

# The Myth of Security at Canada's Airports

Report of the Standing Senate Committee on  
National Security and Defence



## Committee Members

Sen. Colin Kenny – Chair

Sen. J. Michael Forrestall – Deputy Chair

Sen. Norman K. Atkins

Sen. Tommy Banks

Sen. Jane Cordy

Sen. Joseph A. Day

Sen. Michael A. Meighen

Sen. David P. Smith, P.C.

Sen. John (Jack) Wiebe

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Information regarding the Committee can be obtained through its web site:  
[www.senate-senat.ca/defence.asp](http://www.senate-senat.ca/defence.asp)

Questions can be directed to:  
Toll free: 1-800-267-7362

Or via e-mail:  
The Committee Clerk: [defence@sen.parl.gc.ca](mailto:defence@sen.parl.gc.ca)  
The Committee Chair: [kennyco@sen.parl.gc.ca](mailto:kennyco@sen.parl.gc.ca)

Media inquiries can be directed to:  
[ckres2@sen.parl.gc.ca](mailto:ckres2@sen.parl.gc.ca)

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at  
Canada's Airports

Standing Senate Committee on  
National Security and Defence

January 2003

## MEMBERSHIP

37th Parliament – 2nd Session

STANDING COMMITTEE ON NATIONAL SECURITY AND DEFENCE

The Honourable Colin Kenny, *Chair*

The Honourable J. Michael Forrestall, *Deputy Chair*

And

The Honourable Senators:

Atkins

Banks

Cordy

Day

Meighen

Smith, P.C.

Wiebe

\*Carstairs, P.C. (or Robichaud, P.C.)

\*Lynch-Staunton (or Kinsella)

\**Ex Officio Members*

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“You take away a hat pin, you take away some nail clippers, and everybody leaves the airport saying “Oh, isn't that wonderful, they are so zealous . . . we don't have to worry. And it is all nonsense. Absolute nonsense.”

**Aviation Company Owner**

“The current status of airport security is not very good. I could take anyone in this room in two minutes and train you on how to put a bomb on an airplane for any city in the world. If you are willing to pay the first-duty shipping fee, we can guarantee what flight you will be on – it is that wide open.”

**Chuck Wilmink**  
**Former Corporate Security**  
**Manager, Canadian Airlines**

## Plastic Knives Don't Cut It

Lack of security at American airports clearly abetted the tragic disasters of September 11, 2001. It was therefore not surprising that those events triggered a new era of avowed vigilance in the North American air travel industry. A crackdown certainly made good sense, given that the threat of more horrific assaults on the United States and its allies is unlikely to disappear anytime soon. While it may be true that would-be terrorists will now divert their attention to alternate North American targets like power supplies, water supplies and the Internet, it would be foolish to gamble that one of our greatest vulnerabilities – our airways – will not be targeted again.

In the weeks of trauma that followed September 11, responses at Canadian airports and on Canadian flights were predictable. Lineups lengthened at check-in and security counters after airline employees were ordered to be more zealous in scrutinizing both passengers and their belongings. Those three opening questions became more insistent:

“Did you pack your own luggage?”

Do you know what is in it?

Was it ever out of your sight?”

Passengers on tour groups whose bags had languished in hotel lobbies for hours blithely fib in replying every day. Who wants to jeopardize their flights?

Items as innocuous as nail clippers and Remembrance Day poppies were confiscated. Some early Air Canada flights featured metal forks and no knives, soon to be followed by metal forks and plastic knives.

## Symbolism and Reality

Some of these gestures were more symbolic than useful. The metal forks clearly had more potential as weapons than the dull metal knives, so it didn't surprise many people when the Minister of Transport said that metal knives could be returned to service last November. American authorities abandoned the three famous questions after it became apparent that it was hard to find an ordinary passenger unwilling to fib, although as this report went to print they were still being asked in Canada.

Tougher scrutiny at check-in counters and security gates was sometimes useful, sometimes frivolous, but always a visible manifestation of the federal government's determination to make Canada's airports and aircraft safer places for Canadians. Even the sillier components were a reminder to the flying public that the \$24 per round trip they were being charged to fund the government's \$2.1 billion, five-year air security initiative for improvements to security was money well spent.

## Is Your Money Being Wisely Invested?

But has it been money well spent? Is this forced investment by Canada's air travellers creating a significantly safer system of air travel? There doesn't seem much doubt that it is creating a system that is at least a bit safer. If an airport security officer spends two minutes checking a passenger's carry-on baggage rather than 30 seconds, sooner or later that extra scrutiny could pay off. But there are 40 million departures at Canadian airports annually. Air travellers in Canada are charged \$12 a takeoff for improved security measures. That's \$480 million – nearly half a billion dollars a year. There are two questions to be asked here:

Are Canadian air travellers getting good value for their money?

Should Canadian air travellers feel comfortable that the new security measures that they are paying for are making air travel in Canada significantly more secure than it was before September 11, 2001?

The Standing Senate Committee on National Security and Defence set out to answer those questions in a series of hearings and inspections that began more than a year ago. Our conclusions, after this year-long investigation, are, to say the least, unsettling.

We believe that a handful of useful security improvements have already been implemented (**see Appendix IV**). But these do not come close to the improvements that the Committee

believes should be made, at a much faster pace than authorities have demonstrated over the 16 months that have passed since September 11. Essentially, the Committee sees the front door of air security as now being fairly well secured, with the side and back doors wide open.

We have made a series of recommendations. We believe that these recommendations, if implemented, would speed the process of making Canadian air travel a significantly less risky business.

### **Out of Sight, Out of Mind**

The federal government and Canada's air industry have focused on introducing measures to toughen security that are highly visible to the travelling public – more vigilant screening of hand luggage, questions as to whether luggage could have been tampered with, requirements that passengers accompany their luggage on flights, and so on.

These measures have reassured many travellers that security has been tightened at Canadian airports since the tragic events of September 11, 2001. The problem is that there has been little or no improvement to huge security gaps that persist behind the scenes in the Canadian travel industry.

These include:

- A lack of scanning of potentially dangerous cargo on passenger flights, such as baggage, packages and mail
- Inadequate background security checks of airport workers accessing aircraft
- Inadequate searches of airport or outside workers accessing aircraft
- Outmoded and insecure pass systems for workers entering restricted areas at airports
- Haphazard examination of passes when workers enter secure areas
- A lack of almost any kind of security requirements for private aircraft and their passengers
- A lack of security background checks on workers in buildings abutting to airports with access to vulnerable areas at airports
- Inadequate security boundaries between airport tarmacs and buildings adjacent to airport property
- Intolerable delay in introducing training for flight crews to deal with new threats to flight safety

- A lack of any plan to train maintenance workers in the recognition of potentially dangerous persons, objects or substances
- Inadequate briefing of flight crew personnel when armed aircraft protection officers are aboard flights

### **Loose Lips Sink Ships**

The Committee has been criticized for calling witnesses that have shared knowledge of these breaches with the Canadian public. One invited witness – Mr. Louis Turpen, head of the Toronto Airport Authority – actually refused to appear before the Committee, scolding us that “Loose Lips Sink Ships.” That is a wartime expression that made a reasonable point when Canada was at war: anything a Canadian says that might inform the enemy about Canada’s military weaknesses could compromise our country’s security.

The Committee wishes to make two points here. The first is that, while much of the information we solicited from witnesses is not nearly well enough known to Canadian travellers, it is no secret to anyone who works in and around airports. And it is certainly no secret to people looking for ways to undermine security at our airports, be they terrorists or the many members of organized crime who take advantage of flaws in air travel systems for their own lucrative advantage. The kind of

unsettling testimony we heard is available at coffee shops anywhere near a Canadian airport. Occasionally they show up in newspaper reports that point out the relative ease with which people designated to test security systems are able to circumvent them with fake guns, knives and explosives.

Our second point is that if “insiders” and the friends of insiders know what the flaws are, so should ordinary Canadians. The North American auto industry did virtually nothing to improve the safety of the family car until Ralph Nader came along. The Canadian emergency blood system was run with demonstrated lack of concern for public safety until the public found out about it, and reforms were introduced.

The profit motive combined with bureaucratic inertia leaves all kinds of huge problems unsolved until the public gets its back up, and applies enough pressure to politicians and officials to get them solved.

In short, the Committee refuses to be complicit in a cover-up. Loose lips are unlikely to sink ships when anyone who takes the time to scrutinize security systems at airports – and terrorists do take the time – quickly sees glaring holes. Furthermore, Committee members were not asking witnesses questions like “what is the code to get through a secure door?” We were asking for assurances that secure doors are locked.

Our basic premise: You can be sure that ships really will sink if they have a lot holes in them. And those holes aren't likely to



get patched unless the public applies pressure to get the job done. They certainly aren't patched yet.

The Committee recognizes the need to balance the public's right to know against the interests of national security. But unreasonable secrecy acts against national security. It shields incompetence and inaction, at a time that competence and action are both badly needed. The *Parliament of Canada Act* designates Parliament as the primary agent in providing Canadians with good, balanced government. The Committee sees itself as helping to perform this role on behalf of all Canadians, and considered the resistance of some people who chose to hide behind a false wall to be most inappropriate.

## **Canadians Should Know What the Bad Guys Know**

Will the Committee be successful in speeding reform? So far, so good. Early in our hearings, when asked why airside workers were not searched like passengers or flight crews, one witness from Transport Canada told us that having a relationship of "trust" with these workers was much more important than determining whether any of them might have weapons in their tool kits or lunch buckets.

That tone changed as the weeks went on. Toward the end of our hearings, after coverage of some of the Committee's

exchanges in the media, the Minister of Transport announced that the new Canadian Air Transport Security Authority (CATSA) would take on responsibility for randomly searching airline workers and improving the lax system of security checks that now prevails in their workplace.

Random checks are not enough (a point that we will discuss later in this report). However, Committee members were pleased to see at least some vestige of progress after so much painful inertia.

Our hearings have encouraged admissions that the system as it stands is not adequate, and they have encouraged promises of corrections to several key areas. The problem is that, to date, these promises fall short of addressing the dangers at hand.

Furthermore, implementation remains painstakingly slow. We would like less window-dressing, more attention to real weaknesses, and a much more lively set of responses to a potentially deadly set of problems.

## **I. Training Air Crew, Immigration and Customs Officials, and Maintenance Staff to Deal with Potential Threats**

It must be emphasized that while several of the recommendations of this report are designed to guard against threats from corrupted “workers” – either real or fake employees – who might abuse their position of trust in and around airports to sabotage aircraft, in reality the tens of thousands of legitimate workers are far more likely to be part of the solution to airport security problems than a threat.

Electronic and biometric safeguards only constitute a small part of any strong security system. In fact, there is an argument to be made that over-dependence on technology can instill a false sense of confidence in any security system, because smart people will eventually figure out how to circumvent even the most sophisticated technology, which is why it keeps having to be upgraded.

Security is much more than technology. It is an attitude, a culture. People – passengers and air industry workers – are at the heart of Canadian air security. The overwhelming majority of people who work at Canada's airports are honest, caring and vigilant people. Screeners at security counters, in recent years contracted by airlines, have been notoriously undertrained,

underpaid, and have worked unreasonably long shifts at scanning monitors, making them too bleary-eyed to be effective.

The Canadian Air Transport Security Authority wisely made new training for these employees its first priority. That training got underway in 2002 and continues. CATSA took over responsibility for screening employees at the end of 2002, and has promised that wages will increase from around the minimum wage level to an average of around \$11 an hour (depending on location) very quickly.

### **Is What You See What You Get?**

Retraining of passenger screeners is one of many areas in which the focus has been on dealing with visible flaws to the system, while neglecting security behind the scenes. Why upgrade training for hand baggage screeners, but not for maintenance workers? Maintenance workers are asked to be vigilant around aircraft that they are fuelling, fixing and grooming, but have received not the slightest bit of training to help them recognize potentially dangerous materials. Transport Canada says that this is the responsibility of the air carriers.

While tight security is obviously crucial when flights are embarking, it is also of consequence when flights are arriving.

But do our customs and immigration officers have the tools and the training to pick out persons arriving from abroad who may constitute a threat to Canadians?

**On November 18, 2002, Sheila Fraser, Auditor General of Canada,** told the Committee that “We found that customs officers did not have adequate information to assess the risk that travellers pose to Canada, and that many long-serving officers had not received necessary refresher training . . . we found that these officers had little information and support to ensure that applicants were unlikely to engage in criminal activities or endanger the safety of Canadians . . . most of the recommendations that we made in our audits are being dealt with satisfactorily – an exception, with relation to air travel security, is training . . . neither Canada Customs and Revenue Agency nor Citizenship and Immigration Canada has reported much progress.”

More than a full year after the September 11 attacks the Committee heard that Air Canada's flight crew security training has not changed in ten years, for instance. There has been no new training in the wake of the September 11 incidents, which should have significantly altered airlines' protocols for maintaining cabin security.

Flight crews have received no training in what role they should try to play if an armed Aircraft Protection Officer (APO) is on board. These APOs – RCMP officers – are placed on flights to Washington's Reagan Airport (at the insistence of U.S. authorities), but we were also told that they work some

domestic flights. They operate covertly, and are not supposed to intervene except in dire circumstances. They pay particular attention to assuring cockpits remain secure.

In the United States, armed "sky marshals" brief crews on everyone's responsibility if an incident occurs. Not in Canada. Not all members of flight crews must even be advised as to when an APO is on board. What does an uninformed flight attendant do if she or he sees an unknown person rise with a gun in his hand? Get out of the way? Or hit him with a wine bottle? *Nobody knows.*

### **Crews Want Training, Not a Wing and a Prayer**

According to testimony, flight crews at Air Canada and other airlines are still waiting on Transport Canada to come in with new training requirements. The airlines, we were told, are unwilling to go ahead with new training on their own lest their new training not measure up to any new Transport Canada requirements in the works. Transport Canada predicts that it will not have new training procedures in place until the summer of 2003.

**This is unacceptable. Why is it taking two full years to react to the dramatic new scenarios created by the obvious willingness of terrorists to die while using aircraft as weapons to wreak as much destruction as possible?**

**Here are examples of the some of the other testimony that the Committee heard on this issue:**

**Art Laflamme, Senior Representative, Air Line Pilots Association International, Aug. 14, 2002:** "ALPA is particularly concerned with . . . protocols, procedures, and training for pilots and flight attendants with respect to events that could jeopardize the safety and security of an aircraft, from a verbally abusive passenger to a terrorist trying to break down the cockpit door. The United States has developed a comprehensive program or strategy dealing in this regard. We do not see that [such a strategy] has yet been developed in Canada... Right now the air marshal will identify himself or herself to the captain before the flight, but we feel the protocols, procedures and training associated with such a major issue on board an aircraft have not been formulated. It could be as simple as the flight attendant knowing whether to duck, or assist in some way."

**Senator Cordy, Nov. 4, 2002:** "What type of training do pilots receive in dealing with terrorists or even hijacking, and how do you work with an RCMP officer who may be on board the plane, the marshal?"

**Don Johnson, President, Air Canada Pilots Association:** "The short answer is no, nothing. We used to get training on how to deal with hijackers before we knew that they were trying to get control of the aircraft and crash it . . . we have been calling from day one for procedures on how to deal with that very issue. What do we need to know? How do we have to coordinate our crew that we have onboard and everything else? We have received nothing."

**First Officer Ross Cooper, Security Committee, Air Canada Pilots Association Nov. 4, 2002:** "One of the very early recommendations that we came up with . . . was one of changing the attitude toward highjacking. Prior to 9/11 . . . the established policy was to be compliant, slow the situation down, get the aircraft on the ground, and we will sort it out there with the forces available. We recommended that this policy of compliance be changed to a policy of non-compliance in recognition of the new threat, of the new environment we found ourselves in . . . that recommendation was forwarded through the Transport Canada working group sessions . . . to date, I do not think we have anything back on it."



**Richard Balnis, Senior Research Officer, CUPE, the union representing flight attendants, Nov. 18, 2002:** “Not all flight attendants on any particular flight are guaranteed of knowing whether an armed RCMP officer is onboard their aircraft. In our view, such lack of knowledge could lead to confusion and unwitting interference with the sky marshals in the performance of their duties in the event of a terrorist attack.”

“Flight attendant training procedures on how to deal with the new breed of suicide terrorists are outdated. Our procedure and training are still based on the hijacking scenarios of the 1970s: try to negotiate, offer liquids to drink . . . Sadly, the development of these new training standards has been delayed because of an internal turf war between Transport Canada, Civil Aviation, and Transport Canada, Security.”

**(On Dec. 2, 2002, William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada, said he did not agree that a “turf war” existed within his department.)**

**France Pelletier, Flight Attendant, Legislative and Regulatory Affairs, Airline Division, CUPE, Nov. 18, 2002.** “Our flight attendant manual contains basically all of our standard operating procedures. It was after my insistence that we were able to get some sort of procedure written in as to what to do if we see some unknown substance on board an aircraft. However we

have absolutely no training and there have been no developments in that area whatsoever Transport Canada either.

... Flight attendants are being asked to do checks for bombs and other things when we are not trained. We do not even know what they look like.

... [We need something like what] one of the carriers... is looking at. . . a law enforcement training package on how to deal with somebody who is very aggressive . . . verbal judo, self defence, how to put on handcuffs... We have restraint ties onboard aircraft and we are not even trained in how to use them."

**Sen. Banks:** "Ms. Pelletier, would you recognize, for example, a plastic explosive if you saw it?"

**Ms. Pelletier:** "No, sir."

**Sen. Banks:** "Ms. Pelletier, you said, in your worst-case example, you are walking past with a cart, facing the people in an airplane as you would normally do, and someone stands up suddenly and is in the process of drawing a gun, and if you have a wine bottle in your hand, you are going to bash him or her."

**Ms. Pelletier:** "That is correct."

**Sen. Banks:** "Is that part of your training?"

**Ms. Pelletier:** "We do not have any training . . . we do not know what the rules of engagement are. We do not know what we are supposed to do."

**Dave McLeod, International Association of Machinists and Aerospace Workers, Lead Station Attendant (overseeing baggage and ramp operations), Aug 15, 2002:** "Do I look for suspicious baggage and things? Yes I do. It is general knowledge that you are supposed to report anything suspicious. Have I been trained in what a suspicious bag is? No."

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada, Dec. 2, 2002:** "We recognize the need to change and improve training for flight crews. We are in the process of developing enhanced training with that in mind."

**After listening to a great deal of testimony on this issue, the Committee has come to the conclusion that it is intolerable that training of Canadian air crews, customs and immigration officers, and maintenance workers – the very people we are counting on to alert us to dangers and help deal with dangers**

**that technology cannot curb on its own – have not received significant upgrades in anti-terrorism training nearly a year and a half after September 11.**

**To deal with the problems outlined in Section I,  
THE COMMITTEE RECOMMENDS:**

**I.1 Transport Canada should, by March 31, 2003, finalize and issue training standards programs to equip cabin crews to deal with terrorists and/or terrorist materials. All flight crews should have completed training by September 30, 2003.**

**I.2 The Canada Customs and Revenue Agency and Immigration Canada should, by June 30, 2003, offer substantive evidence to the Committee that they have addressed the Auditor General's recommendations to improve training that will help airport personnel identify persons "likely to engage in criminal activities or endanger the safety of Canadians." They should also demonstrate that they have made arrangements to gain access to police databanks that would assist in such identification, and have provided their employees with the training and technology required to take advantage of these databanks.**

**I.3 Transport Canada should, by September 30, 2003, ensure that all Canadian passenger airlines are providing training courses to maintenance personnel and other personnel working in proximity to aircraft to help them identify potentially dangerous situations and materials.**

**The Committee believes that these deadlines are both urgent and reasonable, and will therefore monitor responses of the players involved. If any of the designated parties believe that they have valid reasons why the deadlines cannot be met, the Committee requests written explanations and alternate proposals.**

## II. Improving In-Flight Security

No question: flight crews, maintenance personnel and customs and immigration officers need upgraded training to help thwart terrorist activities, and they need it quickly.

Beyond improved training for flight crews, the Committee wishes to present observations in this section specific to the working world they inhabit – the airline cabin.

### Informed Flight Crews

Our first observation is that, beyond training for situations in which armed Aircraft Protection Officers (APOs) may be on board, all members of a flight crew should be informed when such persons are on board. Currently, the Committee was told, only the cockpit crew and the chief flight attendant are so informed. It is then left to them as to whether they inform the rest of the crew.

This “optional” approach would seem to run counter to the wishes of both the RCMP – who believe the fewer people who know the APO is on board, the better, and members of the airline unions, most of whom believe that all attendants should know so they will be able to either help or get out of the way when an APO goes into action.

The argument against informing all crew members is that a subordinate crew member might inadvertently turn to an APO for assistance if a passenger were being disruptive, thus permitting a team of terrorists to flush out an APO through the disruptive activities of one member of the team. Other members of the terrorist team, it is argued, might then take out the APO and get on with the business of assaulting the cockpit.

### **The Whole Team Must Know**

**On Dec. 2, 2002, RCMP Deputy Commissioner Garry Loepky** told the Committee that the APO's primary responsibility is to "prevent an unauthorized person from gaining access to the cockpit," while in the United States "sky marshals" "are also mandated to respond to unruly passengers." While the Committee initially had some concern that an APO might not choose to get involved even when a flight attendant or passenger faced a life-and-death situation with a violent passenger, Deputy Commissioner Loepky assured us that the APOs are trained to "react to any security threat on board an aircraft that may jeopardize the integrity of, or unlawful interference with, civil aviation, and respond to threats of death or grievous bodily harm."

The difference between an American sky marshal and a Canadian APO, he said, was that a Canadian APO "will not intervene in incidents" on board that are normally the air carrier's responsibility. That difference, he argued, was



sufficient to justify the American approach of informing *all* air crew when a sky marshal is on board, as opposed to the Canadian practice of only advising the pilot and chief flight attendant.

The Committee heard testimony that, while the captain and chief flight attendant were informed of the presence of one or possibly more APOs, they were not informed as to who among the passengers was an APO. That, it was argued, was because, in the event of a possible takeover of the plane, the RCMP does not want anyone inadvertently seeking assistance from the APO when terrorists might be employing disruption to divert him or flush him out before making their major assault on the cockpit.

The Committee found the argument for not identifying an APO specifically more convincing than the argument that there is no need to advise all flight crew when an APO is on board. Some of our witnesses, however, felt that Canada should adopt the U.S. system of both identifying officers to all crew and having the crew briefed by the officers:

**Richard Balnis, Senior Research Officer, CUPE, November 18, 2002.** “The only response I’ve heard from the RCMP is that their sky marshals are on an undercover operation and, therefore, the identity of those officers needs to be protected... That may be useful in an undercover operation in a bar or in a drug situation, but on an aircraft, it is different. We have to work as a team . . . . Our fear . . . is that if someone

pops up, begins to draw a gun, you do not know them and you are walking by, you may just slug them. That is the unwitting interference.”

## **Let's Roll Together**

At this point the Committee is prepared to accept the RCMP argument that particular APOs not be identified to crew. However, given the need for teamwork in an aircraft cabin – particularly in situations in which several powerful and irrational people may be trying to either destroy or take over an aircraft – the Committee can see no reason that entire crews would not be advised of the presence of APOs on any flight, to prepare themselves mentally for situations in which a person brandishing a gun might be someone to try to assist, either actively or passively, rather than to hinder.

