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# Standing Committee on Citizenship and Immigration

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EVIDENCE

**Tuesday, March 8, 2011**

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**Chair**

**Mr. David Tilson**



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•(0845)

[English]

**The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)):** Good morning, ladies and gentlemen.

This is the Standing Committee on Citizenship and Immigration, meeting 47. Today we are televised, and pursuant to Standing Order 108(2) we are studying the immigration application process and wait times.

Today it's no different from the program we had at the last meeting. We have three groups of witnesses, and the meeting will be divided into three. The first group will end at 9:25 and the second group at 10:05, as you can see from the agenda.

We have with us today Mr. Gilbert—once again, sir, good morning to you—who is the director general of the international region. He will introduce our witnesses from the Department of Citizenship and Immigration in Buffalo.

Sir, you have the floor to introduce your colleagues.

**Mr. Rénaud Gilbert (Director General, International Region, Department of Citizenship and Immigration):** First, thank you very much for the invitation, Mr. Chair.

I'd like to introduce to you Burke Thornton and Catherine Bailey, who are from our office in Buffalo. Burke is the area director responsible for all the U.S. mission. He is also responsible for the office in the Caribbean. So he's the area director of the first group you met here two weeks ago. The office in Buffalo has produced the most visas of any office that CIC has. Burke is going to describe what they do.

**The Chair:** Good morning, Mr. Thornton and Ms. Bailey. You can hear us?

**Mr. Burke Thornton (Immigration Program Manager, Buffalo, New York, Department of Citizenship and Immigration):** Yes—loud and clear.

**The Chair:** That's good.

Mr. Thornton, I assume it will be you, but one of you has up to seven minutes to make a presentation to us. We thank you for taking the time to speak to us this morning.

You may proceed.

**Mr. Burke Thornton:** Thank you, Mr. Chairman.

I'd like to thank the committee for inviting us to speak.

As Mr. Gilbert has indicated, my name is Burke Thornton, and I'm the immigration program manager in Buffalo. I am joined by Catherine Bailey, who is our deputy program manager.

I'd like to provide a short overview of the program in Buffalo, emphasizing some topics that I believe would be of interest to the committee.

We are an office of 51 people, including Canada-based officers and local staff. Approximately half our staff are Canadian citizens and residents who commute from the nearby communities of Fort Erie, St. Catharines, and the Niagara region, across the bridge daily, to work at our consulate in Buffalo.

I will start the description of the program with the temporary residence program.

Our movement is incredibly varied. We have applicants from more than 160 countries applying at the consulate in Buffalo. Only a very small part of this non-immigrant movement are U.S. citizens, because visitors are visa-exempt, and most U.S. students and workers apply directly at ports of entry into Canada.

Our temporary resident program has been characterized by continuous growth over the past few years. We have set a new record for output every year since 2005. Our intake has increased 64% since 2005, and 25% in the past two years alone.

We have now surpassed New York, our colleagues in New York, as the U.S. mission with the highest non-immigrant application intake, and we have made the top-ten list globally.

Acceptance rates are much higher than global norms, running to about 94% or 95%, as most of our applicants have already been admitted to Canada or the U.S.A. So we have the advantage of having, if you like, a pre-screening done on those applicants.

While we offer walk-in service four mornings a week, approximately 80% of applications are submitted by mail, and we have established a post office box in Fort Erie, Ontario, just across the bridge, so that our Canadian clients can submit applications entirely using the Canadian postal system. Because of the high percentage of mail-in applications, our processing times are lengthier than in most offices where walk-in service is the norm, but still approximately 67% are finalized in 14 days or less.

Here is just a word about students. Our numbers have increased 54% in the last two years. Most of our applicants live in Canada. Korea is the country from which we have the highest intake, with about 18%, and that's followed by the U.S.A., running about 12%.

With regard to temporary foreign workers, again, most of our temporary applicants reside in Canada, having entered as visitors. Buffalo received 2,800 such applications in 2010, which is an 80% increase in the last five years.

With respect to permanent residents, Buffalo is responsible for the intake of all permanent resident applications submitted by persons lawfully admitted to Canada or the United States for at least one year.

We're the regional program centre and the hub of the United States delivery network, and our partner offices are in Detroit, New York, Seattle, Los Angeles, and Washington.

Our office is responsible for the initial review of applications. This includes the creation of the paper and electronic files as well as the initiation of security and criminality checks. Buffalo keeps approximately 50% of the applications and sends the other 50% to the other four U.S. offices for processing.

In 2010, the U.S. delivery network received the highest volume of permanent resident applications, approximately 20,400, and issued the most visas, approximately 38,500, out of all visa offices and regional program centres across the world.

Approximately 15%, or one in six, of all visas issued abroad in 2010 were issued by the U.S. delivery network. We expect similar results for 2011.

A high percentage of applicants are from Canada or residing in Canada, and that is due in part to the growing uptake from the provincial nominee program and Canadian experience class.

I'd like to talk a little bit about provincial nominees and skilled workers. We received the largest volume of nominees, more than 6,000, and issued the most visas in this category, approximately 13,000.

•(0850)

Our application intake has seen a significant shift in recent years. In 2010 the issuance of nominee visas exceeded that of federal skilled workers for the first time in our history. Even so, we delivered a significant proportion of the skilled worker visas in 2010—almost 17,000—and that includes quite a large Quebec skilled worker caseload.

We are responsible for processing all Canadian experience class cases. That movement is going up. We issued 3,900 visas in 2010 and we expect to issue 5,000 in 2011. In the family class priority we issued 3,700 such visas in 2010, again including Quebec cases. That's the second-largest in the world.

Many of these cases are straightforward, but there can be challenges—high incidence of criminal convictions, difficulty in obtaining medical results from non-accompanying dependents, and difficulties in motivating certain applicants to comply with processing requirements. Most of these cases are finalized well

within one year. And we are able to finalize 50% of our spousal cases in less than six months, once they're received.

In 2010 we issued almost 450 visas for parents and grandparents. Processing time is currently about 19 months. We expect to issue close to the same number of visas in 2011.

We believe we're in a good position to deliver on our commitments this year and will continue to try to motivate ourselves and our staff to make ourselves the most efficient visa office in the global network.

Thank you.

•(0855)

**The Chair:** Thank you, sir.

We will have some questions. Each caucus will have up to six minutes.

Mr. Wrzesnewskyj.

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Thank you, Chair.

I'd like to start with our witnesses in Buffalo. You say a high percentage of applications are from Canada. What is the actual percentage?

**Mr. Burke Thornton:** Probably about 80%. People both on the permanent resident side and on the non-immigrant side are currently temporarily residing in Canada.

**Mr. Borys Wrzesnewskyj:** So in actual numbers the 80% translates into approximately....

**Mr. Burke Thornton:** I'll just do a quick bit of math here: from the Buffalo office alone, about 16,000 permanent resident visas and about 24,000 temporary resident visas per year.

**Mr. Borys Wrzesnewskyj:** That would be Canadian-based?

**Mr. Burke Thornton:** That would be persons currently temporarily residing in Canada, yes.

**Mr. Borys Wrzesnewskyj:** Can you just repeat those approximate numbers?

**Mr. Burke Thornton:** I believe it was 16,000—this is from the Buffalo office alone—

**Mr. Borys Wrzesnewskyj:** Yes.

**Mr. Burke Thornton:** —who are Canadian residents on the permanent side, and 24,000 on the temporary side.

**Mr. Borys Wrzesnewskyj:** So approximately 40,000 are processed that are Canadian-based.

**Mr. Burke Thornton:** Yes.

**Mr. Borys Wrzesnewskyj:** You mention a large portion are done through the mail, but many are also done in person. What percentage of the Canadian visas would be done in person in Buffalo?

**Mr. Burke Thornton:** We offer walk-in service on the non-immigrant side, and I would say again approximately 20% of our Canadian applicants opt for walk-in processing. It's currently same-day service so if they're within commuting distance of the Buffalo office they prefer to take advantage of that service and come down, apply, and get their visas in Buffalo on the same day.

