interested, because unless they consciously and expressly withdraw, they have to stay in the backlog.

So it's been a combination of things like the coding and the letter writing, but also the assignment of additional officers throughout our system and the movement of officers between busy and less busy places, as the minister has indicated.

Mr. Rick Dykstra: Thank you.

It leads me to the next question, and it was touched on. There are two streams that we are now working on from a ministerial perspective, and perhaps you, Mr. Minister, and perhaps Mr. Fadden, could just comment on how our efforts are working on both streams, that there isn't a preference to one over the other.

Hon. Jason Kenney: I'm sorry, which two streams?

• (0945)

Mr. Rick Dykstra: The backlog, the cases that we deal with post February 27, 2008, and those that are already in the queue.

Hon. Jason Kenney: Well, anyone who submitted an application as a federal skilled worker prior to the 2008 budget retains their place in the queue for processing. For those who have made applications since that time, should they fall within the 38 identified occupational priority categories, their applications will be processed on an expedited basis.

Individuals who would like to apply but don't fall within those 38 categories have other opportunities available to them. They can either come to Canada as temporary foreign workers—and they now have, at least potentially, a pathway to permanent residency through the Canadian experience class—or through provincial nomination programs, which are more sensitive to regional economic needs. We're also working with the provinces to make available for them those applicants in the federal skilled worker category who do not qualify for the action plan under the ministerial instructions. We're

dedicating 70% of our resources to reducing the backlog and 30% to processing the current inventory.

Mr. Rick Dykstra: I don't have a lot of time left, but I did want to just ask this. Mr. Bevilacqua mentioned the combination of some pretty large numbers, and you referred to it both in your opening statements and obviously in response to questions. How did we get to the situation we did, in terms of why the backlog is so big?

Hon. Jason Kenney: I'm not entirely sure. A number of policy decisions were made. I know that in the late 1980s and early 1990s Canada was receiving record high numbers of permanent residents. In fact, in 1993, 256,000 permanent residents were received in Canada. So there were high levels of intake and there were apparently adequate resources.

There was a change of government in 1993, and one of the first things that happened was that the number of permanent residents in the subsequent several years was cut fairly dramatically. I think policy decisions were taken with respect to the points system in 2002 that had a significant impact. Of course, there was also no limit to the number of people who could apply, so there was an unlimited demand on the application side; consequently, we saw this massive backlog develop.

What really concerns me is that the processing times went from six months, on average, to over four years, which has put us out of the game of competing for the best and the brightest, so to speak, who seek immigration from developing countries in particular.

The Chair: Thank you, Mr. Minister.

Mr. Karygiannis, we're now into five-minute rounds.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Minister, good morning.

You're talking about immigration timelines. You agree that 2005 was an exceptional year as far as timelines were concerned, because of the tsunami and other mishaps. You and I travelled to Sri Lanka with the Prime Minister in 2005. We allocated resources from bringing in skilled workers to bringing in the family class. So you will agree with me that 2005 was not a good benchmark. If we use 2004 as the last Liberal benchmark, I think you would agree with that. The 2004-05 timelines were not regular.

Minister, I'd like you to justify how we went from, in Beijing, 47 months to 68 months for skilled workers; in Manilla, from 53 to 65; in New Delhi, from 50 months in 2004 to 73 months in 2007; in Islamabad, from 44 months to 70 months; and in Damascus, from 55 months to 71 months. These are processing times. In those posts, Minister, we bring in 50% of our skilled worker category. So 80% of our skilled workers were coming in, in a processing time of 53 months overall in 2004 to 68 months currently. That, Minister, to me signifies an increase of 58% longer processing times for skilled workers.

The previous speaker gave you a couple of easy questions, and you sat there and justified this.

The Chair: Mr. Kenney.

Hon. Jason Kenney: Thank you, Mr. Karygiannis, for your question—or your statement.

First of all, I'll have to review the numbers you've offered. I am aware that when my predecessor appeared before this committee you had suggested that there was something like a 43% increase in the waiting time in Beijing. Our officials analysed that and found that that was completely and wholly inaccurate, that there were in fact faster processing times in many inventories in Beijing over the period that you had mentioned. So I'm afraid I cannot accept at face value your analysis of the figures.

• (0950)

Hon. Jim Karygiannis: Mr. Chair, I'm sorry—

The Chair: Mr. Karygiannis, you asked a question. Let the minister finish his answer.

Hon. Jim Karygiannis: The minister is saying he cannot accept it at face value.

I'm wondering, has the minister, Mr. Chair—

The Chair: Well, I guess the minister would know that. But fire ahead.

Hon. Jim Karygiannis: Has the minister, Mr. Chair, gone to his website? The website states: Beijing, 68 months. If I am wrong, then your website doesn't lie. If I am wrong, the freedom of information answer I got back in 2007 of 43 months overall doesn't lie.

Hon. Jason Kenney: I can also assure the member, Mr. Chairman, that in fact the department has increased resources in all three of those source countries—the PRC, the Philippines, and India—and are constantly seeking more efficient ways to process the large inventory of applications.

The principal reason for the large inventories is the very large number of applications from temporary foreign workers, which was in response to labour market needs in Canada—

Hon. Jim Karygiannis: Mr. Chair, we're talking here of the skilled worker category—

Hon. Jason Kenney: —as employers in Canada attained labour market—

Hon. Jim Karygiannis: Mr. Minister, stay in focus. We are talking about skilled workers.

The Chair: Order.

Only one person can speak at a time, Mr. Karygiannis. Minister Kenney was speaking. Please let him finish.

Hon. Jim Karygiannis: Mr. Chair, my question for the minister was on skilled workers. For the minister to make a slip and say “temporary foreign workers”.... That is not my question. My question was very specific: timelines on skilled workers. That has shot up under your administration, sir, 58%.

If you don't want to take my points on Australia, that's fine. Let me, Minister, change gears and go to Manila. When you took office, sir, in 2005, in Manila we had a total of 6,244 applicants for nannies, care workers, of which 2,094 passed and 1,528 failed.

Sir, under your administration, this year alone we have 5,915 who have applied, with 1,729 passed and 3,403 failed. Twice the amount of people have failed in Manila as have passed. Minister, what has changed over the last three years?

