

BORDERLINE INSECURE

*Canada's Land Border Crossings are Key to
Canada's Security and Prosperity.
Why the Lack of Urgency to Fix Them?
What Will Happen If We Don't?*

**An Interim Report by the Senate Committee
on National Security and Defence**

June 2005

MEMBERSHIP

38th Parliament – 1st Session

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The Honourable J. Michael Forrestall, *Vice-Chair*

and

The Honourable Norman K. Atkins

The Honourable Tommy Banks

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CHAPTER I

Canada-U.S. Land Border Crossings: Why Canadians Should Worry

If terrorists wanted to cripple Canada and simultaneously hobble the United States, where would they most likely strike?

The Parliament Buildings? The James Bay hydro-electric project? The Pickering nuclear reactor? All good targets. But not the best.

If somebody really wanted to tear into Canada's political and economic future and wound the Americans at the same time, an optimal target might well be the Ambassador Bridge in Windsor, Ontario.

One very possible result: a continent-wide shutdown of the border. What would a shutdown of Canada's land border with the United States mean?

One only has to ponder the fact that 87 per cent of Canada's exports go to the United States,¹ the majority of which is transported by truck.² One in four jobs in Ontario – Canada's most powerful economic engine – depends on exports to the United States. Two-way trade between the two countries is worth more than a billion U.S. dollars a day.³

Canada's beef cattle and softwood lumber industries are suffering enormously because of trade restrictions with the United States. A border shutdown would multiply Canada's problems by a number that nobody in Canada likes to think about. We should.

¹ The statistic is for 2002. See Industry Canada, "More Important than was Thought: A Profile of Canadian Small Business Exporters - Detailed Results," (December 23, 2004). Available at: <http://strategis.ic.gc.ca/epic/internet/insbrp-rppe.nsf/en/rd00970e.html>. Last visited: April 14, 2005. Canada's exports to the U.S. of goods and services totalled \$382.1 billion in 2002. See Department of Foreign Affairs and International Trade, "Fifth Annual Report on Canada's State of Trade: Trade Update," (Ottawa: March 2004): 4. <http://www.dfait-maeci.gc.ca/eet/pdf/SOT-2004-en.pdf>. Last visited: May 11, 2005.

² Approximately 14 million commercial trucks cross the Canada-U.S. border each year, which accounts for approximately 70% of Canada-U.S. trade. Commercial truck traffic is expected to increase by 118% over the next 30 years.

³ Canada's two-way trade with the U.S. averages over \$600 billion (CDN) annually. The total value of trade moved by land between Canada and the U.S. was \$482.2 billion (CDN) in 2001. Source: *Federal Law Enforcement at the Borders and Ports of Entry: Challenges and Solutions*, Report of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources, U.S. House of Representatives Committee on Government Reform, 107th Congress, 2nd Sess., (Washington, D.C.: July 2002) 18.

Our Border Dilemma

The lack of sufficient movement on infrastructure issues related to the Canada-U.S. border is hurting the Canadian economy and it will hurt it more in the future. It is estimated that every four hour delay at the Windsor-Detroit crossing costs the Ontario economy \$7 million (CDN) in lost production and the Michigan economy \$14.3 million (CDN).⁴

Without changes, congestion and delay at the Windsor-Detroit crossing will cost an estimated \$20.8 billion (CDN) a year by 2030.⁵

Everybody has recognized the need to improve security since September 11th, 2001. But increasing security, without improving border mechanisms, tends to slow traffic, with obvious economic consequences.

The solution is to not treat security and trade as an either/or proposition. The border needs to be fluid *and* secure. The only way to increase security and ensure fluidity is to address *personnel*, *operational* and *infrastructure* challenges.

You can't guarantee fluidity without adequate security, because a disaster could bring the border grinding to a halt – especially with the lack of backup at vital crossings.

This isn't earth-shattering analysis. It has been the essence of bilateral discussions between Canada and the United States since September 11, 2001. It is at the heart of the Smart Border Declaration that was signed in December 2001

⁴ The basic assumption behind the \$7 million (CDN) and \$14.3 million (CDN) figures are that border delays interrupt time-sensitive supply-chains leading to temporary losses in industrial production. The segments of the Canadian economy most likely to experience production delays and costs due a 4-hour border delay as of September 2003 were: Animal/Plant - \$1,400,971; Forest - \$970,970; Metal - \$1,373,229; Machinery/Electronics - \$1,553,552; Autos - \$804,518; and Other - \$915,486 (total = \$7,018,726 CDN). The segments of the United States economy most likely to experience production delays and costs due a 4-hour border delay as of September 2003 were: Animal/Plant - \$221,936; Forest - \$332,904; Metal - \$1,179,035; Machinery/Electronics - \$1,220,648; Autos - \$10,361,637; and Other - \$1,012,583 (total = \$14,300,000 CDN or \$10,310,000 USD). Source: Michael H. Belzer, "The Jobs Tunnel: The Economic Impact of Adequate Border-Crossing Infrastructure," Report Commissioned by the Detroit River Tunnel Partnership, (November 2003): 49-50, 53. Available at: http://www.culma.wayne.edu/pubs/belzer/20031103%20Jobs_Tunnel_Econom.pdf. Last visited: May 11, 2005.

According to a recent Ontario Chamber of Commerce member survey, most respondents said that they experience delays of 1 to 2 hours almost daily. The length of delay at the border is difficult to predict. This makes it impossible to plan for delays in advance and helps explain why delays are so costly. See Ontario Chamber of Commerce, *Cost of Border Delays to Ontario* (May 2004), 6. Available at:

[http://www.occ.on.ca/2policysubmissions/OCC%20Borders%20Cost%20Study%20\(ONTARIO\).pdf](http://www.occ.on.ca/2policysubmissions/OCC%20Borders%20Cost%20Study%20(ONTARIO).pdf). Last visited: May 11, 2005.

⁵ Canada-United States-Ontario-Michigan Border Transportation Partnership, "Planning / Need and Feasibility Study – Regional and National Economic Impact of Increasing Delay and Delay-Related Costs at the Windsor-Detroit Crossings – Final Report," Report prepared by HLB Decision Economics Inc., (January 2004) 47.

and the Security and Prosperity Partnership which emerged from the March 2005 meetings in Waco, Texas between Prime Minister Martin, and Presidents Bush and Fox.

Why This Report?

Our Committee, as part of its series of reports investigating Canadian security since September 11, 2001, has spent more than three years examining the strengths and weaknesses of how Canada handles security at crossings between Canada and the United States.

In past reports, the Committee has addressed vulnerabilities at Canada's airports and sea ports and along our coastlines. But no vulnerabilities stand out like those at our land border crossings.

Some limited progress has been made in lessening the likelihood of disasters at those crossings, and more was promised in the federal government's February 2005 budget.

However, our general assessment is that much more progress should have been forthcoming by now, on both sides of the border, in the more than three and a half years since 9/11.

How this report is structured

Chapter II focuses on rethinking the big picture. How can we adjust our priorities to make our land border crossings do what we need them to do?

Chapter III focuses on human challenges. Are our borders being monitored by enough personnel, trained and equipped to an appropriate level?

Chapter IV focuses on operations. Are the systems we have in place serving us well?

Chapter V focuses on infrastructure challenges at Windsor-Detroit. Why is this crossing so critical? Is there enough urgency on this file? How can we expedite the construction of any new crossings?

Chapter VI focuses on the Committee's future direction.

CHAPTER II

Rethinking the Big Picture

What Roles Should Border Crossings Play?

1. Is Canada using the border as a security chokepoint as effectively as it could? *No.*
2. Is Canada diverting too much time and too many resources to collecting revenue at the border from individuals? *Yes.*
3. Is Canada focusing the mission of the border agency properly? *No.*
4. Do Canadians have a sufficient understanding of how well or poorly border initiatives work? *No.*

Beyond the nuts and bolts of improving border mechanisms by increasing the skills of personnel, upgrading operational systems and reinforcing infrastructure, we need to reconsider the whole concept of how to make land border crossings work as well as they can for Canadians. What should be the primary mission of these crossings? And how will Canadians know whether their government is using these crossings to the best advantage of our citizens?

The Committee's conclusions are that:

1. **"The border" represents a rare opportunity for society, through government, to monitor and assess who and what comes and goes. It should not be wasted.**
2. **To take advantage of that opportunity, the government needs to continue the shift of border priorities that has already begun away from revenue generation and toward security.**
3. **Ordinary Canadians do not have any way of knowing how effectively border security policies are being implemented. They should.**

CONCLUSION 1: “The Border” is an opportunity. It shouldn’t be wasted.

Border crossings, of course, are meant to move people and goods efficiently from one country to the other. But there are other uses for the border, and the Committee believes that ensuring the well-being of Canadians should be at the top of the list. The government uses crossings to search for wanted persons or illegal entrants, prevent the importation of illegal commodities such as handguns, food and drugs, and to collect tariffs and taxes on goods purchased in the other country.

The Opportunity Our Border Crossings Provide

Bad things happen in every society, and bad people often get away with doing bad things. There are limits to taking measures to prevent this. The first is the rights and freedoms guaranteed to everyone in Canada: without reasonable and probable cause, the police generally do not probe and question a person’s behavior. The second is that law enforcement resources are limited.

Given those two restrictions, there are few opportunities, either in Canada or the United States, for face-to-face encounters between those charged with preserving societies and their institutions, and those attempting to corrupt or destroy those institutions. Someone with ulterior motives traveling between the far southern United States and the northern reaches of Canada could pretty well get away with anonymity – barring a confrontation with the law – were it not for our land border crossings.

Border crossings offer a nation its best chance to take a look at who and what is coming in. Border crossings provide border inspectors a chance to go eye-to-eye with those individuals intent on causing harm to Canadian society. It isn’t a perfect opportunity – in most cases the time to appraise a traveler won’t last more than 30 seconds. But it does allow trained officers to scrutinize the approximately 71 million people who cross the Canada-U.S. border every year. The opportunity to scrutinize people efficiently, intelligently and fairly can be squandered if proper training, resources and systems are not in place. They should be there.

Securing North America

Some argue that Canada and the United States should remove all border barriers between them and establish a security perimeter around North America.⁶ There is some logic to this. Because of the length of the land border and the interdependent nature of the connections between Canada and the United States, it makes sense to identify and eliminate threats as far away from the continent as possible before they become security concerns at home.

The Committee supports the idea of a continental security perimeter, *but* moving beyond that to a European-style customs union would virtually eliminate the U.S.-Canada border. We need the border, partially for security reasons. The land border and its crossings provide us with natural chokepoints that work to protect both Canada and the United States. The border itself is a necessary separation of two discrete societies; and border crossings are valuable for monitoring the movement of people and goods between those societies to ensure that only legitimate people and goods pass back and forth.

The Committee believes that an essentially borderless North America would undermine Canadian security in two ways.