On the permanent resident side we interview probably between 5% to 10% of our applicants, so unless we have a good reason to interview them, we will conduct the process entirely through correspondence.

**Mr. Borys Wrzesnewskyj:** So we have a situation where we have a Canadian government operation in Buffalo, across the border in the States, which necessitates people in Canada travelling across the border if they want fast, same-day service. My colleague here says that it's widely known as the Buffalo Shuffle. So they travel from Canada to Canadian government offices in the United States and then turn around and travel back to Canada. Wouldn't it just make sense to find a way to cut out that bureaucracy—that little loop, that Buffalo shuffle—and make things a little more efficient and perhaps have the offices located in Canada?

**Mr. Burke Thornton:** There are a couple of reasons why we do it the way we do. One is that the act requires applicants, except in certain very strict categories, to apply outside of Canada.

The second reason is that we have, if I may say so, a very efficient operation here. We have officers with a combined experience of more than 300 years. Where we are—quote—“in competition” with our inland colleagues, we process applications more quickly and more efficiently than they do.

To give you an example, if you have a spouse in Canada and you wish to have that spouse achieve immigration status, you have a choice of applying through the office in Vegreville, Alberta, or through the consulate in Buffalo. We are consistently and significantly faster in our processing than the Canadian office.

• (0900)

**Mr. Borys Wrzesnewskyj:** I'd actually like to congratulate you on your efficiency. We'd like to see that sort of efficiency in our Canadian government offices based in Canada.

You know, it's a bit of a facade here. Yes, there's a requirement of the act, but it would seem that we're engaged in a strange sort of facade to maintain a portion of the act that in fact seems to be somewhat irrelevant in these cases.

A large portion of these are mail-ins, so technically, I guess, because the mail arrives in Buffalo, it satisfies the act. But the people who are doing the mail-ins are actually living in Canada. So I think there's a potential for a quick fix there to stop some of this bureaucratic shuffling that goes on.

Just out of curiosity, you've noted that your staff are super-efficient and extremely experienced; how many are locally hired as opposed to Canadian?

**Mr. Burke Thornton:** We have six Canada-based and 45 locally engaged staff.

**Mr. Borys Wrzesnewskyj:** Thank you.

**The Chair:** Thank you.

Committee members, it's now a few minutes after nine. I just wanted to remind you all that the meeting starts at a quarter to nine.

Monsieur St-Cyr.

[*Translation*]

**Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ):** Thank you for that timely reminder, Mr. Chairman.

I find Mr. Wrzesnewskyj's questions interesting. We're all facing this problem in our constituencies. We have to process the files of people who are already in Canada, but who have to leave the country as a result of some immigration procedure. In my constituency, there have been some quite famous cases, in particular of people who have had to go as far as Algeria or France in order then to return to Canada. My question is for Mr. Gilbert. It's not necessarily about the case of Buffalo specifically, but rather about the program as a whole.

I understood the answer we were given about Buffalo. In the present conditions, things are done more quickly when the procedure is done outside Canada, among other things because people are sent there to do that. It was said that that was provided for in the act and that the act had to be complied with.

Do you know the basis on which Parliament included these restrictions in the act? Ultimately, these are highly theoretical restrictions. People go to the United States and they come back. Is this obligation under the act still relevant?

**Mr. Rénaud Gilbert:** I must admit that's more a political than an operational question. When the act was amended in 2001, we essentially followed what had been done under the previous act. At that time, all the applications had to be filed outside Canada, except those from refugees. The exceptions Mr. Thornton referred to were created over the years. In the spousal cases Mr. Thornton referred to, people have a choice, but they very often prefer to file their applications in Buffalo. That's a change that was made after the fact. As for the reason for this state of affairs, I'm not necessarily the person who can answer that question.

**Mr. Thierry St-Cyr:** Often when bills are introduced, we're given technical immigration briefings. The reasons for the bill are explained to us. I know that it's the minister and Parliament that ultimately decide, but you have recommendations. Don't you remember the reason behind all that and the benefit this represents for Canada?

• (0905)

**Mr. Rénaud Gilbert:** I couldn't tell you. The original act, which changed that, dates back to 1976. But I wasn't here at that time.

**Mr. Thierry St-Cyr:** I understand.

If I understand correctly, as a person taking part in the implementation of this system, you believe that the benefit of this system, apart from the fact that you're complying with the act, is what was explained by your colleague from Buffalo, that is to say that it's more efficient because the people there are used to processing these applications. Is that correct?

**Mr. Rénaud Gilbert:** I couldn't really give you any other logical reasons. There are permanent residents and temporary residents. With regard to temporary residents, all applications from people who hadn't filed an application at that time must normally be filed outside Canada. That provision is still in the act. However, status can be renewed in Canada. That's what our Vegreville office does. It processes nearly 300,000 applications a year. However, the people who come here as visitors but change their minds along the way, to study, for example, must file their applications outside Canada. Once again, that's in the act. We essentially operate in accordance with the provisions of the current act.

**Mr. Thierry St-Cyr:** I ask the question because I often face these situations in the context of my duties as a member, and it seriously irritates me. This is a stumbling block that seems to me uniquely bureaucratic. Before automatically denouncing it. I would have liked to know whether, for some reason that escapes me, this policy is included in the act.

I'm going to address the Buffalo question once again. In your presentation, you talk about applications from the provinces and about the fact that they have exceeded the number of visa applications issued for skilled workers. How is Quebec positioned in that regard? What percentage of these applications comes from Quebec?

[English]

**Mr. Burke Thornton:** We'll issue about 3,000 visas to skilled workers from Quebec in 2011, and we will issue another 7,500 to federal applicants in 2011, so that makes it approximately 30%.

Our Quebec movement is as large as it is because Quebec, like other provinces, has increasingly adopted a system through which they're bringing people in on temporary status and seeing how they work out, whether or not they are employable, whether or not they're going to.... Hopefully, they'll put down some roots in the province during the one, two, three years they're on temporary status, and they can then meet the Quebec selection criteria and submit an application through our Buffalo office.

Again, they have the option of submitting the application in their country of nationality, but most choose to submit to Buffalo because we'll process them very quickly.

**The Chair:** Thank you.

Mr. Allen, welcome to the immigration committee. You have up to six minutes to ask questions or make statements.

**Mr. Malcolm Allen (Welland, NDP):** Thank you, Mr. Chair.

I thank you for being here. Olivia Chow sends her regrets that she can't be with us this morning. I thank you for the opportunity.

I appreciate my friends in Buffalo. I actually live in Welland, so we live less than a stone's throw away from one another. I think those of us who live in the Niagara region understand the difficulties and

the numbers. I recognize you're here today to tell us that, but I think those of us who live in Niagara already know it, especially if you happen to be on the Fort Erie side of the border.

You outlined the different classes in your presentation—I'm sorry I was a little late and missed you actually saying it, but I've read through it. You talked about a great number of folks who actually reside in this country regardless of what class they happen to come in as.

I look at, for instance, the temporary residence class. You say that 75% of temporary residence applications are from foreign nationals residing in this country who actually come back to Buffalo to apply to come back. Is it your sense that is an efficient way to do an application process for some? I'm assuming that the vast majority or a good number of those 75% don't live in Niagara and certainly don't live in Fort Erie and are travelling all the way to Buffalo from, I would imagine for the majority, somewhere in Ontario but maybe from beyond that, to actually be processed. Does that make sense and is that an efficient use of our ability, or is there another way to do that?

• (0910)

**Mr. Burke Thornton:** I certainly don't want to disparage my inland colleagues, but we are in competition with them in a sense because, as members of the standing committee have pointed out, there is no necessity, except for the legislative provisions that Rénaud has described, that there be an office in Buffalo. However, since there is, we want to make sure we can do the best work possible.

What clients are concerned about, in our humble opinion, is efficiency. I don't think there is an inland office that I know of where you can get same-day service: you can come down at eight o'clock in the morning and walk out with a temporary resident visa by 10 o'clock. I think clients are willing to trade off, if you like, the rationale of why they're applying in Buffalo for the efficiency they receive.