## **Securing Cockpit Doors**

There is very little disagreement among security experts that the one measure most likely to prevent recurrences of September 11-type tragedies is the installation of double cockpit doors. CATSA has budgeted \$35 million to assist Canadian carriers to fortify cockpit doors. But while Transport

Canada is requiring that Canadian cockpit doors be reinforced, there is not yet any requirement that they be doubled.

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada, November 27, 2002:** "Canadian regulations are now in place that require modifications to be completed by April 9, 2003. These modifications include the retrofit of flight deck doors with fortified lockable doors that can be locked or unlocked by the pilots without having to leave their seats."

We were informed that Air Canada is testing various manifestations of double cockpit doors, which assure that when a member of the cockpit crew emerges to use the washroom, or meals are delivered to them, one door to the cockpit always remains secured. We received one estimate that cockpit doors are typically opened eight times on an average flight.

The overwhelming testimony of both experts and flight crews was that, while reinforced doors are a great improvement, double doors should be installed on any planes that can accommodate them. Cockpit crew also told us that video cameras allowing them to see what activities might be taking place in the passenger cabin would be useful.

**Some examples of testimony the Committee heard on cockpit safety:**

**Don Johnson, President, Air Canada Pilots Association, Nov. 4, 2002:** "We polled our pilots . . . what they said was if we can have a totally secure cockpit environment . . ."

**Sen. Meighen:** "Double-doored?"

**Mr. Johnson:** "Double doors, then we do not need to be armed . . ."

**Sen. Smith:** "Are you getting double doors?"

**Mr. Johnson:** "Understand that most cockpit doors are at the end of some kind of small hallway, whether it is made up of the galley and the washroom, or whatever. There is a system where they can put a metal curtain across that hallway. It is just temporary, when somebody is coming or going from the cockpit. You may even be able to see through it. It may just be a series of steel bars, much like you see across the front of a shop when it is closed up."

**Senator Kenny:** "You are satisfied from your side of the cockpit that the doors are safe now?"

**Mr. Johnson:** "I would not characterize it as safe as we want. They are safer than they used to be. We still believe that we need that double door to make it as safe as we want it to be."

**France Pelletier, Legislative and Regulatory Affairs, Airline Division, CUPE, Nov. 18, 2002:** "I agree with [the double door]."

**Sen. Atkins:** "How do you implement it on some aircraft?"

**Mme Pelletier:** "I have seen one demonstration. You would have a pass code to get through the first door. Then the first door would shut and you would be stuck between the two doors and have to enter another code before getting through the second door. It is an additional barrier. I have seen them and I think it is a good idea."

**Art Laflamme, Senior Representative, Air Line Pilots Association International, Aug 14, 2002:** "If you are familiar with El Al aircraft, Israel has a two-door system, creating what is called a 'man trap.' That

situation is currently being studied, and we are in favour of that being looked at very closely.”

**Aviation Company Owner, *in camera*, June 24, 2002:**

“ . . . of all the problems we have, that is the easiest to solve. Indeed, for the most part, it is being solved. Kevlar doors on the cockpit and absolutely rigid, rigid procedures, that if something is going on in the back, you stay up there and you fly the airplane. It is a very simple fix. It is the only area in this total security issue at the airport . . . that is susceptible to an easy fix.”

**Sen. Norman Atkins:** “What is CUPE’s view on pilots having weapons?”

**Flight Attendant France Pelletier:** “We were against it. Terrorists, armed marshals and now armed pilots? It would be a battlefield.”

**Aviation Company Owner, *in camera*, June 24, 2002:**

“Everybody talks about crews having guns, and few think to ask: ‘What if you fire the gun at 35,000 feet?’ Has anybody heard of explosive decompression? I went to school on explosive decompression. For the most part, nobody lives.”

**To deal with the problems outlined in Section II,**

**THE COMMITTEE RECOMMENDS:**

**II.1 All flight crew should be informed when an Aircraft Protective Officer (APO) is on board.**

**II.2 Transport Canada should, by June 30, 2003, require design completion of a double door system or systems to protect cockpits, and order air carriers to complete the installation of such systems by December 31, 2004.**

**II.3 APOs should be instructed by the RCMP to be prepared to intervene in violent disruptions in passenger cabins, and certainly be prepared to intervene if crew or passengers' lives are threatened, and not necessarily to restrain themselves until the very moment that any assault is launched on the cockpit.**

**II.4 Pilots should not be armed.**





### **III. Dealing With Potential Threats Concealed in Checked Baggage, Parcels and Mail**

The responses of Canadian authorities to the incidents of September 11 – incomplete as Section II shows them to be – have been almost entirely aimed at the threat of terrorists taking over the cockpits of aircraft by sneaking suicidal attackers on board. This, of course, remains a legitimate threat. But as more than one witness pointed out to the Committee, with increased focus on cabin security, terrorists are now more likely to target something more unguarded, like the soft underbelly of a passenger plane – the hold.

Our hearings reinforced Committee members' concerns that screening of material that goes into the hold of Canadian passenger aircraft is done so rarely that it is almost non-existent. Some intermittent screening does take place when someone believes that they have cause to be suspicious, and some more sophisticated electronic screening equipment has been installed at Vancouver International Airport and other places. But – other than on flights to Reagan International – if the screening of passengers' carry-on luggage were rated at 9 out of 10, screening of the contents of the hold on the average Canadian flight might generously rate a 1.

In other parts of this report it will become clear that police are well aware that Canada's airports have become infiltrated by

organized crime, and that part of organized crime's success at airports is their ability to move packages and baggage in and out of terminals without being subjected to scrutiny. Rigorous scrutiny would clearly make life difficult for criminals operating at airports, but more importantly, it would make life much more problematic for potential terrorists.

### Checked Baggage

**Senator Atkins: Aug. 15, 2002:** "In terms of the process, from the time that the bag is checked in through the conveyer belt down to where you are, is there a random check of baggage? I know there is not a complete check, because we have been told that."

**Dave McLeod, Lead Station Attendant, International Association of Machinists and Aerospace Workers [Oversees baggage and ramp operations at Pearson].** "No, there is not. When that bag is checked in, that is it . . . there is nothing that we screen or check the bags with once the passengers have checked them in."

One good thing that has happened regarding baggage security at Canadian airports since September 11, 2001, is this: if a person who has checked baggage does not get on a plane, their baggage is pulled off. Canada has been ahead of the United States for many years in this regard on international flights, but since September 11 the rule has also been applied to domestic flights.

But the rest of the checked baggage story at Canadian airports is not a pretty tale. The Committee was told that there are about 22 kilometers of moving baggage belts at Pearson's Terminal 2 alone, and given that North America's fifth-largest airport processes approximately 30 million passengers a year on very tight schedules, screening checked baggage would be a complex, resource-consuming, and more time-consuming process.

Is it worth the cost? Realistically, it might never save a life. But if the premises we are operating on are that the terrorist threat to North America is likely to persist, and that passenger flights remain a prime target, what is the alternative?

*Confiscating passengers' nail-clippers only masks the huge vulnerability represented by unscreened luggage in the hold.*

## Sniffing Out Trouble

There are various means of screening checked luggage, including attentive human beings, trained dogs, and electronic equipment. Even attentive human beings can only do so much when they are processing invisible contents. Dogs and their trainers are expensive, and limited in the number of hours that they can work.

The main technology currently being employed to detect explosives are explosive vapour detection machines of the kind installed in Vancouver. They are large, often requiring reconfiguration of current terminal facilities, and expensive, at about \$1 million per machine, plus upkeep. Their shelf life is estimated to be between 5-7 years. They often record "false positives" – one estimate we heard was as much as one out of five bags could send off a false alarm, which means time-consuming x-raying or opening of the baggage in question.

While this technology can be expected to become more consistently reliable, it admittedly constitutes a significant extra chore for the air passenger industry. Delays of any sort cost the industry money.

Again, what is the alternative? Not every bag needs to pass through every kind of screening mechanism. A layered approach to screening can send bags that have first raised alarms at vapour detectors to dogs, x-rays or manual searches. But some effective, layered combination is needed, and there

must be enough excess capacity to cover peak periods and equipment breakdown.

Passengers on Canadian flights are enduring much more rigorous and time-consuming check-ins and other types of inconvenience in an attempt to thwart repeats of disastrous terrorist attacks. They are also paying \$24 per round-trip ticket, essentially to purchase insurance against terrorist attacks. If the hold clearly represents a weak link in the security chain, the Canadian air passenger industry must move quickly to forge a stronger link.

### **Canada Two Years Behind**

The deadline that the International Civil Aviation Organization (ICAO) has set for member states to conduct 100 per cent screening of checked bags for explosives is Jan. 1, 2006. Canada – through the newly created Canadian Aviation Transport Security Authority – expects to meet or beat that deadline, but has not set an earlier deadline for itself.

The United States initially set a deadline of Jan. 1, 2003, and then realized that was unrealistic for compliance at each and every airport. Some airports have been given extensions. However, the best information that the Committee has been able to obtain indicates that all but a couple of dozen American airports will meet the original Jan. 1, 2003 target. To be fair,

several of those that have been unable to meet the deadline are among the largest ones.

We received various explanations as to why Canadian authorities do not seem as anxious as American authorities to get this screening in place quickly.

**On Nov. 25, 2002, Jacques Duchesneau, President of CATSA,** suggested that the equipment to do this screening simply might not be available: "...There are only a few companies in the world that can produce those machines..." Two days later, **William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada,** noted that CATSA's funding has been spread out over five years, suggesting that equipment might have to be purchased from year to year as funds became available. He also observed that the logistical problems of installing such large equipment might be slowing things down. Finally, Mr. Elliott pointed out that the Americans had set the earlier deadline based on their perception of "risk," which raised questions among some Committee members as to why there was such a sizable gap between the two countries' perceptions of the degree of risk that exists.

**Both Mr. Elliott and Transport Minister David Collenette** said that they had reason to believe that the U.S. deadline might be overly optimistic. Mr. Collenette said that Canadians have "always been a bit more cautious" about what should be able to be accomplished. At any rate, he said, it was not inconceivable that Canada could have electronic screening at the same time as

the United States, which he later ratcheted up another notch to “we could come in ahead of the Americans.”

The Committee would be pleasantly shocked to see Canada come in ahead of the United States, especially when a majority of American airports are already properly equipped to screen luggage and no Canadian airports that we know of are. Tempering our optimism, the Committee's recommendation on page 55 reflects our assessment that a concerted effort will be required to bring Canada into compliance one year later than the American deadline. *That concerted effort must be made.*

## Mail and Packages

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada, December 2, 2002.** “ . . . I do not think there is a system for the comprehensive screening of mail.”

(LATER) . . . I think that certainly mail is an area of concern.”

Parcels and letters from Canada Post and packages from courier companies constitute a threat to Canadian passenger flights similar to that posed by unscreened luggage. In the early days of our hearings, the Committee operated under the illusion that there was at least some scrutiny of mail beyond

random visual surveillance by postal employees emptying mailboxes. (These people might be expected to be alarmed if a package broke open and exposed sticks of dynamite or something resembling a bomb, but not many parcels break open and the contents of those that do not are concealed). Since the airlines are ultimately responsible for the safety of the cargo they carry, we were initially encouraged by exchanges such as the following:

**Sen. Kenny, June 24, 2002 :** "We do not know whether mail is screened before it is carried aboard Air Canada flights."

**Iain Fernie, Regional Security Operations Manager, Air Canada:** "Mail is screened."

[LATER] **Senator Kenny:** "Do you or do you not rely on Canada Post's screening?"

**Mr. Fernie:** "Anything that comes within the aerodrome environment is put through a security procedure, independent of any other measures in place by Canada Post or any outside contractors or any other government agency."



**Sen. Kenny:** "Your screening stands alone. Is that what you are saying?"

**Mr. Fernie:** "Yes."

Representatives of Canada Post later testified that any screening that it did simply amounted to visual scanning when employees pick up mail and perhaps as packages whirl through the system, with no electronic screening of any kind.

Fifteen per cent of Canada's mail is dispatched by air, most of it on passenger flights. It arrives at airports electronically unscreened. At that point, Transport Canada places the onus on the air carriers to take responsibility for its safety, as demonstrated by the following exchange, which took place following Senator Kenny's exchange with Mr. Fernie:

**Senator Meighen, June 24, 2002:** "Security of mail is the responsibility of the carrier, as I read it."

**Paul Kavanagh, Regional Director, Security and Planning, Ontario, Region, Transport Canada:** "That is correct."

**Senator Meighen:** "In your auditing of that, do you permit them to rely on third-party verification?"

**Mr. Kavanagh:** "We allow them to rely on Canada Post verification."

**Senator Meighen:** "To your knowledge, do carriers do any screening themselves, or do they rely on Canada Post verification?"

**Mr. Kavanagh:** "I am not aware of anyone who does independent verification. They meet with Canada Post to verify what they have in place."

## Why Should Mail Be Exempt?

Several other quotes at the end of this section will reveal that Committee members have plenty of company in their anxiety over unscreened mail. It should be noted that while Canada Post's competitors in the mail delivery industry often own or charter their own planes to deliver mail, Canada Post is much more reliant on passenger flights to get mail to its destinations, which include some of the most remote communities in Canada.

While using passenger flights rather than cargo flights makes sense given Canada Post's ubiquitous obligations, the Committee believes that if passenger planes are to be used, there is clearly an obligation to passengers to ensure that the mail in the hold be as carefully screened as checked baggage would be under the Committee's recommendations. One Canada Post official told us that there is no one technology available to screen mail for all dangerous substances. But if there is technology being installed at airports to screen passengers' baggage, it stands to reason that the same technology can screen mail.

The following exchange illustrates why Committee members are convinced that it is essential that mail travelling on passenger planes be screened by other than random human observation:

**Senator Banks, Nov. 27, 2002:** "Do you know whether anyone actually screens any of that mail [delivered to the airport]? ... could I put contraband or something worse in a piece of mail, which is easy to do, and get it on to an airplane without anyone having looked at it?"

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada:** "My understanding is the answer to that question is yes."

In addition to Canada Post's mail, Canadian airlines handle mail from private courier companies. The companies that deal regularly with the airlines are known as "known shippers." While the companies themselves may be well known to the airlines, their employees are not even subjected to the kind of rudimentary background checks that airport employees or Canada Post employees must undergo. Nor are their parcels screened when delivered to the terminal. *The Committee heard testimony that signing a simple waybill, in use for many years in the industry, is sufficient to get a specific package on a specific plane.*

**Here are examples of some of the other testimony the Committee heard on this issue:**

**Sen. Banks, Nov. 27, 2002:** "...What happens to the bag I give to the check-in attendant?..."

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada. Nov. 27, 2002.** "The answer to your question is, unfortunately, it depends. It depends to some extent on who you are. It depends to some extent where you are travelling. Your bag could be searched by physical or other means; that is, by x-ray or explosives detection or dogs."

**Sen. Forrestall:** "Is it?"

**Mr. Elliott:** "In too many cases, the answer to your question is no."

(LATER) **Mr. Elliott:** "A significantly larger number of bags are being searched now than were being searched prior to September 11."

**Sen. Banks:** "Does that include domestic flights?"

**Mr. Elliott:** "I am less certain about that."

(STILL LATER) **Mr. Elliott:** "I do not think we have established exactly where we need to go or how soon we need to get there with respect to cargo."

**Art Laflamme, Senior Representative, Air Line Pilots Association International, Aug. 14, 2002:** "[One of our concerns is that cargo] is not generally screened. *The system relies on shippers to verify the security of the cargo.* We feel that this creates vulnerability with respect to all. The mail presents a particularly difficult area of concern."

**Chuck Wilmink, Consultant, Former Corporate Security Manager, Canadian Airlines, Nov. 4, 2002:**

“They have ordered explosive vapour detection machines. This is a tool, but not a silver bullet. They have two machines in the Vancouver Airport right now that can handle 200 bags an hour. There are 1,200 bags now going through the system, so they cannot check every bag. They are also very expensive, very hard to maintain, and have a high false-positive rate. One out of every five bags comes back with ‘yes it has a weapon in it,’ and it has to be hand-searched. It is time-intensive, requires a lot of security screeners, and is not effective. It is a security tool – but once you build it, people try to break it. It will not be the silver bullet that guarantees security.”

**Sen. Kenny, June 24, 2002:** “Are any of those bags X-rayed?”

**Larry Fleshman, General Manager, Customer Service, Toronto, Air Canada:**  
“Yes, some bags are X-rayed.”

**Sen. Kenny:** “What percentage would that be?”

**Mr. Fleshman:** “I cannot give you that percentage.”

**Sen. Kenny:** "How about you, Mr. Fernie?"

**Iain Fernie, Regional Security Operations Manager, Air Canada:** "I do know the answer, sir, but I am not at liberty to discuss the matter at this time."

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada, Dec. 2, 2002.** "... I do not think there is a system for the comprehensive screening of mail."

(LATER) "I think that certainly mail is an area of concern. There is one distinguishing characteristic of mail as opposed to passengers, and that is, generally, if I mail something, I do not know what airplane it is going to be on."

**Sen. Kenny:** "This Committee has received testimony that it is possible, simply by the timing of taking a parcel to the airport, to ensure that it will be on a certain flight."



**Mr. Elliott:** "We have requirements in place that should prevent that."

**Sen. Forrestall:** "I have the sometimes pleasant, sometimes unpleasant, task of shipping lobsters, and I want someone at the airport to meet that flight. So far, I have not had any problems. How did I do that?"

**Mr. Elliott:** "I would be happy to look into that, senator."

**Chuck Wilmink, Former Corporate Security, Manager, Canadian Airlines, Nov. 4, 2002:** "...The current status of airport security is not very good. I could take anyone in this room and in two minutes train that person on how to put a bomb on an airplane for any city in the world. If you are willing to pay the first-duty shipping fee, we can guarantee what flight you will be on – it is that wide open..."

**Senator Forrestall, August 15, 2002:** "Is the [security checking] process all done by humans?"

**Bob Stiff, General Manager, Corporate Security, Canada Post August 15, 2002:**  
"That is quite correct . . . There is no technical system, senator, for random testing of mail. We rely heavily on security awareness and the knowledge base of our employees as they are handling the product in the system."

**To deal with the problems outlined in Section III,**

**THE COMMITTEE RECOMMENDS:**

**III.1 Dedicated and trained personnel should immediately begin carrying out random and targeted screening of all checked baggage, parcels, mailbags, and cargo.**

**III.2 CATSA should implement full multi-layer screening (vapour detection supplemented by x-rays and other kinds of searches) of all checked baggage, mailbags and cargo by January 1, 2004.**

**III.3 The practice of offering blanket security shortcuts on the basis of being a "known shipper" shipping by air carrier should be discontinued. The Committee encourages the development of a protocol for shippers based on their known reliability, similar to the one currently being introduced under the Smart Borders arrangement with the United States.**

**III.4 People, cargo and aircraft coming from small airports without sophisticated screening systems should receive a full screening when they arrive at an airport under CATSA's jurisdiction.**



## IV. Dealing with the Threat of Undercover Terrorists Operating Inside a Terminal

**Sen. Cordy, June 24, 2002:** "Certainly, for me, one of the scarier aspects of security is the number of people who do not go through any of the security systems we see for passengers, yet who have access . . . to airplanes coming in and taking off."

**Paul Kavanagh, Ontario Regional Director, Security and Planning, Transport Canada:** ". . . The people who come to the aircraft from the airside have an airport pass. They have gone through a check. We have good background on those people. They tend to be more trusted by us [than passengers]. I think that is very much the difference between a group of unknowns versus a group of knowns."

**Sen. Kenny, June 24, 2002:** "If an [airside] employee had a box cutter in his or her pocket, would you know?"

**Paul Kavanagh, Ontario Regional Director,  
Security and Planning, Transport Canada:**

"We would not know. Employees who are employed on the airside are permitted tools of the trade because there is a myriad of work to be done on the airside. It is all part of the trust relationship that one has to have with the employees, through the pass systems and security checks."

**Sen. Kenny:** "...A baggage loader does not need a box cutter to do his job; however you still would not know if the baggage loader had a box cutter in his overalls?"

**Mr. Kavanagh:** "No."

**France Pelletier, Legislative and Regulatory Affairs,  
Airline Division, CUPE, Nov. 18, 2002:** "...just the other day, a crew got onboard the aircraft and there was a box of cutters on one of the seats... We still do not know how that thing, how that box, got on board, but we are of the mind that the people who have access to that aircraft, whether it is the caterers that get on to the premises of the airport, that get on to the aircraft, that anybody who gets access to that aircraft is checked."

## Good Apples and Bad

There are more than 80,000 persons employed or working on contract at Canadian airports or on Canadian airlines. As we noted earlier, these employees offer the greatest hope for good security in our air travel system – technology can complement human vigilance, but it cannot replace it.

The other side of this human coin is that not all of these 80,000 people are saints. We know that some are associated with organized crime, which needs access to airports to move contraband in and out of Canada. In the words of **Inspector Sam Landry, Officer in Charge of the Toronto Airport Detachment, Royal Canadian Mounted Police, on June 24, 2002:**

“Criminal organizations have penetrated many legitimate businesses throughout Canada to further their criminal enterprises. This trend is no different at Toronto’s Pearson Airport. The ability to move contraband undetected through the airport is essential to the success of their criminal activities. Of particular concern is the potential for internal conspiracy, coercion and intimidation of members of the airport community by organized crime groups.

Of the 45,000 people currently attending to the daily needs and operations of the Toronto airport

community, if organized crime recruited 1 per cent, it would represent 450 people.”

There are, however, two considerations to be taken into account here. The first is that lax security works for organized crime at Canadian airports. The more holes these criminals can keep in the system, the more they can steal and the more contraband they can move.

Terrorists may or may not be associated with organized crime, but they can make use of the same security gaps that work so well for organized crime. Which brings us to the second consideration. If organized crime – an element that authorities administering Canadian airports cannot seem to get rid of– is capable of placing anywhere near the 450 agents and accomplices that Inspector Landry suggests could be operating within the confines of Pearson International Airport, is not there some likelihood that at least a couple of patient and determined terrorist sympathizers could invade the system?

*One would guess that the answer is yes.*

### **Front Tight, Back Slack**

The fact is that security control over term and contract workers at Canada's airports has been extremely lax. Unions have never wanted tough controls – as **Paul Lefebvre, President of Local Lodge 2323, International Association of Machinists and**



**Aerospace Workers, August 15, 2002**, pointed out to us, the unions fought background checks several years ago when, as he said, "the world was a kinder and gentler place." At the time these checks were considered an affront to workers' dignity. However, the Committee strongly believes that there must be a balance between respecting and appreciating legitimate workers and weeding out people taking advantage of their workplace.

In early testimony we discovered that airlines had no idea what airside employees carry around in their packsacks, tool kits and lunch boxes:

**Sen. Kenny, June 24, 2002:** "Do you know whether Air Canada employees are bringing explosives or weapons to work with them?"

**Larry Fleshman, General Manager, Air Canada Customer Service, Toronto:**  
"We cannot say."

**Sen. Kenny:** "Do you know the answer to that, Mr. Fernie?"

**Iain Fernie, Regional Security Operations Manager, Air Canada:** "No, I do not."

This did not strike members of the Committee as an appropriate balance between respect and good judgment, particularly when passengers and aircrew are lining up at security counters and having nail clippers and memorial poppies confiscated. In fact, it struck us as a slack-minded approach to genuine security at airports. The eschewing of security searches, according to Mr. Kavanagh, is all part of the “trust relationship” that authorities must have with airport employees once they pass their security checks.