Hon. Jason Kenney: In fact, Mr. Chairman, there has been a large increase in demand for the live-in caregiver program. We're processing more applications from around the world for people to come to Canada in the live-in caregiver program. Later this year I'm going to be looking at ways in which we can improve the program. We are concerned about the length of processing times. We also want to ensure that the labour market standards, the protections of the provincial governments, are being properly enforced as they relate to live-in caregivers.

Hon. Jim Karygiannis: [*Inaudible—Editor*]

The Chair: I'm sorry, Mr. Karygiannis. The time has expired.

Mr. Dorion.

[*Translation*]

Mr. Jean Dorion (Longueuil—Pierre-Boucher, BQ): Thank you for coming to speak to us this morning, Minister. I have a very brief point of information. You mentioned that you had appointed 13 new members to the Immigration and Refugee Board and extended the terms of three more.

How many members are there in all at the board?

Hon. Jason Kenney: Pardon me, I don't—

Mr. Jean Dorion: How many are there in total?

Hon. Jason Kenney: I can tell you that there are still 32 vacant positions at the board. We will soon be making more appointments to reduce that number. I believe that the board will very soon be operating at nearly 100% of its capacity.

Mr. Jean Dorion: May we know the total planned number of positions? I'm not just talking about vacant positions, but about all positions. How many are there in total?

Hon. Jason Kenney: Sixty-four positions.

Mr. Jean Dorion: Thank you. I'm going to turn the rest of the time allotted to me over to my colleague.

Mr. Thierry St-Cyr: Mr. Kenney, you began your remarks by requesting the committee's cooperation. I think that's a good thing and that the vast majority of committee members want to cooperate with you. However, during the study of Bill C-50 in the last Parliament, two things greatly shocked committee members. First, there was the fact that the part of the bill on immigration reform did not constitute a separate bill. It was included in Bill C-50 and thus was not referred to our committee for study. The Finance Committee studied it, whereas it had none of the necessary knowledge to do so. In addition, as we debated the bill, when the House discussed it, the government spent nearly \$1 million—Ms. Chow has previously demonstrated that—to advertise a bill that had not yet even been passed.

In the current Parliament, you're seeking our committee's cooperation. Can you make a commitment to us not to repeat that kind of affront by advertising bills that have not even finished being studied or introducing parts of bills on immigration in bills that are not even our committee's responsibility?

• (0955)

Hon. Jason Kenney: So you would like to have more information on how that works?

Mr. Thierry St-Cyr: No, you're telling us you want to cooperate. Can you in turn make a commitment not to commit affronts like those committed against committee members the last time? The last time, committee members' perception was that, when the government buys media advertising to promote a reform on which Parliament has not yet even decided, that's an insult to parliamentarians. It's also an insult when the government introduces a bill the immigration part of which is studied by a committee other than ours. Could we have some genuine cooperation this time?

Hon. Jason Kenney: Mr. St-Cyr, I'm very open to the idea of working with the committee, the members here present, and with other members on all matters related to my department. In the case you refer to, I believe that a question of privilege was raised with the Speaker of the House, who ruled that the advertisements were normal, consistent with the rules and traditions, and that it was not a matter of privilege. Having said that, I am here to answer your questions. If we have advertising plans or bills in future, I will do my utmost to consult this committee.

Mr. Thierry St-Cyr: All right. My intention was not to say that what you did was illegal. It was more to emphasize that cooperation is a two-way street.

To go back to Bill C-50 in greater detail and the issue of backlogs, you explain in your introduction that the number of backlogged individuals had fallen. However, you attribute that to the immigration reform provided for in Bill C-50. And yet that's quite strange because what Bill C-50 provided for was the possibility of faster processing of specific files in certain classes determined by the minister. In short, it allowed people who were at the end of the line to move forward and be heard sooner because, for example, they were in fields of employment in demand in Quebec.

[English]

The Chair: Monsieur St-Cyr, you're well over five minutes. We'll have to continue this on another round.

Ms. Wong, please.

Mrs. Alice Wong (Richmond, CPC): Good morning, Mr. Minister and members.

In addition to your responsibility for citizenship and immigration, you have been given responsibility for multiculturalism. Can you explain your view of Canada as a multicultural country?

Hon. Jason Kenney: Thank you. As the member knows, the Canadian Multiculturalism Act, which was adopted in 1988, describes multiculturalism as "a fundamental characteristic of the Canadian heritage and identity".

In my judgment, it's important for us to ensure that multiculturalism doesn't become a kind of fixed relic, a kind of shibboleth in our political discourse. It has to be something that's dynamic and

changes with changing needs. For me that means a focus on a multiculturalism that leads to social cohesion and successful integration of newcomers. I think most of our cultural communities are sufficiently robust and well resourced that they don't need government subsidies to do their own activities, to celebrate their own heritage. I think we need to focus more on bringing communities together, to make sure that we don't experience the kind of ethnic enclaves that we see in parts of Europe and elsewhere. That's why I have asked the multiculturalism program to put its emphasis on projects that respond to the concrete need for integration, building bridges between communities, and also assisting youth at risk.

I'd be happy to come back to the committee sometime, perhaps, and share in greater detail the modifications we're making to the multiculturalism program to make it respond more directly to the need for integration.

• (1000)

Mrs. Alice Wong: On that note, I notice that the government has moved the responsibility from the Secretary of State to a full minister. That also shows how important multiculturalism has been.

The fact is that you are now responsible for three areas, multiculturalism, immigration, and citizenship. Can you see the link among the three areas, where you feel that one minister looking after all three makes it even more efficient?

Hon. Jason Kenney: Yes, I think it's a natural place to locate multiculturalism. Some time ago, I think in part of 1995, multiculturalism was situated in the main ministry as the citizenship program, and that makes a lot of sense. First of all, CIC has a lot of resources to focus on settlement and integration of newcomers, but those programs end when people become citizens. We obviously want new Canadian citizens to have an active and ongoing sense of their citizenship. So the way I see it, once people have become citizens, the multiculturalism program is there to provide programs to promote more active citizenship and better integration. People aren't necessarily fully integrated into our society the moment they become citizens.