We know we're on the border and we've made every effort to try to make it more efficient for our in-Canada clientele to apply through our office, such as by establishing this post office box in Fort Erie where we will drop off and pick up their applications. Even if they mail in an application on the non-immigrant side, they're going to get an answer within two weeks for routine cases. I think it takes approximately four to five times that long to get an extension to your status if you mail an application to Vegreville.

So we're all about efficiency.

**Mr. Malcolm Allen:** I can appreciate the fact that your office wants to be efficient. My sense is that we're asking folks to.... And you know as well as I that the community that talks to one another, in the sense of folks who need these services communicate quite well across the country, across the province, to find out where they can get things done quite quickly, which ultimately means at some point when folks recognize you're really good at what you do and your turnaround time is exceedingly quick.... We've known that in Niagara for a while. I'm not saying we kept it a secret, but nonetheless it won't take long before folks realize that. Because just looking at your own deposition here, your numbers are heading in an upward trend in not any normal fashion. They're on a graph in a sense of straight up. There comes a point where you get inundated as other offices do as well. And then we have the prospect of folks travelling, in a lot of cases believing it's best to come and see you because it's quicker, faced with the border back and forth, and finding out that perhaps you're no longer as efficient as you were.

My sense is that we need to look at what you do and perhaps do it in-country as well, as we're doing it in Buffalo. If we can do it in Buffalo, I'd be happy to see you in Niagara or elsewhere across this country, it seems to me.

Some of the challenges you're facing from folks in the different classes.... Because I noticed in your deposition you are looking at almost the whole gamut. Is there any one class, in your estimation, that is a little more challenging than others? At least anecdotally in Niagara, from my sense we have some difficulties with what happens with students, specifically because of the preponderance of colleges and universities in southern Ontario.

Do you see any one class that has more difficulty than the other, perhaps in a timely way, making sure they keep their status in a regular sense?

**Mr. Burke Thornton:** Our student movement and our movement generally are relatively clean in the sense that while fraud runs through all programs all around the world, it's not as high among our clientele as it is in some of the countries where we have large offices.

I don't think there's a particular.... As I say, in every movement there are grey areas and very marginal applicants. We have people who've dealt with immigration matters before; that's how they got to Canada or the United States. So relatively speaking, I think it's a fairly knowledgeable and sophisticated crowd. Having said that, of course, yes, you do get the student who didn't realize she should have renewed her visa two years ago, and you have to help out a little bit with that. But percentage-wise, we feel we've got a good movement.

• (0915)

**The Chair:** Thank you, Mr. Allen.

Mr. Dykstra.

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

Thank you very much for attending our meeting this morning.

As a fellow Niagaran, I certainly want to express to you my appreciation for all the work you do. It's not often that an MP has the opportunity to work with a consulate on such a regular basis, and I certainly appreciate all the efforts you put forward.

I know that between my office and yours we have a great and strong working relationship, including our recent trip to Albany, New York, to meet with legislators down there. I certainly want to thank you for the work you do. Please pass on my regards to the consul general. It would be much appreciated.

I have a couple of questions in regard to the fact that you are in close proximity to Canada. One thing is that if we're actually at your facility and we witness the processing of the work you do, I was surprised, certainly, at the amount of files that are actually so easily transferable between processing centres and consulates.

I wonder you could speak to that from a global perspective. In terms of our work with understanding these wait times better from region to region and country to country, a lot of us aren't aware of the amount of the transfer of files that takes place and the work that's done not just at your facility, obviously, but across North America.

I wonder if you could describe how that process works and perhaps the number of transfers that are made between your centre and those across North America.

**Mr. Burke Thornton:** Yes. Approximately 50% of our immigrant applications are distributed to our four partner offices in New York, Detroit, Seattle, and Los Angeles. They are smaller offices than Buffalo's, but they're full-service offices. It's a just-in-time process, so we want to ensure that a person's application is processed by the partner offices at the same time, if you like, as those of other people who applied around the same time. In other words, we don't want someone's application to be sitting on a shelf in New York City for four months because they can't get to it.

We're using those resources of these smaller offices. We're giving the visa officers in those offices the opportunity to process all kinds of cases. We feel we're being more service-friendly for clients as well, because if you're living in Vancouver or San Francisco, your application will be processed in Seattle rather than through Buffalo, so communication is that much easier.

So this network, again, helps us to be more flexible in the way we treat our cases. We're in constant contact with the program managers in those offices. Sometimes they're saying to give them more because they can do it right away, and we will be able to feed more files to them, while sometimes they say hold it. Then we can distribute those files elsewhere.

**Mr. Rick Dykstra:** Excellent. Thank you.

President Obama and Prime Minister Harper met recently to engage in a more serious way regarding the security perimeter. One of the concerns brought forward by the opposition is certainly a concern that I think all of us have in terms of privacy and ensuring that an individual's record stays private. But in fact, the whole aspect of a security perimeter would allow both the United States and Canada to have a closer relationship with respect to our border security. I wondered if you could describe the process of how you believe that is actually going to work from a privacy perspective.

But probably more practically speaking, could you describe the process in which you deliver the services that you do, but maintain the privacy of the individual's records and ensure that in fact they are secure with respect to their own personal history, and certainly with respect to the current work they wish to do or the school they wish to attend?

• (0920)

**Mr. Burke Thornton:** On the security side, our proximity to Canada enables us to have a very close relationship with those we call the partner agencies. It's not uncommon for them to travel to Buffalo to review files, and sometimes to conduct interviews, which helps them fulfill their mandates.

As far as privacy is concerned, it's a very important aspect of our work obviously. We have good relations with our American colleagues in terms of enforcement issues and so on. All exchanges of information have to be done pursuant to a memorandum of understanding with the Americans, which was signed several years ago.

Again, each of these offices, as you probably have experienced, adapt to the practices and norms of where it is. Quite frankly, our office is not all that much involved in border security issues because that's the mandate of the Canada Border Services Agency.

**The Chair:** Thank you.

Mr. Thornton, that concludes our time with you and Ms. Bailey this morning. On behalf of the committee, I'd like to thank you for your presentation and answering the questions from the different caucuses. Thank you very much, to both of you.

The committee will now suspend for a few moments.

• \_\_\_\_\_ (Pause) \_\_\_\_\_

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• (0925)

**The Chair:** Okay, we'll reconvene.

We're having some technical problems with the British Columbia representative, but we can hear the video conference from Toronto, which is Sponsor our Parents. We'll hope that by the time they finish we will hear Mr. Kurland from British Columbia.

There are three of you representing Sponsor our Parents. Can you hear us?

**A voice:** Yes, we can hear.

**The Chair:** I have three names: Felix Zhang, who is the coordinator; Fan Gu, who is the coordinator; Qun Li, who is the coordinator.

Just so the record will show, could each of you identify yourselves and raise your hand as to who you are?

**Mr. Felix Zhang (Coordinator, Sponsor our Parents):** Mr. Chair, I'm Felix Zhang.

**The Chair:** Yes, sir.

**Mr. Fan Gu (Coordinator, Sponsor our Parents):** My name's Fan Gu.

**The Chair:** And last but not least....

**Ms. Qun Li (Coordinator, Sponsor our Parents):** I'm Qun Li.

**The Chair:** Thank you very much.

One of you will have up to five minutes to make a presentation to us. Who will that be?

Felix Zhang. Sir, you may proceed. If you could speak for up to five minutes, we would appreciate that.

**Mr. Felix Zhang:** Thank you, Mr. Chair.

I want to thank the committee for inviting me to speak on behalf of the Sponsor our Parents group.

My name is Felix Zhang and I am the coordinator of Sponsor our Parents group, which has more than 1,300 members who are sponsoring their parents or grandparents to immigrate to Canada.

I would like to draw the committee's attention to what our members are concerned about and what we are struggling with during the wait time for family reunification.

Firstly, the current wait time of parents' and grandparents' immigration has been significantly longer than a few years ago. Their first-step sponsorship application at the Mississauga office takes more than 41 months right now. After that, it will take an additional few years for the second-step immigration application at CIC overseas offices.