### **How Security Checks Work. Sometimes.**

Security checks are officially conducted once every five years, if and when authorities get them done on time. These are not field checks. They are file checks. The RCMP checks its database to see whether criminal charges or convictions show up. The Canadian Security and Intelligence Service (CSIS) checks its database to determine whether a person pops up as a known security risk. Transport Canada is in charge of checking domicile, employment and creditworthiness records.

If no alarm bells go off, the relationship of trust either begins, or continues. As **William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada**, conceded on **Nov. 27**, CSIS does not normally conduct field checks on potential employees and “a good record is not necessarily indicative of good behaviour in future . . . It certainly is not a foolproof system and we are looking at improving it.”

**WORTH NOTING: Eight of the ten people arrested two years ago for conspiracy to import drugs from Jamaica through Pearson Airport worked at the airport, and had passed security checks.**

## Hail Mary Passes

If the security checks can best be described as perfunctory and fallible, the pass systems for workers moving in and out of restricted areas at Canadian airports might best be described as primitive and relaxed. Primitive, because some airports use identification passes (electronic, not biometric) that could be replicated for a small charge at a local photocopy shop. And relaxed, because we learned that too often workers pass through without anybody paying much attention.

There are excellent passes now available that incorporate thumb or iris scans and can be cancelled electronically at a moment's notice. But, so far, these are not widely employed at Canadian airports. There are vigilant security personnel who take searches seriously, even among friends. But according to the testimony we heard, not many.

Then there is the issue of temporary workers. Some workers taken on as employees are allowed to work in restricted areas

before they have background checks done by CSIS, CPIC, and Air Canada. They are allowed to work there only when accompanied by persons who have been cleared and have passes. But the Committee was told that one cleared employee might be responsible for five or six uncleared workers in a secure area. This seems a stretch if there is the slightest chance that one or more of those uncleared workers might have sabotage in mind.

There is also the issue of forgery. Are passes at Canada's airports really forged? Not all that often, according to **Paul Kavanagh of Transport Canada, June 24, 2002**. "We have not seen any evidence of what I would consider a significant amount of forged passes . . . I do not want to give out too much information as to where or how people could manufacture passes." He did later concede, "Anything that we could do to enhance the pass system is something that we would welcome."

## Is This a Security Culture?

Passes, too often, are not checked. But even when they are checked, in most airports they are simply checked for photo resemblance, and against a list of numbered passes that have been designated as defunct. That is, they are checked to ensure that the number on the pass does not correspond to a “bad” number. *What if the pass has been forged and gives a number that is not legitimate, but nor has it been listed as defunct?* Incredibly, the system in most general use since September 11, 2001, is not designed to check against numbers that *somebody makes up*.

When workers leave airport employment, they are required to turn in their passes to the companies that employed them. Of course, with companies like Canada 3000, the employer has exited the scene. It remains for Transport Canada to try to recover these passes, and with Canada 3000, many are still on the missing list. How many employees have left airport employment without turning in their passes?

According to **William Elliott, of Transport Canada, Dec. 2, 2002**: “Unfortunately, the answer is we do not know.”

(While Mr. Elliott was not willing to answer *all* the Committee's questions, he did win general admiration for the candour of most of his responses.)

Mr. Elliott outlined Transport Canada's plans for improved passes, which, again, were well received, with the exception of the fact that it appears improvements to the system will be painfully slow in coming to fruition:

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada, Dec. 2, 2002.**

"Transport Canada has looked at a number of different biometrics . . . my department has invested considerable resources in automated fingerprint identification systems. We have also done some work on iris scans. The Canadian Customs and Revenue Agency has invested in that technology . . . My expectation is that it may take about a year for this new system to be implemented." ...

(LATER) "...we do not have a well-developed, detailed work plan. We are in the process of developing one."

(LATER) "The details need to be worked out, but my current expectation is that airports will likely continue to issue passes that relate uniquely to their facilities. The CATSA will likely issue passes that provide individuals with access to restricted areas at more than one airport."

(LATER) "I personally would like to see us get to the point where an individual would be issued a pass with biometric identifiers incorporated. That pass

would be linked to a [centralized] database and to an access control system at the airport.”

**The Committee is in favour of a national, centralized system for passes. Even if local airport authorities do finally maintain the right to issue the passes for local employees, their issue must be based on national standards and the use of a national database for validation.**

### **“Random” Means Willy-Nilly**

Next to Transport Canada's inexplicable sluggishness in implementing reforms to pass systems, the Committee's main complaint is that **the Minister of Transport has expressed a preference for random checking of workers entering restricted areas, as opposed to the kind of 100 per cent checking system that passengers undergo.**

Mr. Collenette's rationale, as expressed to the Committee on Dec. 2, 2002, was that full screening could be ordered during periods when there appeared to be an extraordinary threat, but was not envisioned during normal periods: *“I hate to point this out in terms of security, but the problem there is that it comes down to a cost-benefit analysis. There is only so much money you can throw at a problem.”*

It should be pointed out again that Transport Canada showed no interest in improving security with regard to airside workers

before complaints began to arise from witnesses testifying before the Committee as to the inadequacies and unfairness of the current system. The Committee believes that the Minister should move quickly to ascertain the cost of searching all workers when they enter secure areas. **The Minister put forth no evidence that such searches would be prohibitively expensive.**

**Here are examples of some of the other testimony the Committee heard surrounding the issues in this section:**

**Inspector Sam Landry, head of RCMP Detachment at Pearson International Airport, June 24, 2002:** "Files that our members are working on and statistics show that there is significant organized criminal activity that exists at Canada's largest inland border point . . . any infiltration of our border at Toronto Airport by the criminal element also has the potential of being exploited by those associated with extremism or terrorism."

**Jacques Duchesneau, President and CEO, Canadian Air Transport Security Association, November 25, 2002:** "I think random checking has its benefits. We need to not forget the fact that it is an industry. We need to make sure that this industry will continue to do its business. We can do checks of every employee every day, but this has a cost to it, so we need to have a very balanced approach."



**Art Laflamme, Senior Representative, Air Line Pilots Association International, August 14, 2002:** "...we must assume that terrorists will be armed with other weapons, which could include guns or explosives pre-placed in aircraft, but not taken through passenger screening checkpoints . . . "APLA is of the view that an essential element of a properly functioning security system to counter terrorist acts must focus on controlling access to aircraft so that only properly identified persons who have reason to be at or on board an aircraft, be they airport or company workers, crew members, maintenance workers or passengers gain access. The present thrust, however, is to provide for security through screening points limited to passengers, crew members and other persons who access aircraft through a [check-in] screening point."

**Senator LaPierre, Aug. 15:** "Did you say that your lunch boxes and your knapsacks and the other things you take to work are inspected as if you were a passenger?"

**Dave McLeod, Lead Station Attendant, International Association of Machinists and Aerospace Workers. [Oversees baggage and ramp operations]:** "Every day? No."

**Sen. LaPierre:** "Once a month?"

**McLeod:** "Once in a while."

(LATER) **Senator Meighen:** "We are trying to find out whether that scrutiny is rigorous or lax."

**Mr. McLeod:** "In my opinion, no, it is not rigorous at all."

**Sen. Meighen:** "It is not rigorous?"

**Mr. McLeod:** "No."

**Art Laflamme, Senior Representative, Air Line Pilots Association International, Aug. 14, 2002:** "We have known for some time that certain persons, almost certainly terrorists, have been stealing pilot uniforms and credentials. Creating a system that will prevent an impostor from gaining access to aircraft is long overdue . . . All airport employees, armed law enforcement officers, crew members and those who require access to an aircraft should be screened via electronic and biometric identity verification as soon as possible."

(LATER) "...we are perplexed and infuriated over the discrepancy. It does not make sense that there is 100 per cent checking on one side, but not on the other side. There must be an equivalent level of safety."

**Sen. Meighen, June 24, 2002:** "Are you able to tell me whether, in the past, your employee ranks have been infiltrated by organized crime? In your opinion, is organized crime presently endeavoring to infiltrate your ranks?"

**Larry Fleshman, General Manager, Customer Service, Toronto, Air Canada:** "At this point in time, I have no knowledge of any infiltration or the fact that anyone is trying to infiltrate."

**Sen. Kenny:** "...How about Mr. Fernie?"

**Iain Fernie, Regional Security Operations Manager, Air Canada:** "An incident was well publicized two years ago, in 2000, in which the Royal Canadian Mounted Police and Air Canada corporate security entered into a joint investigation dealing with internal complicity in the importation of narcotics out of Jamaica."

**Richard Balnis, Senior Research Officer, CUPE, November 18, 2002:** "...it appears that the minister assigned this issue [screening of airside employees] to the Canadian Air Transport Security Authority, CATSA, but it looks like they will only do random screening, which is actually no more than the current status quo. We await further details, but this action appears to fall short of what is required."

"... Transport Canada hired consultants who confirmed that, for example, everyone entering the sterile area at Heathrow, any employee, would go through the same search procedure. It was a dedicated private channel, not mixed in with passengers, but nonetheless they would go through a search to make sure there was nothing problematic that they were bringing in. We are saying, at least be consistent here."

**Senator Meighen, Aug. 15, 2002:** "My point is that if [the] groomer happened to be a nefarious character and you left, you would not see him putting something under the seat."

**Rob Deemert, Cabin Security, International Association of Machinists and Aerospace Workers. [Aircraft Groomer]** "We have been instructed, on the DCA flights [to Reagan Airport], to watch everything."

**Sen. Kenny:** "But on the other flights you leave and you are not watching everything?"

**Mr. Deemart:** "We just do the sweep."



**To deal with the problems outlined in Section IV,**

**THE COMMITTEE RECOMMENDS:**

**IV. 1 CATSA should issue national passes for air crew and all other persons who fall more naturally under a national, rather than a regional, jurisdiction. If local airport authorities are permitted to continue to issue passes allowing access to restricted areas at their airports, these local passes should be**

- **Of national, uniform design, based on national configurations defined by the Canadian Air Transport Security Authority,**
- **Cancelable by CATSA**
- **Validated through CATSA's national database.**

**IV.2 All Canadian airports, by December 31, 2003, should introduce new electronic airside access passes, containing biometric identifiers, that**

- **Are encoded to prevent access to zones beyond any employee's work area**
- **Expire automatically after three years**
- **Can be deactivated by a central control mechanism at any time**

**IV. 3 CATSA should be the issuing authority for passes for all employees, contract workers, other personnel and vehicles permitted airside access.**

**IV. 4 CATSA should be responsible for assuring that these persons and vehicles are physically searched on entry to restricted areas at Canada's airports. Persons and vehicles leaving those areas should be searched on a random basis, with provision for more extensive exit searches whenever extraordinary threats are perceived.**

**IV. 5 The current 5-point background check for restricted area passes: Canada Police Information Centre (for criminal record), CSIS (for potential security threats), and Transport Canada (domicile, employment background and credit records) should be conducted every three years, replacing the current schedule of every five years.**



## V. Dealing with the Threat of Subversives Operating from the Outskirts of the Airport

**Witness 2 (Aviation business owner) *in camera*, June 24, 2002:** “If you look at a map of [an] airport, what you see are very large buildings adjacent to the ramps, almost adjacent to the runways, often adjacent to the taxiways. They include freight forwarders, [commercial aircraft] operations like my own, aircraft refurbishers and maintenance shops and the people who do all the line provisioning. Many of those buildings with direct ramp access are filled with people who are not screened or badged, who have no security credentials at all . . . They have direct access to aircraft. There is no control and no background screening of any sort . . . “

The issue of security outside of the terminal building is of great concern to the Committee. We heard testimony stating that there are vehicles and individuals who service airplanes as well as businesses such as caterers, and freight forwarders, who are clustered close to ramps and taxiways with workers who have no security clearances. As the above witness, who operates adjacent to a major terminal, stated:

“. . .whatever is done at the gates does not catch or address the real scope of the problem. The problem is

that there are trucks, cars and individuals in the thousands flowing into the ramp areas just in order to service the airplanes. These people are nominally badged people, but if you think that all the vehicles or badges are checked, you would be wrong.”

In addition to this, there is the problem of businesses that are located completely outside the airport grounds, but whose workers handle food, cargo and fuel, which is taken to the airports and loaded onto planes.

Aircrew on scheduled flights and workers employed at Canadian airports are not the only persons who have access to aircraft at terminals. The following persons are among those with such access:

- Employees/visitors at airport operations on the perimeter of restricted areas
- Air crew and passengers on private aircraft
- Mail deliverers and freight forwarders
- Food and fuel suppliers
- Construction workers

**Some of these people do not have passes. Some never have their passes checked. As of November, 2002, those who are searched physically are done so only randomly, which the Committee interprets to be infrequently.**

## **Airport Neighbours with Neighbourly Access To Ramps and Runways**

Both inside and just outside most airport fences, there is a wide range of businesses with ready access to airport ramps and runways. They include maintenance shops, aircraft refurbishers, cargo forwarders, food service providers and air charter businesses. These operations – a vital part of the airport economy – also constitute one of the weakest links in the airport security chain.

Although they have direct access to airside – ramps and runways are often just outside their unguarded back doors – they are populated by all kinds of employees and visitors whose backgrounds have not been adequately checked, and people who have no security credentials at all.

There is little formal process to control access to the airside of these businesses in order to ensure that employees without restricted area passes do not venture onto the ramps or runways. Passengers in the private aircraft, corporate jets and charter aircraft are not screened, nor is their carry-on baggage checked before they board.

These enterprises do not just operate small commuter aircraft. They include corporations such as FedEx, Sky services and Transat, which fly some of the biggest aircraft available, Boeing 727s and A-320s.

Transport Canada claims that it monitors to ensure that airport authorities have security measures in place to prevent persons without passes who are either working at, or visiting, buildings located on the perimeters of restricted areas from accessing those restricted areas:

**Paul Kavanagh, Regional Director, Security and Planning, Ontario Region, Transport Canada, June 24, 2004.** "We control where [the airport authorities] define the restricted area, and we monitor the process they have in place, for people to move from that non-restricted area into the restricted area."

This monitoring appears to consist mainly of "records" inspections of the companies concerned.

We were also told that in order for a vehicle to cross a perimeter line it must have a permit issued by the airport authority and that the occupants of a vehicle must have a need and a right of entry to get past the fence, but that access is rarely challenged:

**Witness 2 (Aviation company owner) *in camera*, June 24, 2002:** "There is a guard, and a fence . . . adjacent to the Kilo Taxiway [at Pearson International]. There is a guard there, a very nice gentleman I suspect, but he is mostly asleep when I see him. He does not ever go out to an airplane and say: "Stop, I want to inspect."

**Sen. Kenny:** "Does he stop a car?"

**Witness 2:** "He may."

**Sen. Kenny:** "You have never seen him stop a car?"

**Witness 2:** "No."

**Sen. Kenny:** "Have you ever seen that, Witness 1?"

**Witness 1:** "I have been out there, and I have never seen him leave the booth. As Witness 2 said, 99 times out of 100, he is asleep."

**Sen. Kenny:** Witness 3, have you ever seen him stop a car?"

**Witness 3:** "I would have to agree with these two gentlemen. I have never seen him stop a car."

And this is a *guarded* gate. But not all gates, doors and passageways are guarded.

Committee members believe that the same security standards that are applied within the main terminal should be applied to periphery access to ramps and the tarmac. It could be argued that, because of the lack of security surrounding them, these operations pose a potentially greater risk to the travelling public than do those operating out of the main terminal.

Again, what is the point of locking the front door if the side and back doors are virtually wide open?

### **Private Aircraft**

**Witness 2 (Aviation company owner) *in camera*, June 24, 2002:** " . . . my largest airplane fully fuelled would do a considerable amount of damage. It is not a 767, but it could probably destroy a building in this city."

Private aircraft often come and go from Canadian airports with little supervision other than air traffic control. While at some airports air traffic control does advise Customs and Immigration officials on private arrivals, with intermittent customs inspections taking place, this is often not the case. At some airports, pilots are obliged to use a telephone service to register their arrival. But enforcement is haphazard, as this exchange makes clear:

**Norman Sheridan, Director, Customs Passenger Programs, Canada Customs and Revenue Agency, June 24, 2002:** "Private aircraft are required to report to the telephone reporting centre."

**Sen. LaPierre:** "Let us say they do not, sir."

**Mr. Sheridan:** "Are you saying they land the aircraft and leave the aircraft?"

**Sen. LaPierre:** "Does that happen . . .?"

**Mr. Sheridan:** "That happens . . . When the air traffic control towers were privatized to NAV CANADA, the information about an aircraft as it travels through the various sectors and through the air traffic control points was no longer provided to Customs..." [This] has not been corrected, senator, since September 11. However, I understand there are discussions ongoing in headquarters with various agencies and departments . . . They are looking at working with Transport in trying to find a way to get that information back to Customs."



Mr. Sheridan said he would get back to the Committee as to how these discussions are going. In late December he reported that **flights are still arriving without NAV Canada advising Customs.**

It is not just that Customs and Immigration are not always advised by NAV Canada when private flights have arrived. It is also that Customs officers often do not meet and inspect aircraft when they have been informed of their arrival:

**Paul Kavanagh, Regional Director, Security and Planning, Ontario Region, Transport Canada, June 24, 2002:** "Our regulations do not require the screening of passengers on business aircraft, but we require a log of the names of people going on the aircraft. They keep names as opposed to putting the people through a screening process."

**Sen. Day:** "In terms of what they are bringing on and off and what they are bringing in?"

**Mr. Kavanagh:** "There is no control on that. Again, it is up to the operator. We always tell them that they have to know their passenger."

**It is the opinion of the Committee that private aircraft are being afforded privileges at Canadian airports inconsistent with tight security, or, indeed, any measure of security. This**

**is a grievous oversight in an era in which the government is spending \$1.2 billion of *other* travellers' money to counter a continuing terrorist threat.**

If there is nothing to stop a terrorist from hijacking, stealing or stowing away on a private aircraft, potentially to gain access to persons or baggage going aboard larger aircraft at Canadian airports, authorities should be checking passengers and baggage on these aircraft just as they are checked on regularly scheduled flights.

Private aircraft departing any of the 89 airports now under CATSA's supervision should not leave until passengers and their baggage have been searched. Private aircraft departing from any other airport should be searched on arrival, whether they arrive from private air fields in Canada or any locations in foreign countries. These aircraft are ending up airside at major Canadian airports without any assurance to the travelling public that they have ever been searched.

## **Mail Carriers, Freight Forwarders**

The Committee was told that Canada Post personnel are not searched when they bring mail to areas accessible to passenger aircraft. These employees, of course have at least undergone background checks in order to gain employment at the Crown

corporation. There is no requirement that freight forwarders working on the perimeter of air terminals have any such background checks. As one witness made clear, these people also have access to passenger aircraft:

**Witness 2 (aviation company owner) *in camera*, June 24, 2002:** . . . “you only have to walk down the street from where the northside operators are to find some of the freight forwarders. Employees of the freight forwarders do not need to go past a policeman to get themselves or dangerous substances or devices onto the main runways or under the terminals.

Such persons, if they are intent on doing harm to us, might simply insert an envelope with dangerous substances or a small device into a parcel, which goes right into a container which goes into the hold of an Air Canada airplane and . . . ‘boom’.”

Background checks are not done on employees at freight forwarding companies – even those designated as “known carriers” that usually have a good idea which flights their packages will be leaving on to arrive in another city by a designated time.

**Sen. Kenny, June 24, 2002:** "Do you see some inconsistency in having Canadian and Security Intelligence Service checks and criminal record checks of people who are working around planes, but not having checks of people who are handling packages that go forward with relatively less scrutiny?"

**Paul Kavanagh, Regional Director, Security and Planning, Ontario Region, Transport Canada:** ". . . A line has to be drawn with respect to who is going to go through the clearance program. The number of people would increase exponentially if we were dealing with the feeder companies into carriers."

The Committee's view is that requiring reliable background checks on the employees of feeder companies that enjoy easy access to restricted areas at Canadian airports need not be a cost to either Canadian taxpayers, nor to the travelling public.

**Airports create great profits for companies that benefit from access to them. There is no reason that companies with "back end" access to these airports should not pay for the cost of employee background checks.**

There appear to be serious lapses in perimeter and non-terminal security. Persons working in or having access to restricted areas should be subject to similar security measures as inside workers. Individuals and companies working in these areas must go through proper security clearance checks. A monitoring system should be put in place to track vehicles operating in these areas. Perimeter security should include a security pass system, plus searches, before vehicles and individuals are allowed through the perimeter line.

The Committee notes that the Aviation Security Advisory Committee has recommended to Transport Canada that there should be a re-assessment of the adequacy of the current standards and/or practices as they apply to perimeter security at airports. We concur.



**To deal with the problems outlined in Section V,**

**THE COMMITTEE RECOMMENDS:**

*(This Recommendation repeated from Section IV)*

**IV. 4 CATSA should be responsible for assuring that these persons and vehicles are physically searched on entry to restricted areas at Canada's airports. Persons and vehicles leaving those areas should be searched on a random basis, with provision for more extensive exit searches whenever extraordinary threats are perceived.**

*This Recommendation Repeated from Section IV)*

**IV. 5 The current 5-point background check for restricted area passes: Canada Police Information Centre (for criminal record), CSIS (for potential security threats), and Transport Canada (domicile, employment background and credit records) should be conducted every three years, replacing the current schedule of every five years.**

*(This is a New Recommendation Contained Only in Section V)*

**V. 1 Transport Canada should require that private aircraft departing airports under CATSA's supervision should not leave until aircraft, passengers and their baggage have been screened. Private aircraft departing from any air facility not supervised by CATSA should be searched on arrival, whether they arrive from private air fields in Canada or any locations**

**in foreign countries in order to ensure the integrity of security at Canadian airports.**



## **VI. Dealing with the Threat of Terrorists Attacking Aircraft from Beyond the Perimeter of an Airport**

The final point the Committee wishes to make in this area concerns the threat of terrorist attacks from outside the perimeter on non-airport lands. Recent terrorist attacks on aircraft using shoulder-held missile launchers highlight the serious need for enhanced security. In particular, the Committee feels that **the practice of allowing spectators and their vehicles to collect at both ends of the runway, even if off the field proper, is an invitation to disaster.**

The Committee takes note of the threat posed to civil aviation by the thousands of shoulder-launched surface-to-air missiles that are readily available in the weapons marketplace. Aircraft flight paths are within range of these missiles for several kilometers, on both landings and takeoffs.

To equip commercial aircraft with counter-measures capable of deflecting these missiles would cost in the order of \$3 million per aircraft. While Transport Canada should continue to monitor risks and costs in this area, the Committee does not recommend this expenditure on all or even most Canadian aircraft at this time.



**To deal with the issues raised in Section VI,  
THE COMMITTEE RECOMMENDS:**

**No recommendations at this time.**



## VII. Improving Airport Policing

The Committee has a number of concerns regarding airport policing including: the fragmentation of policing services; reductions in staff numbers; the deployment of police at security check points; and the need for a single overarching federal police agency.

For a start – based on testimony the Committee heard at fact-finding trips to airports in Montreal, Toronto and Vancouver – police forces at Canada's airports appear understaffed. Furthermore, while many witnesses gave the local police forces in charge of criminal investigations at these airports good grades *it is not always clear at major airports as to which force is in charge when it comes to an emergency relating to security, and how much cooperation and coordination there will be.*

In provinces in which the RCMP is the provincial police force, the lines are usually clearer. But in some provinces, like Ontario and Quebec, the RCMP investigates federal offences such as organized crime and terrorism at airports, while local police forces handle issues like assault and traffic violations. Contracted security personnel handle other issues. All this complicates the issue of who is in charge in emergency situations.