I recently met a Canadian immigrant of Indian origin who is a citizen who has lived here for 12 years and who has great difficulty speaking either of our official languages. So there's clearly a need for ongoing programming to assist people even after they become citizens.

Also, I think there's a natural linkage between multiculturalism, i. e., our model of pluralism, and citizenship. It's part of our national identity. So I want to focus more on promoting Canada's identity, our historic routes, our civic values, in the citizenship program, and I think that's a natural fit with multiculturalism.

I should add that in fact in the ministry we've co-located the multiculturalism program with the citizenship program under the same director general to help identify those synergies.

Mrs. Alice Wong: I think the committee has also raised the issue that at this very difficult time we have to act very responsibly.

How are you approaching your ministry officials with respect to budgetary expenditures during these very difficult economic times?

Hon. Jason Kenney: As I mentioned, the budget for the ministry has increased significantly over the past three years to over \$1.3 billion in total. The largest portion of that increase has been a 219% increase in funding for settlement services. I was recently in Vancouver, in December of last year, to announce our allocations for 2009 for settlement services, which see yet another increase, a total increase of \$1.4 billion over four years.

It is a challenge, there's no doubt about it, for us to manage the business lines of immigration with our current budget, but our officials are doing their best to be innovative. We continue to have huge demand. One of the problems of Canada's immigration system is that we have more demand than we can possibly satisfy in any given year. But this means there's real operational stress on the department. Many of our overseas missions are operating at full capacity. Given the tough economic and fiscal times we're facing, it's clear that our ministry will have to continue to innovate in order to deliver its programs in an efficient way.

• (1005)

The Chair: Thank you, Mr. Minister.

Mr. Calandra.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Thank you, Mr. Chair.

First, Minister, let me just thank both you and your predecessor, Minister Finley, for all the work you've been doing with respect to the backlog. As you know, I come from a riding that is blessed with a large number of new Canadians who have really added to the fabric of my riding.

In your opening remarks you did mention that in 2009 we're anticipating keeping the immigration levels the same. I wonder if you might comment, going forward, whether you've made any projections beyond 2009. I know a lot of other prosperous countries are considering cutting back. Where are we going with that?

Hon. Jason Kenney: We don't typically publish our planning levels more than a year in advance, because we always want to be sensitive to current economic and labour market developments. For the year 2009, we have published a planning range of 240,000 to 265,000 permanent residents to Canada. I don't know of another developed country that is actually planning to maintain its current levels of permanent residents. I can report that for the year 2008, which is completed, we received 247,000 permanent residents, which was well within our planning range.

I have to make a clear caveat. Obviously the economy is changing on a weekly basis, and we have to monitor the situation very closely. That's why I indicated earlier that my deputy minister will be meeting with his provincial counterparts at the end of March to discuss whether there is a sufficiently dramatic need, changes in the

labour market, such that we need to revise our planning targets for 2009. I should also add, though, that in November of last year I spoke to all my provincial counterparts—ministers of immigration, who are often also ministers of human resources and labour—and all 10 of them indicated that they felt there was a need for maintaining our intake levels or actually increasing them. They all identified, three months ago, continuing significant labour market shortages in some regions and certain industries. But the situation is changing and we will be responsive if need be.

Mr. Paul Calandra: Thank you, Minister.

I have one other quick question for you.

Recently I've had a number of e-mails at my office about the issue of foreign skilled workers, which has come up. Those e-mails and calls are basically along the lines that there are Canadians able to fill some of these roles, and would the government consider changing its policies? I wonder if you might comment on that, on the availability of foreign skilled workers.

Hon. Jason Kenney: On...?

Mr. Paul Calandra: On the availability of foreign skilled workers.

Hon. Jason Kenney: The main changes we've made through the action plan for faster immigration relate to foreign skilled workers, which is to say that we are trying to align more closely the intake in that program with our labour market needs. We did so through a series of consultations with stakeholders, the provinces, cultural communities, and others, to identify occupations that are in need across the country. Those are the 38 categories that we published under the ministerial instructions. It's a result of those changes that we've now been able to turn the corner on the skilled foreign worker inventory, reducing it from 600,000 to 515,000. As I said, I anticipate further reduction before the end of this year, which is very important.

I'm also very excited that we will be providing a decision within six to 12 months to the applicants under that program who have entered the inventory since February of last year. So they're no longer going to have to wait four to six years, in some places, to get a decision. They'll be able to get one between six to 12 months.

I've been getting very positive comments from stakeholders on how the action plan is working. This is really important. Highly skilled immigrants from developing countries are able to get a decision and go to a country like New Zealand or Australia within six to 12 months. We were telling them to wait over four years. We were simply losing the opportunity to attract many of the most talented people.

This puts us back in the game, to attract those highly skilled and educated people, and I think that's a very positive development in the long run for our economy.

•(1010)

The Chair: Thank you, Mr. Calandra.

Ms. Mendes.

[*Translation*]

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): Good morning, Minister. I'd like to make a few comments on the processing of citizenship files in Montreal, in Quebec. The backlog in Montreal is currently 34 months. There is currently only one sitting judge. I can't tell you the number of files that are on my riding desk.

Why do we have so much trouble appointing judges? Why do the officials responsible for processing files take 34 months to do it? Something's not working.

Hon. Jason Kenney: Thank you for your question, Ms. Mendes.

This week, I met the senior citizenship judge, Mr. Springate. We discussed the challenges we're facing. We've sent certain judges from other parts of the country to Montreal to preside over citizenship ceremonies. I have informed the committee that I will be recommending judicial appointments to the board to Cabinet very soon. I hope we'll be able to fill the vacant positions in Montreal and Vancouver so that we can conduct more ceremonies.

The backlog in processing citizenship files is one of our operational challenges. I'll invite the deputy minister to comment on that subject.

Mr. Richard Fadden: Mr. Chairman, one of the difficulties is that the department has resources to process 280,000 files a year, whereas we currently have approximately 290,000.

Mrs. Alexandra Mendes: You have how many?

Mr. Richard Fadden: We have 290,000. The difficulty is that the department and judges have to process a much larger number of files than their resources enable them to process. We're currently discussing the matter with Mr. Kenney to see what adjustments we could make. That's our basic problem.

Mrs. Alexandra Mendes: Are you talking about staff adjustments?