Given the current inventory and annual visa targets, those who are submitting applications now would wait 10 to 15 years or even longer to reunite parents in Canada. Our members think the wait time is way too long and becomes impractical for old parents and grandparents. Many of them do not believe their parents could live that long to make it. In fact, I'm personally aware of at least four cases where the parents passed away during the wait.

There's a comment from a group member. He said his father waited to see them again but passed away without even getting to hold his grandchild. He asked to please not make us wait too long to meet our lonely parents who we, the hardworking, law-abiding residents of Canada, turn into guilt-bearing, depressed souls. How sad is that?

Secondly, the processing times of immigration applications among CIC overseas offices are extremely imbalanced. As per the CIC website, the processing times of parents and grandparents class vary from 11 months to 44 months across the world. Our survey results suggest that most cases submitted to Buffalo in the last six months have been finalized in four or five months. However, applications submitted to the Beijing office in 2007 are still waiting.

Our members strongly believe it is totally unfair that some sponsors have to wait much longer than others solely because their parents live in different countries or even in the same country but in different provinces.

Thirdly, the wait time of the entire immigration process is highly unpredictable. CIC does not have any service standards or estimations of the processing times. It is unclear how many cases are in the backlog and how many visas will be issued on an annual basis. Our members are very stressed when their parents ask for the timeline of the immigration process. They simply have no answer, have no clue about how long it's going to take.

Our members are very frustrated with the current practices of the parents and grandparents sponsorship immigration and urge CIC to reduce the wait time within a reasonable timeframe, balance the processing times among visa offices to ensure equitable global service, and improve the transparency of the processes.

Thank you.

• (0930)

**The Chair:** Thank you, sir.

Members of the committee, we still don't have Mr. Kurland, so we'll have to proceed and hope that he can come later.

We'll go to Mr. Oliphant.

**Mr. Robert Oliphant (Don Valley West, Lib.):** Thank you, Mr. Chair, and thank you to our witnesses for being here today.

Thanks for your work. I'm quite aware of your work. I know that you are good advocates and also good supporters of those who are enduring these wait times.

I didn't get to ask this in the last round. I'm trying to understand, and you may be able to shed some light on this, the relationship between inventories—the people who are in the queue waiting—and actual targets for this year.

I notice that in Buffalo, for instance, in the inventory in October, 300 people were waiting under family class: parents and grandparents. Yet the target for this year is 415. There were 300 people in the queue in October, and the target for 2011 is 415, whereas in New Delhi there are 5,229 in the queue, and the target is half of that, less than half of that, at 2,300. In Beijing there are 3,767 in the queue, and the target this year is 2,500. In Singapore, 1,019 are in the queue, and 795 is the target.

It seems to me that you have a very good chance of getting in if you're applying in Buffalo, because the queue is actually shorter than the target. In Singapore, the numbers are almost equal. In Beijing, it's two-thirds, and in New Delhi, it's half. I don't see any relationship between the queues—the people who are actually applying—and the targets.

I'm wondering if you have some insight into how you think those targets are actually set, whether they have anything to do with the number of people who actually apply, and whether you're having to help people in different offices or shift them around to other offices.

• (0935)

**Ms. Qun Li:** Is this question for us?

**Mr. Robert Oliphant:** It's a question for you.

Those inventory numbers don't seem to relate at all to the quotas that are going to come in next year. Is that your experience?

**Mr. Felix Zhang:** Yes, and also, we realize that the age of the inventory plays a part. For example, the inventory in Buffalo is from about six months, but the inventory in Beijing is from more than three years. So people in the queue at the Beijing office have been waiting for more than three years already.

**Mr. Robert Oliphant:** It's rather difficult for us to understand, because the wait times do relate to inventories. If the wait time is long, it usually shows you that the inventory is bigger than the quota.

Have people given you any advice as to why those numbers bear no resemblance to each other?

**Ms. Qun Li:** The quotas you mentioned are this year's quotas, but the quota for the year before was only 1,000. There was more inventory last year.

**Mr. Felix Zhang:** Basically, the inventory has accumulated in the last few years. If we look at the numbers from 2005 to 2009, at the Beijing office only 52% of the applications have been processed.

In New Delhi, 100% of the applications have been processed in the last five years. Applications are submitted, and at the same time CIC is processing the applications. The inventory flows. It's not consistent all the time.

**Mr. Robert Oliphant:** It's up and down. Thank you.

Do you have recommendations for this committee that we could make to Parliament that might help wait times? Is there anything you would suggest to us?

**Mr. Felix Zhang:** Yes. Actually, our members are talking about possible recommendations to Parliament to make wait times reasonable for elderly parents. One suggestion would be to bump the overall quotas for the parents and grandparents category. The other thing would be to set up—

**Mr. Robert Oliphant:** I'm sorry, could you repeat that for a second? I didn't quite get it.

**The Chair:** There's some sort of interference, sir. Could you repeat that for the committee? We didn't hear your recommendation.

**Mr. Felix Zhang:** Yes.

**The Chair:** As usual, it's never dull here.

**Mr. Felix Zhang:** Our recommendation would be that parents whose children are all living in Canada should be on a priority list, because they don't have other children living with them back home. They need care the most.

There are other things. Parents are a lot closer to a child than are siblings or grandparents. So they should be on the priority list, rather than grandparents or other siblings, like brothers and sisters. So parents who don't have any dependent children should be on the priority list.

• (0940)

**The Chair:** Thank you, sir.

Monsieur St-Cyr.

**Mr. Felix Zhang:** Thank you.

[Translation]

**Mr. Thierry St-Cyr:** Thank you.

It's interesting that someone from among the applicants has come to talk to us about wait times. It's been more than three years since I've sat on this committee and been concerned with immigration. I've acquired the conviction that immigration wait times, contrary to what they may be in other systems, are not the consequence of a lack of resources, but of a management method. It seems quite clear to me that the method that current and previous governments have used to control the number of immigrants is to impose more or less long waiting times. It was also indirectly demonstrated by Mr. Oliphant that we don't have regional quotas, officially, but that, in actual fact, we exercise *de facto* control over the number of immigrants coming from a particular place through the allocation of resources to various missions around the world.

In the case of the health system, the problem is simply that we don't have enough resources to process all the applications and that we're trying to do the best we can. It seems to me this should be different in immigration, particularly since people pay when they file an application; they cover its costs. This isn't a question of money; it's really a question of control. Consequently, some people are experiencing human dramas because they have to wait a number of years to bring in a family member or to file an application for immigration, a temporary visa and so on. The system is unable to meet their needs.

What must we do to solve this problem? In my view, if we want to process applications more quickly, that's an easy matter; we need only increase the resources. In any case, people pay to have their applications processed. Obviously, however, if we do that, we will completely exceed our immigration objectives in Canada. So what do we do? Should we increase the quotas and open the door wider in order to reduce wait times? Will we set much tighter conditions instead so that fewer people wind up in the waiting line and things go more quickly? Do we maintain the *status quo* and use the waiting period as a brake on the influx of immigrants to Canada?

[English]

**Mr. Felix Zhang:** It's a very difficult question for us to answer because we don't have a lot of data to support our suggestions—for example, how much money it will cost Canadians to sponsor these elderly parents. We don't have that data.

But our belief is that parents should be allowed to come in. As a program, it should be practical. And it should not let parents wait 10 or 15 years. Parents have passed away while waiting. That's not the Canadian value.

**Mr. Fan Gu:** Also, I would like the government to enlarge the numbers, or reduce the numbers so they treat all the parents the same no matter which country or province they are from.

**Ms. Qun Li:** In terms of fairness, I don't know if it's possible to put all applicants in a line instead of giving different quotas to different offices, which always causes an imbalance worldwide.

**The Chair:** Thank you.

You have another minute, but we have Mr. Kurland on the line.

Mr. Kurland, good morning to you. Can you hear me?