At Pearson International Airport, **Inspector Sam Landry**, in charge of the RCMP detachment at the airport, sent the Committee a list of 56 agencies [see **appendix V**] with regulatory or enforcement powers in his jurisdiction. The major police forces include the RCMP (responsible for enforcing federal statutes), Peel Regional Police (the police of primary jurisdiction handling most criminal investigations), Toronto Police Service, the OPP, with representation from the regional police forces of Halton, York, Hamilton Wentworth and Niagara, plus the Military Police. For a start, the Committee is concerned that with this many forces in operation at one airport, there is a risk of a lack of coordination, cooperation and information sharing in the provision of security services.

In the words of **Witness 3, a former head of a drug squad with 28 years of police experience whom the Committee questioned *in camera* on June 24, 2002:**

“My experience at the [Pearson] airport is petty bickering between law enforcement, i.e. Customs, RCMP, Toronto, Peel, OPP. Nobody wants to share; it is my cake and I am going to eat it. They have that mentality. That has to be overcome...”

**Don Johnson, President, Air Canada Pilots Association, testified on Nov. 4, 2002.** “... what we are looking for here is an oversight board or group of people who will set the standard and then see that it is enforced, so that, whether a new police chief comes in or not, they will ensure that the standard is enforced

everywhere and it will be consistent across the country... We want the policing done that way, and we want the screening done that way, we want security measures at all the airports to be standardized."

## Threats Grow, Police Shrink

Overall, the number of officers representing **the combination of police forces that serve Pearson has declined from 290 police in 1995 (when the RCMP handled nearly all policing at airports) to 162 officers (59 RCMP, 93 Peel Regional, and 10 from other forces)**. That decline is noteworthy given that terrorism was not perceived to be the problem it is now in 1995, and various organized crime groups had not begun to cooperate more in circumventing airport security. Inspector Landry also pointedly noted that over the period of decline in police presence, **passenger volume has increased by more than 100 per cent, and it is projected to increase another 100 per cent over the next decade.**

**RCMP Deputy Commissioner Garry Loeppky, December 2, 2002**, observed that improved technical efficiencies and the advent of multi-functional teams might have had led to a reduction in need for as many officers. Pressed as to whether there are sufficient police officers at Pearson, his response was

that there are sufficient officers for flight safety and security, but the airport could use more staff for other duties. At the end of the Deputy Commissioner's testimony Committee members concluded his testimony was unclear as to whether he meant more help was needed to deal with organized crime, which **Inspector Sam Landry said on June 24, 2002**, is a major problem at Pearson:

“Files that our members are working on and statistics show that there is significant organized criminal activity at Canada's largest inland border point . . . any infiltration of our border at Toronto airport by the criminal element also has the potential of being exploited by those associated with extremism or terrorism.”

### One Force for Airport Security?

The Committee listened to conflicting opinions as to whether airport policing should be delivered by one national body, such as the RCMP, or by local/regional forces, augmented by the RCMP.

There is a strong argument for a national security police force for airports, with standardized security training. One force, focused on terrorism as well as organized crime, would lead to better coordination and end jurisdiction disputes. If the RCMP were designated as the police force responsible for security at



Canada's airports, Canadians would be assured that airlines and airport authorities are not skimping on police protection to better serve their bottom lines.

While the Air Canada Pilots Association argued for national standards for policing at airports, it also opted for continued use of local police, with good knowledge of the local crime scene. Indeed, local police could still perform valuable service at airports. But it is our conclusion that, **when it comes to security, the RCMP should be in charge.**

The Committee fears that, without one national force, national standards and national training, some airports are likely to get short-changed on security, and national coordination against terrorism is likely to be undermined.

It is worth noting that – in response to recommendations from the Aviation Security Advisory Committee – Transport Canada says it is working on the development of enhanced training standards and procedures for airport police, consulting with a variety of stakeholders regarding policing required for airport security and reviewing policing needs at airports generally.

The Committee recognizes that many types of policing are necessary at a large international airport: supervision of the parking area, prevention of crime in the public areas of the airport, patrolling check-in points, interdicting drugs, supporting Customs and Immigration personnel, to name a few.

But a confusing matrix of jurisdictions, priorities and egos may not be in the interests of improving security at Canada's airports. The federal government needs to bring clarity to the issue of security policing. At a minimum it must create a common standard of policing at major airports across the country.

**The Committee believes that all policing, relating to the security of passengers, cargo and aircraft should be put under the jurisdiction of the RCMP, at all airports, with the capacity to contract out some services.**

### **Other testimony the Committee heard with regard to policing at Canada's airports:**

**Inspector Sam Landry, Officer in Charge of the Toronto Airport Detachment, Royal Canadian Mounted Police, June 24:** "Criminal organizations have penetrated many legitimate businesses throughout Canada to further their criminal enterprises. This trend is no different at Toronto's Pearson airport. The ability to move contraband undetected through the airport is essential to the success of their criminal activities . . . The primary concern to all of us is the criminal activity we have identified at Toronto airport that is linked to criminal organizations such as traditional organized crime, Eastern European-based organized crime, Asian-

based organized crime and outlaw motorcycle gangs. We have also uncovered cells of individuals involved in illegal activity who are working with their counterparts in other countries.”

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada, Nov. 27, 2002:** “...there is a need to extend police presence beyond current arrangements. Canada’s major international airports already have police on site. There are other Canadian airports where the requirement for police presence is being considered. Transport Canada is working with CATSA and the Canadian Airports Council to move forward on this issue...”

**Witness 1, a former intelligence supervisor with a police force, June 24, 2002:** “There is an element of empire building going on around Pearson. There is a joint investigative unit at the airport. The Toronto Police, Peel Regional Police, so forth are there. It is just a thing in law enforcement that should not occur, that there should be a sharing of intelligence information involving the various intelligence agencies.”

**Iain Fernie, Regional Security Operations Manager, Air Canada, June 24, 2002:** "We assess every police request. I would say that, in most cases, we fully cooperate with the authorities."

**Sen. Banks:** "Does that include putting into place an undercover person posing as an Air Canada employee. Has that happened?"

**Mr. Fernie:** "It has happened in the past, yes, sir."

**Sen. Kenny:** "We have received sworn testimony to the effect that requests made by police services to the human resources department at Air Canada have been turned down."

(LATER) "In your experience have those requests been turned down, sir?"

**Mr. Fernie:** "Some have, yes, sir."

**Sen. Forrestall:** "Why?"

**Mr. Fernie:** "That decision was based on our assessment of the situation. Depending on the situation, we either cooperate or we do not. In most cases, if not all cases, we fully cooperate with the police. In some cases, the police do not have a knowledge of the airport environment. We are there to educate them with respect of the airport environment. In some cases, after we subjected them to our assessment, they decided not to go that route."

**Sen. Kenny:** "They decided, or were turned down by Air Canada?"

**Mr. Fernie:** "Either way. They decided, or we turned it down."

**A little more than a week later Robert Milton, CEO of Air Canada, was quoted in the *National Post* (August 2, 2002) as saying that allegations that Air Canada has refused to take part in the police infiltration of its cargo workers to root out a group of organized criminals was "sheer and utter nonsense."**

*Right!*



**To deal with the problems outlined in Section VII,  
THE COMMITTEE RECOMMENDS:**

**VII.1 All airport policing directly related to air travel security be removed from the airport authorities and assigned exclusively to the RCMP under contract to CATSA.**

**VII.2 Local police forces and security guards contracted by airport authorities be responsible for criminal offences that are not related to air travel security.**





## VIII. Improving the Governance of Canada's Airways

The Committee is concerned that authority over air travel is wide and vague. Jurisdictions and mandates among various government agencies, police forces and airport authorities present a more tangled web than what is needed to focus on creating not just an efficient and prosperous industry, but also a safe industry. Those responsible for safety within the industry should have a distinct mandate, clear authority, and the will to create and implement successful policy.

**A maze-like matrix of departments, agencies and corporations hold responsibilities for security at Canadian airports, and there is a fuzzy Alphonse-and-Gaston relationship between the public and private sector as to who will be responsible if security all goes haywire.**

Take the example of who is responsible for the security of mail.

- The airlines are said to be responsible for the cargo they decide to carry – including mail.
- But they are not required to screen mail, because Transport Canada has told them that they can instead get written assurances from Canada Post for each mail delivery, assuring them that Transport Canada protocols have been followed by Canada Post for assuring that the mail is safe.

- Except that Transport Canada will not tell anybody what those protocols are, in the name of national security.
- And while they apparently introduced some new protocols last year, one Transport Canada witness told us last summer that they had not yet had a chance to audit Canada Post to ensure that the protocols are being followed.
- And, in truth, all this is academic, because the Committee was told that Canada Post does not really scrutinize the mail, other than to have its “experienced” employees, who presumably do not have x-ray vision, glance at it on the way by.
- And, even though Canadian airports are expected within the next three years to have equipment in place to inspect passenger baggage for explosive devices, a Canada Post executive assured us that there is no equipment capable of screening the high volume of mail that flows through Canada Post for contents that might endanger an aircraft.

If it is not possible to screen all the mail at Canada Post, the equipment is surely available to screen for the less than 15% of mail that goes out on passenger flights. But there are no plans in the works to do this.

## The Shell Game

Who is responsible for ensuring that mailed items don't blow up passenger airliners within Canada's jurisdiction? Is the answer under the Air Canada shell? The Canada Post shell? The Transport Canada shell? Or the new CATSA shell? Or, as appears to be the case at the moment, both all and none of the above.

**On Nov. 4, 2002, Capt. Matt Sheehy, Chairman of the Security Committee for the Air Canada Pilots Association,** blamed Transport Canada's decision to devolve responsibility for running airports from itself in 1996, turning most of the reins over to the private sector while maintaining the right to issue guidelines and directives and to audit to ensure that they were being met:

“...The devolution of authority that took place in 1996 was primarily driven by an economic initiative . . . a lot of the day-to-day operations of the airports were handed down to the local airport authorities . . . it functioned to a certain degree. It certainly supplied the economic part of it.

However, since 9/11, the whole landscape of the world has changed, and the aviation security certainly has changed dramatically. We are going to make a suggestion to the Senate committee . . . we are going

to ask you to turn the Titanic around because we sincerely believe that the model that we are trying to work with right now is dysfunctional. It might have been able to get through the day before 9/11, but as it stands today, it is not working . . . the Titanic is a pretty big ship, and it has a lot of momentum right now and it may be rudderless. Somebody is going to have to volunteer to get down there and put a rudder back on.”

**The corporation owner we interviewed on June 24, *in camera*** (who has an extensive background as an aircraft charter operator and a pilot, and is on the boards of several aircraft companies) is a bit more cynical:

“There is a huge amount of money for everyone if the public is placated and huge losses if people believe that anything bad might happen... People get on the charters and go off . . . for holidays. Business continues to be done. Freight forwarders continue to do their work. Canada Post gets their stuff in the airplanes. Everyone makes money selling fuel and it is all predicated on an illusion. In one sense, we know it is not safe; but the part that is not illusory is that everybody is making money; we are all making money. If we scare the hell out of everyone, we will not make money...”

## The Role of CATSA

In response to the events of September 11, the federal government established the Canadian Air Transport Security Authority (CATSA) on April 1, 2002 as a non-profit Crown Corporation reporting to Parliament through the Minister of Transport, with a mandate to deliver screening services at 89 designated airports. CATSA was also given responsibility for acquisition, deployment and maintenance of explosive detection equipment at airports, to inspect baggage, and to manage the Aircraft Protection Officers program.

On November 5<sup>th</sup>, after repeated criticism before our Committee concerning the poor quality of inspections of anybody at airports other than passengers and flight crew, the government assigned two new responsibilities to CATSA. They are:

- the implementation of an enhanced restricted area pass system for Canadian airports
- random screening (searching) of non-passengers entering restricted areas.

CATSA is mandated as the delivery agency for these security services, with Transport Canada monitoring and regulating. Witnesses told the Committee that there is still confusion regarding the roles of the various entities involved in aviation

security – especially when trying to decipher the lines of authority between CATSA and Transport Canada.

**Said Don Johnson, President, Air Canada Pilots Association, Nov. 4, 2002:** "...The component parts of aviation security are many and far-flung and require a central focal point to integrate associated measures effectively.

The formation of the Canada Air Transport Security Authority (CATSA) falls far short of this vital requirement. This agency is incapable of addressing many airborne security issues as it is primarily mandated to oversee ground screening issues. In addition, it seeks no direct input from those being protected or those legally mandated to assure airborne security, the public and the pilots respectively.

...We are certainly not getting the bang for our buck, for our 12 bucks."

(LATER) ...I think [CATSA] probably has the mandate [to give centralized leadership to national air security], but they are not taking that broad a brush stroke at it . . . They have taken a very narrow view of what their mandate is."

Despite hours of testimony from representatives of Transport Canada and CATSA as to the division of responsibilities between the two bodies, it remains unclear to the Committee

which of the two is meant to take the lead when it comes to airport security, although, in the end, most of the testimony suggests that CATSA is only meant to play a supporting role – a disappointment to many people in the industry who would like to see one national agency take charge of airport security.

Transport Canada claims it has a handle on potential wayward behaviour of private operators that have been given so much more independence under devolution – air carriers, airport authorities, freight forwarders, sky services, caterers, and the rest:

**Paul Kavanagh, Ontario Regional Director, Security and Planning, Transport Canada, June 24, 2002:** “We can levy administrative and monetary penalties. We are also authorized to suspend, issue, revoke or deny the renewal of documents of entitlement or certification, primarily on the screening point.”

Nevertheless, Transport Canada audits of these operations can be few and far between, and primarily based on the honesty these operators employ in keeping the records that the federal department requires. Suspensions and revocations appear to be more of a theoretical threat than a real one. What Transport Canada appears to be counting on was referred to in passing by

**William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada, on Dec. 2, 2002:** “Additional levers at our disposal [beyond Transport Canada's regulatory regime and potential

for enforcement] are: first, good security is good for business; and second, no airport wants Transport Canada or anyone else to suggest that they are not being responsible.”

**The Committee believes that good security is good business. The Committee also believes that it will turn out to be bad business to provide the illusion of good security at the front door, while scrimping on security at the back door. It wouldn't take many more disasters to cripple the air travel industry. All business involves risk, but the risks currently being taken in Canada's air travel industry are unacceptable.**

Airlines in Canada have been relieved of the cost of clearing passengers through security. This responsibility has been taken over by CATSA. Passengers are paying directly for their own security clearance through the \$12 air travellers security charge. So far, Canadian airlines have mainly complained about how this \$12 surcharge is dampening demand.

The airlines remain silent about the money they are saving at security gates – money that could be put into lower fares to encourage demand, or into enhanced security in other areas to restore passenger confidence. *The Committee believes that enhanced security should be a priority for all concerned, including the airlines. Good ethics are often good business.*



## The Relationship Between CATSA and Transport Canada

At times CATSA appeared to be little more than a delivery agency for Transport Canada. At other times its CEO, **Jacques Duchesneau**, seemed to see himself as the point man on airport security, as stated on November 25, 2002: "My job is to ensure that when passengers get on board they are safe. That job is a big task."

In the following exchange, Transport Canada would appear to believe it has the intelligence resources to ascertain what kind of policing should be done at Canadian airports, while CATSA does not. But CATSA seems to believe it has the ability to determine what training screeners need in the wake of September 11:

**Sen. Wiebe, Nov. 25, 2002:** "The thing that bothers me is that policy by Transport Canada says that yes, according to risk assessment there should be a certain level of policing at airports . . . Why, then, should you have to go back to the minister and ask for funding [for policing] that goes to airport B? Why do you not have the authority to make that part of your budget?"

**Mr. Baker:** "First, the intelligence issue regarding all this information rests with Transport Canada. The regulator is Transport Canada. They set the standard..."

**Sen. Wiebe:** "Do you not do the risk assessment?"

**Mr. Duchesneau:** "...We do not do any intelligence investigation . . . We are not equipped and it is not in our mandate to do that."

**Sen. Wiebe:** "When it comes to determining what level of training screeners need, is that decision made by Transport Canada or by you people?"

**Mr. Duchesneau:** "We make that decision."

**Sen. Wiebe:** "What's the difference?"

**Mr. Duchesneau:** "It is totally different. We have the means to do training. We know exactly what our standing and operating procedures are, so we train people accordingly. However, when it is time to make a threat assessment, we need intelligence to do that. It is not in our mandate to do intelligence."

Moments later, **Sen. Cordy** asked **Mr. Duchesneau**, "What do you expect the challenges to be for CATSA in the years to come?" His response was quick: "Always being one step ahead of people who have bad intentions."

With respect, the Committee believes that CATSA, as an arm's length security agency, will have a hard time staying one step ahead of people with bad intentions if it does not have an intelligence component. And if it does not have an intelligence component, why is it training airport personnel? Surely security training is *based* on intelligence.

During the appearance of CATSA witnesses the Committee was not able to clarify how the agency is involved in setting the standards and auditing the new restricted area pass system for the screening of non-passengers at airports. Will CATSA design the new pass system? Or will committees at Transport Canada?

## Turf Wars over Security

There also appears to be a split in authority at Transport Canada on the security file. **William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada**, acknowledged that two branches – security and civil aviation – both have some measure of jurisdiction for training flight and cabin crews, an area in which the Committee heard vocal complaints about the fact that no new security training is supposed to come on stream until the summer of 2003 – nearly two years after September 11, 2001. Mr. Elliott denied that there is any “turf war” between the two directorates, but **Richard Balnis, Senior Research Officer at CUPE**, begged to differ in testimony on **Nov. 18 2002**. He said following the introduction of armed APOs in passenger cabins, flight crews anxiously petitioned Transport Canada for training on how to deal with this new situation.

“ . . . we literally had one [Transport Canada] director general for security and the other [Transport Canada] director general for civil aviation within about two hours on the phone saying ‘He is not supposed to be doing it. I am supposed to be doing it,’ and vice versa, and at the end of the day, we said ‘Come on, guys. We need the procedures.’”

More than a year later, the procedures have still not arrived. Confusion regarding direction over airport security goes beyond any divisions at Transport Canada, and beyond any

division of responsibility between Transport Canada and CATSA. It exists at the airports themselves. As noted earlier, **Inspector Sam Landry, head of the RCMP contingent at Pearson International Airport**, sent the Committee a list of 56 different entities that have some security responsibilities at the airport. [Appendix V].

Responsibilities among airlines, airport authorities, various police forces, Canada Post, the Canada Customs and Revenue Agency and many others are not only unclear to outsiders, but are sometimes unclear to the players themselves. It is not surprising that, on several occasions, the Committee was told that responsibility for a particular dimension of security belonged to another agency, only to have this denied by that agency in later testimony. **The Committee never did find out who is in charge of an aircraft when an armed APO is on board.** We presume that the pilot is. But nobody told us for sure.

On Nov. 4, 2002, **Chuck Wilmink, a consultant and formerly Corporate Security Manager for Canadian Airlines**, gave the Committee a good example of how divided responsibility could lead to a serious security breach. There are two areas of security at the airport. Air carriers and now the Canadian Air Transport Security Authority (CATSA) are responsible for the passenger screening area, while the airport authority is responsible for airport site security. One night when Wilmink was a manager at Vancouver Airport he accidentally set off an alarm at one of the passenger screening doors in the international terminal. He waited for half an hour for security to show up, but when they

did not, continued with his audit. Three hours later, that alarm was still sounding.

The next day he raised the issue with airport security. They said it was not their responsibility to answer that alarm because the airlines are in charge of the passenger gates. But the airlines share the gates that they use for ninety minutes at a time. Otherwise there is no one at the gate. On the night in question there had not been any airline staff at the gate and hence no one to report the alarm or to respond to it. Thus, says Mr. Wilmink, "that conflict, 'it is your responsibility, no, it is yours', leads to big holes, big gaps. If you put them together in one group, it would be a lot better."

While divisions of responsibility are inevitable, the Committee believes that there should be one central agency with overall responsibility for all aviation security issues. There are a lot of links in a security fence. Somebody has to ensure that they are strong enough, and coordinated enough, to protect the territory in an emergency.

The answers the Committee received to the following questions -- when answers were forthcoming -- were often fuzzy.

- Who is in charge of an aircraft during a terrorist incident -- the Captain or the APO(s)?
- If the aircraft is still on the ground who would be in charge during a hostage taking incident -- the captain, the APOs, the RCMP or the police of local jurisdiction?

- When a passenger checks in, who has jurisdiction re: determining whether or not the passenger could be a problem -- the ticket agent who works for an airline or the police responsible for airport security?
- Who has the ultimate responsibility for ensuring that cargo (including parcels and mail) is properly searched before it enters an aircraft -- the airline, Canada Post, the freight forwarder, Transport Canada, or CATSA?
- Who is responsible for airport perimeter security -- the airport authority, the local police force, or Transport Canada?
- In an airport, who has ultimate responsibility for security -- the airport authority and its contract police and security guards, the local Transport Canada officials, or CATSA?

Canada needs a single entity with overall managerial responsibility for aviation security that can implement a national system to be consistently applied and administered. *It does not have one.* The Committee will continue to monitor the issue of defining lines of clear authority in the interests of more effective aviation security.

**Other testimony the Committee heard on the issue of governance:**

**Captain Matt Sheehy, Chairman, Security Committee, Air Canada Pilots Association, Nov. 4, 2002:** "...(CATSA is) not giving any direction to the air marshal program, so far as we know. All they are doing is taking care of the cost structure and the accounting aspects of paying for it . . .

...Transport Canada has now created another bureaucracy to separate them from the issues at hand.

... What you have now is eight or nine different entities across the country all basically controlling national security. To me that is wrong.

I believe that aviation security is a national security issue, and it should not be in the hands of the local airport authorities. They have a role to play, certainly, but it boggles my mind to think that they'll be dictating national security issues for all Canadians."



**To deal with the problems outlined in Section VIII,**

**THE COMMITTEE RECOMMENDS:**

**VIII.1 Transport Canada should continue to be responsible for the development of policy and standards for aircraft and airport security and should be responsible for verification that security policies are being implemented to its standards by CATSA, airport authorities, airlines, and police or other security personnel;**

**VIII.2 CATSA should be responsible for the design and delivery of all mechanisms and training to assure air travel security, including the management and security screening of the restricted areas of the airport and the security screening of all persons and things boarding aircraft in Canada.**

**VIII.3 National standards be effectively and consistently implemented. CATSA should develop an intelligence capability in order to effectively carry out its responsibilities.**

**VIII.4 CATSA should be given the authority to contract the RCMP to supervise all policing at airports as it relates to passenger, cargo, aircraft and airside security.**

**VIII.5 The Auditor General of Canada should conduct audits – including value for money audits – of security expenditures both by the federal government and airport authorities (the Minister of Transport should make this possible through new legislation.)**



## IX. Assuring Financial Accountability

Both the Committee and Auditor General Sheila Fraser are concerned that the financial regimes of both the Canadian Air Transport Security Authority (CATSA) and the airport authorities are preventing the public from knowing how much of the air travellers security charge is spent at each airport by CATSA and other departments and agencies, as well as how much each Airport authority is spending on security.

There is a distressing lack of transparency between airport authorities and the travelling public. Questions arise as to what is being done with money raised through security taxes and airport improvement taxes, and how funds raised may or may not be being diverted into other areas – including business ventures such as offshore subsidiaries – that may have nothing to do with serving the Canadian public.

The Committee believes that sufficient information should be made public to show consumers what value they are getting for the \$12 air travellers security charge.