Mr. Richard Fadden: Yes.

Mrs. Alexandra Mendes: All right, thank you.

[*English*]

The Chair: Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair, and thank you, Mr. Minister, for coming here to be with us today.

My question concerns a new immigrant class that was introduced by our government. Can you please explain to the committee how the new experience class will help Canada by accepting immigrants who have proven track records and integrate well?

Hon. Jason Kenney: Yes, thank you.

I think this is one of the most positive developments in our immigration system in a generation. It was announced last year, and in November we launched the experience class. This will allow qualified temporary foreign workers and foreign students who have

met the terms of their visa and the requirements of the program to apply for permanent residency from within Canada. Before this, people who had completed their time as temporary foreign workers or students had to leave the country, apply from abroad, and go to the back of the queue. This meant we lost people who were already largely integrated.

A student might get an undergraduate degree from Canada, then have to return to their country of origin and wait in a queue for four years or longer to get a decision to come here as a permanent skilled worker. Now, as they approach the end of their studies, that same student will be able to apply within Canada to stay here. If they get a positive decision, I think that's a huge step forward in terms of aligning immigration with our economic needs. It will be easier. That person won't face the foreign credential recognition challenge or the Canadian experience paradox.

The same applies to the temporary foreign workers, who can then transition into permanent residency from within Canada. They will already be familiar with a trade or skill or profession within Canada. They will already have Canadian experience. In many cases, we hope the employers for whom they've been working as temporary workers will offer them permanent jobs.

I know many employers of temporary foreign workers who are very excited about the program. For two years they've invested in training people and providing them with housing. Now they have a readily trained employee who can stay here as a permanent resident, and we hope eventually become a Canadian citizen.

•(1015)

Mrs. Nina Grewal: As you know, our government has been working very hard to protect those vulnerable foreign workers. Does your department plan to take any kind of specific or further steps to protect these people who are in need?

Hon. Jason Kenney: Yes, thank you. In terms of vulnerable workers?

Mrs. Nina Grewal: Yes, vulnerable workers.

Hon. Jason Kenney: In terms of temporary foreign workers, in fact later this spring I will be pre-publishing draft regulations for comment. Hopefully this committee can look at improvements in the temporary foreign worker program, ensure amongst other things that these workers are receiving the full benefit of the provincial labour codes, and ensure that if there are instances where employers are not meeting their legal obligations to foreign workers that there is some kind of sanction.

We also want to ensure the program is working efficiently on the employer's side. The whole idea of the program is to be quickly responsive to labour market needs. We want to ensure that there are sufficient protections, but also that there is no unnecessary red tape.

Those proposed regulations will be available for this committee's commentary later this spring.

In addition, I am interested in returning to Parliament with legislative amendments to help protect vulnerable foreign workers. There was Bill C-17 before the last Parliament, and I would invite input from the committee about proceeding with similar legislation.

Mrs. Nina Grewal: Mr. Chair, do I have more time?

The Chair: Well, you have about 30 seconds.

Mrs. Nina Grewal: All right. That's fine.

The Chair: Thank you.

Mr. Shory.

Mr. Devinder Shory (Calgary Northeast, CPC): Thank you, Mr. Chair.

Thank you, Minister, for coming this morning.

I have a threefold question, and I'd like you to touch on all three issues. I represent Calgary Northeast, and my riding has a large portion of South Asian communities.

Recently, you visited Pakistan and India, and you met with Pakistani and Indian officials to discuss immigration processing issues. This year's budget and estimates will include millions of dollars to address the processing issues. Number one, what did you gather from your various meetings?

Furthermore, Minister, notwithstanding your action for a faster immigration plan, I also noticed that the consulate office in Chandigarh, India, has some serious issues to deal with. Can you explain to the committee in detail what those issues are?

And number three, the last point, is whether this committee can be of any assistance in this matter.

Thank you.

Hon. Jason Kenney: Thank you.

Yes, I had a very instructive visit to two of our largest source countries and three of our largest visa and immigration offices, in Islamabad, New Delhi, and Chandigarh. I had a chance to meet with and get a new appreciation for the hard work and professionalism of our visa officers abroad and to review very closely their operations. I was very encouraged to see service innovations being adopted by some of those missions.

In one example, in the past year our Indian operations have adopted a business express service for the employees of businesses that have operations in Canada. They can register with our immigration bureau through the agency of our trade promotion offices to have their employees receive express service, which means that those who qualify are getting a business visa turnaround within 24 to 48 hours, typically, with a 100% approval rate. That's one of the many innovations we see in the field.

Obviously, we're facing many challenges in that region. I, like every member of this committee and every member of the House, register the frustration of many applicants and the difficulty that their relatives and friends have in obtaining visitor visas. That's particularly acute, of course, for applicants from Punjab out of the Chandigarh visa office. I am pleased to note that the approval rate for short-term visas out of Chandigarh has increased from 32% three years ago to 44% last year. As well, I believe they're making very

reasonable efforts towards seeing a continued improvement in that situation.

One of the problems I encountered there that I think is one of the reasons for the relatively high rejection rate is a very high incidence of documentary fraud. That is the result of a network of unscrupulous and unregistered so-called immigration consultants and a related network of document vendors.

Our visa officers are encountering, in those two missions, literally thousands of applications with false declarations that are supported by counterfeit documents, by everything from drivers' licences and false university transcripts to job offers, funeral notices, and marriage certificates. There is the whole range of documents.

This is a very, very serious concern. Our department has taken steps to help combat this kind of fraud by developing certain expertise, but it really requires cooperation, in my judgment, with the local officials. We need the local officials in places such as that to investigate and prosecute document vendors and fraudulent consultants who are giving people bad advice and, quite frankly, exploiting them. They are trading on the good name of Canada to take large sums of money with a promise that they will give these people access to Canada. Very frequently, they end up actually injuring the interests of their clients by counselling them or by filling out false declarations and providing them with false documents. This, of course, causes the applicants, if they're found to have done this, to be rendered inadmissible for an application for the subsequent two years.

I raised these issues with the chief minister of Punjab. I was very encouraged that he gave us an immediate undertaking to assign a special police task force to work with our consulate in Chandigarh to identify, combat, and prosecute these fraudsters. I'm informed, very encouragingly, that he and his officials have followed up with this. We are also taking steps to—

● (1020)

The Chair: Minister, unless there's agreement—

Hon. Jason Kenney: Sorry. Can I just get one more sentence?