For a start, consider the challenges being faced by the European Union since the introduction of the Schengen Agreement – the agreement which allows travelers in participating countries to cross international frontiers without having to undergo personal inspections.⁷ The agreement has devolved European security to the point where the security of all of these countries is no stronger than that of the weakest country. Focusing on the North American perimeter while easing up on the border between Canada and the United States would create a similar situation.

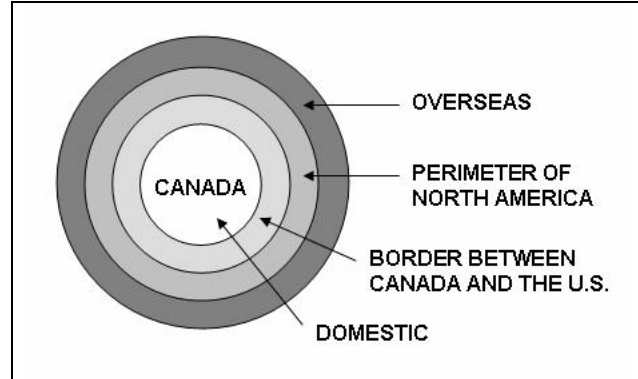
Second, it would undermine Canada's strategy of layered defence which the Committee strongly supports. Layered defence involves:

⁶ See for example, Independent Task Force on the Future of North America, "Creating a North American Community," Chairman's Statement (March 15, 2005), 10. Available at: http://www.cfr.org/pdf/NorthAmerica_TF_eng.pdf. Last visited: April 28, 2005.

⁷ The Schengen Agreement was signed in 1985 and expanded into the Schengen Convention and Schengen *acquis* in 1995. The EU signatories are Austria, Belgium, Denmark, France, Finland, Germany, Greece, Portugal, Italy, Sweden, Luxembourg, Spain, and the Netherlands. Norway and Iceland are non-EU parties to the Convention. Ireland and the United Kingdom are not parties to the agreements, but they may take part in some or all of its provisions. The 10 countries that joined the EU in 2004 are not yet full operational members of the Schengen area. Cited from: "Glossary--Schengen Agreement and Convention" (European Communities, 1995-2005) Available at: http://europa.eu.int/scadplus/glossary/schengen_agreement_en.htm. Last visited: May 25, 2005.

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- responding to threats before they reach North America – damage at home can be avoided when the action takes place as far away from Canada as possible;
- defending the perimeter of North America;
- maintaining the border between Canada and the United States, by inspecting those who cross between them; and,
- monitoring threats and vulnerabilities within Canada itself.



Those four layers of defence need to be optimized. They complement one another. Easing up at the Canada-U.S. land border would weaken the strategy.

Border security works for Canadians. There are elements of U.S. society that Canadians wish to keep at bay – for example, the American gun culture. The borders have served as a useful tool here: the Canada Border Services Agency seized 5,446 firearms at the Canadian-U.S. border between 2000 and 2004.⁸

It also works for Americans. The Canada-U.S. border allows U.S. authorities to scrutinize people and to try to minimize their worst fear – terrorists coming to America from elsewhere. That works for them and works for us – the false accusation that the 9/11 terrorists came from Canada did our image and our economy great harm.

Both countries are also protected from the movement of illicit drugs.

With good border security, we can protect our own country as well as be a good neighbour to a country that is vitally important to Canadians, politically and economically.

All these factors led the Committee to two conclusions about how Canada should be maximizing the potential of the Canada-U.S. border.

⁸ Canada Border Services Agency, “Response to the Standing Senate Committee on National Security and Defence – 66 Questions – Border Security” (February 1, 2005): 9.

CONCLUSION 2: Security should be the primary mandate of the Canada Border Services Agency.

Canada's first customs office was created in 1788 to regulate trade along the Vermont-Canada border. Until the outbreak of World War I and the subsequent introduction of income taxes, revenue from Customs accounted for 75 percent of Canada's national revenue.⁹ But by 2004, the \$95.8 million the federal government collected in customs duties from travelers entering Canada¹⁰ accounted for only 0.047 percent of the government's total revenue.¹¹

Is collecting duties, tariffs and taxes at the border from companies and individuals the best use of CBSA personnel? Collecting custom import duties at the border was a major source of government revenues in the days before income taxes were introduced in 1917. But in fiscal year 2003-04 duties on goods carried by individual travelers accounted for less than one-tenth of one percent of total government revenue.

Given the importance to the Canadian economy of (a) moving people and vehicles quickly at our border crossings, and (b) providing optimal security at these crossings, the Committee believes that this question needs to be asked:

Is Canada devoting too much time, too much space and too many resources to checking people to see whether they shopped too much, when it could be putting that time, that space, and those resources towards the security of our economy?

The Committee believes that it is.

⁹ Dave McIntosh, *The Collectors: A History of Canadian Customs and Excise* (Ottawa: Ministry of Supply and Services Canada, 1984) 133.

¹⁰ Canada Border Services Agency, Comptrollership Branch. In 2003-04, the government collected approximately \$76.65 million in customs import duties on personal goods for all travelers entering Canada from the United States. This amount does not include commercial customs duties and provincial and federal taxes, including the Goods and Services Tax / Harmonized Sales Tax (GST / HST).

¹¹ This figure does not include any GST or provincial taxes collected or excise duties on items such as tobacco and alcohol. See Department of Finance, "Federal Government Public Accounts, Table 3 – Budgetary Revenues," (October 2004). Available at: http://www.fin.gc.ca/frt/2004/frt04_1e.html#Table3. Last visited: April 14, 2005.

There are all kinds of ways for government to collect revenues, and they can be done without getting in the way of what should be the two main priorities of any government: first, to protect the physical well-being of its citizens; and second, to assure that the country is able to sustain an economic environment that provides opportunities for those citizens to better their lives. Focusing on security at border crossings – rather than the collection of duties on personal goods – would better serve both those priorities.

The need for a further culture shift

This focus would require a culture shift within the Canada Border Services Agency (CBSA). Canada's border personnel should not be consigned to the role of tax collectors. As things stand, however, collecting revenues takes up an inordinate amount of their time.

We acknowledge that there has been progress in placing emphasis on security. In 1998, for instance, Canada Customs and Revenue Agency officials (the predecessor agency to CBSA) were given the power of peace officers so they could enforce some specific laws under the Criminal Code, in addition to the powers they already enforced under the Customs Act.

On December 12, 2003, the government took another evolutionary step. It created the Canada Border Services Agency in the Department of Public Safety and Emergency Preparedness Canada. This brought together the Customs program from the Canada Customs and Revenue Agency, the Intelligence, Interdiction and Enforcement Program from Citizenship and Immigration Canada and the Imports Inspection Program from the Canadian Food Inspection Agency.¹²

National security is supposed to be one of CSBA's key missions, so those who speak for CBSA will tell you that security is already part of the agency's mandate.¹³ Mission statements, unfortunately, don't always reflect reality. The testimony the Committee has heard and the information it has gathered from

¹² In October 2004, the government transferred further functions to CBSA, making it responsible for the on-going delivery of immigration operations at ports of entry. With this, the government completed the integration of customs, immigration, and food inspection personnel into an integrated border inspection corps. See Canada Border Services Agency, "Government of Canada announces transfer of certain functions between Citizenship and Immigration Canada and the Canada Border Services Agency," (October 12, 2004). Available at: <http://www.cbsa-asfc.gc.ca/newsroom/releases/2004/1012functions-e.html>. Last visited: April 29, 2005.

¹³ Canada Border Services Agency, "2005-2006 to 2007-2008 Estimates, Part III – Report on Plans and Priorities," (2005): 16-7.

CBSA officials and their employees suggest that security still ranks second to revenue gathering at Canada-U.S. land border crossings.

The Committee has seen little evidence that a stronger security culture has taken root. There appears to be a disconnect between senior managers at Headquarters in Ottawa and the management and operational personnel in the field.

The Next Step

The collection of duties, tariffs and taxes from individuals at border crossings should be de-emphasized. This would facilitate the necessary cultural shift within CBSA, and make Canadian-U.S. land border checkpoints more secure. More than eleven years after the North America Free Trade Agreement was signed – bringing these two countries into the brave new world of free trade – border officials should no longer be preoccupied with sorting out whether personal exemptions have been exceeded.

Enforcing compliance on what individuals purchase abroad and bring into the country has always been problematic. It is becoming increasingly more so with the growth of internet purchases.

Border officials told us that the amount of time they spend processing customs duties steals from the number of personnel deployed on the primary inspection line. For relatively little gain, it shifts the focus of border inspectors from security to tax collection. It doesn't give border inspectors a chance to use the small amount of time they have to focus on the people they should be focusing on.

Border inspectors require more time to do what we expect them to do: guard our borders. This will have some impact on revenues. But the money foregone will be offset by the greater security. It would be a wise investment in the future of the Canadian economy.

Looking for the right stuff

Border inspectors focus on tell-tale signs of suspicious behavior. Nervous people, who might be worried about having purchased too much when they were away, often display such signs. Border inspectors need more time to focus on people who might be a genuine threat to Canada. Hardened criminals or terrorists often don't look nervous at all. But trained officers often detect people who are up to

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no good based on their knowledge and experience. These are the people who demand Canada's attention, not excessive shoppers.

Border officers told us that people who present no threat to Canada are often sent off for secondary searches because they appear nervous, and that many of these turn out to be "false positives": people who haven't done the least thing wrong. All this dilutes the capacity of border officers to look for serious threats and to neutralize them.

Getting there from here

The Committee proposes that the federal government make the following adjustments to limits on personal expenditures in the country they have visited:

1. Harmonize personal exemption limits between Canada and the United States (Canada's are currently lower, see Table 1) within two years;
2. Work with the United States to gradually raise both countries' personal exemption limits to \$2,000 per visit, within 5 years.

TABLE 1: Current and Proposed Personal Exemption Structures in Canada and the United States¹⁴

Exemption Level	Canada			U.S.	
	2005	2007	2010	2005	2010
	Now	Harmonization within 2 years	Move to increased exemptions within 5 years	Now	Move to increased exemptions within 5 years
0 - 24 hrs	\$0	\$200 US	\$2000 US	\$200 US	\$2000 US
24 - 48 hrs	\$50 CDN	\$800 US	\$2000 US	\$800 US	\$2000 US
48 hrs - 7 days	\$200 CDN	\$800 US	\$2000 US	\$800 US	\$2000 US
7 days or more	\$750 CDN	\$800 US	\$2000 US	\$800 US	\$2000 US

Implementing this proposal will take coordinated effort between Canada and the United States. Border provinces/states stand to benefit from increased numbers of shoppers from the other side of the border.¹⁵ Which side benefits the most at any given time will depend partially on the exchange rate between the Canadian and American dollars. The lower value of the Canadian dollar effectively subsidizes Canadian businesses selling goods or services to Americans. The low Canadian dollar has attracted large numbers of Americans north of the border over the past decade. Higher exemptions would clearly attract more of them.