The Committee has been frustrated in attempting to determine how much is being spent on aviation security, by whom and for what. There are two broad areas of concern here. First, how much of the incremental expenditures are covered by the \$12 surcharge? Is \$12 not enough, just right, or excessive? Second,

how are local airport authorities allotted their share of security money, and how do we know where it is spent?

**William Elliott, Assistant Deputy Minister, Transport Canada**, on Dec. 2, 2002, did tell the Committee: "...The government has stated that its intention is to match revenues and expenditures – match revenues from the air travellers' security charge with expenditures relating to [incremental security]... The government has also undertaken to do an annual review of those revenues and expenditures. The first such review is currently underway. The Auditor General has been asked to examine the revenues and the expenditures to provide assurances to Canadians that in fact there will be a balance between them."

Both **Mr. Duchesneau, the CEO of CATSA, and Transport Minister Collenette** pointed out that CATSA is funded through the Consolidated Revenue Fund (CRF) – the \$12 air travellers security charge is not designated, as such, for security improvements – so neither felt they could match revenues against expenditures. Both said they were simply "spenders," rather than "collector/spenders."

**Minister Collenette** did say that the Auditor General would be able to assess whether \$12 per departure is too much given expenditures on improved security, and whether new funds for security are being appropriately spent.

However, when **Auditor General Sheila Fraser** testified before the Committee on **Nov. 18, 2002**, she was considerably less optimistic that such a definitive accounting would ever be possible. She explained that the fee is collected by the Canada Customs and Revenue Agency from the air carriers, and deposited in the Consolidated Revenue Fund with most, but not all, expenditures made by CATSA.

In order to get a clear picture regarding the balances between funds collected and disbursed, Ms. Fraser said that she would require a statement from the Department of Finance clearly showing the revenues collected and disbursed from the Consolidated Revenue Fund, as well as a statement by CATSA delineating its expenditures.

Ms. Fraser said that the Department of Finance was attempting to prepare such a statement, and had asked the Auditor General's Department to audit it, which it intends to do over the next few months.

How much will this audit really show? The Auditor General is in negotiations with CATSA as to the level of detail the agency should provide on its financial statements. She has some concern that the specific data offered with regard to expenses will not be sufficient to ensure a sound value-for-money audit. CATSA, in any event, will only be able to account for the money it spent, not the total disposition of the \$12 fee.

**The federal government must demonstrate to Canadians that the money that it is collecting from Canadians for**

**incremental air passenger security is in fact being wisely used on improved air passenger security.**

Will the auditors be able to determine what is incremental, versus what was being spent before that date? The Committee received no assurances that any breakdown will be given of how much has been collected by each airport in taxes, and how much is being spent on incremental security at each airport, by category. The Auditor General told us she was not satisfied that CATSA has been organizing its books so it will be able to provide this kind of information.

She was also concerned that the time lag between the point that the funds were collected, to the point when they were spent, may make it impossible to arrive at a conclusive assessment of whether the \$12 fee was totally and appropriately spent.

## **What are Local Airport Authorities Spending on Security?**

Our second concern is that the Auditor General has no right to audit local airport authorities on how much they are spending on security. Ms. Fraser told us these authorities are private corporations, beyond her reach. She expressed concern about the way airport authorities collected and spent their funds (quite apart from security issues), on their financial viability, on the debt load some were carrying, and on their offshore

subsidiaries. However she pointed out that, for those airport authorities that rent their premises from Transport Canada, as a condition of the lease agreements Transport Canada has the right to audit the airport authorities. She did not, she said, feel that Transport Canada was exercising this right as diligently as they should, and pointed out that in any event the lease agreements as they currently stood provided for no penalties should any such audit show serious security deficiencies.

**Auditor General Sheila Fraser, Nov. 18, 2002:**

“...Transport Canada should be actively managing those leases. One of the issues that we mentioned at the time was that they had not fully transformed from an operating department into one that was managing the leases adequately. They needed to do more work on insuring that the lease conditions were being respected and in finding out what was happening in things like subsidiaries and contracting, but we have not yet gone back to see what improvements have been made since then.”

**Shahid Minto, Assistant Auditor General**

**(Citizenship and Immigration), Nov. 18, 2002:** “When we did our audit in 2000, we pointed out to Transport Canada that, although they are no longer running the airports, they are the landlord with a lease, with which comes certain obligations. They also have obligations for the security and viability of the airport system. Under that, there are some things they should know.

The problem was at that time, The Department of Transport had not thought of most of these issues. They were so busy divesting themselves of the airports that they had not prepared themselves for the next phase.

In response to the Public Accounts Committee, they have said that they are trying to do more active monitoring. I have no idea what that means. When we go back to do our follow-up we will find out."

For its part, Transport Canada claimed that audits of airport authorities were regularly done. However, to the best of the Committee's knowledge, such audits related only to the receipt of rent owed to Transport Canada at the half dozen airports where facilities are rented, as well as the appropriate expenditure of policing funds given to the authorities by CATSA on Transport Canada's instruction.

In short, *there is no existing method of determining whether the airport authorities are spending appropriate amounts on security*. Nor can we determine whether these amounts increased, or decreased, subsequent to September 11, 2001. However the dramatic reduction in the number of police officers on site at Pearson International over recent years sends a worrying signal in this regard.

The Committee heard testimony that there have been occasions at Pearson Airport when entire plane loads of passengers



arriving from outside Canada have been directed through open doors into the general population without the benefit of a Customs or Immigration inspection. Customs officers only became aware of the security lapse when the passengers tried to force their way back into the Customs hall to reclaim their baggage. Somebody - the airlines, the airport authority, Transport Canada, customs and immigration officials, police - should be making sure these kinds of things don't happen, which may require spending a little money.

The refusal of Louis A. Turpen, President and Chief Executive Officer of the Greater Toronto Airports Authority (GTAA), to appear before the Committee to discuss these kinds of issues did not send an encouraging signal.

The Committee believes that the Canadian taxpayer has a right to know how its taxes are being spent – all the more so when a specific tax for a specific purpose is assessed. In this regard we regret the Government's decision to assign the proceeds of the \$12 air travellers security charge to the Consolidated Revenue Fund, where its entry into the vast morass of government funding makes it more difficult to track.

It is our belief that even where security funds are not taxpayers' dollars – as in the case of the "improvement fees" charged by the airport authorities – the travelling Canadian public has a right to know whether money collected is being spent for the purposes being claimed.

The Committee expects – and Canadians will demand – that the federal government will address these issues in the coming months.

## **To deal with the issues raised in Section IX,**

### **THE COMMITTEE RECOMMENDS:**

**IX.1 The Government of Canada detail how much money is being collected from the \$12 air travellers security charge – better known as the departure tax – and from which airports;**

**IX.2. The Government of Canada account for how much of the \$12 air travellers security charge, is being spent by CATSA, and how much is being spent by other departments and agencies and how much is being spent at each airport and for what;**

**IX.3 That CATSA fully report the amounts that it is spending on its internal administration and report annually how much it has spent at each airport for: passenger screening, mail and cargo screening, airside searching of non-passengers, policing; and**

**IX.4 That the Government of Canada introduce legislation providing the Auditor General of Canada with the power to audit each airport authority for accuracy, and value received for all security revenues and expenditures made by the authority, which would complement ongoing auditing and supervision by Transport Canada of security expenditures by airport authorities.**



## **X. The Need for a New Transparency**

The Committee expresses its sincere thanks to the many witnesses who provided testimony during our hearings. Many private individuals, unions, academics and government officials volunteered or gave willingly of their time and knowledge and, in so doing, showed a genuine concern for the safety of air travel in this country. The Committee is grateful to the more candid witnesses who came before it. If much of the forthright testimony we heard came from people who actually work at airports and on passenger aircraft – rather than those responsible for maintaining appearances and defending the system – it is also fair to say that some senior government and corporate officials were at least more frank than others about what needs to change. Much of the testimony we heard showed a genuine concern that air travellers in Canada be offered genuine security in the air, rather than the pretense of security.

However, the Committee was often dismayed and disappointed at attempts by many senior officials from both government and the private sector, to suggest that it is not in the public interest to talk about security weaknesses that need to be addressed quickly, and are clearly not being addressed quickly. This manifested itself in refusal by some witnesses to answer questions put by the Committee, refusal of some organizations to deliver witnesses knowledgeable on security issues, and in some cases outright refusal of at least one organization, the Greater Toronto Airport Authority – and its contractee, Peel Regional Police – to appear at all.

## **Responsible Government is Predicated On the Public's Right to Know**

Parliamentarians understand balance. The Parliament of Canada has helped create what is possibly the most balanced society in the world – a place where freedom and knowledge go hand in hand with responsibility. The future of Canadian democracy depends on being open with the people unless there is some clear reason why openness would endanger our society. In this case, the senators sitting on this Committee, with broad collective experience in the law, in governance, and the needs of the Canadian people, determined that openness on these issues could only make Canadians more secure.

There can be no acceptable rationale for refusing to participate in discussing public security before the Parliament of Canada – particularly when potentially fatal flaws in the public security system are being discussed in coffee shops every day by the tens of thousands of airport and airline workers who know all too well that they exist.

## **Honest People Came Forward**

The Committee has the right of subpoena to both summon witnesses and to insist that they answer questions truthfully. We did not choose to subpoena. Instead we went looking for alternate witnesses who we thought would be caring and candid about discussing real problems and how to solve them.

We certainly found those witnesses – particularly with respect to the failures at Pearson International Airport. No testimony was more damning concerning the illusion of security versus the reality of security than the testimony we heard on the gaps in security at Pearson.

To those witnesses who clearly believed that authority cannot be honourably exercised unless the people over whom it is exercised are provided with the evidence to assess whether it is being wisely exercised, the Committee extends its gratitude and admiration.

In the interests of the public of Canada – particularly air travellers in this country – we sincerely hope that those with the power to rid airports and aircraft of the security flaws that we have outlined in this report take our words seriously, and get on with the job at hand. The people should move quickly, before any of us are forced to raise our eyes to more tragedy falling from our skies.

It would be laughable – if it were not so sad – that Air Canada officials refused to answer the simple question of what airport clerks do, when they are receiving parcels that will go on passenger planes, to assure that those parcels are not dangerous. They would not answer the question for a committee of Parliament – despite the fact

that the laws of this country clearly show that they *must* answer such questions – when any courier who has ever delivered a parcel to an airport knows the answer to that question.

We chose not to force this issue, partially because it would have delayed the Committee's work, and we feel there is an urgency to prod all those responsible for security in the air passenger industry to get on with the job of improving security that is clearly inferior to what passengers need, and are paying for.

It is rare – either in the world of bureaucracy or the world of private profit – that reforms are made in the public interest until the public knows the truth about how it is being treated. Those persons who refused to be candid with our Committee were not being protective of the public. They were being protective of themselves, and their own vested interests.

In the interests of the public of Canada – particularly air travellers in this country – we hope that those with the power to rid airports and aircraft of the security flaws that we have outlined in this report take the report seriously, and get on with the job. Quickly, before more people are victimized.



**To deal with the issues raised in Section X,**

**THE COMMITTEE RECOMMENDS:**

**X.1 The federal government should design and implement air travel security measures that provide transparency and full financial accountability to the Canadian public.**

**X.2 Airport authorities and the airlines must recognize that security of air travel is the public's business and be forthright in explaining the measures they are taking to protect against terrorist or criminal activity, on the ground, and in the air.**



## RECOMMENDATIONS

### Section I

**I.1 Transport Canada should, by March 31, 2003, finalize and issue training standards programs to equip cabin crews to deal with terrorists and/or terrorist materials. All flight crews should have completed training by September 30, 2003.**

**I.2 The Canada Customs and Revenue Agency and Immigration Canada should, by June 30, 2003, offer substantive evidence to the Committee that they have addressed the Auditor General's recommendations to improve training that will help airport personnel identify persons "likely to engage in criminal activities or endanger the safety of Canadians." They should also demonstrate that they have made arrangements to gain access to police databanks that would assist in such identification, and have provided their employees with the training and technology required to take advantage of these databanks.**

**I.3 Transport Canada should, by September 30, 2003, ensure that all Canadian passenger airlines are providing training courses to maintenance personnel and other personnel working in proximity to aircraft to help them identify potentially dangerous situations and materials.**

### Section II

**II.1 All flight crew should be informed when an Aircraft Protective Officer (APO) is on board.**

**II.2 Transport Canada should, by June 30, 2003, require design completion of a double door system or systems to protect cockpits, and order air carriers to complete the installation of such systems by December 31, 2004.**

**II.3 APOs should be instructed by the RCMP to be prepared to intervene in violent disruptions in passenger cabins, and certainly be prepared to intervene if crew or passengers' lives are threatened, and not necessarily to restrain themselves until the very moment that any assault is launched on the cockpit.**

**II.4 Pilots should not be armed.**

### **Section III**

**III.1 Dedicated and trained personnel should immediately begin carrying out random and targeted screening of all checked baggage, parcels, mailbags, and cargo.**

**III.2 CATSA should implement full multi-layer screening (vapour detection supplemented by x-rays and other kinds of searches) of all checked baggage, mailbags and cargo by January 1, 2004.**

**III.3 The practice of offering blanket security shortcuts on the basis of being a "known shipper" shipping by air carrier should be discontinued. The Committee encourages the development of a protocol for shippers based on their known reliability, similar to the one currently being introduced under the Smart Borders arrangement with the United States.**

**III.4 People, cargo and aircraft coming from small airports without sophisticating screening systems should receive a full screening when they arrive at an airport under CATSA's jurisdiction.**

## **Section IV**

**IV. 1 CATSA should issue national passes for air crew and all other persons who fall more naturally under a national, rather than a regional, jurisdiction. If local airport authorities are permitted to continue to issue passes allowing access to restricted areas at their airports, these local passes should be**

- **Of national, uniform design, based on national configurations defined by the Canadian Air Transport Security Association,**
- **Cancelable by CATSA**
- **Validated through CATSA's national database.**

**IV.2 All Canadian airports, by December 31, 2003, should introduce new electronic airside access passes, containing biometric identifiers, that**

- **Are encoded to prevent access to zones beyond any employee's work area**
- **Expire automatically after three years**
- **Can be deactivated by a central control mechanism at any time**

**IV. 3 CATSA should be the issuing authority for passes for all employees, contract workers, other personnel and vehicles permitted airside access.**

**IV. 4 CATSA should be responsible for assuring that these persons and vehicles are physically searched on entry to restricted areas at Canada's airports. Persons and vehicles leaving those areas should**

**be searched on a random basis, with provision for more extensive exit searches whenever extraordinary threats are perceived.**

**IV. 5 The current 5-point background check for restricted area passes: Canada Police Information Centre (for criminal record), CSIS (for potential security threats), and Transport Canada (domicile, employment background and credit records) should be conducted every three years, replacing the current schedule of every five years.**

## **Section V**

*(This Recommendation repeated from Section IV)*

**IV. 4 CATSA should be responsible for assuring that these persons and vehicles are physically searched on entry to restricted areas at Canada's airports. Persons and vehicles leaving those areas should be searched on a random basis, with provision for more extensive exit searches whenever extraordinary threats are perceived.**

*This Recommendation Repeated from Section IV)*

**IV. 5 The current 5-point background check for restricted area passes: Canada Police Information Centre (for criminal record), CSIS (for potential security threats), and Transport Canada (domicile, employment background and credit records) should be conducted every three years, replacing the current schedule of every five years.**

*(This is a New Recommendation Contained Only in Section V)*

**V. 1 Transport Canada should require that private aircraft departing airports under CATSA's supervision should not leave until aircraft, passengers and their baggage have been screened.**

**Private aircraft departing from any air facility not supervised by CATSA should be searched on arrival, whether they arrive from private air fields in Canada or any locations in foreign countries in order to ensure the integrity of security at Canadian airports.**

## **Section VI**

**No recommendations at this time.**

## **Section VII**

**VII.1 All airport policing directly related to air travel security be removed from the airport authorities and assigned exclusively to the RCMP under contract to CATSA.**

**VII.2 Local police forces and security guards contracted by airport authorities be responsible for criminal offences that are not related to air travel security.**

## **Section VIII**

**VIII.1 Transport Canada should continue to be responsible for the development of policy and standards for aircraft and airport security and should be responsible for verification that security policies are being implemented to its standards by CATSA, airport authorities, airlines, and police or other security personnel;**

**VIII.2 CATSA should be responsible for the design and delivery of all mechanisms and training to assure air travel security, including the management and security screening of the restricted areas of the airport and the security screening of all persons and things boarding aircraft in Canada.**

**VIII.3 National standards be effectively and consistently implemented. CATSA should develop an intelligence capability in order to effectively carry out its responsibilities.**

**VIII.4 CATSA should be given the authority to contract the RCMP to supervise all policing at airports as it relates to passenger, cargo, aircraft and airside security.**

**VIII.5 The Auditor General of Canada should conduct audits – including value for money audits – of security expenditures both by the federal government and airport authorities (the Minister of Transport should make this possible through new legislation.)**

## **Section IX**

**IX.1 The Government of Canada detail how much money is being collected from the \$12 air travellers security charge – better known as the departure tax – and from which airports;**

**IX.2. The Government of Canada account for how much of the \$12 air travellers security charge, is being spent by CATSA, and how much is being spent by other departments and agencies and how much is being spent at each airport and for what;**

**IX.3 That CATSA fully report the amounts that it is spending on its internal administration and report annually how much it has spent at each airport for: passenger screening, mail and cargo screening, airside searching of non-passengers, policing; and**



**IX.4 That the Government of Canada introduce legislation providing the Auditor General of Canada with the power to audit each airport authority for accuracy, and value received for all security revenues and expenditures made by the authority, which would complement ongoing auditing and supervision by Transport Canada of security expenditures by airport authorities.**

## **Section X**

**X.1 The federal government should design and implement air travel security measures that provide transparency and full financial accountability to the Canadian public.**

**X.2 Airport authorities and the airlines must recognize that security of air travel is the public's business and be forthright in explaining the measures they are taking to protect against terrorist or criminal activity, on the ground, and in the air.**



## ORDER OF REFERENCE

Extract of the *Journals of the Senate*, Wednesday, October 30, 2002:

The Honourable Senator Kenny moved, seconded by the Honourable Senator Losier-Cool:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the need for a national security policy for Canada. In particular, the Committee shall be authorized to examine:

(a) the capability of the Department of National Defence to defend and protect the interests, people and territory of Canada and its ability to respond to or prevent a national emergency or attack;

(b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information and how these functions might be enhanced;

(c) the mechanisms to review the performance and activities of the various agencies involved in intelligence gathering; and

(d) the security of our borders.

That the papers and evidence received and taken during the First Session of the Thirty-seventh Parliament be referred to the Committee;

That the Committee report to the Senate no later than February 28, 2004, and that the Committee retain all powers necessary to publicize the findings of the Committee until March 31, 2004.

After debate,

APPENDIX I  
ORDER OF REFERENCE

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With leave of the Senate and pursuant to Rule 30, the French version of the motion was modified in paragraph (b) to read as follows:

“b) les relations entre les divers organismes participant à la collecte de renseignements, comment ils recueillent, colligent, analysent et diffusent ces renseignements, et comment ces fonctions pourraient être améliorées;”.

After debate,

The question being put on the motion, as modified, it was adopted.

Paul C. Bélisle

*Clerk of the Senate*

## **APPENDIX II**

### **WHO THE COMMITTEE HEARD FROM**

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## **WHO THE COMMITTEE HEARD FROM**

**Audcent**, Mr. Mark, Law Clerk (December 2, 2002)

**Baker**, Mr. Mike, Vice-President, Corporate Management, Canadian Air Transport Security Authority (November 25, 2002)

**Balnis**, Mr. Richard, Canadian Union of Public Employees (CUPE) Senior Research Officer (November 18, 2002)

**Barrette**, Jean, Director Security Operations, Safety and Security Group, Transport Canada (November 27, 2002; December 2, 2002)

**Begley**, Inspector Jim, Federal Policing Service, Vancouver International Airport, RCMP (November 2001)

**Bonnell**, Mr. R.J. (Ray), Superintendent Officer in Charge, Protective Services Branch, Royal Canadian Mounted Police (RCMP) (December 2, 2002)

**Bramah**, Mr. Brian, Regional Director, Security and Emergency Preparedness, Transport Canada (November 2001)

**Bullock**, Ms Margaret, Manager, Security Awareness, Policy and regulations, Corporate Security, Air Canada (November 2001)

**Castonguay**, Staff Sergeant Charles, RCMP (November 2001)

**Clapham**, Superintendent Ward D., RCMP, Richmond Detachment (November 2001)

**Collenette**, The Honourable David Michael, Minister of Transport (December 2, 2002)

**Cooper**, First Officer Russ, Toronto Representative, Security Committee, Air Canada Pilots Association (November 4, 2002)

**Deemert**, Mr. Rob, Cabin Security, International Association of Machinists and Aerospace Workers (August 15, 2002)

## **APPENDIX II**

### **WHO THE COMMITTEE HEARD FROM**

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**Devlin**, Mr. Bill, Manager Hub Development, Air Canada  
(November 2001)

**Duchesneau**, Mr. Jacques, President and Chief Executive Officer,  
Canadian Air Transport Security Authority (November 25,  
2002)

**Duncan**, Mr. Mark, Vice-President, Operations, Canadian Air  
Transport Security Authority (November 25, 2002)

**Duquay**, Mr. Yves, Senior Director, Corporate Security Risk  
Management, Air Canada (November 2001)

**Elliott**, Mr. William, Assistant Deputy Minister, Safety and Security  
Group, Transport Canada (November 27, 2002; December 2,  
2002)

**Enger**, Inspector Tonia, Operations Officer, RCMP, Richmond  
Detachment (November 2001)

**Fernie**, Mr. Iain, Regional Security operations Manager, Air Canada  
(June 24, 2002)

**Flagel**, Mr. Brian, Customs Border services, Canada Customs and  
Revenue Agency (November 2001)

**Fleshman**, Mr. Larry, General Manager, Customer Service, (Pearson  
Airport), Air Canada (June 24, 2002)

**Fraser**, Ms. Sheila, Auditor General of Canada (November 18, 2002)

**Goupil**, Mr. Pierre, Commanding Inspector, Sûreté du Québec  
(November 2001)

**Hebert**, Ms. Barbara, Regional Director, Customs, Greater Toronto  
Area Division, Canada Customs and Revenue Agency  
(June 24, 2002)

**Jenkins**, Ms. Wilma, Director, Immigration Services, Citizenship and  
Immigration Canada (June 24, 2002)

## **APPENDIX II**

### **WHO THE COMMITTEE HEARD FROM**

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**Johns**, Mr. Fred, General Manager, Logistics and Processing Strategies, Canada Post (August 15, 2002)

**Johnson**, Captain Don, President, Air Canada Pilots Association (November 4, 2002)

**Kasurak**, Mr. Peter, Principal Office of the Auditor General (November 18, 2002)

**Kavanaugh**, Mr. Paul, Regional Director, Security and Emergency Planning, Transport Canada (June 24, 2002)

**Laflamme**, Mr. Art, Senior Representative, Air Line Pilots Association, International (August 14, 2002)

**Landry**, Inspector Sam, Officer in Charge, Toronto Airport Detachment, RCMP (June 24, 2002)

**Lefebvre**, Mr. Paul, President Local 2323, International Association of Machinists and Aerospace Workers (August 15, 2002)

**Loeppky**, Mr. Garry, Deputy Commissioner Operations, Royal Canadian Mounted Police (RCMP) (December 2, 2002)

**Luloff**, Ms. Janet, Acting Director, Regulatory Affairs, Safety and Security Group, Transport Canada (November 27, 2002; December 2, 2002)

**Maines**, Mr. Warren, Director, Customer Service (Pearson Airport), Air Canada (June 24, 2002)

**McInenly**, Mr. Peter, Vice President, Business Alignment, Canada Post (August 15, 2002)

**McLeod**, Mr. Dave, Lead Station Attendant, International Association of Machinists and Aerospace Workers (August 15, 2002)

**Minto**, Mr. Shahid, Assistant Auditor General (November 18, 2002)

**Morency**, Mr. Andre, Regional Director General, Ontario Region, Transport Canada (June 24, 2002)

## **APPENDIX II**

### **WHO THE COMMITTEE HEARD FROM**

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**Murray**, Ms Anne, Vice President, Community and Environmental Affairs, Vancouver International Airport (November 2001)

**Nelligan**, Mr. John Patrick, Senior Partner Law Firm of Nelligan O'Brien Payne LLP (December 2, 2002)

**Neumann**, Ms Suzanne, Customs and Excise Union (November 2001)

**Pelletier**, Ms. France, Canadian Union of Public Employees (CUPE) Legislative and Regulatory Affairs, Airline Division (November 18, 2002)

**Pharand**, Mr. Pierre-Paul, Director Airport Authority (November 2002)

**Pichette**, Mr. Pierre-Paul, Assistant Director, Montreal Urban Community Police Department (November 2001)

**Pigeon**, Mr. Jean Francois, Acting Director, Security, Montreal Airport Authority (November 2001)

**Pigeon**, Mr. Jacques, General Counsel Legal Services, Department of Justice, Transport Canada (December 2, 2002)

**Quinlan**, Mr. Grant, Security Inspector, Transport Canada (June 24, 2002)

**Richmond**, Mr. Craig, Vice-President, Airport Operations, Vancouver International Airport (November 2001)

**Sheehy**, Captain Matt, Chairman, Security Committee Air Canada Pilots Association (November 4, 2002)

**Sheridan**, Mr. Norman, Director, Customs Passenger Programs, Canada Customs and Revenue Agency (June 24, 2002)

**Slater**, Ms Scenery Customs and Excise Union (November 2001)

**Spraggett**, Mr. Ernest, Director, Commercial Operations, Canada Customs and Revenue Agency (June 24, 2002)



**APPENDIX II**  
**WHO THE COMMITTEE HEARD FROM**

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**St. John**, Mr. Peter, Professor (retired), International Relations,  
University of Manitoba (November 25, 2002)

**St. Pierre**, Mr. Jaquelin, Commanding Officer, Post 5, Montreal  
Urban Community Police department (November 2001)

**Starck**, Mr. Richard, Senior Counsel, Federal Prosecution Service,  
Quebec Regional Office; Department of Justice  
(November 2001)

**Stiff**, Mr. Bob, General Manager, Corporate Security, Canada Post  
(August 15, 2002)

**Wilmink**, Mr. Chuck, Consultant (November 4, 2002)

## **APPENDIX III**

### **WHO WE SAW AND WHAT WE HEARD**

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## **WHO WE SAW AND WHAT WE HEARD**

During its study on airport security, the Committee conducted site visits at two airports, Dorval (Montreal) and Vancouver. The Committee also heard witnesses in Toronto as well as in Ottawa.