**Mr. Richard Kurland (Lawyer, Policy Analyst and Editor-in-Chief, Lexbase):** Oh, thank goodness, yes, Mr. Chairman.

● (0945)

**The Chair:** So it's 6:30 in the morning, and it looks as though you're in a storage room out there.

**Mr. Richard Kurland:** That's just about it, but that's a Pacific morning for you.

**The Chair:** I'm sorry we had some technical difficulties, and we're glad you're on the air. You appeared before us before, I think, for Bill C-11. We thank you again for taking the time to speak to us on this subject.

You have up to five minutes, sir, to make a presentation to us.

**Mr. Richard Kurland:** I'll cut to the chase.

Merci, Monsieur St-Cyr.

I think the best way of handling this, practically speaking, is to have two forms of information flowing from Immigration Canada. Presently, there is historic information. How long will my visa take if I applied a year, two years, five years ago? That's one category. The missing category, the most important category in terms of consumer protection and consumer information, is if I apply today, how long will it take before I get my visa? If this committee....

Mr. Chairman, I see you gesturing. Am I coming through?

**The Chair:** You are, sir. You'll have to ignore me, I ramble up here sometimes. You just go right ahead, sir.

**Mr. Richard Kurland:** No one can ignore you, sir, but I'll continue.

The creation of a brand-new stream of information answering the simple question, "If I apply today, how long before I get my visa?"—a prospective processing time—would eliminate a lot of the fuss by members of the public regarding processing times. They would know at the outset, for example, that it will take ten years before a parent or grandparent will see a visa, minimum. The investors will know, as a business decision, how long it may take before they see a visa in hand.

Gone would be the hocus-pocus of statistics explaining the levels—for example, parents are not 12,000 but really 18,000. The key measurements are these. What is your inventory? In the case of parents, 150,000 parents were in queue on or about October 21, 2010. And how many do you attempt to admit in a year? In 2011, it is apparently as high as 18,000. So when you look at the 18,000 to be admitted and the inventory of 150,000—that's in October, not January 2011—you can guesstimate that you're going to have a ten-year delay.

My first point is give the consumers basic information before they pay the visa fees. They're entitled to know how long it will take if they apply today. And treat the replies to this question by the officials of Immigration Canada as you would those of elementary school students who don't want to do their homework. They'll give you 10,000 reasons why it can't be done or shouldn't be done, to wiggle out of delivering a commitment date. But if you can get a commitment date out of Immigration Canada, the lives of members of Parliament will be made easier, because you can refer to the commitment of Immigration Canada when they applied for their visa. That should improve the world for everyone.

The last point is in relation to parents' and grandparents' money and investor file processing. For the parents' money, how is it that Immigration Canada can take \$50 million up front, in permanent resident processing fees, when it knows full well that the condition precedent to that permanent resident application, legally existing—the acceptance of a sponsorship—can't happen for about a decade if you apply today?

A couple that's paying \$1,040 for permanent resident fees and has to wait for a sponsorship decision for a decade is giving, in effect, an interest-free loan for an application that cannot legally exist for ten years—\$50 million. When Immigration Canada is ready to process that permanent resident file, it should ask for the money. It is returning documents anyway in support of that permanent residence file in this year—whatever it is—plus ten years. Why can't it collect the money then?

The reason is that Immigration Canada does not want to change the immigration fee regulation to decouple the sponsorship payment from the permanent resident fee payment. That's the main point.

The second one relates to investors—

• (0950)

**The Chair:** Perhaps you can wind up, sir.

**Mr. Richard Kurland:** I'm winding up right now.

If you want to reduce processing times on immigrant investor files, raise the price. It's too cheap. And I'll get to that next.

**The Chair:** Thank you, sir.

Monsieur St-Cyr, you have up to two minutes.

[*Translation*]

**Mr. Thierry St-Cyr:** You suggest that wait times be determined in advance; that is to say that, once an application has been filed, we be able to tell the person how long it will take for him or her to receive an answer. In that way, at least they will know what to expect.

If I understand correctly, when the applications are received, they aren't immediately reviewed and processed. Instead they are set aside, and in some instances it is only a few years later that the envelope is opened, that an acknowledgement of receipt is sent and that it is realized that such and such a document or item of information is missing.

How is it, technically, that a date could be brought forward, whereas Citizenship and Immigration Canada do not even conduct an initial processing of the applications received?

**Mr. Richard Kurland:** That's very feasible because people pay the fees in advance directly to Citizenship and Immigration Canada. So it's a simple accounting matter. The department knows very well that it's in possession of \$50 million.

[*English*]

They can also trace each payment to each credit card. In the same way that if you cancel a sponsorship package, you would get a refund, they know where the money is.

They know how many files come into the system. They know which files are processed as sponsors of parents and grandparents, the category FC4. They report it in the quarterly data and information that they send to members of Parliament and the public.

If they don't know that they have 150,000 payments, the Auditor General should have been brought in yesterday.

**The Chair:** Thank you, sir.

Mr. Trudeau, you have up to two minutes with this witness.

**Mr. Justin Trudeau (Papineau, Lib.):** Thank you very much, Chair.

I'd like to go back. Along with all members of the committee, I think we're fairly surprised at the clarity of your math. There are 150,000 people on the wait list, and they've all paid \$1,400 or so. It's an awful lot of money.

In your assessment, is this a question of the government making money off people's wait times? Is that what you mean when you talk about interest-free loans?

**Mr. Richard Kurland:** What cannot be denied is the existence of a financial incentive to prolong processing times. There's no doubt about it. The longer you do not process the file, the longer you retain the money for services not yet rendered.

If you did that for a car, where you paid in advance and took delivery ten years later, you'd be out of business or in court.

**Mr. Justin Trudeau:** Okay. You also had a question about investor wait times. The government recently doubled investor class targets for the amount of money to come in. Do you think that's sufficient, or does it need to be further raised?

**Mr. Richard Kurland:** It's an excellent first step. If there were ever a category of immigrants who fully play out the rules of laissez-faire economics, it's the business immigrant category. By increasing the amounts, the suspicion was that we would reduce the intake so that we could quickly deliver visas. Well, guess what? The pipes are clogged again.

On a regular basis, we should feel no ill will on continuing to increase the investment amount until such time as the intake on the Canadian immigrant pipeline for business investors grows to a deliverable stage. All this means is that the demand is outstripping supply, and we have to increase the price to reduce the supply.

There's a reason we're the number-one country and so popular among the millionaire-plus category. It's safe, secure, and an excellent vehicle in which to deposit foreign currency.

● (0955)

**The Chair:** Thank you.

**Mr. Richard Kurland:** We have to regularly review it and increase the amount to be invested.

**The Chair:** Thank you.

Mr. Allen, it's your turn. You have up to six minutes for either witness, either Mr. Kurland or Sponsor our Parents.

**Mr. Malcolm Allen:** Thank you, Mr. Chair.

If I can go back to Mr. Zhang, it was interesting to hear what Mr. Kurland said about sponsoring parents, the length of time, and the numbers in the queue. But let me ask you a question concerning choice in the sense of looking at when you decide to immigrate somewhere.

I know my father was faced with this when he made the decision to come here. He had three places where he could choose to go. Because of the skills that he had at the time, all three countries were willing to allow him to bring his family. I had the reverse situation. I actually came with my parents. I didn't come as a worker per se.

When you have those choices, if you have a statistic in front of you, as Mr. Kurland suggests, whereby if you want to bring your parents, you know it's going to take you  $x$  number of years. Whether Mr. Kurland is accurate or not, and I'll take his word for it, it's about ten years. Option two is that another country said you could bring your parents in five years. Option three is that you could bring your parents in 18 months. Would that affect the decision you make as to which country you would actually go to as a new immigrant?

**Mr. Felix Zhang:** Yes, definitely. Once we applied to immigrate to Canada, we knew of the program for us to bring our parents here. At that time the wait time was about two or three years, and we made the choice. We immigrated to Canada, we found a job, we are paying taxes.