Large corporations have clearly benefited from free trade. Retailers and consumers in general should be provided with increasing opportunities to share in the benefits. De-emphasizing the collection of customs duties and taxes at land border crossings would encourage this, while at the same time accomplishing the Committee’s main goal: to permit border inspectors to increase their focus on security.

¹⁴ This would include special items such as cigarettes, perfume and wine.

¹⁵ On September 18, 2003, the U.S. Senate passed a resolution co-sponsored by Senator Susan Collin (R-ME), and Senators Baucus, Bingaman, Domenici, Clinton and Murray. The resolution called on the U.S. Government to pressure the Canadian and Mexican governments to bring their exemption limit structures in line with U.S. limits because their current lower exemption limits disadvantage U.S. businesses. The Committee met with Senator Collins in Washington, D.C. on April 20, 2005 and discussed its proposal to not only achieve parity with U.S. limits but to also raise both Canadian and U.S. exemption limits in the interest of national security. Senator Collins said that she would support such a proposal.

RECOMMENDATION

- 1. Restructure the personal exemption limits to allow the Canada Border Services Agency to better focus on security. The restructuring should include harmonization with U.S. levels by 2007 and incremental bilateral increases to \$2000 per visit by 2010.**

CONCLUSION 3: The Government should be more open with Canadians about security.

In the post-9/11 world Canadians need to become more aware of and involved in the national security-related decisions that are taking place in Canada that will affect their long-term well being.

While this report is about border crossings, this conclusion applies to security problems across the board. The public has the right to be informed about the effectiveness of security systems that they are paying for. Without this knowledge Canadians cannot engage in informed discussions about their security.

Every Canadian has a sense of how much risk he or she is willing to tolerate in any given situation. One of the government's primary roles is physical protection of its citizens. It has a duty to reduce physical risk wherever it can.

The government also has an obligation to be more open about how much risk its various security systems tolerate at any given time. Canadians have a right to this information

- So they can make intelligent decisions about their own behaviour
- So they can contribute to discussions about whether the government should be spending their money more wisely in trying to avert excessive risk
- Because they are paying for these systems, and deserve an accounting of their effectiveness.

TABLE 2: UNSEARCHED TRAINS¹⁶

The Chairman, Senator Colin Kenny: Why does the CBSA have a concern about disclosing the number of containers searched when you have no concerns about telling us when we are not VACISing¹⁷ any trains coming across the border?

Denis Lefebvre, Executive Vice-President, Canada Border Services Agency: That is because we are not VACISing any trains.

The Chairman: If you are prepared to say we are not inspecting any trains coming across the border, why are you not prepared to talk about where you are inspecting?

Mr. Lefebvre: One is more obvious than the other. The number of examinations that will take place at a port is not as obvious as the fact that we are not VACISing trains that are crossing into Canada.

The Chairman: It is pretty obvious when you are just running one shift with a VACIS at Windsor.

Mr. Lefebvre: A VACIS is one thing, but we do some back-end examinations and we do some destuffing. That can take place any time of the day.

The Chairman: We understand that it is 2 per cent or 3 per cent.

Mr. Lefebvre: As I mentioned, it is a low percentage compared to the number of trucks that are coming through.

The Chairman: You have given us that information publicly before.

Mr. Lefebvre: It is preferable. We strongly believe at the agency that giving detailed operational information like that renders our operations less effective. Again, we would be quite delighted to provide the information to the senators, but we believe that the publicity attendant to this being widely communicated just renders our operations less effective.

¹⁶ Denis Lefebvre, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (February 7, 2005).

¹⁷ VACISing was an expression used in discussion between Senator Kenny and Mr. Lefebvre to describe the process of examining trains with a Vehicle and Cargo Inspection System, an x-ray based technology that allows Inspectors to determine the contents of a container or a truck without opening it.

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Our point is simple: be honest with Canadians about how well, or poorly, current systems are working. Governments do not have to release the kind of details that would help a criminal take advantage of a gap at a particular border crossing, airport or sea port. But Canadians deserve to know what measures are being taken to protect them, and they have every right to know the results of tests taken to determine the efficacy of those measures.

Secrecy – particularly in the field of security – is too often the government default position. Openness should be the default position and secrecy the exception. Secrecy about security hides bureaucratic inefficiency and protects governments that aren't doing what they should be doing to protect their citizens.

This Committee keeps asking questions about risk and measures supposedly being taken to avoid risk. Too often, we are not getting answers.

For example, the Committee has asked to see test results on the effectiveness of container screening at ports of entry, on license-plate readers at borders, and on the compliance verification measures in place for the Free and Secure Trade (FAST) and NEXUS programs.¹⁸

We have been stonewalled. Sunlight is the antiseptic of democracy. Trite but true.

Too often we hear the lame excuse that the government can't afford to encourage terrorists by providing them with statistics about vulnerabilities. This is nonsense. Criminals know where the holes are because everyone who works in the vicinity of airports, sea ports and border crossings knows where they are. If criminals can find out, so can terrorists.

Strangely, while CBSA officials denied us numbers in all of these areas, they were pleased to share information that told us that they were doing absolutely nothing to match the American effort to screen trains coming across the border (see Table 2).¹⁹

¹⁸ Free and Secure Trade (FAST) and NEXUS Highway are joint Canada-U.S. programs designed to increase border efficiency. Under FAST, commercial processes have been harmonized to ease the clearance of commercial shipments. Drivers of FAST shipments are pre-approved. Similarly, NEXUS effectively pre-clears travelers. Both programs allow participants to use the special lanes where available to expedite their crossings.

¹⁹ The Committee is convinced that Canada could be moving towards doing the same thing but it isn't because of a lack of manpower and equipment.

This secrecy wasn't an exception to the rule. The Committee found little pattern in the CBSA's willingness to release information of this nature, other than the agency tends to be more secretive at the centre, in Ottawa hearings, than it does at its outposts – cities with ports and land border crossings that the Committee visited. In short, CBSA's policy on the release of information appears to be something close to haphazard.

It is in the interests of Canadians if the agency adopts an intelligent, across-the-board policy. It should not release information that might help a wrongdoer circumvent security at a particular location, but it should be much more forthcoming on the success or failures of its security systems in general. Without that information in the public realm, any progress toward genuine reform is likely to be about as haphazard as CBSA's information policy.

Canadians deserve periodic reports that will allow them to assess the quality of current security practices. These results should be made public after a suitable delay to give the government the opportunity to address any issues that might come to light.

TABLE 3: ACCEPTING THAT CANADIANS HAVE A RIGHT TO KNOW

Extract from Committee Testimony, 11 April 2005:

Deputy Prime Minister Anne McLellan: Mr. Jolicoeur mentioned the emphasis on results. One identifies problems; usually those problems are identified in public in quite a high profile way as we may have noticed today, for example. Therefore people are aware of some of the challenges, some of them maybe problems, some of them maybe challenges, some of them maybe exaggerated. Having said that, it is fairly public what some of the challenges are and therefore I see nothing wrong as long as it is not revealing certain kinds of operational detail in telling you there is a plan and what key components are and what results we expect in six months, a year from that plan. Absolutely, everyone has every right to expect that.

The Chairman, Senator Colin Kenny: And tell us the results?

Ms. McLellan: Yes, absolutely.

When Deputy Prime Minister Anne McLellan testified to the Committee in April 2005, she appeared open to developing methods to share more information.

Months later, there have been no signs of any proposals to increase transparency.

RECOMMENDATIONS

- 2. The government should implement a system of periodic effectiveness testing that assesses the effectiveness of each of the components of Canada's national security programs at our borders.**
- 3. The government should release the results of periodic effectiveness testing of border security programs, after a delay sufficient to remedy problems.**

CHAPTER III

Human Challenges

Canada Border Services Agency personnel face the momentous task of processing more than 92 million travelers a year -- including more than 71 million at the land border with the United States -- and processing goods worth approximately \$350,000,000,000.²⁰

Their judgments determine who, and what, enters Canada.

Inspection officers do a commendable job with the resources provided. However, the Committee has seen no evidence that the resources provided enable inspectors to do the job that Canadians expect of them. To facilitate a culture shift towards security, the Canada Border Services Agency must address shortfalls in three areas:

- The proper staffing of border posts
- The provision of proper training for all officers on duty
- The provision of adequate tools to ensure that officers who are responsible for security actually have the capacity to enforce security

CONCERN 1: Proper Staffing

Our three main concerns on staffing are these:

- The CBSA workforce is generally **understaffed** for its missions
- At many border posts inspectors actually work **alone**
- A greater emphasis needs to be placed on **security** in the training syllabus for inspectors
- Short-term replacement inspectors are not trained to the same standard as full-time inspectors

²⁰ Canada Border Services Agency, “2005-2006 to 2007-2008 Estimates, Part III – Report on Plans and Priorities,” (2005): 7.

A. Inadequate staffing levels

Since 1994, trade between Canada and the U.S. has grown by 77.7%.²¹ However, the total number of employees on the Canadian side of the border has remained relatively constant during this period. According to the Department of National Revenue, there were the equivalent of 8,330 full-time inspectors in 1992-93. According to the Auditor General, there were 30 fewer persons delivering the customs program in 2003.²² CEUDA, the union representing Customs Inspectors, says there was only a marginal increase between 9/11 and the current time.²³ With the huge increase in traffic since 1994, the ratio of traffic volume to border personnel has ballooned.

During that same period, the number of U.S. Customs and Border Patrol agents assigned to the Canada-U.S. border has tripled.²⁴

The Committee heard several credible arguments as to why staffing levels for Canadian inspectors should be significantly increased. For a start, CEUDA, the customs union, reported that inspectors often feel pressured to move lines quickly, rather than do their job thoroughly. The union also argued that when staffing is cut back dramatically during slow periods, the security of inspectors working without support is compromised. The Committee was informed that the Vehicle and Cargo Inspection System (VACIS) equipment used to scan trucks at the Windsor-Detroit border is only staffed one shift out of three, and that truckers communicate with others approaching the border as to whether they are likely to be required to undergo a VACIS search, or are better to wait until the equipment is shut down.

²¹ Department of Foreign Affairs and International Trade, "Box E: NAFTA@10," Fifth Annual Report on Canada's State of Trade: Trade Update, (Ottawa: March 2004): 28. <http://www.dfait-maeci.gc.ca/eet/pdf/SOT-2004-en.pdf>. Last visited: April 30, 2005.

²² According to the Department of National Revenue in 1992-93 there were 8,330 full-time equivalents delivering the customs program. According to the Auditor General in 2003, about 8,300 people were employed by the customs program. See Department of National Revenue, "1994-95 Estimates – Part 3, Expenditure Plan," (Ottawa: 1994) 2-34; and Auditor General of Canada, "Canada Customs and Revenue Agency — Managing the Risks of Non-Compliance for Customs," 2003 Status Report, (Ottawa: May 2003): paras. 2-10.