### **Fact-finding Visit to Dorval Airport (November 5, 2001)**

*Who we saw:*

- Staff Sergeant Charles Castonguay, RCMP
- Mr. Pierre-Paul Pharand, Director Airport Authority
- Mr. Jean Francois Pigeon, Acting Director, Security, Montreal Airport Authority
- Mr. Pierre-Paul Pichette, Assistant Director, Montreal Urban Community Police Department
- Mr. Jaquelin St. Pierre, Commanding Officer, Post 5, Montreal Urban Community Police department
- Mr. Pierre Goupil, Commanding Inspector, Sûreté du Québec
- Mr. Richard Starck, Senior Counsel, Federal Prosecution Service, Quebec Regional Office, Department of Justice

*What we heard:*

Equipment; Screening baggage; Organized crime; Issuing and control of passes; Governance; Emergency response procedure; Co-ordination among agencies working at the airport; Screening of airside workers; Security checks; Threat evaluation.

### **Fact-finding Visit to Vancouver Airport (November 2001)**

*Who we saw:*

- Mr. Craig Richmond, Vice-President, Airport Operations, Vancouver International Airport

### **APPENDIX III**

#### **WHO WE SAW AND WHAT WE HEARD**

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- Mr. Brian Bramah, Regional Director, Security and Emergency Preparedness, Transport Canada
- Inspector Tonia Enger, operations Officer, RCMP, Richmond Detachment
- Superintendent Ward D. Clapham, RCMP, Richmond Detachment
- Inspector Jim Begley, Federal Policing Service, Vancouver International Airport, RCMP
- Mr. Brain Flagel, Customs Border Services, Canada Customs and Revenue Agency
- Mr. Yves Duquay, Senior Director, Corporate Security Risk Management, Air Canada
- Ms Margaret Bullock, Manager, Security Awareness, Policy and Regulations, Corporate Security, Air Canada
- Mr. Bill Devlin, Manager Hub Development, Air Canada
- Ms Anne Murray, Vice President, Community and Environmental Affairs, Vancouver International Airport

#### *What we heard:*

Access to restricted areas; Pre-board screening of passengers; National standards for technology, training and screening; Issuing and checking of passes; Governance; Policing; Organized crime; Customs; Cargo; Courier parcels; Emergency preparedness; Co-ordination of various agencies.

#### **Hearing in Toronto (June 24, 2002)**

#### *Who we saw:*

- Mr. Larry Fleshman, General Manager, Customer Service, (Pearson Airport), Air Canada
- Mr. Iain Fernie, Regional Security operations Manager, Air Canada
- Mr. Warren Maines, Director, Customer Service (Pearson Airport), Air Canada

### **APPENDIX III**

#### **WHO WE SAW AND WHAT WE HEARD**

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- Mr. Paul Kavanaugh, Regional Director, Security and Emergency Planning, Transport Canada
- Mr. Andre Morency, Regional Director General, Ontario Region, Transport Canada
- Mr. Grant Quinlan, Security Inspector, Transport Canada
- Inspector Sam Landry, Officer in Charge, Toronto Airport Detachment, RCMP
- Wilma Jenkins, Director, Immigration Services, Citizenship and Immigration Canada
- Norman Sheridan, Director, Customs Passenger Programs, Canada Customs and Revenue Agency
- Ernest Spraggett, Director, Commercial Operations, Canada Customs and Revenue Agency
- Barbara Hebert, Regional Director, Customs, Greater Toronto Area Division, Canada Customs and Revenue Agency

In addition, the Committee heard *in-camera* from some individuals in the aviation industry who provided advice about possible areas of investigation. These comments were transcribed and the individuals agreed that their comments but not their names could be printed in the Committee Proceedings.

The Committee also invited four other witnesses to appear at the Toronto hearings: Greater Toronto Airport Authority, Federal Express, Canada Post and Peel Regional Police, but they declined to come. Canada Post appeared subsequently in Ottawa in August.

*What we heard:*

Screening of mail and cargo; Policing; Co-operation with police; Organized crime; Issuing of passes; Screening of employees; Screening of baggage; Governance; Equipment; Air Canada hiring practices; ID checking; Governance; Perimeter and tarmac security; Fixed base operators.

## **APPENDIX III**

### **WHO WE SAW AND WHAT WE HEARD**

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#### **Hearing in Ottawa (August 14, 2002)**

*Who we saw:*

- Mr. Art Laflamme, Senior Representative, Air Line Pilots Association International

*What we heard:*

Protocols, procedures and training for pilots and flight attendants; Cockpit doors; Air carrier protective officers; Airside passes and searches; Forged ID and a new restricted area pass system.

#### **Hearing in Ottawa (August 15, 2002)**

*Who we saw:*

- Mr. Peter McInenly, Vice President, Business Alignment, Canada Post
- Mr. Fred Johns, General Manager, Logistics and Processing Strategies, Canada Post
- Mr. Bob Stiff, General Manager, Corporate Security, Canada Post
- Mr. Dave McLeod, Lead Station Attendant, International Association of Machinists and Aerospace Workers
- Mr. Rob Deemert, Cabin Security, International Association of Machinists and Aerospace Workers
- Mr. Paul Lefebvre, president Local 2323, International Association of Machinists and Aerospace Workers

## **APPENDIX III**

### **WHO WE SAW AND WHAT WE HEARD**

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#### *What we heard:*

Airside passes and searches; Co-operation with police; Screening of baggage; Screening of mail; Parcels and cargo; ID checking; Employee security.

#### **Hearing in Ottawa (November 4, 2002)**

##### *Who we saw:*

- Mr. Chuck Wilmlink, Consultant, Former Manager Corporate Security, Canadian Airlines International
- Captain Don Johnson, President, Air Canada Pilots Association
- Captain Matt Sheehy, Chairman, Security Committee, Air Canada Pilots Association
- First Officer Russ Cooper, Toronto Representative, Security Committee, Air Canada Pilots Association

##### *What we heard:*

Training of flight crew; Airside passes and searches; Screening of baggage; Screening of parcels and cargo; Forged ID and a new restricted area pass system; Surface to air missiles; Secrecy; Governance; Policing; Employee security; National pass system.

#### **Hearing in Ottawa (November 18, 2002)**

##### *Who we saw:*

- Ms Sheila Fraser, Auditor General of Canada
- Mr. Shahid Minto, Assistant Auditor General
- Mr. Peter Kasurak, Principal, Office of the Auditor General
- Mr. Richard Balnis, Senior Research Officer, Canadian Union of Public Employees
- Ms France Pelletier, Legislative and Regulatory Affairs, Airline Division, Canadian Union of Public Employees

## **APPENDIX III**

### **WHO WE SAW AND WHAT WE HEARD**

---

#### *What we heard:*

Financial accountability; Governance; Devolution of airport authorities; Training of customs officers; Training of immigration officers; Training of flight crews; Aircraft Protective Program; Responsibilities and duties of flight attendants; Screening of airside workers for box cutters and other dangerous weapons.

#### **Hearing in Ottawa (November 25, 2002)**

##### *Who we saw:*

- Mr. Jacques Duchneseau, President and Chief executive Officer, Canadian Air Transport Security Authority
- Mr. Mark Duncan, Vice-President, Operations, Canadian Air Transport Security Authority
- Mr. Mike Baker, Vice-President, Corporate Management, Canadian Air Transport Security Authority
- Dr. Peter St. John, Professor (retired), International Relations, University of Manitoba

##### *What we heard:*

Screening of airside workers for box cutters and other dangerous weapons; Screening of baggage; Screening of mail; Screening of parcels and cargo; Explosive detection equipment; Forged ID and a new restricted area pass system; Secrecy; Governance; Financial accountability; Training of staff.

#### **Hearing in Ottawa (November 27, 2002)**

##### *Who we saw:*

- Mr. William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada
- Ms Janet Luloff, Acting Director, Regulatory Affairs, Safety and Security Group, Transport Canada

## **APPENDIX III**

### **WHO WE SAW AND WHAT WE HEARD**

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- Mr. Jean Barrette, Director, Security Operations, Safety and Security Group, Transport Canada

#### *What we heard:*

Airside passes and searches; Screening of passengers; Screening of baggage; Screening of mail; Screening of parcels and cargo; Forged ID and a new restricted area pass system; Training; Security audits; Aircraft protective officers; Governance; Secrecy; Tracing the money; Leases; U.S. practices.

#### **Hearing in Ottawa (December 2, 2002)**

#### *Who we saw:*

- The Honourable David Collenette, P.C. M.P., Minister of Transport
- Mr. William Elliott, Assistant Deputy Minister, Safety and Security Group, Transport Canada
- Mr. Jacques Pigeon, Senior General Counsel, Transport Canada
- Ms Janet Luloff, Acting Director, Regulatory Affairs, Safety and Security Group, Transport Canada
- Mr. Jean Barrette, Director, Security Operations, Safety and Security Group, Transport Canada
- Mr. Mark Audcent, Law Clerk and Parliamentary Counsel
- Mr. John Patrick Nelligan, Senior Partner, Law Firm of Nelligan O'Brien Payne, LLP Ottawa
- Deputy Commissioner Garry Leoppky, Operations, Royal Canadian Mounted Police
- Superintendent R. J. (Ray) Bonnell, Officer in Charge, Protective Services branch

#### *What we heard:*

Aircraft Protective Officers; Training of crew; Airside passes and searches; Screening of mail, cargo and baggage; Surface to air



**APPENDIX III**  
**WHO WE SAW AND WHAT WE HEARD**

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missiles; Secrecy; Obligations of witnesses; Governance; Fixed base operators; Security audits; Financial accountability; Leases; New airports.

## **SECURITY IMPROVEMENTS**

The Committee invited Transport Canada to provide a list of security improvements undertaken in response to September 11, 2001. The department submitted the following highlights:

1. The establishment of the Canadian Air Transport Security Authority (CATSA) to provide pre-board screening of passengers and their belongings with improved screening practices;
2. Purchasing and installing (through CATSA) of advanced explosives detection systems (EDS) at airports;
3. More security inspectors on the ground at airports and improvements to airport screening practices;
4. Establishment of the Canadian Air Carrier Protective Program which places RCMP officers on selected international and domestic flights;
5. Strengthening of cockpit doors;
6. Funds to support aviation security-related policing at major airports;
7. Expansion of CATSA'S mandate to include screening of non-passengers at airports and the development of an enhanced pass system for non-passengers who require access to restricted areas at airports.

Source: Statement by William Elliott, Assistant Deputy Minister, Safety and Security, Transport Canada, November 27, 2002

## **APPENDIX IV SECURITY IMPROVEMENTS**

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The Committee invited **Canada Customs and Revenue Agency** to provide a list of security improvements undertaken in response to September 11, 2001. The department submitted the following highlights:

1. Customs immediately instituted a national Level 1 security alert for all ports. We continue to maintain this alert status. At international airports, a high level of scrutiny continues to be focused on flights originating from outside North America. 100% of passengers arriving from countries other than the U.S.A. must produce identification and be screened on our databases (IPIL, ICES). Cargo and Courier shipments associated with high-risk countries are targeted for examination, both inbound and outbound.

**The CCRA has developed a risk based Border Management Plan which lists "Terrorism" as the number 1 priority for airport operations. The training of both new and experienced customs officers in screening and examinations techniques as well as in the use of new technology continues to be a priority for the CCRA. The CCRA continues to work closely to fight the threat of terrorism with our partners in security, particularly the RCMP, CSIS, CIC and the US Customs and Immigration Services.**

2. In international airports, all pilot programs for in transit passengers bypassing Canadian Inspection facilities were suspended. Presently, all passengers arriving in Canada must be screened by Customs Officers prior to transiting to their onward destination. The only exception is the Vancouver International Airport where the In transit Pre-clearance Pilot Project allows international in transit passengers to proceed directly to a secure the U.S. Pre-clearance facility.

## **APPENDIX IV**

### **SECURITY IMPROVEMENTS**

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3. There has been an increase in the use of technology for the screening of persons, baggage and goods, including commercial goods and courier shipments. The following equipment has been ordered and/or implemented at Canadian airports since September 11, 2001: mobile and stationary x-rays, ionscans, detector dogs, fibrescopes, density meters and mobile VACIS gamma ray systems.
4. The CANPASS program which allowed telephone reporting center (TRC) clearances of private aircraft was suspended. As of December 2002, the program is back in operation at a reduced number of sites. In addition, the verification rates attached to the CANPASS program are being managed on a risk assessment basis. All high risk flights are subject to a 100% examination rate.
5. The CCRA and Citizenship and Immigration Canada (CIC) are developing a system to obtain and analyze information for pre-screening passengers prior to their arrival in Canada. There are two components to this initiative, **API** -- identifying data collected by an air carrier during the check-in process for each traveller on the flight, and **PNR** -- created once an individual makes a reservation which details the passenger's travel itinerary, contained within a carrier's reservation system. Analyzing traveller data such as travel patterns and booking information will assist the CCRA in targeting individuals who are suspected of being involved in terrorist activity or other criminal acts. The CCRA successfully implemented the Passenger Information System (PAXIS) on October 7, 2002 at eight international airports across Canada (Vancouver, Winnipeg, Edmonton, Calgary, Toronto, Ottawa, Dorval and Halifax).

## **APPENDIX IV**

### **SECURITY IMPROVEMENTS**

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6. As part of the Shared Border Accord, Joint Passenger Analysis Units (JPAU) are being piloted in two sites, Vancouver and Miami. Members of these units include officers from the CCRA, United States Customs Service (USCS), CIC and the United States Immigration and Naturalization Service (USINS). Using the API/PNR information detailed in the previous section, JPAU teams will target high risk passengers arriving in either Canada or the U.S.A. with a primary focus on anti-terrorism and national security related issues which may include other criminal activity, contraband enforcement, human smuggling and trafficking, etc.

Source: Canada Customs and Revenue Agency, December 2002.

**APPENDIX V**  
**SECURITY RESPONSIBILITIES AT PEARSON AIRPORT**

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**SECURITY RESPONSIBILITIES AT PEARSON AIRPORT**

On June 24, 2002, Inspector Sam Landry of the Royal Canadian Mounted Police, Toronto Airport Detachment, advised the Committee that there are 82 agencies at the Toronto airport that have enforcement of regulatory responsibilities. On August 2, 2002, he sent the following list to the Committee:

Royal Canadian Mounted Police

Drug Section

VIP Security

Immigration and Passport

Customs and Excise

Prime Minister's Protection Detail

Federal Enforcement Section

Proceeds of Crime

Peel Regional Police

Canadian Security Intelligence Service

Greater Toronto Airport Authority

Canada Customs and Revenue agency

Citizenship and Immigration Canada

Passport Office (Department of Foreign Affairs and International Trade)

U.S. Immigration and Naturalization service

U.S. Customs

Transport Canada

NAVCANADA

Corps of Commissionaires

Ontario Provincial Police

Toronto Police Service

## **APPENDIX V**

### **SECURITY RESPONSIBILITIES AT PEARSON AIRPORT**

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York Regional Police  
Niagara Regional Police  
Hamilton Wentworth Regional Police  
Halton Regional Police  
Canada Post  
Federal Express  
Purolator  
United Parcel Service  
Group 4  
Wackenhut  
Mississauga Fire Department  
Toronto Fire Department  
Health Canada  
Regional Municipality of Peel  
Toronto Transit Authority  
Canadian Food Inspection Agency  
Agriculture and Agri-Food Canada  
Environment Canada

Inflight Kitchens  
CARA

Paragon Security  
Alpha Security  
ASP Security  
Canadian Military Police  
JTF2  
Airport Group Canada  
U.S. Federal Aviation Administration  
U.S. Secret Service  
U.S. State Department  
Central Intelligence Agency  
El Al Airlines Security

**APPENDIX V**  
**SECURITY RESPONSIBILITIES AT PEARSON AIRPORT**

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Air Canada Security

Air Transit Security

Sky Service Security

AMF Security

U.S. Air Security



## **GREATER TORONTO AIRPORT AUTHORITY**

The Committee wishes to note that the absence of input into its study from the Greater Toronto Airports Authority was no oversight. The GTAA was invited to meet with the Committee on more than one occasion, but Mr. Louis Turpen, the Authority's President and Chief Executive Officer, declined to meet with Senators, referring to section 4.8 of the *Aeronautics Act*, the *Canadian Aviation Security Regulations* made under the authority of that Act, section 32 of the *Canadian Air Transport Security Act* and sections 38.01 and 38.02 of the *Canada Evidence Act*.

In a legal opinion concurred in by Mr. John Nelligan, Q.C., senior partner with the Ottawa law firm Nelligan, O'Brien Payne, the Law Clerk and Parliamentary Counsel of the Senate, Mr. Mark Audcent, advised the Committee that it had the right to summon Mr. Turpen and to order him to answer any and all of its questions, without exception. Counsel advised that the legislation cited was no impediment to the Committee's power to carry out its order of reference or to Mr. Turpen providing information to Parliament. However, given Mr. Turpen's exchanges with the Committee Clerk and the fact that the Committee had obtained, from better sources with more specific knowledge, all the information it needed from the GTAA, the Committee decided that Mr. Turpen's testimony would be redundant at this time.

As for Mr. Turpen's excuses, the attached legal opinions speak for themselves.

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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**Chronology of contacts with Greater Toronto Airport Authority**

**May 30, 2002** – The Committee Clerk telephoned Ms Lorrie McKee, Director, Government Relations, to ask GTAA for a fact-finding visit, including a briefing and a tour. The Clerk explained that press would be invited to accompany the Committee, a procedure that the Committee follows on all visits. Ms McKee agreed to speak to senior management about this visit.

**June 4, 2002** - Ms McKee called the Clerk to say that GTAA would not accept the invitation to participate in the Toronto fact-finding visit. Ms McKee indicated that GTAA was prepared to come to a public meeting. The Clerk sent a formal invitation for a fact-finding visit by fax to GTAA, noting that the Committee had conducted similar visits in Montreal and Vancouver.

**June 5, 2002** - The Clerk also sent by fax a copy of a letter of invitation to Mr. Louis Turpen, President and Chief Executive Officer of GTAA.

**June 7, 2002** - Mr. Turpen sent a letter by fax to the Chair. He indicated that GTAA would be willing to share its views but “given the confidential nature of the subject, we would require that the meeting be confidential”.

**June 10, 2002** - The Clerk telephoned Mr. Turpen to explain the focus of the proposed visit, noting the Committee’s current order of reference to study the need for a national security policy. Mr. Turpen continued to ask for an *in-camera* meeting.

**June 21, 2002** - The Clerk sent a letter to Mr. Turpen formally acknowledging the letter of June 7, 2002, sent to the Chair.

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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**July 10, 2002** - Mr. Turpen sent a letter to Clerk indicating that he was reluctant to appear in a public forum where the press is in attendance.

**August 20, 2002** - Mr. Turpen sent a letter to the Committee Chair withdrawing his offer to meet privately with the Committee.

**August 21, 2002** - Clerk sent a letter to Mr. Turpen indicating that she would bring his letter to the attention of the Committee when the Senators held their next meeting.

**September 3, 2002** – Mr. Turpen sent a letter to the Clerk repeating his position.

**November 4, 2002** – The Senate Law Clerk provided two legal opinions, noting that Mr. Turpen had an obligation to appear and to testify.

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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June 4, 2002

Ms Lorrie McKee  
Director, Government Relations  
Greater Toronto Airports Authority

Dear Ms McKee:

Pursuant to our telephone conversation today, I am writing to formally invite the Greater Toronto Airports Authority to meet the Standing Senate Committee on National Security and Defence during its fact-finding visit to Toronto on June 24, 2002. The Committee would like to see the facilities at Pearson Airport and have an opportunity to talk to representatives of the Greater Toronto Airports Authority about security operations at the airport.

The Committee has undertaken similar fact-finding visits to the Dorval Airport as well as the Vancouver Airport, and has found these visits to be worthwhile in helping to develop a better understanding of security operations. As Pearson Airport is Canada's busiest airport, the Committee believes that a visit to your facility would be an important part of its current study on a national security policy.

We hope that the Greater Toronto Airports Authority will give favourable consideration to our request.