The Chair: Sure, as long as it's not a long sentence.

Hon. Jason Kenney: We're taking steps to warn people about this. We now have warnings in 17 languages on our websites. As well, we have warnings posted in four languages outside our offices in India, telling people they don't need the use of agents to obtain visas, and that if they do, they should ensure that they're registered agents. I've asked the department to come back with recommendations as to how we can increase that public awareness campaign.

Finally, I'd be delighted if the committee could review this issue, because I think it's one that should concern us all.

The Chair: Thank you, Mr. Minister.

That concludes the second round.

Mr. Karygiannis has served me with notice of a question of personal privilege, for which I thank you, and you have the floor for that question.

Hon. Jim Karygiannis: Are we having more rounds, Chair?

The Chair: We are, sir. You are next on the third round.

Hon. Jim Karygiannis: Right. I would like to address that, sir, at the end of our meeting. As I said to you, sir, I'd like to address that at the end, and I'd like to take my five minutes to ask the minister more questions.

The Chair: All right. You have five minutes.

Hon. Jim Karygiannis: Thank you, Chair.

Minister, I'm sure the name Lai Changxing is one that is relatively known to you. This individual has been in Canada for a number of years. He was on China's most wanted list. He's in Vancouver awaiting a court decision on his deportation, and certainly government after government has refused to deport him, because we know what China allegedly might do to him.

I'm just wondering, Minister, if you can enlighten this committee as to what, in your view, persuaded you to give him a work visa, versus previous governments that did not give him a work visa.

Hon. Jason Kenney: Thank you for the question, Mr. Chair.

Nothing persuaded me to give him a work visa because I didn't give him a work visa. I learned about the fact that he had obtained a work visa from media reports last week. Normally I wouldn't comment on a particular case, but all these facts are in the public domain, so I will go ahead and comment on the facts as they've been publicly reported.

Because of a court decision two years ago that stayed his deportation pending another pre-removal risk assessment and the requirement that the government furnish certain assurances with respect to his prospective treatment in China, he's here in Canada. He cannot be removed. He is, therefore, according to the law, eligible to apply for a work permit in Canada. And neither the department nor I have negative discretion to deny someone such a permit if they otherwise qualify.

• (1025)

Hon. Jim Karygiannis: Mr. Chairman, the question to the minister was....

Hon. Jason Kenney: The officer in question for this case, in our Vegreville operations centre, felt that he was legally obliged to authorize the work permit and that he had no negative discretion to deny it.

Hon. Jim Karygiannis: The question, Minister, was that you had awarded him a work permit. I will quote from an article on February 9 from Canwest News Service: "Immigration Minister Jason Kenney said awarding a work permit will not interfere with disposition of Lai's case."

So if they have it wrong, and you didn't award him a work permit, why, then, did you not interfere and stop him from getting a work permit, as previous governments have done, since this man is on Canada's most wanted list?

Hon. Jason Kenney: He is on China's most wanted list.

It was simply because I, as minister, will not break the law, and it would be contrary to the law for me to instruct officials to do so.

Hon. Jim Karygiannis: Minister, I'm sorry, did your department award him a work permit under your stewardship, yes or no?

Hon. Jason Kenney: An officer at our Vegreville operations centre who had the authority to make such decisions did award the work permit. Based on his analysis of the facts in the application, he felt that he had no option but to do so. And as minister—

Hon. Jim Karygiannis: So the department did award him—

Hon. Jason Kenney: —I cannot override such decisions on the part of our officials when they have delegated authority.

Would you like to add anything to this to clarify it?

Mr. Richard Fadden: I would simply add that under the current regulations, if a person under a removal order applies for a work permit and meets the conditions, neither the minister nor the official has any leeway either. If the conditions and the regulations are met, the permit must be issued.

Hon. Jim Karygiannis: There are thousands of Chinese folks here who are about to be deported. They have families in Canada. I can give you numerous examples of my constituents who are married and have children, and their wives have not been able to work. Are they not eligible to get work permits?

This individual who is on China's most wanted list gets a work permit, but the other people who are eligible to get work permits to support their families don't get work permits.

Hon. Jason Kenney: Depending on the specific facts in the application they make, they should in principle be eligible for a work permit. If a person is in Canada under a stay of deportation, according to the regulations they are eligible to receive a work permit. The officers are required to make that assessment objectively. They can't do so prejudicially and say, "I don't like this character. He seems a bit dodgy or unpopular. I'm therefore going to use my personal discretion, against the regulations, to deny him a work visa." That's simply not allowed.

The Chair: Thank you, Mr. Karygiannis.

Hon. Jim Karygiannis: I have one final question.

The Chair: You don't have another question.

Monsieur St-Cyr.

[Translation]

Mr. Thierry St-Cyr: Thank you, Mr. Chairman.

I'd like to continue on the matter of the backlog and Bill C-50. At the end of my last remarks, I explained that, in Bill C-50, the chapter on immigration that was passed—which can be called the immigration reform—enables the minister to issue instructions on classes of immigrants that are to be prioritized. So people who are further back in the line will be brought to the front of the line. Obviously, if I take the application of a person who is at the end of the line and move it to the front, it will be processed sooner, but the line will remain just as long.

How do you explain why the number of pending files has declined, whereas all Bill C-50 made it possible to do was to take people from further back in the line and process their files on a priority basis?

• (1030)

Hon. Jason Kenney: Mr. St-Cyr, under the new act, we must not accept immigration applications from skilled foreign workers if they don't fall into the 38 priority categories. That means that we can finally reduce, control the number of applications. We used to receive an infinite number of applications, but our processing capacity...

Pardon me, I'm going to continue in English.

[English]

In theory, we had an infinite number of applications that we had an obligation to process, but we had a finite number of people we could accept in a given year. Consequently, the inventory kept growing and growing. Under Bill C-50 we now have the capacity to limit the number of applications that are made, and that's why the inventory is coming down.

[Translation]

Mr. Thierry St-Cyr: So you don't necessarily process the files more quickly; there are simply fewer of them in the system.