²³ Customs Excise Union, "Security Problems at Canada's Border Crossings: Evidence & Recommendations," Submission to the Stand Senate Committee on National Security and Defence, (April 7, 2005), 23

²⁴ Reuters, "Lawmakers Criticize Bush on Border Security," (March 3, 2005). Available at: <http://edition.cnn.com>. Last visited: March 16, 2005; and Department of Homeland Security, "Agents Added to U.S.-Canada Border to Enhance Homeland Security," (July 2, 2003). Available at: <http://www.usembassycanada.gov/content/index.asp>. Last visited, April 20, 2005. While the U.S.-Canadian border is approximately 8892 kilometers long, and the U.S.-Mexican border is approximately 3200 kilometers long, the northern border is guarded by only 10 per cent of U.S. agents assigned to the southern border.

There are other areas in which it is clear to the Committee that security at land border crossings would be better served if staffing were increased. There is, for instance, no evidence of random testing of the FAST/NEXUS programs designed to allow easy passage for known users, for instance, which amounts to a license to smuggle. One other example: the Committee found scant evidence of internal audits at CBSA to determine whether inspection systems are working effectively, with appropriate attention to security. All of these weaknesses create holes in the system. To fill them will require additional staffing.

RECOMMENDATIONS

- 4. The Canada Border Services Agency deploy only inspectors fully-trained to the level of indeterminate employees to perform primary duties on inspection lines.**

- 5. The number of personnel employed by the Canada Border Services Agency be sufficient to provide security commensurate with increased security threat associated with the increased traffic and threat at Canada-U.S. land border crossings in recent years.**

B. Working Alone

There are 139 ports of entry across Canada where border personnel work alone at least part of the time.²⁵

Across much of Canada our first line of defence is only one person deep.

At these posts, a single official collects duties and taxes, performs primary and secondary inspections, does immigration checks, and conducts food inspections. That is simply too many functions for a single border officer to perform effectively. Assigning one person to act as chief, cook and bottle washer is a recipe for disaster.

²⁵ Canada Border Services Agency, “Response to SCONSAD – 66 Questions,” (February 1, 2005): 4.

Canada has a duty to those who serve on our borders to provide for their safety, and to ensure that they are properly trained, equipped and backed up.

Quotes like this fuel the debate:

“Here I am at the Canadian border, we’re talking 7:30 p.m., and the guy’s sleeping. I can’t blame him, though – he was all alone on a 24-hour shift.”²⁶

This quote, taken from the *Montreal Gazette*, surely addresses an exceptional case. But *any* case like this shows the system is flawed, and tells the outside world that we really aren’t taking national security seriously.

Since 2002, the Committee has been concerned about the practice of staffing land border crossings with one officer. Our report *Canadian Security and Military Preparedness* recommended that this practice be discontinued. We stand by that recommendation.

RECOMMENDATIONS

- 6. The Canada Border Services Agency ensure that at least half of all shifts at land border crossings be staffed by at least two persons by Dec. 31, 2006; and that all shifts at all land border crossings be staffed by at least two persons by Dec. 31, 2007.**
- 7. The Canada Border Services Agency significantly increase its capacity to move extra personnel to posts during surge/emergency conditions, and that it document such an increase in capacity by Dec. 31, 2006.**

²⁶ Cited in Catherine Solyom, “Border agents doze at posts, traveler says,” *Montreal Gazette*, Thursday, January 20, 2005: A7.

C. Use of under-trained short-term replacements

The Canada Border Services Agency hires insufficiently-trained, short-term replacements to fill holes in what is supposed to be the front line of Canada's border security: its land border crossings.

This program is integral to CBSA's operations. Last year, for example, of the 2,595 inspectors who were assigned to work at land border crossings, 589 of them, roughly 22 per cent were replacements.²⁷

According to CBSA, replacement hiring is especially intense in the summer for "operational reasons" because the traffic volume at the land border increases greatly and many permanent border personnel take vacations.²⁸

Training for part-time staff is inadequate. It is inadequate compared to the training that full-time staff currently receive, and inadequate in comparison to the increased training full-time staff will receive in the future.

Intensive training programs for full-time staff at CBSA's training facility in Rigaud, Que., used to take 13 weeks. These courses have since been cut back to 8 ½ weeks. However, CBSA assured us that they are planning to return to 13-week courses. This does not mean a return to the more comprehensive earlier training. Rather, it is predicated on the fact that all inspectors are now to be cross-trained to perform many customs, immigration and food inspection duties, following the amalgamation of those responsibilities under CBSA. In other words, the training will be broader, rather than more intense.

Meanwhile, part-time employees receive only 2-3 weeks of training. This training is not imparted at the specialized training site at Rigaud. It is offered up on the job.

Canadians must take account of the fact that the primary inspection line is our last, best chance to take the measure of who, or what, is trying to enter Canada before they enter the country. The time available for making this assessment is

²⁷ These statistics come from a Canada Border Services Agency written response to a list of Committee questions. According to the Agency, it had 2006 full-time equivalent indeterminate employees working at land border crossings in 2003-04. The figure of 589 was the amount of replacements on strength during last July, the peak month for replacement employment. Cited from Canada Border Services Agency, "Response to the Standing Senate Committee on National Security and Defence – 66 Questions – Border Security," (February 1, 2005): 2.

²⁸ Canada Border Services Agency, "Response to SCONSAD – 66 Questions," (February 1, 2005): 10.

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short. The expertise that is required cannot be gained over a brief period in a busy, on-the-job setting.

As CBSA Executive Vice-President Denis Lefebvre noted in testimony "we have literally hundreds of risk factors" that officers use to assess risk. But "first and foremost," he said, "they are based on our own experience."²⁹ Point well made.

Mr. Lefebvre and his agency should not be assigning poorly-trained, inexperienced people to make up one-fifth of inspectors, on whom Canadians are counting to utilize a wide variety of risk assessment skills during the peak of the travel season.

CBSA contends that replacements do not perform the same tasks as regular officers (such as enforce the *Customs Act* and *Criminal Code*), that they are always supervised, and that they never perform secondary inspections.³⁰ This is not true.

Documentation Contradicts Testimony

The Committee is in possession of a growing pile of documentation – in the form of timesheets from a number of border posts – that directly contradicts CBSA's assurances. According to these timesheets, some replacements work without supervision, some work alone, and some conduct secondary inspections. We had heard stories to this effect; the time sheets document these stories.

Members have come to the conclusion that CBSA, on a number of occasions, has assigned part-time personnel to duties for which they have no training and little, if any, experience.

This is unacceptable, even as it stands. But such practices will become even more untenable if the government responds to recommendations the Committee will make later in this report that inspectors take on greater responsibility for reducing the number of undesirable persons entering Canada. Some of these people will present a threat to anyone trying to get in their way. We need trained people to deal with them.

²⁹ Denis Lefebvre, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (February 7, 2005).

³⁰ Canada Border Services Agency, "Response to SCONSAD – 66 Questions," (February 1, 2005): 10-11.

The Committee has no objection to CBSA introducing students to the complex responsibilities of border inspectors. But it stands by Recommendation 4, above, that only fully-trained employees be deployed to perform primary roles on inspection lines.

RECOMMENDATION

- 8. The Canada Border Services Agency investigate the possibility of pairing students with full-time inspectors at land border crossings so that students could earn both summer wages and credits toward community college diplomas associated with policing and security.**

CONCERN 2: The Provision of Proper Training for all Officers on Duty

If the evolution from tax collection to security is to continue, it is important that training for border personnel evolves as well. As Denis Lefebvre testified to the Committee, experienced people are one of the Agency's key assets.³¹

These key assets must be trained in a complex set of skills that will allow them to make critical judgments that impact on the security of the border every day.

Major training programs for customs personnel, which are supplemented by ongoing training, are currently delivered within the following programs: the Customs Inspector Recruit Training Program, the Port of Entry Immigration Officer Training Program and the Student Customs Officer Training Program.

CBSA has assured the Committee that "All Customs officers, including students, receive the training and the tools that they require to perform their duties effectively and efficiently."³²

³¹ Lefebvre, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (February 7, 2005).

³² Standing Senate Committee on National Security and Defence, Canadian Security Guidebook: 2005 Edition, (December 2004) 27.

Cultural Sensitivities

Since the integration of Citizenship and Immigration Canada and the Canadian Food Inspection Agency last year, CBSA has been re-examining its training program. There are a number of ways a new syllabus could introduce a greater focus on security matters. One of the areas in which the Committee believes training for inspectors is deficient relates to sensitivity toward other cultures.

Understanding other cultures is important because officers need to know whether certain types of behaviour from persons of one cultural background necessarily mean what they generally mean in our society.

Some cultures may exhibit different degrees of anxiety in the presence of authority figures, for instance, simply because of experiences they may have had in other countries. In some cultures it is a sign of disrespect to look an elder in the eye. In short, knowledge of cultural differences will help inspectors perform the important task of separating suspicious people from harmless people.

Secondly – and perhaps more importantly – it is essential that inspectors show respect for persons of all cultural backgrounds. Many Americans and Canadians with roots in the Middle East believe they have faced discrimination since 9/11, particularly at border crossings.

Failure to provide inspectors the type of training that encourages the demonstration of respect and sensitivity could foment hostility and bitterness. Hostility and bitterness aren't likely to promote the more secure Canadian society the Committee has in mind.

RECOMMENDATIONS

- 9. The Canada Border Services Agency expand its training programs in line with its newly focused mission on security as opposed to tax collection.**

- 10. The Canada Border Services Agency improve its training programs for border agency personnel, with a special focus on components that increase skill sets for questioning techniques and cultural sensitivity.**

CONCERN 3: Providing the Tools to do the Job

Some jobs in our society are a lot riskier than others. Those of us with office jobs don't face the daily risks associated with being a platoon commander, a police officer or a jail guard. Nor do we face anything like the risks associated with being an inspector at a border crossing.

A significant part of the role played by inspectors involves searching for drugs, guns and illegal entrants, many of whom will have been involved in criminal activity. Dealing with people like this on a regular basis, and trying to defend Canadians from whatever malfeasance they may be up to, is a risky way to make a living.

Reports of violent incidents at land border crossings are relatively infrequent. This, the Committee believes, is due in part to the fact that CBSA lacks a credible system for reporting and cataloguing these types of incidents. Between August 2000 and October 2002, the most recent period for which statistics were available, 63 critical incidents reports were filed, involving threats or assaults to officers.³³

³³ CBSA defines critical incidents as events that could lead to police involvement and arrests and involve criminal incidents (situations like threats and assaults to officers). ModuSpec Risk Management Services, Customs Inspectors and Superintendents Job Hazard Analysis – Final Report – Working Draft, 16, 25-6. In a response to the Committee's inquiries about critical incidents facing officers, CBSA noted that of these 63 critical incidents: a. there were no reported assaults with weapons (even though weapons were seized); b. it should be further noted all injuries to officers were minor in nature; c. None of incidents resulted in fatalities or permanent disabilities to officers.