Yours sincerely,

Barbara Reynolds  
Committee Clerk

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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June 7, 2002

The Honourable Colin Kenny  
The Senate of Canada

Dear Senator Kenny:

I understand from recent media reports that you experienced some type of security incident at Toronto Pearson International Airport. I have also been made aware by my staff that the Standing Senate Committee on National Security and Defence, of which you are the Chair, has formally invited the Greater Toronto Airports Authority to meet during its fact-finding visit to Toronto on June 24, 2002. I am uncertain as to whether the Committee's request is related to your experience or to the larger subject of post-September 11 aviation security. It would be helpful if you could clarify the scope of the Committee's request.

With respect to your personal experience, we have attempted to determine on a number of occasions exactly what security experience you might have had at Pearson Airport. Unfortunately, up to the present we have been unable to ascertain from you or your staff the exact nature of your experience, and whether it related to the airport, airline, customs, immigration or transport responsibilities. As a person who has been a long-time advocate of airport security and a pioneer in many procedures used today, I would be personally interested to address the issue you experienced, particularly if it did entail a security deficiency. I would therefore invite you to supply details of this incident. We will always seek to maintain the highest level of security at Pearson Airport.

Further to your request to meet on June 24<sup>th</sup>, it would be helpful, as I indicated previously, to understand the scope of your interest to

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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ensure that the appropriate people would be present. While we recognize that aviation security is a CATSA responsibility, we would be pleased to share our views from the airport perspective. Given the confidential nature of the subject, we would require that the meeting be confidential and would obviously need to verify the security clearances of the persons in attendance. I look forward to hearing from you.

Yours very truly,  
Louis A. Turpen

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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June 21, 2002

Mr. Louis A. Turpen

Dear Mr. Turpen:

In my capacity as Clerk of the Senate Committee on National Security and Defence, I am writing to acknowledge your letter of June 7, 2002 addressed to the Honourable Colin Kenny, Chair of the Committee.

In your first paragraph, you asked whether the invitation to meet with the Committee was related to Senator Kenny's experience at the Pearson Airport or whether it was part of a larger subject. You will recall that I telephoned you on June 10, 2002 to explain that the invitation was part of a study on the need for a national security policy. Following our conversation, I sent by fax, a copy of the Committee's order of reference as well as a two-page excerpt on this subject from the Committee's February 2002 report entitled *Canada's Security and Military Preparedness*.

With respect to the Chair's personal experience at Pearson Airport, he has asked me to advise you that he has informed the Minister of Transport as well as officials from Transport Canada about his experience. Undoubtedly, they will be in touch with you if they deem it appropriate.

The third paragraph of your letter seems to contradict the information that I was given on June 4, 2002 by your Director, Government Relations, Lorrie McKee. She indicated to me that the Greater Toronto Airport Authority was not prepared to meet the Committee during a fact-finding trip but was prepared to meet in a

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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public meeting of the Committee. This information was conveyed to the Committee.

I have been instructed by the Committee to advise you that it is concerned about the approach that the Greater Toronto Airports Authority is taking about this matter. We would encourage you to consult with legal counsel concerning your obligations to meet with the Committee.

Yours sincerely,  
Barbara Reynolds  
Committee Clerk



**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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July 10, 2002

Ms Barbara Reynolds  
Committee Clerk

Dear Ms Reynolds:

Thank you for your letter of June 21<sup>st</sup> as well as a copy of the Committee's order of reference and excerpt entitled "Canada's Security and Military Preparedness".

With respect to Senator Kenny's experience at Pearson, I am pleased that he has shared that experience with the Minister of Transport. Since Transport Canada has not shared the Senator's experience with us, I am led to conclude that it probably was not a "security breach" which is gratifying.

Thank you for your caution with respect to the need to consult with legal counsel concerning GTAA's obligations to meet with the Committee. I have indicated that I am always prepared to appear before the Committee to discuss security issues in a meaningful and unvarnished fashion. However, I am sure you can appreciate my reluctance to have a discussion of this nature in a public forum and as I understand it, all of the Senate's meetings have been conducted with the press in attendance.

Again, thank you for sharing your thoughts.

Yours very truly,

Louis A. Turpen

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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August 20, 2002

Senator Colin Kenny  
Chair, Standing Senate Committee on  
National Security and Defence

Dear Senator Kenny:

I have been provided with a copy of your column in the August 15<sup>th</sup> *Globe and Mail* as well as a transcript of your interview on Canada AM on August 19<sup>th</sup>. Your continued practice of sharing everything you hear with respect to aviation security with the press causes me significant concern. I had assumed that, as a Senator and a member of the Government of Canada, you would have been thoroughly briefed with respect to aviation security matters and the need to safeguard sensitive information. Apparently, I was mistaken. Your comments also suggest that even though you have held previous hearings on the subject of airport security, you have not yet understood security arrangements.

Security at Canadian airports is a shared responsibility among airport operators, airlines and the agencies publicly entrusted to ensure the highest standards possible, among them, Transport Canada, the Canadian Air Transportation Security Authority (CATSA), Customs & Immigration, local police forces and the RCMP. Furthermore, security procedures are carried out under a legal regime which is designed to safeguard sensitive information from public disclosure, whether by Senators in the *Globe and Mail* or elsewhere. Please see the *Aeronautics Act*, section 4.8 the *Canadian Aviation Security Regulations*, SOR/2000-111, the *Canadian Air Transport Security Authority Act*, section 32 and the *Canada Evidence Act*, sections 38.01 and 38.02. I draw your attention particularly to the *Canada Evidence Act*. I would also point out that it is not clear whether your

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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Committee even has the capacity, under the Rules of the Senate, to hold *in camera* hearings in order to keep confidential any information that might be given to the Committee.

I have never believed that providing a road map to terrorists who are constantly searching for weaknesses in the system is in the public's interest. You obviously feel differently. The phrase "loose lips sink ships" comes to mind.

Given the manner in which you have elected to handle your enquiries, I formally withdraw my previous offer to meet privately with you and your Committee. Any discussion you may wish to have with the GTAA on this topic can only occur after the necessary approvals have been obtained from the Attorney General of Canada under the *Canada Evidence Act* and the Minister of Transport under the *Aeronautics Act* and the *Canadian Air Transport Security Authority Act*.

Yours very truly,

Louis A. Turpen

cc: GTAA Board of Directors  
The Hon. David Collenette

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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August 21, 2002

Mr. Louis A. Turpen  
Greater Toronto Airports Authority

Dear Mr. Turpen:

In my capacity as Clerk of the Senate Committee on National Security and Defence, I am writing to acknowledge your letter of August 20, 2002 addressed to the Honourable Colin Kenny, Chair of the Committee.

Please be assured that your letter will be brought to the attention of the members of the committee during their next meeting, likely in mid-September.

I would like to note the sequence of events that have taken place. On June 4, 2002, the Director of Government Relations for the Greater Toronto Airports Authority, Lorrie McKee, indicated that your organization was not prepared to meet the Committee during its fact-finding visit to Toronto, but was prepared to meet in a public meeting of the Committee. Later that day, the Committee issued an invitation to appear at a public meeting in Toronto, but on June 7<sup>th</sup> you sent a letter indicating that the meeting would need to be confidential. Now you have withdrawn your offer to meet privately with the Committee.

The Committee is continuing its examination of security operations at airports and will be calling a number of witnesses to testify. As mentioned earlier, your letter will be considered by the committee at its next meeting.

Yours sincerely,

Barbara Reynolds  
Committee Clerk

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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September 3, 2002

Ms Barbara Reynolds  
Committee Clerk

Dear Ms Reynolds:

I refer to your letter dated August 21, 2002 written in response to my letter of August 20, 2002. While the issues I raised in that letter stand, I would like to clarify our response to your requests.

On my direction, on June 4, 2002 Ms Lorrie McKee contacted you to indicate that the greater Toronto Airports Authority (GTAA) was not prepared to discuss security issues with the Senate Committee on National Security and Defence at a fact-finding meeting, open to the media, which was scheduled to be held in Toronto on June 24<sup>th</sup>. It was also stated that the GTAA understood that Senate Committees had the authority to require witnesses to appear at formal hearings, but that the meeting in question was not a formal hearing of the committee, rather it was a fact-finding session.

On receipt of your letter of June 4<sup>th</sup>, I repeated this position as set out in my August 20<sup>th</sup> letter that I was not prepared to meet the Committee to discuss security issues in public, but that I was willing to meet on a confidential basis. The subsequent actions and statements by Senator Kenny led me to withdraw this offer.

I trust this clarifies our position.

Yours very truly,

Louis A. Turpen

## **LEGAL OPINIONS PROVIDED TO THE COMMITTEE**

Mr. Mark Audcent, Senate Law Clerk and Parliamentary Counsel, and Mr. John Nelligan, Q.C., LSM, Senior Partner, Nelligan O'Brien Payne, appeared as witnesses on December 2, 2002 to discuss the obligations of persons to appear before Senate committees. Details of this testimony can be found in Issue 5 of the *Committee Proceedings*. These are posted on the Committee's website: [www.sen-sec.ca](http://www.sen-sec.ca).

### **Executive summary of the legal opinion provided by the Senate Law Clerk and Parliamentary Counsel**

To: The Honourable Colin Kenny, Chair  
Standing Senate Committee on National Security  
and Defence

From: Mark Audcent,  
Law Clerk and Parliamentary Counsel

Re: Obligations of Witnesses in the Context of  
Aviation Security

Date: November 1, 2002

**In the context of the general obligation of witnesses to testify before parliamentary committees that require their testimony, you asked me to consider the impediments if any imposed by the law referred to in the letter of August 20, 2002, addressed to you by Mr.**

## **APPENDIX VI**

### **GREATER TORONTO AIRPORT AUTHORITY**

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#### **Louis A. Turpen, President and Chief Executive Officer, Greater Toronto Airports Authority.**

As impediments to testifying, Mr. Turpen invokes section 4.8 of the *Aeronautics Act*, section 32 of the *Canadian Air Transport Security Act* and sections 38.01 and 38.02 of the *Canada Evidence Act*. He also invokes the *Canadian Aviation Security Regulations, SOR/2000-111*, made under the authority of the *Aeronautics Act*.

I examined the constitutional context and the authorities invoked and have concluded that none of the legislation invoked by Mr. Turpen would be grounds for him to refuse to appear before a parliamentary committee or to refuse to answer a question in committee proceedings. If summoned, his legal obligation is to appear. If ordered to answer, his legal obligation is to answer. To fail to appear or answer would be a contempt of Parliament.

Mr. Turpen, the Attorney General and the Minister of Transport may wish to consult with each other before Mr. Turpen appears, but the Committee is under no legal obligation to obtain the approval of either Minister or to see that its witnesses have done so. Nor do the Ministers have the power to excuse the witness from testifying. Should the Committee seek information from Mr. Turpen the disclosure of which would be protected in a forum other than Parliament on the grounds that it is sensitive or potentially injurious, Mr. Turpen is entitled to draw that fact to the Committee's attention and to seek to be excused from answering the particular question on those grounds. The Committee could either excuse Mr. Turpen from answering, arrange to receive the information *in camera* or order Mr. Turpen to answer in a public hearing. Mr. Turpen will enjoy absolute privilege for anything he says in the course of the committee proceedings, and cannot therefore be questioned concerning his testimony in any court or place outside of Parliament.

**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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**Extract from letters providing a legal opinion from Mr. John Nelligan, Q.C., LSM, Senior Partner, Nelligan O'Brien Payne:**

"I am in complete accord with your opinion with regard to the power of the Standing Senate Committee on National Security and Defence to summon Mr. Turpen or any other person who has information to provide with regard to airport security."

"I note that Mr. Turpen's letter, while generally censorious regarding the release of information which in his opinion should not be released, does not indicate any particular matter which fell within the strictures described in the statutes he refers to."

"I agree with you that the authorities are clear that the Standing Senate Committee on National Security and Defence has a clear and unfettered authority to summon Mr. Turpen or any other interested party and require them to answer any questions relevant to the subject matter of the Inquiry. Any failure to appear would be subject to the sanctions outlined in your report to Senator Kenny. Mr. Turpen may be able to withdraw an offer to meet privately with the Committee but he cannot refuse to attend when served with a summons to that effect."

"The concerns which Mr. Turpen has raised in his letter are matters which might be appropriately raised by him when he appears before the Committee, when the Committee may well decide to take one of the steps that you have outlined to preserve the confidentiality of any sensitive material."



**APPENDIX VI**  
**GREATER TORONTO AIRPORT AUTHORITY**

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“Mr. Turpen cites various statutory provisions which he suggests are bars to investigation by the Committee. The authorities cited in your report make it clear that no such bars are applicable.”

**APPENDIX VII**  
**PEEL REGIONAL POLICE SERVICE**

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**PEEL REGIONAL POLICE SERVICE**

Peel Regional Police, after several invitations, also failed to accept the Committee's invitation to appear after initially indicating they could be available.

The Committee notes that it is unacceptable for any Police Service to shirk its responsibility to appear before Parliament and testify honestly without fear or favour.

Notwithstanding its contractual relationship with Mr. Turpen and the Toronto Airport Authority, its failure to appear did nothing to enhance its reputation or of that of its Chief Constable.

## **APPENDIX VIII**

### **EXHIBITS AND SUBMISSIONS**

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## **EXHIBITS**

- Exhibit #1: Material provided by Transport Canada  
*(December 10, 2001, Issue no. 9)*
- Exhibit #2: Material provided by Vancouver International  
Airport  
*(December 10, 2001, Issue no. 9)*
- Exhibit #3: Material provided by RCMP  
*(December 10, 2001, Issue no. 9)*
- Exhibit #4: Material provided by Canada Immigration  
*(December 10, 2001, Issue no. 9)*
- Exhibit #5: Material provided by Canada Customs  
*(December 10, 2001, Issue no. 9)*
- Exhibit #6: Air Line Pilots Association, International, statement  
prepared by Captain Kent Hardisty and read by Mr.  
Art Laflamme  
*(August 14, 2002, Issue no. 19)*
- Exhibit #7: Documents prepared by Canada Post  
*(August 15, 2002, Issue no. 20)*
- Exhibit #8: "Airline Security – A Security Professional's View"  
by Chuck Wilmink  
*(November 4, 2002, Issue no. 1)*
- Exhibit #9: "Air Canada Pilot's Association (ACPA) Opening  
Statement" by Captain Don Johnson, President, Air  
Canada Pilots Association  
*(November 4, 2002, Issue no. 1)*

## **APPENDIX VIII**

### **EXHIBITS AND SUBMISSIONS**

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- Exhibit #10: “Air Canada Pilot’s Association Security Committee” by First Officer Russ Cooper, Co-Chair  
*(November 4, 2002, Issue no. 1)*
- Exhibit #11: United States Media – Canadian Media – October 2002 – Prepared by the Parliamentary Research Branch
- Exhibit #12: Letters and material from: (a) Serge Charette, Customs Excise Union dated June 28, 2002 to Barbara Reynolds; (b) Letter from Tara Hall, Canada Customs and Revenue Agency dated October 31, 2002; (c) Letter from Barbara Reynolds to Serge Charette, dated October 31, 2002, re: CCRA Protocol Document – Student Customs Officer – Letter
- Exhibit #13: “CUPE’s Comments on Aviation and Security” by Richard Balnis, CUPE Research and France Pelletier, Legislative and Regulatory Affairs, Airline Division of CUPE  
*(November 18, 2002, Issue no. 3)*
- Exhibit #14: “Air Travel Security” by Sheila Fraser, Auditor General of Canada  
*(November 18, 2002, Issue no. 3)*
- Exhibit #15: Remarks by Mr. Jacques Duchesneau, Chief Executive Officer, Canadian Air Transport Security Authority  
*(November 25, 2002, Issue no. 4)*
- Exhibit #16: “Brief to the Senate Committee on Terrorism” by Peter St. John  
*(November 25, 2002, Issue no. 4)*

## **APPENDIX VIII**

### **EXHIBITS AND SUBMISSIONS**

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- Exhibit #17: “Opening Remarks” by William Elliott, Assistant Deputy Minister, Safety and Security, Transport Canada  
*(November 27, 2002, Issue no. 4)*
- Exhibit #18: “Response to Questions Raised at the Meeting of the Standing Senate Committee on National Security and Defence (November 27, 2002)” by the Department of Transport Canada  
*(December 2, 2002, Issue no. 5)*
- Exhibit #19: “Opening Address” by Garry Loepky, Deputy Commissioner, Operations, RCMP  
*(December 2, 2002, Issue no. 5)*
- Exhibit #20: “Opening Remarks” by The Honourable David Collette, Minister of Transport  
*(December 2, 2002, Issue no. 5)*
- Exhibit #21: “Rights and obligations of witnesses appearing before the Standing Senate Committee on National Security and Defence”, by Mark Audcent, Law Clerk and Parliamentary Counsel  
*(December 2, 2002, Issue no. 5)*

**APPENDIX IX  
STATISTICS**

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**STATISTICS**

|   |               |
|---|---------------|
| <b>Number of Persons Whom The Committee Met</b>   | <b>68</b>     |
| <b>Number of Hours</b>  | <b>63.9</b>   |
| <b>Media Coverage - Print</b><br>October 2001 – November 2002<br><br>Provided by Senate Communications Directorate. Letters to editor are excluded  | <b>627</b>    |
| <b>Media Coverage – Print and Electronic</b><br>September 2001 – November 2002<br><br>Compiled by Senate Committee on National Security and Defence | <b>1206</b>   |
| <b>Hits on Committee website by users outside Parliament</b><br>January to November 2002<br><br>Provided by Senate Information Management Division  | <b>41,175</b> |

## APPENDIX IX STATISTICS

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|  |                |
|--|----------------|
| <b>Previous Reports</b>  | February 2002  |
| Canadian Security and Military Preparedness  |                |
| Defence of North America: A Canadian Responsibility  | September 2002 |
| For an Extra \$130 Bucks ....<br>Update on Canada's Military Financial Crises: A View from the Bottom Up | November 2002  |

## APPENDIX X MEDIA ACTIVITIES

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### MEDIA ACTIVITIES

#### Veronica Morris

Ms. Morris assumed responsibility for media relations with the Standing Senate Committee on National Security and Defence in June of 2001.

Ms. Morris deals with all day to day media inquiries, prepares press releases, logs media coverage, and acts as a liaison for the media during committee trips.

Prior to joining the Committee she worked as a special assistant to the Honourable Colin Kenny. Ms. Morris was educated at Carleton University.

Media inquiries should be sent to: [ckres2@sen.parl.gc.ca](mailto:ckres2@sen.parl.gc.ca)

Meetings of the Standing Senate Committee on National Security and Defence are open to members of the media. Exceptions include when the Committee is drafting reports, dealing with personnel matters, or when a host specifically requests proceedings be held *in camera*.

When in Ottawa, Committee hearings are televised on the Cable Public Affairs Channel (CPAC); on the Senate Internet site (audio and video); the Parliamentary TV Network; and the Senate audio network, frequencies

(MHz): Floor: 94.7, English: 95.5, French: 95.1.



## **APPENDIX X**

### **MEDIA ACTIVITIES**

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Those interested in the Committee's activities can subscribe to a mailing list that provides advance notice of meeting times, locations, and witnesses.

Information regarding the Committee can be obtained through its web site:

<http://sen-sec.ca>

Questions can be directed to:

Toll free: 1-800-267-7362

Or via email:

The Committee Clerk: [defence@sen.parl.gc.ca](mailto:defence@sen.parl.gc.ca)

The Committee Chair: [kennyco@sen.parl.gc.ca](mailto:kennyco@sen.parl.gc.ca)

Media inquiries should be sent to: [ckres2@sen.parl.gc.ca](mailto:ckres2@sen.parl.gc.ca)

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
(Senator Atkins)

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**BIOGRAPHIES OF MEMBERS OF THE  
COMMITTEE**



The Honourable NORMAN K. ATKINS,  
Senator

Senator Atkins was born in Glen Ridge, New Jersey. His family is from Nova Scotia and New Brunswick, where he has spent a great deal of time over the years. He is a graduate of the Appleby College in Oakville, Ontario, and of Acadia University in Wolfville, Nova Scotia, where he studied economics and completed a Bachelor of Arts programme in 1957. (Senator Atkins subsequently received an Honourary Doctorate in Civil Law in 2000, from Acadia University, his old “alma mater”.)

A former President of Camp Associates Advertising Limited, a well-known Toronto-based agency, Senator Atkins has also played an active role within the industry, serving, for instance, as a Director of the Institute of Canadian Advertising in the early 1980’s.

Over the years, Senator Atkins has had a long and successful career in the field of communications – as an organizer or participant in a number of important causes and events. For instance, and to name only a few of his many contributions, Senator Atkins has given of his time and energy to Diabetes Canada, the Juvenile Diabetes Foundation, the Dellcrest Children’s Centre, the Federated Health Campaign in Ontario, the Healthpartners Campaign in the Federal Public Service as well as the Chairperson of Camp Trillium-Rainbow Lake Fundraising Campaign.

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Atkins)**

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Senator Atkins was also involved with the Institute for Political Involvement and the Albany Club of Toronto. (It was during his tenure as President in the early 1980's that the Albany Club, a prestigious Toronto private club, and one of the oldest such clubs across the country, opened its membership to women.)

Senator Atkins has a long personal history of political involvement. In particular, and throughout most of the last 50 years or so, he has been very active within the Progressive Conservative Party – at both the national and the provincial levels. Namely, Senator Atkins has held senior organizational responsibility in a number of election campaigns and he has served as an advisor to both the Rt. Hon. Brian Mulroney and the Rt. Hon. Robert L. Stanfield, as well as the Hon. William G. Davis.

Norman K. Atkins was appointed to the Senate of Canada on June 29, 1986. In the years since, he has proven to be an active, interested, and informed Senator. In particular, he has concerned himself with a number of education and poverty issues. As well, he has championed the cause of Canadian merchant navy veterans, seeking for them a more equitable recognition of their wartime service. Senator Atkins served in the United States military from September 1957 to August 1959.

Currently, Senator Atkins is the Chair of the Progressive Conservative Senate Caucus, Deputy Chair of Internal Economy, Budgets and Administration, as well as a member of both the National Security and Defence Committee and the Veterans Affairs Subcommittee. He is also the Honourary Chair of the Dalton K. Camp Endowment in Journalism at Saint-Thomas University in Fredericton, New Brunswick and Member of the Advisory Council, Acadia University School of Business.

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Banks)**

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The Honourable TOMMY BANKS, Senator

Tommy Banks is well-known to Canadians as one of our most accomplished and versatile entertainers, and an international standard-bearer for Canadian culture.

From 1968-83, he was the host of The Tommy Banks Show. A Gemini Award-winning variety television performer, he is today the owner of Tommy Banks Music Ltd.

A Juno Award-winning musician, Senator Banks has achieved national and international renown as Conductor or Music Director for such signature events as: The Royal Command Performance (1978); The Commonwealth Games (1978); the World University Games (1983); and the Opening Ceremonies for EXPO '86 and the XVth Olympic Winter Games (1988). He has also served as a guest conductor with symphony orchestras throughout Canada and in the United States.

As founding Chairman of the Alberta Foundation for the Performing Arts, Senator Banks has worked tirelessly to ensure that other promising musicians and performers receive the exposure they deserve right across the country.

In 1979, Senator Banks received an Honourary Diploma of Music from Grant MacEwan College. That same year, he received the Juno Award and the Grand Prix du Disque-Canada. In 1987, he received an Honourary Doctor of Laws from the University of Alberta. In 1990, he received the Sir Frederick Haultain Prize.

In 1991, Senator Banks was made an Officer of the Order of Canada, and in 1993, he was awarded the Alberta Order of Excellence.