Now for our parents to immigrate to Canada, the wait time is five, ten, fifteen years. If we knew it would take ten or fifteen years, we would have chosen other countries. So our point is that immigration policy has to be consistent and attractive to recruit the best intelligence in the world.

**Mr. Malcolm Allen:** I see you nodding your head, Mr. Kurland. From your experience, do we have the potential of losing some of the best and the brightest who want to come here because of this situation? Families don't always reunite—and mine's a prime example. We never had anyone come to reunite with us. There is that split.

Would we lose some of the folks we want to come here, folks who would become some of our leaders in our society, if the family-class reunion was unable to be established in a reasonable time? Obviously it can't be immediate, but it has to be reasonable.

**Mr. Richard Kurland:** Absolutely. That's the experience of several countries, not just Canada. If you want the brightest and best to build a strong country, you have to put the family at the front of the line, and you can't cherry-pick. A human being comes with family values, including a family unit, and the economics are crystal clear. When you bring in parents, you free up one of the Canadian

spouses to enter the workforce, pay taxes, and do the child care duties.

It is a key concern for the brightest and best globally to know that their parents can come, not in ten years. Five years is normal. We got into the situation exactly because Immigration Canada hid the stats.

It's as predictable as rain that there are going to be 20,000 parents or grandparents applying to come to this country every year. When you lowball the quota, you inevitably build up an inventory. The way out today—and I canvassed external stakeholders—is to have parents who want to come here pony up the cost of entering medicare up front, lump sum. The families are willing to finance 15 years of premiums, lump sum, paid in advance. So there's a way to reduce the numbers and alleviate the tragedy of keeping parents in a position where they're going to see a coffin before they see a visa.

● (1000)

**Mr. Malcolm Allen:** Mr. Kurland, you talked earlier about the investor class and the continual raising of that fee. Do you see any ceiling to that fee, or do you simply see that as an incremental raise until, as you described it, the pipe's no longer clogged?

**Mr. Richard Kurland:** The investment in Canada, the foreign capital entering this country, is the measure. Right now it's \$800,000 cash that's given up front to a Canadian financial institution and then passed through to the governments. That level of investment should continue to be raised. At the same time, if it turns out processing times are too fast, lower the investment to attract more intake. It's double-edged, and you have to jig it annually to signal to the marketplace whether we have enough or we need more. It's that simple.

**The Chair:** Mrs. Grewal.

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

My question is to Mr. Kurland as well as Sponsor our Parents. Last week, officials from Hong Kong, Taipei, and Nairobi discussed the challenges their missions experience and the impact these challenges have on application processing times. The main challenge appeared to be fraud, specifically the integrity of the documents. In order to tackle this issue, the missions increased their interview rates, site visits, and documentation verification.

These strategies use a high level of mission resources while negatively affecting processing times. How do you suggest the missions should address this serious problem?

**Mr. Felix Zhang:** Thank you for the question.

We are aware that many countries are having challenges in verifying application documentation. The current challenge for us is mostly the wait time. The file has not even been opened, and once the file is opened, it will probably take 12 months to finalize. Our challenge is that the file will be sitting on the shelf for four, five, or even ten years before it can be opened.

We believe the real processing time to process a file is reasonable to us, but it is the waiting time for the file to be opened that is not practical. As Mr. Kurland said, right now there is no prediction about how long it's going to take. Our best guesstimate is that it is about 10 to 15 years, based on the current inventory and any quotas.

**Mr. Richard Kurland:** It's an excellent question, and there is a potential solution. For example, in Surrey, British Columbia, what's absent is a Canada Border Services Agency vouch-for unit.

What can be done is to have a CBSA person on the ground in Vancouver who is capable of receiving a vouch-for form—for example, marriage, funeral, that sort of thing. The family applies to the CBSA officer, explaining the situation. The CBSA officer contacts the religious institution, vouches for the existence of that religious event, for example, and e-mails the visa post overseas that they have verified the event. The visa officer, in reliance of that, can then apply the usual enforcement factors to determine whether or not to issue a TRV, a temporary resident visa.

This comes from the visa officers themselves, from overseas. The reason they have problems is they do not have the resources and the time to check whether there really is a marriage, a funeral. That missing link of time and resources to vouch for is a cure. It would alleviate the strain on the overseas post.

It's a novel solution that can do a lot of good for a lot of people.

• (1005)

**Mrs. Nina Grewal:** Mr. Chair, I'll pass the rest of my time to Mr. Uppal.

**Mr. Tim Uppal (Edmonton—Sherwood Park, CPC):** Thank you very much.

I'll continue with Sponsor our Parents. Thank you for coming.

You suggested that the Government of Canada should increase the parent and grandparent intake levels. As you know, the levels themselves are set, and for various reasons only a certain number of people can come through in a given category.

In order to bring in more parents and grandparents, should we be cutting the number of spouses? From the people I talk to, spouses and dependent children are definitely a priority. In order to bring in parents and grandparents, is it the number of spouses who should be cut?

**Mr. Felix Zhang:** It's a very tough question for us to answer. In comparing, spouses and parents in different cultures have different priorities. In Canadian values we believe parents are closer to their children, and the spouses are as well.

**Mr. Tim Uppal:** It does become a very difficult decision to make: do you cut spouses in favour of more parents?

I agree with you that it's important for children to be able to see their parents and grandparents, especially in their ailing years when they're not feeling well.

Is there anything stopping Canadians from visiting their parents or grandparents in other countries? I know thousands of Canadians go every year, whether it's to India, China, the Philippines, to visit their families. Is there anything stopping them from visiting parents who may have filled in their applications and are waiting to be sponsored?

**Mr. Felix Zhang:** Obviously parents can't come to Canada to visit our sponsors. Our sponsors can go home to visit their parents, but the problem is we all have jobs to do. We are working families and we cannot stay with our parents for a long time.

**Mr. Tim Uppal:** You're right, but there is time during Christmas and summer holidays when people do that. But I agree, I think it's important to visit your parents.

Thank you.

**The Chair:** Thank you, Mr. Uppal.

Unfortunately, our time has expired.

Mr. Kurland, I want to apologize again for the technical problems we've had, but we appreciate Lexbase appearing before us this morning, as well as Sponsor our Parents.

We thank both groups, in Toronto and in Vancouver. Thank you very much.

We will suspend.

- \_\_\_\_\_ (Pause) \_\_\_\_\_
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**The Chair:** We will continue with our study of wait times.

Just to advise the committee, this meeting will end at 10:35. Then we will go in camera to have some committee business.

Mr. Leckey, you will have up to seven minutes to make a presentation, and each caucus will have up to five minutes to ask questions or make a statement.

We have with us this morning representatives from the Canada Border Services Agency: Geoffrey Leckey, who is the director general, intelligence and targeting operations, and Arianne Reza, who is the director general of international operations. Welcome to both of you.

Mr. Leckey, you are making the presentation. Thank you, sir, for coming.

**Mr. Geoffrey Leckey (Director General, Intelligence and Targeting Operations, Canada Border Services Agency):** I am. Thank you very much, Mr. Chairman.

[Translation]

Thank you to the committee for the opportunity to be here today.

•(1010)

[English]

My name is Geoff Leckey. I'm the director general of the intelligence and targeting operations directorate at the Canada Border Services Agency. I'm accompanied today by my colleague Arianne Reza, director general of international operations.

[Translation]

As this committee is aware, the CBSA is mandated to provide integrated border services that support national security and safety priorities while facilitating the free flow of legitimate persons and goods.

This responsibility is complex and wide-ranging. Our border services officers are designated peace officers, primarily enforcing customs and immigration-related legislation, in particular the Customs Act, and the Immigration and Refugees Protection Act, the IRPA, as well as over 90 other acts of Parliament.

[English]

Since 2003 the CBSA has played a key role in immigration to Canada, as it has assumed the port of entry and enforcement mandates formerly held by the Department of Citizenship and Immigration Canada.

The agency works closely with its partners at Citizenship and Immigration Canada and the Immigration and Refugee Board to administer and enforce the Immigration and Refugee Protection Act, IRPA, with the objective of ensuring that persons receive their due process under the law and that the Government of Canada's immigration priorities are met.