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Does the government have a duty of care to reduce the risk involved for CBSA inspectors doing a difficult job? Absolutely. In fact, Canada has a duty of care to these people.

Does the government have an obligation to reduce risks posed to Canadian society by the entry of dangerous persons and goods? It does.

The recommendations at the end of this chapter connected to providing inspectors with the tools they need to do their jobs are based on these two considerations:

- (a) reducing risk for inspectors themselves;
- (b) reducing risk for all Canadians threatened by the entry of dangerous persons and goods at Canadian land border crossings.

Barging In

When officers are *not* threatened by aggressive entrants, it is sometimes because these people simply barge past them. CBSA says it cannot provide an official count of the number of vehicles that have crashed Canadian land border crossings in recent years, but anecdotal reports indicate that these incidents have become numerous.³⁴ Clearly, any serious attempt to reduce these border crashings would create another element of risk for border inspectors.

Should the Canadian government be attempting to reduce the number of vehicles that crash their way into the country with relative impunity? The Committee believes that it is difficult to argue that the issue of security at our borders is being taken seriously if such an attempt is not made. An armed presence at the border would act as a deterrent against some who would otherwise consider crashing the border.³⁵

³⁴ The Canada Border Services Agency estimated that in 2004 there were approximately 1,600 border runners or failure to report instances. CBSA said that those numbers are so high (in part) because many travelers do not intentionally fail to report, but only omit to do so because of their lack of understanding of their obligation under the law. See: Canada Border Services Agency, “Response to SCONSAD – 66 Questions,” (February 1, 2005): 12.

³⁵ There are several complicated issues that need to be resolved with regards to border runners. The committee is not addressing the border runner problem directly in this report and will examine and comment on those issues in a later report as part of an examination of security between land border crossings.

How Can One Defend Without Confronting?

It will be difficult to place a greater emphasis on preventing the entrance of dangerous weapons and/or dangerous people into Canada under the current government directive that inspectors avoid confronting persons known to be dangerous.

On the one hand the federal government amended the Criminal Code of Canada and the Customs and Excise Act in 1998 to allow customs officials to act as peace officers. On the other hand, at approximately the same time, the government instructed those peace officers not to confront persons believed to be armed and dangerous.

The "Canada Customs and Revenue Agency Interim Policy on the Handling of Armed and Dangerous Lookouts" states that "should a Customs Officer encounter an individual who is identified as being the subject of an armed and dangerous lookout, the Customs Officer should allow the individual to proceed and immediately notify the police and provide as much detail as possible to enable apprehension."³⁶

Catch-22

There is an element of Catch-22 to this policy, because, based on the testimony the Committee has received, in the vast majority of cases *there are no police*. At least, not any police close at hand, nor any police able to drop their other duties and rush to the scene of a border incident.

CBSA has working agreements with the RCMP and municipal police forces whereby they are supposed to assist if border inspectors call on them. In February, 2003, then Minister of National Revenue Elinor Caplan pronounced if "the situation ever warrants the use of firearms at the border, existing police forces will be deployed to deal with potential security risks."³⁷

³⁶ These "temporary" instructions were issued to border personnel three years ago and have not been replaced. See Jim Abbott, "Speech to Parliament," House of Commons Hansard, (December 13, 2004). Available at: http://www.parl.gc.ca/38/1/parlbus/chambus/house/debates/044_2004-12-13/han044_1730-E.htm. Last visited: April 30, 2005.

³⁷ Elinor Caplan, "Address to the Custom Program's Senior Managers, Cornwall, Ontario," (February 5, 2003). Available at: <http://www.cbsa-asfc.gc.ca/newsroom/speeches/2003/cornwall-e.html>. Last visited: March 16, 2005.

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There are two problems here. The first problem is distance. Sometimes supporting police forces are simply too far away to be of any use. In southern Manitoba, the average distance from the nearest police detachment to a border post that would require assistance is just over 30 kilometers. In southern Saskatchewan it is in the neighbourhood of 40 kilometers.³⁸

The second problem is frequent lack of response to calls to police. Even in cities near the border, calls from CBSA officers have to compete with the other policing priorities of adjacent forces. This sometimes means that responses are slow, and sometimes it means they are non-existent. A number of customs officers told us that they have simply given up calling police to deal with crises and/or illegal behaviour.

To Arm or Not to Arm Inspectors: The ModuSpec Job Hazard Analysis

The government has supported its policy not to arm border officials with a 2003 Job Hazard Analysis performed by ModuSpec Risk Management Services for the Canada Customs and Revenue Agency. In it, ModuSpec recommended against arming border inspectors. The Committee gained access to copies of both the final analysis and the working draft that was presented to the CCRA's National Health and Safety Policy Committee.

The draft version recognized that there was considerable risk to unarmed border inspectors at some locations and while it recommended against arming border inspectors, it did recommend that the government increase or ensure police presence for the "confidence and peace of mind for border officers."³⁹ The final version of ModuSpec's Job Hazard Analysis omitted this recommendation and simply recommended that officers not be armed (see Appendix XI).⁴⁰

It is unclear why there is a difference between the two versions. When asked, CBSA President Alain Jolicoeur testified to the Committee, "I am not aware of any request to alter the report."⁴¹

³⁸ Customs Excise Union, "Security Problems at Canada's Border Crossings: Evidence & Recommendations," Submission to the Stand Senate Committee on National Security and Defence, (April 7, 2005).

³⁹ ModuSpec Risk Management Services, Customs Inspectors and Superintendents Job Hazard Analysis – Final Report – Working Draft, 26.

⁴⁰ ModuSpec Risk Management Services, Customs Inspectors and Superintendents Job Hazard Analysis – Final Report – Draft, (January 2003) 31.

⁴¹ Alain Jolicoeur, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (April 11, 2005).

Jolicoeur suggested that the Committee ask ModuSpec. The Committee did. In response, ModuSpec General Manager Stephan Zuberec wrote:

“It is ModuSpec’s practice to provide clients with draft reports for review and comment prior to issuing a final report. Typically, the client will contribute comments, additions, deletions and other edits to the draft report that they want included in the final report.

“This practice would have been applied to the draft report that was submitted to the National Health and Safety Policy Committee.⁴²

In other words, the job hazard analysis *was* altered.

The Committee’s Position

The Committee’s assessment is that it is just a matter of time before an unarmed border inspector attempting to exert the authority of a peace officer suffers serious injury at the hands of persons who are armed.

The Committee also believes that border inspectors should really *be* peace officers. They should be ready to guard Canada’s borders showing the same kind of resolve and the same kind of restraint that Canadian police officers show in keeping our streets safe.

Unless the federal government is prepared to provide an around-the-clock on-site armed police presence at each and every border crossing at which Canadian border personnel are stationed, border officers should be equipped with firearms and trained in their proper use.

Canadian police officers are armed because they are responsible for security on our streets. If there is not going to be a permanent police presence at Canadian border crossings, border inspectors should be armed because they are responsible for security at those crossings.

Arming inspectors would give them better protection, act as a deterrent to aggressive and illegal behaviour at our borders, and continue the evolution toward putting a new emphasis on security at crossings.

⁴² Stephan Zuberec, “Letter to Senator Colin Kenny,” (April 28, 2005) 1.

To Arm or Not to Arm?

Like the vast majority of Canadians, Committee members prefer words to bullets. We have come grudgingly to the conclusion that – if the government of Canada can not or will not provide a full-time police presence at Canadian border crossings – inspectors should be armed.

It should be noted that in a previous report, *the Myth of Security at Canada's Airports*, the Committee argued that Canadian airline pilots should *not* be armed, because we believe that guns at 30,000 feet would likely cause more problems that they could ever hope to solve. We believed that there were more reasonable solutions available, including efficient pre-board searches and locked double cockpit doors.⁴³ Such is not the case at border crossings.

There will always be those who will argue that all guns are bad, and that every additional gun increases the likelihood that Canada will become a trigger-happy society. If the Committee believed that there was any truth behind that concern, we would not recommend that border officers carry firearms.

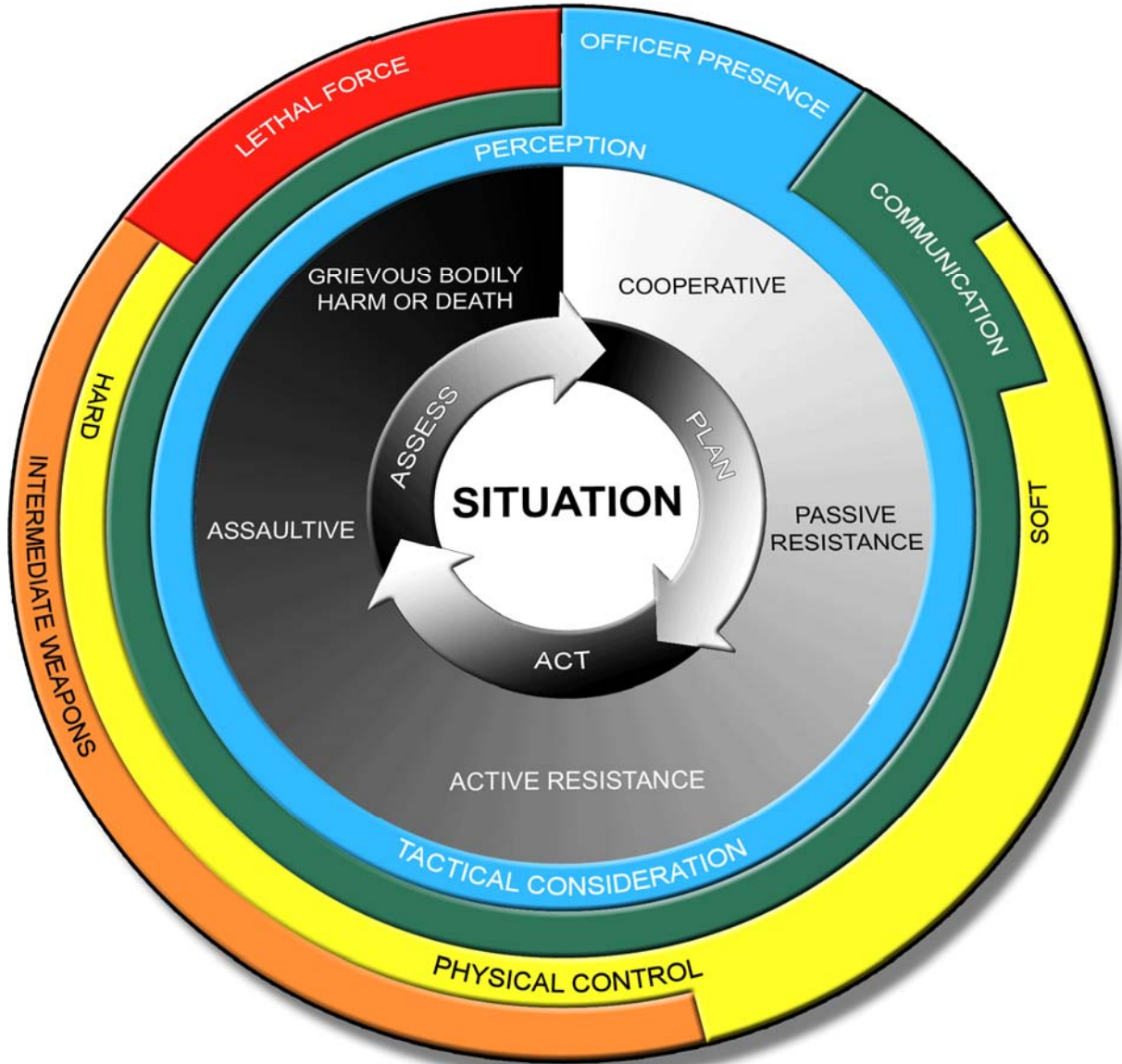
The vast majority of Canadians don't have a problem with Canadian police officers carrying firearms, partially because they have proven themselves to be models of restraint in using them. There is no reason to believe that well-trained border officers would be any less restrained.