Hon. Jason Kenney: Except that people who file their applications after last February are—

[English]

They're in an inventory that we process more quickly, in accordance with the action plan. They can now get a decision in between six and twelve months. For those who made their applications prior to that, we are devoting 70% of our resources to processing them. We hope that will begin to go more quickly.

Finally, those who don't qualify for the 38 categories can apply to come to Canada under the provincial nomination or temporary foreign worker programs, and both of those inventories move more quickly than the skilled foreign worker inventory.

[Translation]

Mr. Thierry St-Cyr: All right.

In your presentation and in response to a question, you also talked about multiculturalism. In Quebec, all political parties advocate interculturalism rather than Canadian multiculturalism. The Bloc Québécois has even introduced a bill on this matter, under which Quebec would be able to opt out of Canada's Multiculturalism Act

and have its own immigrant integration model, which is more proactive.

Immigrants who go through the Quebec system are currently getting a double message: the Quebec government tells them that it is counting on them to fit into the common culture, and that it is inviting them to join in and enrich Quebec culture, whereas the federal government talks to them about multiculturalism and invites them to promote their differences, on the sole condition that they abide by the law.

Would you be open to the possibility of at least considering the option of having a different integration policy in Quebec and allowing the Quebec government to send a single message to its newcomers?

Hon. Jason Kenney: Mr. St-Cyr, that's already the case. Under the Canada-Quebec Accord on Immigration, Quebec, in practice, already has responsibility for integrating newcomers. We moreover provide it with funding for that purpose.

Quebec has very effective programs in this field. It already has its own integration approach. As I already said, under the federal government's multiculturalism program, increasing emphasis is being placed on integration. We have to put the accent on social cohesion, on the values and history that we have in common. At the same time, however, we have to keep an open mind toward cultural diversity. This approach doesn't necessarily entail any contradictions.

[English]

The Chair: Thank you.

Ms. Chow, please.

Ms. Olivia Chow: I will be submitting motions regarding the estimates when we finish the discussion.

• (1035)

The Chair: Maybe before we start we could discuss that point. On the questioning of the minister, Mr. Karygiannis has something—a point of privilege. How much longer does the committee want to go—until a quarter to? Are we in agreement with that?

Ms. Olivia Chow: Yes.

The Chair: Otherwise we'll run out of time.

Ms. Olivia Chow: Thank you.

Back to the question of the backlog, I notice that refugee spending is actually \$10 million less. The planned spending was \$85.5 million; it's now \$75.4 million. And the claims waiting for decision have dramatically increased; it's 38% more than a year before. So you now have 42,000 claims according to your performance report, 42,000 refugee claimants waiting for a long time, some over a year, two years—a third of them have to wait over a year. Yet in terms of number of staff, you've dropped your staff from 1,000 to 928; it's 97 fewer staff members than the year before. So you have less staff. The cost per claim has gone up from \$2,491 to \$4,938 within three years. So the cost per claim has gone up dramatically. The claims waiting for a decision have gone up 38%. You're spending less. You have less staff, 97 fewer staff members. That doesn't make sense, because isn't the goal to shorten the wait list for these refugee claimants? Whether you agree or don't agree, they shouldn't be waiting for a long period of time. Your department is actually going in the wrong direction, and if you look at the chart, it just keeps going up—the wait list, claimants waiting. The chart has been going up and up. I looked at the chart and it didn't make sense, and in the meantime the costs have gone up.

So there's something really wrong there. And putting aside refugees, the Immigration Appeal Board is not doing much better. The number of appeals waiting for a decision has also increased by 9,600, and again the wait times have gone up. So I can imagine an overseas husband and wife waiting to come in—they were turned down, they appealed, 39% of them are over a year. That's a long wait for an appeal, probably two years now. That wife might have a baby overseas by now, right, so they're separated for two years. So this doesn't look right and doesn't seem right, and it's not as if you don't have the money. You're just not spending it.

Hon. Jason Kenney: Thank you, Mr. Chair.

Madam Chow, obviously I share your concern about the waiting list for processing of refugee applicants. Obviously one factor here has been the need for more members of the IRB, and I'm taking action in that respect. I've recently made the largest one-day appointment of commissioners to the IRB, and as I mentioned, I anticipate that in the very near future they'll be operating at near full complement with respect to the number of members.

As it relates to their actual detailed operations, I would direct you to the chairman of the IRB to respond to how they are allocating their resources in terms of staff and how they prioritize the processing of claims and appeals.

Clearly part of the problem is the large number of false claimants who are, I would submit, abusing our in-country refugee determination system. This is a very serious problem. I would note, for instance, that last year we received something in the order of 13,000 in-country refugee claims from Mexican citizens, 90% of which are being rejected by the IRB.

So, yes, we need a full complement of IRB judges. We will have that very soon. The IRB needs to administer its resources creatively, but also we need to ensure that we can more expeditiously deal with in-country claimants, particularly from countries where the overwhelming share of those claimants are found to be false claimants. They are clogging up the system, prolonging the waiting times, and making it more difficult for legitimate in-country refugee claimants

to get a decision. I invite ideas from the committee on how we can address that very serious problem.

• (1040)

The Chair: Finished?

You are finished, because it says five minutes on this clock right here.

Ms. Olivia Chow: Okay, fine.

The Chair: Mr. Shory.

Mr. Devinder Shory: Thank you, Mr. Chair.

Minister, in your opening remarks—

The Chair: There's a point of order.

Hon. Jim Karygiannis: We are starting a second round, am I correct?

The Chair: No, we're still on the third round, and Mr. Shory is the last speaker in the third round.

Mr. Shory.

Mr. Devinder Shory: Thank you once again, Mr. Chair.

The Chair: I'm sorry to interrupt you, but could we stop the clock for a minute?

You all know that we agreed to go until a quarter to eleven, and I know there are still some speakers over here. I know that I have to leave here at 11 o'clock, so if we are going to extend the meeting, someone else is going to have to chair it. It's up to the committee.

Mr. Shory is the last in the third round.

Mr. Shory.

Mr. Devinder Shory: Minister, in your opening remarks you mentioned the foreign credentials programs. In our 2004 Conservative platform, we undertook to address the issue of recognizing foreign credentials and skills in Canada. Then, upon forming government, we acted on our platform promises and have actually boosted the number of foreign credentialled offices and officers here in Canada and abroad as well.