[Translation]

CBSA officers work on the front lines, screening persons entering the country and removing those who are unlawfully in Canada. The agency also has a network of officers stationed overseas to protect Canada's borders and the integrity of the Canadian immigration system by working to effectively screen travellers at the earliest opportunity and intercepting inadmissible persons as far from Canadian territory as possible.

[English]

As the agency's work pertains to the study on immigration application processing wait times that's being undertaken by this committee, I would like to clarify where the agency fits in the immigration process.

Integrated border services means that the agency must balance the facilitation of travellers and goods at the border while safeguarding the country's safety and security priorities.

The CBSA's role is very specific. We're responsible under IRPA to admit individuals into Canada who meet the requirements under the law, to refer refugee claims made at ports of entry to the Immigration and Refugee Board, to detain people who pose a security risk or a danger to the public, and to remove people who are inadmissible to Canada once they have exhausted all legal avenues available to them and a removal order is in effect.

[Translation]

In order to make admissibility determinations, the agency relies on its intelligence and information gathering to support the screening process, and to help in identifying individuals who may be involved in such activities as terrorism, espionage, war crimes, crimes against humanity, organized criminality, trafficking in persons, and money laundering.

The responsibility for processing immigration cases rests with CIC, Citizenship and Immigration Canada. Where CIC feels that an application may be of interest or concern based on security indicators, it is referred to the CBSA for a more detailed review. Once it is received, the agency is able to make recommendations based on its security assessments to CIC, with which the decision to accept or refuse a case rests.

The overarching goal is to ensure that persons who are authorized to enter Canada can do so, and to ensure that inadmissible persons who pose a threat to the security of Canada are not granted entry or are removed as expeditiously as possible.

[English]

As mentioned, the CBSA also maintains a network of migration integrity officers to support its work abroad. Currently, the agency has 57 MIOs in 47 key locations around the globe.

MIOs work closely with other Canadian government departments, foreign mission representatives, airlines, and host country officials. They're involved in a range of activities including interdiction, airline liaison, anti-fraud, intelligence gathering, training, and removals.

In performing their duties, officers are in regular contact with CIC program managers, visa officers, and consular staff. MIOs also work closely with airlines to ensure documentary requirements for travellers are satisfied. This results in reduced costs for airlines, which are responsible for the return of inadmissible persons, and alleviates potential pressures on the Canadian refugee system.

•(1015)

[Translation]

The MIO program, Migration Integrity Officers program, is successful from both a risk mitigation and service perspective. There are approximately 20 million passengers arriving in Canada each year. On an annual basis, MIOs intercept approximately 5,000 improperly documented individuals, while at the same time facilitating 3,000 legitimate travellers, the majority of whom are Canadians returning home.

Internationally, the CBSA's MIO network is looked to as a leader, with other countries, such as the Netherlands, modelling their own networks on the Canadian model.

[English]

I'd like to conclude by highlighting the relationship between CIC and the CBSA. In order to achieve the objectives of Canada's immigration system, CIC and the CBSA are committed to working together to provide a seamless continuum of service in the delivery of our programs to Canadians, newcomers, and visitors.

[Translation]

I would like to thank you again for the opportunity to tell you more about the agency. My colleagues and I look forward to answering any questions you may have.

Thank you.

[English]

**The Chair:** That was perfect timing, Mr. Leckey. Thank you very much.

Mr. Trudeau has up to five minutes.

**Mr. Justin Trudeau:** Thank you, Chair.

Thank you very much, Mr. Leckey, for being here. The CBSA has an extremely important role, and it's always wonderful to see how hard and diligently you are working at it.

I'd like to first ask about the budget for the CBSA. Has it increased recently, or has it remained more or less stable?

**Mr. Geoffrey Leckey:** I don't think a lot of government departments have had major increases in their budgets recently, given the current context. I'm not the comptroller or the expert on that, but to the best of my knowledge our budget has remained relatively stable over the last couple of years.

**Mr. Justin Trudeau:** I remember seeing an announcement by the government that 100 new CBSA agents were to be hired, and there was a new budget for that. Did that actually happen?

**Mr. Geoffrey Leckey:** I think you're referring to the refugee reform funding. We got a major addition to our budget under refugee reform. I think the bulk of those 100 are going to be inland enforcement officers, whose job is to speed up the removal of persons who are not authorized to remain in Canada.

**Mr. Justin Trudeau:** Okay, so they're not actually in service yet?

**Mr. Geoffrey Leckey:** Those 100 are not in service yet.

**Mr. Justin Trudeau:** How long does it take from the time you receive funding to train a standard officer?

**Mr. Geoffrey Leckey:** That's a very good question. It will take a good year before those persons are hired, and then of course there will be on-the-job training. My answer is that they will be fully functional in two to three years.

**Mr. Justin Trudeau:** Are you beginning the training already, or are you just collecting CVs?

**Mr. Geoffrey Leckey:** Again, that's not really my area, but I want to give you the best answer I can. I believe we're at the stage of collecting CVs and recruiting.

**Mr. Justin Trudeau:** Thank you, sir.

With regard to the concerns around the delays in returning people and removing them, you mentioned that they're going to be aimed

mostly at those particular people. How long does it take now on average from the moment that a refugee claim is turned down until the time you actually get around to removing them?

**Mr. Geoffrey Leckey:** It can vary. It can be in the range of one year to five years.

• (1020)

**Mr. Justin Trudeau:** Do you engage with that process before or during the time their appeal is going on? If their judicial appeal is going on, does that delay your picking up of the case?

**Mr. Geoffrey Leckey:** No, we don't start a removals process until clients have exhausted all their legal avenues to remain in Canada. A removal order comes at the end of every possible legal avenue.

**Mr. Justin Trudeau:** Once all those judicial appeals have been exhausted, the one-to-five-year window starts.

**Mr. Geoffrey Leckey:** When I say one to five years, the priority for removal is on persons with serious criminality, persons with violent histories.

**Mr. Justin Trudeau:** Thank you very much.

You referred to refugee claims made to the Immigration and Refugee Board at ports of entry. Those are a significant part of your role. How many points-of-entry refugee claims do you do each year, approximately?

**Mr. Geoffrey Leckey:** The total number of refugee claims received is in the region of 30,000. I believe it's been dropping slightly in recent years. It was 35,000 a couple of years ago. I think it's around 30,000 this year.

**Mr. Justin Trudeau:** You also talked about the fact that you're working with airlines to make sure that all the documentation is processed and the visas are in line and the passports are in line. How are those 30,000 people slipping past your control of documents at the airports, for example?

**Mr. Geoffrey Leckey:** Well, there are two different processes. The refugee process does not affect only persons seeking to board aircraft and take a flight to Canada. The statistics on that particular program are actually quite encouraging, and if you don't mind, I'll take a moment to highlight them.

**The Chair:** I don't think we have time.

**Mr. Geoffrey Leckey:** Okay.

**The Chair:** Monsieur St-Cyr.

[Translation]

**Mr. Thierry St-Cyr:** A little while ago, the Auditor General of Canada reported that several tens of thousands of persons, if I'm not mistaken, were banned from staying in Canada. She added that the agency was not looking for them or could not look for them because it simply did not know whether those persons had left Canada or were still here. She emphasized that that was due to the fact that there were no exit controls. So there is no way to determine whether they have left the country.

You limit yourself to enforcing the act, but we of the Bloc Québécois believe that this exit control issue should at the very least be examined. The fact that no western country does this may not be reason enough to decide that it would not be appropriate.

In view of the fact that your agency is responsible for enforcing the act, would your work be facilitated if Canada examined this issue and decided to impose exit controls for non-citizens, among others? To what extent might that be useful to you?

**Mr. Geoffrey Leckey:** You want to know whether our work would be easier if we had exit controls?

**Mr. Thierry St-Cyr:** Yes, would it be useful for you to know which persons on the banned list are still in the country and which ones have already left?

**Mr. Geoffrey Leckey:** Yes. With your permission, Mr. St-Cyr, I'm going to answer in my mother tongue; the words come to me more easily.