In fact there are provisions within the Criminal Code as to when and how police officers are allowed to resort to the use of weapons in serious situations. Police officers abide by those restrictions, because they are liable to criminal charges and dismissal if they do not. On the opposite page there is an Ontario government illustration of the Continuum of Force Response Options open to police officers. It emphasizes that there are several degrees of responding to threats that do not involve weapons, and that weapons are only an option as a last resort.

Inspection officers currently carry pepper spray and batons. The Committee does not feel that these provide inspectors with adequate tools to protect themselves and deter potentially dangerous people from behaving violently at border

⁴³ See Standing Senate Committee on National Security and Defence, *The Myth of Security at Canada's Airports* (January 2003): 34-5. The Committee raised the issue of whether border officials should be armed in its first and eighth reports, *Canadian Security and Military Preparedness* (February 2002) and *Canadian Security Guidebook: 2005 Edition* (December 2004). On page 31 of the latter, the Committee stated that it would "continue to assess" arming border personnel and "welcome any further evidence" that facilitated this reassessment.

crossings. Nor, in the absence of a permanent police presence, do they offer Canadians the kind of security that should be provided at our borders.



Source: The Canadian Association of Chiefs of Police, *A National Use of Force Framework* (November 2000), 13. Available at: <http://www.ccpa-acpp.ca/ILEC/Standards/Canada%20National%20Use%20of%20Force%20Model%202000.pdf>. Last visited: June 06, 2005.

The Time has Come

In the early going there was some suspicion among Committee members that CEUDA, the union representing border inspectors, was mainly advocating that inspectors be armed so those inspectors would be paid more for additional responsibilities. That may be part of the union's reasoning, and, if so, so be it.

The Committee has come to the conclusion that, whether or not border personnel are paid more to carry guns, whatever additional costs might be involved would constitute a worthwhile investment in both protection and prevention.

Arming border officials in a systematic fashion to standards that are based on rigorous qualifications and testing should not present huge problems to a country as dependent on efficient and effective security at our borders as is Canada.

There are some inspectors currently employed with CBSA who will not want to be armed, or who would not qualify to be armed.⁴⁴ Those officers should be "grandfathered." This will take several years. New recruits should be hired to carry firearms, and trained to carry firearms.

Unless the federal government is willing to guarantee armed police presence whenever border stations are open, it should get on with arming its border inspection officers.

⁴⁴ ModuSpec conducted about 200 interviews with customs officers and found that 75% do not believe carrying a gun is necessary. See ModuSpec Risk Management Services, Customs Inspectors and Superintendents Job Hazard Analysis – Final Report – Draft, (January 2003) 31.

RECOMMENDATIONS

- 11. The Canada Border Services Agency make mandatory the timely reporting and cataloguing of critical incidents faced by personnel.**
- 12. The Canada Border Services Agency include a tally of those incidents in the Agency's annual report to Parliament.**
- 13. The federal government arm border officers if it is not prepared to station and maintain an RCMP presence at all border crossings.**
- 14. If the government does go ahead with arming border officers, it create a firearm qualification and recertification program that meets or exceeds the Firearms Course Training Standards of the Royal Canadian Mounted Police.**

CHAPTER IV

Operational Challenges

Good people must be backed by good systems. Border inspectors cannot work effectively if the operational components of the systems that surround them are flawed.

Significant operational problems persist at Canadian land border crossings. Solving them would go a long way toward providing Canadians with better security, an improved economy and less frustration at our borders.

Three goals the federal government should be pursuing:

1. Improving the access of frontline officers to complete and timely information from police, intelligence and customs databanks
2. Instituting reverse customs and immigration inspections so both Canadian and American authorities check people out before they use a border crossing
3. Promoting a system whereby people entering Canada provide complete, reliable, verifiable and easy-to-use documentation

ISSUE 1: QUICK ACCESS TO RELIABLE DATABANKS

The Committee found no evidence that the Canada Border Services Agency has connected all its border posts with the databanks they need, nor that those databanks that are available to some posts are providing the kind of picture that border officers need to do their job. The Committee has been pursuing this issue since January 2003. Any progress that has been made over that period has been slow and incomplete.

Disconnect

More than two years after then Minister of National Revenue Elinor Caplan promised to “connect the unconnected [border posts],” and explained that it was “an important priority,” 62 land border crossings remain unconnected.⁴⁵

62 border posts cannot access the Border Agency mainframe despite promises two years ago that connecting them was a priority

These 62 posts lack the ability to query databases directly for information about people trying to cross the border.

According to CBSA, “CBSA is currently developing a business case to address connecting all of the unconnected offices.”⁴⁶

Senator Joseph Day questioned CBSA President Alain Jolicoeur and Deputy Prime Minister Anne McLellan about these unconnected posts on April 11, 2005.

In response to Senator Day's questions, Mr. Jolicoeur said that connecting these offices was “a matter of infrastructure” and he blamed a lack of bandwidth in the border posts for the delay.⁴⁷

Senator Day asked whether, in any of the 6 offices in which CBSA personnel are co-located with United States border personnel, CBSA personnel were still waiting for a connection to the mainframe. Mr. Jolicoeur said some were still waiting.

Senator Day then asked whether U.S. border personnel remained unconnected in those offices. Minister McLellan acknowledged that the American officers *were* connected in all six offices.

⁴⁵ Elinor Caplan, “Address to the Custom Program’s Senior Managers,” Cornwall, Ontario, (February 5, 2003). Available at: <http://www.cbsa-asfc.gc.ca/newsroom/speeches/2003/cornwall-e.html>. Last visited: May 18, 2005; and Canada Border Services Agency, “Response to SCONSAD – 66 Questions,” (February 1, 2005): 12.

⁴⁶ Canada Border Services Agency, “Response to SCONSAD – 66 Questions,” (February 1, 2005): 12.

⁴⁷ Bandwidth refers to a data transmission rate; a certain amount of bandwidth is the amount of information (bits/second) that can be transmitted along a communications channel, like a phone line or a satellite connection. Bandwidth is determined by the technological infrastructure including communications networks, computer hardware and software that is in place. Alain Jolicoeur, “Testimony,” Proceedings of the Standing Senate Committee on National Security and Defence, (April 11, 2005).

Mr. Jolicoeur promised to inform the Committee which of CBSA's 62 offices CBSA plans to have connected in this fiscal year. At the time of writing, this information had not been provided.

Upgrading telecommunications systems to provide adequate bandwidth is not a mystery in 21st century Canada. Canadian cable companies do it thousands of times a day for their customers.

It is an embarrassment that this problem drags on.

Accessing the right information

It is important that inspectors on primary lines have access to the right information to help them make quick assessments as to whether travellers might present a danger, be wanted by the law, be illegal entrants into Canada, be falsely identifying themselves or be transporting illegal goods.

In December 2004, the Committee cautiously praised CBSA for the introduction of Integrated Primary Inspection Line (IPIL) technology at some border posts – mostly airports. It noted the Auditor General's criticism, however, that the IPIL system was not synchronized with the RCMP's database of Canada-wide arrest warrants. To this point the Committee is unaware of any actions that have been taken to remedy this situation.

Since December, two other related issues have come to light.

First, CEUDA, the union which represents border inspectors, has reported problems with the way information is displayed for many primary inspection line personnel. According to the Union, the Primary Automated Lookout System (PALS), which inspectors use at land border crossings, only returns the most recent event on the record of each traveler – even if there are multiple events stored in a person's case history. As a result, a history of problems could be hiding behind one uneventful crossing. Further, according to the Union, if PALS returns a "hit" – a notice to direct someone for secondary inspection – it does not necessarily identify whether the person presents a danger.⁴⁸

⁴⁸ Customs Excise Union, "Security Problems at Canada's Border Crossings," 10. According to the union, if PALS registers a "hit" as the result of a query to the Field Operated Support System (FOSS), the database for immigration officers, it will not display more than "FOSS" on screen. That FOSS record could be the result of an expired visa or a warning that a person is a wanted fugitive considered armed and dangerous.

Second, border personnel on primary and secondary inspection lines have access to at least nine distinct databases. The complicated task of mixing and matching within such a multi-headed data information system is both time-consuming and error-prone.

RECOMMENDATIONS

- 15. The Canada Border Services Agency connect *all* 62 unconnected border posts with real-time access to the customs mainframe by January 1st, 2006.**
- 16. The Canada Border Services Agency upgrade the quality and fuse the data that is available to officers on the primary and secondary inspection lines.**

ISSUE 2: REVERSE INSPECTION

The key land border crossings between Canada and the United States – those bridges and tunnels that carry the majority of people and goods back and forth – are unnecessarily vulnerable, partially because trucks and people cross them every day *before* they are inspected.

Reverse inspections, a process under which people and goods would be subject to examination prior to departure from their country of origin, would lessen this vulnerability. Reverse inspection is two way pre-clearance.

Land pre-clearance and reverse inspections are not identical. When the term land pre-clearance is used, only one country might be operating on foreign soil. Reverse inspections implies a reciprocity – both countries are pre-clearing at all given crossings (see Appendix IX).

Land pre-clearance was one of the 32 areas to be worked on under the Smart Border Declaration that Canada and the U.S. signed in December 2001.

There are no plans to introduce reverse inspections at Canada-U.S. border crossings. Even the preliminary introduction of a pilot project for land pre-clearance – which would be an improvement but not as significant an improvement as reverse inspections – has been unacceptably slow.

It was only in October 2004 that Deputy Prime Minister Anne McLellan and then Homeland Security Secretary Tom Ridge announced a joint plan to engage stakeholders in a discussion on a pilot project at the Peace Bridge between Fort Erie and Buffalo.⁴⁹ The project will place U.S. personnel in Canada, but no Canadian personnel in the U.S.⁵⁰ Canadian personnel will be placed on the U.S. side of a crossing that has yet to be determined.