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Banks)**

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On 9 May 2001, Senator Tommy Banks was appointed Vice-Chair of the Prime Minister's Caucus Task Force on Urban issues. The Task Force which examined ways to strengthen quality of life in our large urban centres reported in November 2002.

In addition to serving on the Committee on National Security and Defence, he is Chair of the Committee on Energy, the Environment and Natural Resources.

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Cordy)**

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The Honourable JANE CORDY, Senator

An accomplished educator, Jane Cordy also has an extensive record of community involvement.

Senator Cordy earned a Teaching Certificate from the Nova Scotia Teacher's College and a Bachelor of Education from Mount Saint Vincent University.

In 1970, she began her teaching career, which has included stints with the Sydney School Board, the Halifax County School Board, the New Glasgow School Board, and the Halifax Regional School Board.

Senator Cordy has also served as Vice-Chair of the Halifax-Dartmouth Port Development Commission and as Chair of the Board of Referees for the Halifax Region of Human Resources Development Canada.

Senator Cordy has also given generously of her time to numerous voluntary organizations. She has been a Board Member of Phoenix House, a shelter for homeless youth; a Member of the Judging Committee for the Dartmouth Book Awards (1993-95 --1999-2000); Member of the Strategic Planning Committee of Colby Village Elementary School; and, a Religious Education Program Volunteer and Lector with Dartmouth's St. Clement's Church.

Senator Cordy is a native of Sydney, Nova Scotia.

Current Member of the following Senate committee(s):

National Security and Defence

Social Affairs, Science and Technology

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Day)**

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The Honourable JOSEPH A. DAY, Senator

Appointed to the Senate by the Rt. Honourable Jean Chrétien, Senator Joseph Day represents the province of New Brunswick and the Senatorial Division of Saint John-Kennebecasis. He has served in the Senate of Canada since October 4, 2001.

He is currently a Member of the following Senate Committees: Agriculture and Forestry; National Security and Defence; and, the Subcommittee on Veterans Affairs, National Finance and Transport and Communications. He is Deputy Chair of the National Finance as well as the Subcommittee on Veterans Affairs. Areas of interest and specialization include: science and technology, defence, international trade and human rights issues, and heritage and literacy. He is a member of many Interparliamentary associations, including the Canada-China Legislative Association and the Interparliamentary Union.

A well-known New Brunswick lawyer and engineer, Senator Day has had a successful career as a private practice attorney. His legal interests include Patent and Trademark Law, and intellectual property issues. Called to the bar of New Brunswick, Quebec, and Ontario, he is also certified as a Specialist in Intellectual Property Matters by the Law Society of Upper Canada, and a Fellow of the Intellectual Property Institute of Canada. Most recently (1999-2000) he served as President and CEO of the New Brunswick Forest Products Association. In 1992, he joined J.D. Irving Ltd., a conglomerate with substantial interests in areas including forestry, pulp and paper, and shipbuilding, as legal counsel. Prior to 1992 he practiced with Gowling & Henderson in Kitchener-Waterloo, Ogilvy

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Day)**

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Renauld in Ottawa, and Donald F. Sim in Toronto, where he began his career in 1973.

An active member of the community, Senator Day currently chairs the Foundation, and the Board of the Dr. V.A. Snow Centre Nursing Home, as well as the Board of the Associates of the Provincial Archives of New Brunswick. Among his many other volunteer efforts, he has held volunteer positions with the Canadian Bar Association and other professional organizations, and served as National President of both the Alumni Association (1996) and the Foundation (1998-2000) of the Royal Military College Club of Canada.

Senator Day holds a Bachelor of Electrical Engineering from the Royal Military College of Canada, an LL.B from Queen's University, and a Masters of Laws from Osgoode Hall.



**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Forrestall)**

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The Honourable J. MICHAEL  
FORRESTALL, Senator

The Honourable J. Michael Forrestall was born at Deep Brook, Nova Scotia on September 23, 1932. After an early career as a journalist with the Chronicle Herald and airline executive, he entered politics and was first elected to the House of Commons in the General Election of 1965.

The Honourable J. Michael Forrestall was subsequently re-elected to the House of Commons in 1968, 1972, 1974, 1979, 1980, and 1984. He first became Official Opposition Defence Critic in 1966, and challenged the government of Prime Minister Pearson on the Unification of the Canadian Forces. Senator Forrestall subsequently served as Defence Critic from 1966-1979 and served over that period of time as a member of the House of Commons Standing Committee on National Defence and Veterans Affairs.

From 1979-1984, the Honourable J. Michael Forrestall served as a member or alternate to the North Atlantic Assembly. During that period of time he also served as General Rapporteur of the North Atlantic Assembly's Military Committee and presented the committee report entitled *Alliance Security in the 1980's*. In November of 1984, Senator Forrestall led the Canadian delegation to the 30th Annual Session of the North Atlantic Assembly.

In 1984, the Honourable J. Michael Forrestall was appointed Parliamentary Secretary to the Minister of Transport, and in 1986, the Minister of Regional Industrial Expansion and the Minister of State for Science and Technology. He was a candidate in the 1988 General Election and defeated. In 1989, Senator Forrestall was appointed to

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Forrestall)**

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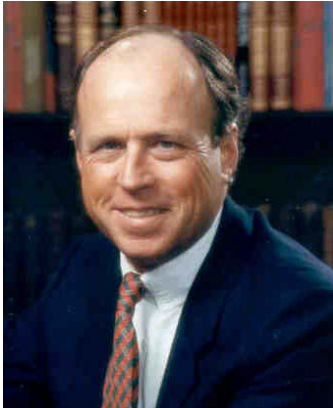
the Board of Directors of Marine Atlantic, and then in 1990, appointed to the Veterans Appeal Board.

On September 27, 1990, the Honourable J. Michael Forrestall was appointed to the Senate of Canada. From 1993-1994 he was a member of the Joint Parliamentary Committee on Canada's Defence Policy and serves to this day as Defence critic in the Senate. Senator Forrestall is currently Deputy Chair of the Senate Standing Committee on National Security and Defence, and a member of the Joint Committee on the Library of Parliament Economy. The Honourable J. Michael Forrestall has, in the past, served as a member of the Senate Special Committee on the Canadian Airborne Regiment in Somalia, Senate Standing Committee on Foreign Affairs, Senate Sub-Committee on Veterans Affairs and Deputy Chair of the Standing Senate Committee on Transport and Communications and Chair of the Special Senate Committee on Transportation Safety and Security.

The Honourable J. Michael Forrestall is currently a member of the NATO Parliamentary Association, Inter-Parliamentary Union, Commonwealth Parliamentary Association, Canada-U.S. Inter-Parliamentary Group and the Royal Canadian Legion.

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Kenny)**

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The Honourable COLIN KENNY, Senator

*Career History*

Sworn in on June 29th, 1984 representing the Province of Ontario. His early political career began in 1968 as the Executive Director of the Liberal Party in Ontario. From 1970 until 1979 he worked in the Prime Minister's Office as Special Assistant, Director of Operations, Policy Advisor and Assistant Principal Secretary to the Prime Minister, the Right Honourable Pierre Trudeau.

*Committee Involvement*

During his parliamentary career, Senator Kenny has served on numerous committees. They include the Special Committee on Terrorism and Security (1986-88) and (1989-91), the Special Joint Committee on Canada's Defence Policy (1994), the Standing Committee on Banking Trade and Commerce, the Standing Committee on National Finance, and the Standing Committee on Internal Economy, Budgets and Administration.

He is currently Chair of the Standing Senate Committee on National Security and Defence. The Senator is also currently a member of the Steering Committee of the Standing Senate Committee on Energy, the Environment and Natural Resources.

*Defence Matters*

Senator Kenny has been elected as Rapporteur for the Defence and Security Committee of the NATO Parliamentary Assembly. Prior to that he was Chair of the NATO Parliamentary Assembly Subcommittee on the Future Security and Defence Capabilities and Vice-Chair of the NATO Parliamentary Assembly Subcommittee on the Future of the Armed Forces.

EMAIL: [kennyco@sen.parl.gc.ca](mailto:kennyco@sen.parl.gc.ca) Website: <http://sen.parl.gc.ca/ckenny>

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Meighen)**

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The Honourable MICHAEL A. MEIGHEN,  
Senator

Appointed to the Senate in 1990, the Honourable Michael Meighen serves on various Senate Standing Committees including Banking Trade and Commerce, Fisheries, National Security and Defence, and chairs the Subcommittee on Veterans Affairs. He has also served on the Special Joint Committee on Canada's Defence Policy and the Special Joint Committee on a Renewed Canada.

In his private career, Senator Meighen is Counsel to the law firm Ogilvy Renault, and was Legal Counsel to the Deschênes Commission on War Criminals. He is Chairman of Cundill Funds (Vancouver) and sits on the Board of Directors of Deutsche Bank Canada, Paribas Participations Limited, AMJ Campbell Inc., J.C. Clark Ltd. (Toronto).

Senator Meighen's record of community service includes the Salvation Army, Stratford Festival, Toronto and Western Hospital, Prostate Cancer Research Foundation, Atlantic Salmon Federation, T.R. Meighen Foundation, University of King's College (Chancellor), University of Waterloo Centre for Cultural Management, Université Laval, McGill University.

Senator Meighen is a graduate of McGill University and Université Laval. He lives in Toronto with his wife Kelly and their three children.

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Smith)**

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The Honourable DAVID P. SMITH, P.C.,  
Senator

In addition to being a most able and respected lawyer, the Honourable David Smith has a distinguished record of public service.

Senator Smith earned a B.A. in Political Science from Carleton University in 1964 and an LL.B from Queen's University in 1970. He was called to the Bar in Ontario in 1972. During a very distinguished career, Senator Smith has become a foremost practitioner of municipal, administrative and regulatory law.

At the time of this appointment, Senator Smith was Chairman and Partner of Fraser Milner Casgrain LLP, one of Canada's oldest and largest law firms. In 1998, with the formation of Fraser Milner, Senator Smith was named the firm's first Chairman. Previously, Senator Smith was Chairman of Fraser & Beatty.

From 1980-84 Senator Smith sat in the House of Commons as Member of Parliament for the riding of Don Valley East where he also served as Minister of State (Small Business and Tourism). In 1972, he was elected to Toronto City Council. After his re-election in 1974, he was appointed to the Executive Committee of the City of Toronto and Metro Toronto Council. He was re-elected again in 1976 and was subsequently appointed President of Toronto City Council and Deputy Mayor of Toronto.

Senator Smith became very active in the Liberal party in the 1960's and held such positions as National President of the Young Liberals, Executive Assistant to Keith Davey who was national director, and

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Smith)**

---

executive assistant to the Hon. Walter Gordon and the Hon. John Turner.

Senator Smith has lent his time to numerous voluntary and philanthropic organizations. He has sat on the Board of Governors of Exhibition Place, as well as on the boards of the Salvation Army, Toronto General Hospital, Mount Sinai Hospital and George Brown College. He has served as Chairman of the Retinitis Pigmentosa Foundation and as Vice Chairman of the O'Keefe Centre for the Performing Arts.

Senator Smith and his wife, Heather, have raised three children: Alexander, Kathleen and Laura. He is 61 years of age.

Current Member of the following Senate committee(s): Legal and Constitutional Affairs; National Security and Defence and Rules, Procedures and the Rights of Parliament

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Wiebe)**

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The Honourable JOHN (JACK) WIEBE,  
Senator

Jack Wiebe is one of Saskatchewan's leading citizens. He has been a highly successful farmer, as well as a member of the Saskatchewan Legislative Assembly.

And in 1994, he became the first farmer to be appointed to the position of Lieutenant Governor of Saskatchewan in almost 50 years.

Senator Wiebe first became known in Saskatchewan as a leader in the farm community. He and his family built a thriving farm in the Main Center district of the province, and from 1970-86 he was owner and President of L&W Feeders Ltd.

Senator Wiebe has been very involved with the co-operative movement, and has served on the Main Center Wheat Pool Committee, the Herbert Credit Union, the Herbert Co-op, and the Saskatchewan Co-operative Advisory Board. He has also been active with the Saskatchewan Wheat Pool, and the Saskatchewan Stock Growers Association. He is currently the Saskatchewan Chairman of the Canadian Forces Liaison Council.

Senator Wiebe was elected in 1971 and 1975 as a Member of the Saskatchewan Legislative Assembly for the constituency of Morse.

Senator Wiebe and his wife, Ann, have raised three daughters and have four grandchildren.

Current Member of the following Senate committee(s):

**APPENDIX XI**  
**BIOGRAPHIES OF MEMBERS OF THE COMMITTEE**  
**(Senator Wiebe)**

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Agriculture and Forestry, Deputy Chair; National Security and Defence; Subcommittee on Veterans Affairs; Rules, Procedures and the Rights of Parliament.



**APPENDIX XII**  
**BIOGRAPHIES OF COMMITTEE SECRETARIAT**  
**(John Christopher)**

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**BIOGRAPHIES OF COMMITTEE SECRETARIAT**

**JOHN CHRISTOPHER**

John Christopher has worked with Canadian parliamentarians for 30 years as a Research Officer with the Library of Parliament. Trained as an urban and transportation planner, he has assisted committees involved in transportation, including transportation security and safety. As part of his responsibilities he organized fact-finding trips for committees within Canada and to the United States, Europe, Australia and New Zealand.

In a recent assignment he acted as an advisor on security issues to the Canada – United States Inter –Parliamentary Group at its meetings in Newport, Rhode Island this past May.

He has authored numerous reports and papers dealing with all modes of transportation including: aviation restructuring; trucking safety; passenger rail; a national marine strategy and aviation security issues.

**APPENDIX XII**  
**BIOGRAPHIES OF COMMITTEE SECRETARIAT**  
**(Chief Warrant Officer (Ret'd) Dessureault)**

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Chief Warrant Officer J.J.L.M.  
Dessureault, OMM, CD

Canadian Forces  
Chief Warrant Officer

Chief Warrant Officer Dessureault was born on 2 November 1945 in Shawinigan, Quebec. He enrolled in the Canadian Army on 26 March 1964 and completed his training at the Royal 22e Regiment depot at Valcartier, Quebec. In September of that year, he was posted to the 2nd Battalion Royal 22e Régiment, then stationed at Valcartier.

In July 1965, he accompanied the unit to Werl in Northern Germany for a period of four years. Upon his return to Canada in November 1969, he held a variety of positions within the 3rd Battalion until June 1971, date where he rejoined the 1st Battalion, which had been transferred to Lahr in Southern Germany. In April 1972 he was promoted to Master-Corporal.

In August 1974, following his return to Canada, he was promoted to the rank of Sergeant, initially acting as section commander and then as platoon Second in Command for the 3rd Battalion at Valcartier. In August 1976 he is affected to the 1st Battalion for a duration of five years. He was promoted twice during that posting.

In June 1983, he returned to Canada to assume the duties of Master Warrant Officer of the military drill training section at the Collège militaire royal de Saint-Jean, Quebec. In June 1986,

**APPENDIX XII**  
**BIOGRAPHIES OF COMMITTEE SECRETARIAT**  
**(Chief Warrant Officer (Ret'd) Dessureault)**

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he was appointed to a position of company Sergeant-Major at the 2nd Battalion. He accompanied the unit to Cyprus in February 1987. During this tour of duty, he was promoted to the rank of Chief Warrant Officer and, in June 1987, was posted to Headquarters "Secteur de l'Est" in Montreal.

In June 1990, following his three-year posting, he was assigned the position of Regimental Sergeant-Major of the 1st Battalion Royal 22e Régiment. On 8 April 1992, he accompanied this unit to the former Yugoslavia as part of a United Nations peacekeeping mission. He was therefore the first Regimental Sergeant-Major to be deployed with a battle group since Korea. When he returned to Canada in June 1993, he was assigned the duties of Chief Warrant Officer Land Force Quebec Area. On 20 June 1996, he is nominated Chief Warrant Officer of the Land Force Command. He is the Canadian Forces Chief Warrant Officer since 15 June 1999 until retirement the 31 July 2001.

November 1994, he was decorated Member of the Order of Military Merit and promoted to the rank of Officer of Military Merit in January 2000

Chief Warrant Officer Dessureault is married to Marianne Claassen, who is originally from the Netherlands; they have one daughter, Désirée.

**APPENDIX XII**  
**BIOGRAPHIES OF THE COMMITTEE SECRETARIAT**  
**(Paul S.Dingledine)**

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PAUL S. DINGLEDINE

Mr. Dingledine was born in 1946 in Hamilton Ontario and grew up in the nearby town of Burlington. He received a BA in Economics and an MBA from McMaster University, graduating in 1969.

After spending a year as an Industrial Relations Officer on Merseyside in the U.K., Mr. Dingledine joined the Canadian Foreign Service as a Trade Commissioner in 1970. For the next decade he accepted three successive assignments in the Canadian High Commissions/Embassies in Trinidad, Israel and India, and held a number of positions for the Canadian Government Trade Commissioner Service in Ottawa.

In 1981 he was posted as Consul to the Canadian Consulate General in Hamburg. He was reassigned to Ottawa in 1983 to be the senior assistant to the Minister of International Trade in the Department of External Affairs. In 1986, Mr. Dingledine became the Director for Trade and Economic Relations for the Middle East.

With the development of the Gulf Crisis of 1990, Mr. Dingledine joined the Gulf Task Force in the period leading up to war. He was appointed Ambassador to Tehran, Iran in November 1990, reopening the embassy that had been closed nine years earlier during the Iranian hostage crisis.

After completing his assignment in Tehran in July of 1993, Mr. Dingledine became an International Fellow in the Centre for International Affairs at Harvard University in Cambridge, Massachusetts. While there he lectured and wrote about Middle East affairs, with a focus on modern Iran.

**APPENDIX XII**  
**BIOGRAPHIES OF THE COMMITTEE SECRETARIAT**  
**(Paul S.Dingledine)**

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Mr. Dingledine returned to Ottawa in 1994 as Director General, U.S. Relations in the Department of Foreign Affairs and International Trade, where he was responsible for non-trade issues between Canada and the United States. In 1996 he was appointed Director General, Middle East and North Africa. His responsibilities included the management of Middle Eastern issues for the Department and the operations and management of Canada's embassies and consulates in the region.

Mr. Dingledine became Director General, Security and Intelligence for the Department in the autumn of 1999. He was in charge of Departmental security in Canada and in Canadian Government embassies and consulates around the world, and was also responsible for the Department's use and collection of foreign intelligence. As Canada's senior representative for international counter-terrorism activities in international meetings, including the G8, he oversaw Canada's international response to the terrorist actions of September 11, 2001.

Mr. Dingledine retired from the Department in August 2002.

**APPENDIX XII**  
**BIOGRAPHIES OF THE COMMITTEE SECRETARIAT**  
**(Major-General (Ret'd) G. Keith McDonald)**

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**MAJOR-GENERAL (Ret'd) G. Keith  
MCDONALD**

Mgen McDonald grew up in Edmonton, attended College Militaire Royal in St. Jean and Royal Military College in Kingston (RMC), graduating in 1966 and being awarded his pilot wings in 1967.

He instructed on T-33 aircraft at Canadian Forces Base, Moose Jaw Saskatchewan. In 1970, he was posted to RMC as a Squadron Commander and later the Assistant Director of Cadets. 1973 saw MGen McDonald return to the cockpit training on the CF-5 and CF104 aircraft. He was posted to 439 Squadron at CFB Baden-Soellingen in 1974 flying the CF104 in the ground attack role. Promoted to Major in 1977, MGen McDonald became the Group Tactical Evaluation Officer in 1978.

In 1980, MGen McDonald attended the Royal Air Force Staff College at Bracknell in England. Promoted to Lieutenant-Colonel in January 1981, he returned to National Defence Headquarters responsible for CF-18 operational planning and CF-18 equipment purchases. In 1982, he moved to the CF-18 Project Management Office as the Operational Requirements Manager.

MGen McDonald completed CF-18 Training at CFB Cold Lake, prior to returning to CFB Baden-Soellingen in 1985 as the first CF-18 Squadron Commander of 439(Tiger) Squadron. In July 1987, he was promoted to Colonel and posted to NDHQ as Director Professional Education and Development. In July 1989, MGen McDonald assumed command of CFB and #4 Wing Baden-Soellingen. During his tenure as Base/Wing Commander he oversaw the mounting of the CF18 air task group to the Persian Gulf War and set in motion the closure of Baden. In 1992, he returned to NDHQ as Special Assistant to the

**APPENDIX XII**  
**BIOGRAPHIES OF THE COMMITTEE SECRETARIAT**  
**(Major-General (Ret'd) G. Keith McDonald)**

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ADM(Per) and in July 1993 assumed the newly created position which combined the SA/VCDS and the Director of the NDHQ Secretariat.

In June 94, General McDonald was promoted to Brigadier General and assumed the duties of Director General Aerospace Development at NDHQ. He was promoted to Major General in 1996, assuming the position of director of combat operations, Headquarters North American Aerospace Defense Command at Colorado Springs, USA. He held that position until his retirement from the Canadian Forces in 1998 after 37 years in the Canadian Forces.

Gen McDonald has accumulated over 4000 hours of pilot in command flying time, primarily in the CF18, CF104, CF5 and T-33. Professional education includes a Bachelors degree in Politics and Economics, staff school, the RAF Staff College, Post Graduate Courses in Business at Queens University, the National Security studies course, and numerous project management courses.

After leaving the military in 1998, Gen McDonald served a period of "conflict of interest" prior to joining BMCI Consulting as a Principal Consultant in the Aerospace and Defence Division. In 2002, he left BMCI to set up his own consulting business, KM Aerospace Consulting.

Gen McDonald is married to the former Catherine Grunder of Kincardine, Ontario, and they have two grown daughters, Jocelyn and Amy.

## GRANT PURVES

A senior research officer, Mr. Purves joined the Parliamentary Research Branch of the Library of Parliament in 1974. Since then he has helped a number of Parliamentary committees prepare major studies. He was assigned to the Senate Committee on National Security and Defence in 2001. Mr. Purves has a strong academic background in military and East European history.

## BARBARA REYNOLDS

Barbara Reynolds has worked with Canadian parliamentarians for 28 years in various capacities. Trained as a sociologist, she worked for 10 years as a research officer for the Library of Parliament, assisting committees involved in the area of social affairs. During this time she served for three years as Director of Research for the House of Commons Committee on Disabled Persons that produced the landmark report entitled *Obstacles*.

An associate of the Parliamentary Centre for 15 years, she organized fact-finding visits for legislators to and from the United States as well as study tours to Canada for legislators from African and Southeast Asian countries. She coordinated professional development programs for legislators and their staff, and wrote guidebooks on the operation of parliamentarians' offices in Ottawa and in their constituencies. In addition, she served as the director of the Parliament, Business and Labour Trust, a program under which legislators spend up to a week with major corporations and trade unions.



## **APPENDIX XII**

### **Grant Purves and Barbara Reynolds**

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From 1985 to 2000 she also served as adviser to the Canadian Group of the Inter-Parliamentary Union, the worldwide organization of legislators that serves as the parliamentary wing of the United Nations.

In April 1998, she joined the Senate Committees Directorate as a Committee Clerk. Her committee assignments have included: Security and Intelligence; Boreal Forest, Fisheries; Transportation Safety; Veterans Affairs; and National Security and Defence. In June 2002, she received the Speaker's Award of Excellence for her work in the Senate.



**SENATE OF CANADA**

**National Security and Defence,  
Standing Senate Committee**

**2nd Session, 37th Parliament, 2002-03**

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January 2003**

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