[English]

We don't have exit controls. Do we know how many people who entered Canada on a temporary resident visa have subsequently departed? No, we don't collect those statistics.

You also asked about the numbers of people subject to removal. There were tens of thousands of them. This is not my area—I'm speaking on behalf of a colleague who's not here at the moment. We've started an intensive program to find and identify and remove those people. This is linked with exit controls. Since most of the people who enter Canada and depart Canada come from the United States and go to the United States, we're in negotiations with the United States to set up a system where the one country would accept the other country's entry controls as its exit controls. I can't speak to you in detail on how far advanced those negotiations are.

• (1025)

[Translation]

**Mr. Thierry St-Cyr:** Knowing who enters the United States, you necessarily know who has left Canada. That's a useful piece of information for you.

**Mr. Geoffrey Leckey:** It's extremely useful information for us.

**Mr. Thierry St-Cyr:** Are people who are not allowed to stay and who leave Canada required to inform the agency of that fact? If those persons take an airplane and arrive at the border, must they say they're leaving Canada in order to comply with a deportation order or may they simply take the plane and leave?

**Mr. Geoffrey Leckey:** There is no obligation under the act.

**Mr. Thierry St-Cyr:** You don't know whether you have to look for banned persons to deport them, because you don't even know whether they've left or not. That's the dilemma you're facing, isn't it?

**Mr. Geoffrey Leckey:** Yes, that's exactly it.

**Mr. Thierry St-Cyr:** Knowing who has entered the United States and who has left Canada would enable you to rule out a large number of persons and to focus your efforts on those who could well still be in Canada illegally.

**Mr. Geoffrey Leckey:** Exactly. We obviously don't have any more data from the program, but we expect to be able to strike a large number of persons whom we are looking for from this category.

**Mr. Thierry St-Cyr:** All right.

[English]

**The Chair:** Mr. Allen.

**Mr. Malcolm Allen:** Thank you, Mr. Chair.

My thanks to you folks for being here.

In the presentation you talked about when CIC feels that an applicant might pose a security risk they turn to you to do some additional things. When you have a family class application that comes before you because of a security check, how long does it take to do that, on average?

**Mr. Geoffrey Leckey:** We don't treat classes, such as a family class, differently. We don't make any distinctions between this or that type of class. Whenever an application is referred to us for further examination, it's processed on a first-come, first-served basis. We do not, for example, take family class applications and put them at the bottom of the pile. They're treated equally with all the other types of applications.

Whenever we receive an application, we do a triage based on what we perceive as being the operational challenges. We will look at an application that's been referred to us and we'll identify if it looks fairly straightforward and if it doesn't appear that there will be too many information-gathering challenges. In that case, we ensure that this application is processed as expeditiously as possible.

We also identify another group of applications. These applications have significant challenges requiring the collection of additional information that we know from experience will be difficult to obtain, sometimes impossible to obtain. In these cases, we make sure that the requests to obtain the additional information are sent out immediately, because we know we're going to have to wait for quite a long time for them to come back.

**Mr. Malcolm Allen:** Just so that I'm clear, we do it on a first-come, first-served basis, but we triage the first-come basis into easy, not so easy. Are we doing the easy ones first and then the less easy ones later, or are we simply saying we've triaged them into those categories?

A yes or no will do for that. I just want to be clear in my own mind that you're not saying the hard ones get put down the list.

**Mr. Geoffrey Leckey:** No, I'm not saying that.

**Mr. Malcolm Allen:** Perfect. That's okay. I just want to be sure I didn't hear that. One side of the brain sometimes does that to us, right?

Since there is no sense of class application, family class, business class, etc., what is the average time it takes to do a security clearance?

**Mr. Geoffrey Leckey:** We did have, until recently, what we call a service standard of 18 months with regard to responding to CIC. We have started to look at that very closely recently based on a risk management approach because we have realized that there are many applications that can be done in much less than 18 months.

I can't say that we have settled on a new service standard, but when we do, I'm confident that it will be considerably shorter than 18 months.

**Mr. Malcolm Allen:** Based on what you see as the history, you believe that in going forward with the new risk management strategy you can actually lower the amount of time on average, albeit it is understood that some cases are more difficult to get information for. It's not the decision. I understand that. It's actually the garnering of information from sources that are beyond your control to a certain degree. I get that.

If indeed we are headed in that direction, do you have any sense as to when you think you can actually get to the point where you will be enabled to do that?

**Mr. Geoffrey Leckey:** Yes, your understanding is exactly correct. We're in the middle of a study on that right now. We should be able to settle on a new service standard within a matter of months.

• (1030)

**The Chair:** Thank you.

Mr. Shory.

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

I also want to touch on the enforceability of our legislation when we talk about deportation, specifically in the case of criminals wandering the streets for years and years after their deportation order is passed. I actually have seen in some cases, and I know as a matter of fact, that some of the potential deportees also go underground once the deportation order is passed against them.

You also mentioned this dual process under the law and exhaustibility of all the venues before you commence your action.

Before that I got interested in your comments when you talked about migration integrity officers. In the screening process they come across...specifically I was touched by this fraudulent screening process. What exactly do you mean? Are you talking about some documentation fraud? What are we talking about here?

**Mr. Geoffrey Leckey:** My colleague, Ms. Reza, is going to answer that question.

**Ms. Arianne Reza (Director General, International Operations, Canada Border Services Agency):** There are 57 migration integrity officers located around the world, and their responsibilities are to look at interdiction, facilitation, investigative techniques, liaison activities. They have several types of functions. They work

with the airlines to train them with regard to what types of documents are showing up with passengers looking to come to Canada to delineate between facilitating those legitimate travellers and those who are trying to come fraudulently to Canada. They do a lot of document verification.

We see what the travel documents look like. Often we are faced with fraudulently obtained genuine documents. We are working with the airlines on training for what those documents look like.

In their broader role, they assist CIC at its request concerning anti-fraud activities. If CIC would like to have some further investigation done, site visits, looking at travel documents, financial documents, educational documents, MIOs will make physical visits to different sites.

**Mr. Devinder Shory:** During our casework through our constituency office, I have also noticed that it is a pretty time-consuming process when you have to verify documents, specifically the documents from the foreign countries. I hope you have come up with some steps to counter the issue of fraudulent documents at least, and if you have, how do you deal with this?

At the same time, because the chair will be cutting me off quickly, I really want your comment on that enforceability. I am concerned, as are quite a lot of Canadians as well, that once the deportation order is passed, then how can...? I need your suggestion to this committee. What are your thoughts to expedite that?

**Mr. Geoffrey Leckey:** I'll answer that question.

Once a removal order is issued, it becomes a priority to remove that person from Canada, but we don't have all of the resources to remove everyone tomorrow. So we prioritize, and the priority does lie on removal of criminals and persons who have been associated with violent behaviour. You're right when you say that a lot of them, faced with a removal order, go to ground. That's why we need something like 100 more officers to do the research, to do the basic police intelligence work to try to find those people.

• (1035)

**Mr. Devinder Shory:** Ms. Wong would like to ask a question, Mr. Chair, if I have some time.

**The Chair:** Be very brief, Dr. Wong.

**Mrs. Alice Wong (Richmond, CPC):** Thank you, Mr. Chair.

Thank you for coming to our committee.

I have a very simple question. How can the migration integrity officer, the MIO, help the immigration officer handle organized crime or other criminal issues?

**Ms. Arianne Reza:** The MIOs assist with the visa processing in terms of doing some of the research. In terms of the organized crime, we often look at level two. That is to see where it's not an individual visa application and to see whether there is a pattern, whether there is fraud being intended to the immigration program. So they provide assistance. There are 12 MIOs around the world whose jobs are dedicated to that type of support for CIC.

**The Chair:** Thank you.

Mr. Leckey, Ms. Reza, thank you very much for coming. I'm sorry we have run out of time, but your comments have been greatly appreciated.

We are now going to suspend to go in camera.

*[Proceedings continue in camera]*

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