On April 11, 2005, CBSA President Alain Jolicoeur testified that "We have started the treaty negotiations. After that we will need legislation. We believe that within six months all the discussions will be finished and we will have a final product. It will be two years before we have U.S. officers on the ground on the Canadian side."⁵¹ He did not indicate when he expected Canadian personnel to be deployed to the American side of a crossing.

By the time Canada reaches Mr. Jolicoeur's projected start date of the first pilot project for land pre-clearance, six years will have passed since the signing of the Smart Borders Declaration. At that pace today's children will have grey hair before reverse inspection is the norm across the country.

It is true that there are legal hurdles to overcome and infrastructure issues to address in the implementation of pre-clearance and/or reverse inspection. The legal hurdles centre around the powers CBSA inspectors can exercise outside of their native country (see Appendix X).⁵²

⁴⁹ According to the fifth status report on the Smart Border Action Plan, Canada and the United States have "agreed to work with stakeholders to examine a pilot on full pre-clearance at the same crossing." See Government of Canada, "Smart Border Action Plan Status Report," Fifth Annual Report, (December 17, 2004). Available at: <http://www.dfait-maeci.gc.ca/can-am/menu-en.asp?act=v&mid=1&cat=10&did=2465>. Last visited: May 18, 2005.

⁵⁰ Jolicoeur, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (April 11, 2005).

⁵¹ Jolicoeur, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (April 11, 2005).

⁵² Anne McLellan, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (April 11, 2005).

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The Committee believes that as long as both countries focus on finding compromises that aim to create an equivalency of outcomes – as opposed to clinging to traditional rights – these issues may prove challenging. They are not, however, by any means insurmountable.

A version of pre-clearance is already in place at eight airports in Canada, where U.S. border officials screen Canadians bound for the U.S. before they leave Canada.⁵³ It should be used as a model for eventual land pre-clearance.

Infrastructure issues also present a challenge at land border crossings. Adequate pre-clearance arrangements – including proper screening facilities and secure dedicated roadways – can and should be incorporated into new infrastructure construction. Existing border crossings will have to be adapted to accommodate pre-clearance, and reverse inspection.

Consideration should be given to the possibility of exchanging sovereignty over small parcels of land on either side of critical border crossings to overcome some of the legal hurdles and to hasten the arrival of reverse inspection.

Land pre-clearance represents only one step in the right direction toward screening potential threats to critical infrastructure before those threats reach the infrastructure itself.

It is disturbing that it will take six years (2001-2007) to make even that small, vital improvement at one of the major crossings linking Canada and the United States.

The Canadian and American governments need to increase communication and cooperation and address the challenge of reverse inspection with the urgency it deserves.

⁵³ The U.S. extended pre-clearance to Halifax International Airport in December 2004. This made it the 8th Canadian airport to offer pre-clearance. Halifax pre-clearance operations will not begin until 2006, when construction of its pre-clearance facility is completed. The Canadian airports already with pre-clearance are Vancouver, Calgary, Edmonton, Winnipeg, Montreal, Toronto and Ottawa. See Halifax International Airport Authority, “Halifax International Airport Gains United States Pre-clearance,” (December 17, 2004). Available at: <http://www.hiaa.ca>. Last visited: May 18, 2005.

RECOMMENDATIONS:

- 17. The federal government develop and publicize an implementation plan for pre-clearance, with clearly understood timeframes.**

- 18. The government move, with U.S. cooperation, to expand pre-clearance into continent-wide reverse inspection at all bridge and tunnel crossings.**

ISSUE 3: RELIABLE DOCUMENTATION

The lack of any requirement for people entering Canada to present documentation that inspectors know is reliable, and that clearly identifies a person significantly reduces the chances of officers nabbing someone who should not be entering the country. It therefore reduces Canada's capacity to use its border crossings as effective chokepoints for security.

The current requirement for U.S. citizens entering Canada at a land border crossing is photo identification plus proof of citizenship, such as a birth certificate or a driver's license. Identification does not have to be machine-readable, nor include a biometric, such as a fingerprint.

For an American, or someone who claims to be an American, that means they can enter with any combination of documentation, they choose. For example, someone born in Providence but living in New Orleans can, with their Rhode Island birth certificate and Louisiana Driver's License, enter Canada at any crossing. This presents a difficult challenge to a border officer trying to assess the authenticity of identification. Requiring machine-readable documents would save time and allow border officers a greater chance to concentrate on travelers who may pose a threat to Canadian security.

Canada should raise its standards for documentation, so border inspectors can make quick and reliable judgments as to the authenticity of travelers. Having to punch in information contained on various types of identification is problematic – one key wrongly punched either means faulty identity or starting the process over again. Inspectors have better things to do with their time.

In short, machine readability would be a major time saver for border officials and requiring a biometric would help ensure that persons presenting documentation are who they say they are.

Using biometrics is no longer a particularly expensive, complicated or revolutionary process. Many new computers now accept a simple application of an approved user's thumb to the correct spot on the computer as a password. As for introducing identity cards that swipe, there are very few credit cards and other types of formal identification that do not swipe anymore. So why not come up with a standard set of modern identification that is reliable and easy to use?

RECOMMENDATION

- 19. By 2007, the government require documentation of all people entering Canada (including Canadians) that is:**
- a. Tamper-proof;**
 - b. Machine-readable;**
 - c. Biometrically enhanced; and,**
 - d. Known to have been issued on the basis of reliable documentation.**

CHAPTER V

Backing up Infrastructure – Key to the Economies of Canada and the U.S.

Some border crossings are obviously more important to Canada and the United States than others. Those that carry the heaviest volumes of people, goods and traffic are especially important. But there are also crossings whose disruption would result in significant economic damage to both countries.

Bridges and tunnels connecting Canada and the United States which carry large volumes of goods and people and operate with little or no backup, like those at Windsor-Detroit, are strategic assets—vital to the national security and economic well-being of our two nations.

Governments should be addressing problems at these crossings with a sense of urgency that has not been apparent to the Committee.

Two critical weaknesses require a greater sense of urgency:

- Outdated infrastructure at key land crossings is inadequate to permit both fluid and secure movement of goods and vehicles; and
- Insufficient backup of bridges or tunnels if a current border crossing is damaged or destroyed

Why Backups are Critical

Debate over expanding current land border crossings, or building new crossings, has been driven to date by analysis of when current crossings will reach their maximum capacity, rather than analysis of what economic damage would be done if any given crossing were badly damaged or destroyed.

This is a mistake. While no-one in their right mind sees the takeout of a land border crossing as a *likely* scenario, neither should anyone in their right mind dismiss the appalling economic impact that such a takeout would have on both

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Canada and the United States. This is a classic low probability/high cost situation. Intelligent societies prepare for these, because the consequences of not preparing for them could be horrendous.

Backup crossing infrastructure is needed to reduce the vulnerability of key crossings. Backup crossings would reduce the reliance on potential failure points. They would provide an alternative in the event of a key crossing going down.

TWO CRITICAL CRITERIA FOR ANY FUTURE WINDSOR-DETROIT CROSSING

Studies are now underway to determine what new infrastructure is needed at the vital Windsor-Detroit crossing to expand the capacity currently provided by the Ambassador Bridge and the Detroit-Windsor Tunnel. Selecting a new crossing for Windsor-Detroit is beyond the scope of this study. The Committee is convinced, however, that any sensible solution must offer two essential features: (a) infrastructure redundancy; and (b) facilities for reverse inspection.

Commerce using the Windsor-Detroit crossing not only depends upon reliable transportation links, but alternative links as well. The Committee opposes any design for improving border crossing infrastructure at Windsor-Detroit that fails to include a new, separate crossing for cars and trucks.

Twinning current infrastructure might be less costly than providing a discrete new crossing. But twinning will not decrease the potential that a crossing will be taken out by man-made or natural disaster, and therefore cannot satisfy the national security requirements of Canada and the United States.

Adequate space must also be provided for reverse inspection facilities. Canadian and U.S. authorities should have the opportunity to screen persons and goods likely to be a danger before they enter a crossing. U.S. customs officers currently scrutinize travellers departing Canada for the United States at eight Canadian airports. They do so to protect their country, but also to protect the aircraft flying to their country. Canadian and U.S. inspectors should switch sides of the border so they have an opportunity to protect their countries before potential wrongdoers arrive, and before any cargo that might do damage to a land border crossing enters that crossing – before a truck that could blow up a bridge gets on the bridge.

RECOMMENDATIONS

20. Only those proposals for new crossing infrastructure at Windsor-Detroit which provide separate and secure infrastructure redundancy be considered.

21. Any new crossing constructed at Windsor-Detroit include facilities for reverse inspection.

FOCUS ON WINDSOR-DETROIT

The most important land border links between Canada and the United States connect Windsor, Ontario, and Detroit, Michigan. It is also where Canada and the United States face their most acute border infrastructure problems. Therefore, the Committee has chosen to focus on Windsor-Detroit in this report.

Why the crossings at Windsor-Detroit are so important

Approximately 23 per cent of trade between Canada and the United States crosses at Windsor-Detroit (see Appendix XIII).⁵⁴ Between January 2004 and December 2004, the total value of the trade that passed through Windsor-Detroit crossings was \$141.67 billion (CDN), \$113.67 billion (USD) (see Table 4).⁵⁵ That equates to roughly the same amount of trade that Canada did with the Western Europe and Asia-Pacific regions combined or that the United States did with the Federal Republic of Germany last year.⁵⁶

⁵⁴ Detroit River International Crossing, *Environmental Assessment Terms of Reference*, 12.

⁵⁵ Detroit River International Crossing, *Environmental Assessment Terms of Reference – Supporting Documentation*, (May 2004) 179.

⁵⁶ In 2004, Canada's trade with the Western Europe and Asia-Pacific regions was worth \$159.47 Billion (CDN) combined and the United States' trade with the Federal Republic of Germany was worth \$108.6 Billion (USD). Sources: International Trade Canada, "Merchandise Trade by Country," (May 12, 2005). http://www.dfait-maeci.gc.ca/eet/cimt/2004/pfact_annual_trade_2005-05-en.asp. Last visited: May 30, 2005. US Census Bureau, "Top Trading Partners - Total Trade, Exports, Imports," (May 3, 2005). Available at: <http://www.census.gov/foreign-trade/statistics/highlights/top/top0412.html>. Last visited: May 30, 2005.

TABLE 4: Total value of trade by mode passing through the Detroit-Windsor Gateway, January 2004-December 2004 (in Canadian and U.S. dollars): ⁵⁷			
Detroit to Windsor		Windsor to Detroit	
Truck	CDN\$64,040,595,255 [US\$51,347,494,592]	Truck	CDN\$53,049,823,006 [US\$42,535,137,112]
Rail	CDN\$8,081,260,931 [US\$6,479,522,876]	Rail	CDN\$15,960,117,084 [US\$12,796,758,406]
Pipeline	CDN\$77,335,496 [US\$62,007,293]	Pipeline	CDN\$133,208,756 [US\$106,806,251]
Mail	\$0	Mail	CDN\$30,650 [US\$24,575]
Other	CDN\$383,226,421 [US\$307,269,420]	Other	CDN\$2,440,464 [US\$1,956,754]
All surface modes	CDN\$72,582,418,103 [US\$58,196,294,181]	All surface modes	CDN\$69,185,202,104 [US\$55,472,419,904]
Total two-way trade at Windsor-Detroit:			\$141.67 billion (CDN) \$113.67 billion (USD)

The crossings at Windsor-Detroit represent a critical continental linkage. Like the natural gas pipelines connecting western Canada to the energy markets of the Pacific United States, or the electricity transmission towers connecting northern Quebec to the northeastern United States, the linkages at Windsor-Detroit are vital to the economic prosperity of central Canada and the mid-western United States.