Minister, could you inform the committee how this strategy is working, and the result of our additional focus and investment? Further, how do you expect this strategy will work in the future?

I also note, Minister, that Budget 2009 provides \$50 million to support this program. Can you please tell the committee what the focus will be of that \$50 million in spending?

Thank you.

Hon. Jason Kenney: First of all, the government in the last Parliament created the Foreign Credentials Referral Office through the Ministry of Human Resources and Social Development, with, I believe, a \$32 million fiscal commitment. The focus of that office was to provide information to newcomers on credential recognition. Among other things, they have created the Working in Canada web portal, which essentially allows one-stop shopping, either through the web portal or in person at 320 Service Canada centres across Canada and a number of our missions abroad.

This allows prospective immigrants, or those who have been selected for permanent residency in Canada, to get one-stop shopping and coherent information on how they can get their credentials recognized. They can now see, by linking to different professional agencies across the country, which provinces have the most progressive professional associations in their own particular occupations, for purposes of credential recognition. We hope that now that they can begin the process abroad, they won't arrive in Canada and struggle through the red tape, spending their first two or three years stuck in survival jobs trying to figure out how to make applications.

We hope that with the information we're providing them through the FCRO, and now with the expanded \$50 million in funding for the national credential recognition framework, they will be able to start their application process, obtain supplementary documents if they're necessary, or even get additional education or take additional courses while they're awaiting a pending immigration decision to Canada. We think this will help people.

We're also funding, through the Association of Canadian Community Colleges, a program called the Canadian Immigration Integration Project, which has three pilot offices abroad, one in Manila, one in Guangzhou in China, and one in New Delhi, which are offering tailor-made, free consulting to people selected for permanent residency in Canada on all issues of integration, but with a focus on credential recognition.

I met with some of these people in New Delhi who had already obtained job offers in Canada and a headstart on credential recognition, because of the two-day seminar we were offering and other assistance.

Finally, the Prime Minister made a platform commitment in the last election to put this important issue on the agenda of the first ministers meeting. He did that on January 16 and secured for the first time an agreement by the first ministers to create a national framework for credential recognition by the end of this year. The \$50 million commitment in this budget will help to finance the development of that framework, largely under the leadership of my colleague, Minister Finley, at HRSDC. Of course, that work is going to be assisted by the agreement of the first ministers to create a domestic, open labour market in Canada. One of the problems is that it doesn't matter whether you're coming from abroad or not, but that we still have problems in terms of labour market mobility in Canada.

• (1045)

The Chair: We're past the time, but we'll give Mr. Calandra a minute and Mr. Bevilacqua a minute. Please be brief.

Mr. Paul Calandra: Thank you, Mr. Chair.

Minister, really briefly, I just wondered if you could comment on how closely we work with the provinces and territories to determine the priorities in the experience class.

Hon. Jason Kenney: In the Canadian experience class, it's very closely—I'm sorry, which class do you mean?

Mr. Paul Calandra: I mean in the experience class.

Hon. Jason Kenney: In terms of the 38 prioritized occupations, we had a lengthy process of consultations with stakeholders, particularly with the provincial and territorial governments. These consultations were conducted in the spring and summer of last year.

Some of the provinces and territories said, "Look, this list isn't long enough. We have labour market needs that aren't reflected on the list of 38." But we had to come up with a list that was rational, that was reflective of national labour market needs and priorities. That's what we did. The list is published on our website and published in the Canada Gazette. I pointed out to our provincial colleagues that if they have particular regional labour market needs, they can pursue provincial nominee programs to attract immigrants to respond to those regional needs.

Finally, we remain open to modifying the list as we go forward. We're not dogmatic about this. We want a system that works well for immigrants and for our economy, that reduces the backlog and gets people here more quickly.

The Chair: Okay. Thank you.

Mr. Bevilacqua.

Hon. Maurizio Bevilacqua: Thank you, Mr. Chairman.

I'll be quick because I know you are concerned about timing. We spend a lot of time in this committee, because we're dealing with estimates, talking about issues like processing times. I'm referring to the issues of the backlog and temporary foreign workers, and you've gone through all sorts of programs like foreign credentials and refugees.

For us as parliamentarians and people who assume a certain leadership role in our country, the bottom line is that once all this is done, immigrants come to Canada and they're not doing as well as they should be, and therefore we are not maximizing the human resources potential of our country. Immigrants who come today have a tougher time than those who came after the war, for example. That's a major concern as it relates to integration, but it's also a major concern as it relates to the issue of nation building. These big broader issues require a lot more attention by this government.

I can tell you I was very concerned about the fact that in the last Speech from the Throne, brief as it may have been, the word “immigration” didn't even appear. I think it's the same story with the previous Speech from the Throne. While this government claims to understand, comprehend, and do all these things for immigration and immigrants, I really believe that the rhetoric does not match the action. Nor does a Speech from the Throne that lacks the word “immigration” in any way, shape, or form signal to new Canadians that in fact it's a serious concern of this government.

Minister, I sat around the cabinet table, and I will give my two cents' worth to you here.

The Chair: I hope it's short.

Hon. Maurizio Bevilacqua: You have to fight for greater space on the national agenda and you have to fight for greater resources for new Canadians, because I think that new Canadians are cluing into the fact that the speeches that Canada's political class deliver at many of their functions and events are actually not realized in true terms when it comes to budgetary items and when it comes to priority-setting issues in our country.

• (1050)

Hon. Jason Kenney: Thank you very much, Mr. Bevilacqua. I appreciate your long-standing passion for immigration, a passion I share.

I think it's perhaps a little unfair to critique the last Speech from the Throne in that respect since it was really an update of the previous Speech from the Throne. It was strictly focused on our economic challenges. The previous Speech from the Throne did speak to immigration. It spoke to the platform commitment to, amongst other things, raise the issue of credential recognition with the first ministers.

I would point out that this is the first time a Prime Minister has put that issue squarely on the agenda with his provincial counterparts and has gotten a national commitment for action. We're all frustrated to know that our constituents are struggling to work in their chosen profession. That's a problem that has affected both federal and provincial politicians from all parties and all levels of governments for a long time now, but I think we are making progress. I think the Prime Minister deserves some credit, even in a non-partisan sense, for putting this squarely on the national agenda and getting the premiers to respond, and for putting our money where our mouth is, for adding \$50 million in this budget to \$32 million previously budgeted. That was not done before.

I don't accept that this government has not focused on immigration. The reality is that we have maintained historic high levels of intake. As I mentioned last year, they are the largest in history in terms of people who are either permanent residents or who might become permanent residents.

I just announced today that our government has seen a fourfold increase, or is planning a fourfold increase, just as one example, in the number of refugees eligible to come from the Middle East.

We have taken action on credential recognition.

We have increased settlement funding by \$1.4 billion, or 219%, since the previous government was in place.

For the first time in a generation we have begun to see a reduction rather than an increase in the inventory of skilled foreign workers.

The Chair: We're running out of time, Mr. Minister.

Hon. Jason Kenney: I think we're actually making progress. It's not perfect, but we're making progress.

The Chair: Okay. I know we'd like to go on, but the committee has some business to do.

Mr. Minister, Mr. Karygiannis has a point of privilege, which I think may involve you, so we'll wait anxiously for his point of privilege.

Hon. Jim Karygiannis: Thank you, Mr. Chair.

While in the first round of questioning, I brought up some figures and the minister went on to say something along the lines that he doubted my figures, that the figures we had given the previous committee were certainly figures that did not make any sense—

The Chair: Mr. Dykstra, do you have a point of order? We're in the middle of a point of privilege here.

Mr. Rick Dykstra: Go ahead, I'll make—

The Chair: Let him finish.

Hon. Jim Karygiannis: Mr. Chair, I do hope that Mr. Dykstra will allow me to finish.

The Chair: Okay. I don't want to get into a fight. Please continue, sir.

Hon. Jim Karygiannis: I think the minister called my figures into question. So, Mr. Chair, I am prepared at this time to allow the minister the doubt that he doesn't have the figures I was talking to, and maybe he'd like to reconsider his comments.

But I'm going to table the figures I have. These figures were something I received from Citizenship and Immigration on November 21, 2007, for the 2004 processing times for skilled immigrants. The top of the line says “All points of service...43”. Then, Mr. Chair, I would go to the minister's website on December 2, 2008. It states that the processing times for all points was 68.

I'm prepared to table this. I'm wondering if the minister would like to reconsider his remarks, if the minister would like to go away and look at the figures I have and maybe come back to this committee and reconsider his remarks, or if the minister has absolutely no clue about what figures he was talking about.

I would like to have the government—

The Chair: Okay. Mr. Dykstra has a comment.

Mr. Rick Dykstra: Yes. What I was going to do is ask Mr. Karygiannis to table or enter in his material, which he has done.

It's pretty difficult for the minister, based on the fact that he hasn't seen anything you've put forward today, to respond to that question. I think you should at least give him the time to have a look and then potentially respond.

Hon. Jim Karygiannis: Mr. Chair, if the minister is prepared to withdraw the comment that my figures are in question, certainly I would like to give him the benefit of looking over these figures and maybe coming back to this committee to be able to substantiate....

• (1055)

The Chair: Mr. Karygiannis, the minister hasn't seen the documents you have.

Okay, here we go. Mr. Minister.

Hon. Jason Kenney: Mr. Chairman, I believe this is clearly a point of debate and not privilege.

The Chair: It is indeed.

Hon. Jason Kenney: If I could then be given just a moment to respond to clarify my remarks, I do not withdraw them. Essentially what I said was that Mr. Karygiannis had previously cited statistics on processing times at this committee that turned out to be inaccurate. On May 13 of last year, he asked if we could explain why processing times in Beijing had increased by 48% since 2005, and in fact the premise of the question was totally inaccurate. Processing times in Beijing had not increased by 48% in any category.

I simply referred to that to suggest that until we can have a closer review of the statistics he has referenced this morning, I'm not prepared to accept their veracity at face value, given that he was mistaken in citing similar statistics a few months ago at this committee.

The Chair: Mr. Karygiannis, the chair is ruling that this is not a point of personal privilege, and we are going to proceed to the motion of Ms. Chow.

Hon. Jim Karygiannis: Mr. Chair, I'm just wondering if you are in a position to rule on a point of personal privilege.

Ms. Olivia Chow: Mr. Chair, thank you very much.

I move that we delete vote 1 of the citizenship and immigration department as it includes the \$2 million communication funds.

Earlier on I spoke about why I thought spending close to \$1 million on communications, purchasing \$915,000 worth of ethnic

media while Parliament is debating the item, and \$24,000 on Bill C-50 between April and the first week of May.... As some of you may recall, we didn't approve Bill C-50 until the end of May, I believe.

The Chair: Ms. Chow, I understand from the procedure that you can reduce but you can't delete. The committee can reduce—

Ms. Olivia Chow: Yes, you can reduce. You can call it reduce to zero. You can delete, either way. You cannot add. You cannot transfer. You can certainly delete or whatever you want to call it; it can be removed.

The Chair: I'm going to excuse the witnesses. Thank you very much for coming.

Hon. Jason Kenney: I will just thank the committee very much. I look forward to coming back.

The Chair: Well—

Ms. Olivia Chow: We can certainly change that to remove rather than delete. I think it means the same thing. Remove, eliminate, delete, cancel—what else is there? Defer?

The Chair: All right. I understand what you're saying. My understanding of the procedure is that you can reduce something or you can vote against it. You can vote against the whole thing, but I don't think you can delete a particular item.

Ms. Olivia Chow: Okay. Why don't I amend my motion to read that we remove, reject, eliminate, defer vote 1?

The Chair: That's a long motion.

Ms. Chow, we're running out of time. We can continue this matter on Thursday when we have other motions. We have literally run out of time, and I'm sorry—

Ms. Olivia Chow: I have a point of order then.

The Chair: You will have the floor when we return on Thursday morning.

Ms. Olivia Chow: Okay, this vote will be deferred until Thursday.

The Chair: We will deal with this. You're first on the list on Thursday morning.

Ms. Olivia Chow: Thank you very much.

The Chair: Thank you. The meeting is adjourned.

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