The Autopact, the 1965 agreement between Canada and the U.S. that opened the way for Canadian auto plants to produce automobiles for sale in the U.S., followed by the Free Trade Agreement (FTA) and the North American Free Trade Agreement (NAFTA), has created a highly integrated market in southwestern Ontario and southeastern Michigan.

In this marketplace, auto assembly plants across southern Ontario rely on parts from Michigan. Similarly, plants in Michigan, New York and Ohio rely on parts from the London-Windsor corridor.

These relationships reduce costs by relying on just-in-time production, the

⁵⁷ U.S. Department of Transportation, Bureau of Transportation Statistics, "BTS Transborder Surface Freight Database." Available at: http://www.bts.gov/cgi-bin/tbsf/tbdr/by_port_can.pl. Search conducted on: June 2, 2005. All figures calculated at present exchange rates on June 2, 2005.

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principle of having parts ready just as they are needed, rather than maintaining expensive inventories in an assembly plant or a warehouse. A longer-than-normal border slowdown or a border shutdown would hinder the Just In Time delivery system. Manufacturing would grind to a halt.

The reliability of delivery schedules is key to just-in-time production. If reliability cannot be assured, manufacturers would either have to greatly increase inventories, or seek alternative providers for parts and supplies.

Uncertainty regarding border delays translates into real costs for Canadian and U.S. producers. In the context of Windsor-Detroit, reliability cannot be assured because of border congestion and the possibility of prolonged disruption of a crossing without any adequate backup.

Here is just one example of the effect that investors' wariness about the reliability of Canada-U.S. border crossings is already having:

According to Bruce Birgbauer, a Detroit lawyer, his client, Dr. Schneider Automotive Systems, changed its mind about locating in Canada because

“The companies they were supplying did not want them to be located on the Canadian side. My own belief is that that (sic) is probably the No. 1 issue for companies seeking to locate in southwestern Ontario. It's the single biggest obstacle to overcome.”⁵⁸

Border risk seems to have played a part in deterring that investment from Canada. Border risk acts as a non-tariff barrier to trade.⁵⁹ As Minister of Industry David L. Emerson pointed out to the Canadian Chamber of Commerce in Calgary last year, border risk has become a major factor as to whether a company locates a facility north or south of the border.⁶⁰

⁵⁸ Greg Keenan, “Governments urged to fix Detroit-Windsor border troubles,” *The Globe and Mail*, Wednesday, June 16, 2004: B4.

⁵⁹ A non-tariff barrier is an economic, political, legal, or administrative impediment to trade other than that which does not involve a duty or a tax. Examples include import quotas, discriminatory government procurement practices, and discriminatory product standards. Border risk is a non-tariff barrier to trade in so much as the uncertainty related to the reliability of the border affects the likelihood of investors wanting to split production across the border.

⁶⁰ The Honourable David L. Emerson, “Speaking Points to the Canadian Chamber of Commerce,” Calgary, Alberta (September 20, 2004). Available at: <http://www.ic.gc.ca/cmb/welcomeic.nsf/0/85256a5d006b972085256f1500748b47?OpenDocument>. Last visited: May 22, 2005.

The Potential impact of Border Shutdown at Windsor-Detroit

As noted in Chapter 1, the impact of even short-term delays at Windsor-Detroit to the economies of both Canada and the United States is estimated to be substantial - \$7 million (CDN) and \$14.31 million (CDN) for every four-hour delay respectively. This projected cost would grow significantly if the duration of a border disruption were to last longer.

If a shutdown were to disrupt trade for two days, the economic loss to Ontario would expand to \$90.78 million (CDN). The economic loss to Michigan would expand to \$90.05 million (CDN).⁶¹

At two weeks, the disruption, despite the inevitable steps to mitigate the situation would cause a net economic loss of about \$1.08 billion (CDN) to Ontario's economy and \$1.19 billion (CDN) to southeastern Michigan's economy.⁶² The net economic loss to the auto industry alone would be \$828.65 (CDN) million during a two-week disruption.⁶³

Windsor-Detroit, and Ontario-Michigan, face a potential crisis because:

- There is no backup for crossing infrastructure, leaving the border vulnerable to shutdown
- There is little apparent urgency to creating a new crossing that would provide appropriate redundancy
- Because there is no backup and there is no backup likely in the near future, reliability for just-in-time production cannot be assured

THE CURRENT PROCESS TO FIX WINDSOR-DETROIT

While typical conversations about border infrastructure at Windsor-Detroit focus on border traffic delays, the 2015 date when the current bridge and tunnel are

⁶¹ Michael H. Belzer, "The Jobs Tunnel: The Economic Impact of Adequate Border-Crossing Infrastructure," 49-50, 53. These figures translate into lost productivity and fewer jobs.

⁶² Michael H. Belzer, "The Jobs Tunnel: The Economic Impact of Adequate Border-Crossing Infrastructure," 49-50, 53.

⁶³ Michael H. Belzer, "The Jobs Tunnel: The Economic Impact of Adequate Border-Crossing Infrastructure," 49-50, 53.

projected to reach capacity, and the presence of truck traffic on Windsor's streets, the real issue should be the need for a new, separate crossing. Now.

The creation of the new crossing is but one element of the bi-national process currently examining the Windsor-Detroit corridor.

In the short- to medium-term, the federal, provincial and municipal governments have collaborated on a joint strategy called “Let's Get Windsor-Essex Moving” to address border inefficiencies, delays and the resulting traffic congestion on downtown streets.

As part of “Let's Get Windsor-Essex Moving,” the federal and provincial governments have committed funds to improving the road approaches to the Windsor Gateway. In the joint September 2002 announcement, the governments unveiled a five-year program worth \$300 million (CDN), cost-shared equally, devoted to the relief of congestion problems.⁶⁴ Examples of shorter-term mitigation solutions include: introduction of a dedicated FAST lane in November 2004, and the introduction of intelligent transportation management systems (ITS) on Huron Church Road, the key feeder road on the Canadian side.

Developing a new crossing for Windsor-Detroit is seen as a medium-to-longer term element in the strategy. A bi-national and multi-jurisdictional process called the “Canada - United States - Ontario - Michigan Bi-National Partnership,” or “the Partnership” for short, is underway to develop a new border crossing at Windsor-Detroit.

The Partnership launched the environmental assessment phase of its work in March 2005.⁶⁵ No site selection is planned until late 2007 or early 2008. Currently, it is holding meetings in border communities to allow for public input. The bi-national partnership will also work with local governments and councils.

⁶⁴ The City of Windsor was not a signatory to the agreement, though the federal government and province said that it would “play a key role in the process.” Government of Ontario, “News Release – \$300 Million Canada-Ontario Investment at the Windsor Gateway,” (September 25, 2002). Available at: <http://www.mto.gov.on.ca/english/news/provincial/2002/092502.htm>. Last visited: April 29, 2005. See also the “Backgrounder – Windsor Agreement.”

⁶⁵ The Canada-U.S.-Ontario-Michigan Border Transportation Partnership consists of the U.S. Federal Highway Administration, Transport Canada, the Ontario Ministry of Transportation and the Michigan Department of Transportation.

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It will honour the legal and procedural requirements of each nation for environmental assessments and related documentation.

After the environmental assessment is completed, a site will be selected, a crossing designed and then constructed. The goal is to begin design in 2008 and construction in 2010-2011 with the completion of the expanded/additional crossing in 2013.⁶⁶

When Smart Becomes Stupid

The type of cautious, step-by-step, approach currently underway is clearly the most intelligent approach for non-urgent projects. This is not one of them. Windsor-Detroit is of such strategic importance to both Canada and the United States that fixing it requires war-time urgency.

What the process fails to take into account is the possibility that the Partnership's timelines are unrealistic and likely to slip and that a crossing could be permanently disrupted between now and the completion of a new crossing.

The projected 2013 completion date will slip, because:

A. Government estimates are notoriously unreliable.

There is too much potential slippage involved in a target as distant as 2013. Completing a new crossing by 2013 at Windsor-Detroit will require coordinated decision-making and agreements from 6 different governments in two countries, the buy-in of the private sector and non-governmental organizations, and the design and completion of a major infrastructure project.

It will require that all four remaining stages of the current process (environmental assessment, site selection, design and construction) complete their work on time.

⁶⁶ Kristine Burr, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (February 7, 2005).

These are the kinds of milestones that governments often fail to meet. Take, for example, just a few famous Canadian infrastructure projects that came in years after they were due:

- The Trans-Canada Highway was scheduled to be completed in 1956. It was completed in 1962.
- The Olympic Stadium, intended for the 1976 Summer Olympic Games in Montreal was only partially ready for the Games. It was completed in 1988.
- The Confederation Bridge linking P.E.I. and New Brunswick was completed a decade after inception. Under 40 per cent of the process was devoted to construction. The rest was consumed by assessments and consultations.

TABLE 5: Border infrastructure agenda
Extract from Committee Testimony, 1
December 2004:

Senator Norman Atkins:

Who should drive the agenda?

**Bob Keyes, Senior Vice-President of
the Canadian Chamber of Commerce:**

That is a good question. There are six governments involved, as well as business. We are all wrestling with the steering wheel, but we all want the bus to keep moving.

Given the number of governments and the complicated nature of the relationships involved, the Committee is pessimistic that a new crossing at Windsor-Detroit will be delivered on schedule – even the lengthy schedule that has been laid out.

B. The Dirty Little Secret

American leaders are very good at *saying* the right things in public:

“The Windsor-Detroit Gateway has figured prominently in our plans. As a sign of the high priority we place on this goal, we assigned two very able public servants the task of turning our commitment into action -- Deputy Prime Minister John Manley, and Governor Tom Ridge. And I compliment them for a job very well done. They have made extraordinary progress building the smart border for the 21st century, a border that is open for business, but closed to terrorists.”⁶⁷ – President George Bush (September 09, 2002)

⁶⁷ George Bush, “Remarks by the President and Prime Minister Chretien on U.S. - Canada Smart Borders,” (September 09, 2002) Available at: <http://www.whitehouse.gov/news/releases/2002/09/20020909-4.html>. Last visited: June 06, 2005.

“Three-mile backups at major crossings like Niagara-Buffalo and Windsor-Detroit are all too common. Space and infrastructure limitations and staffing issues are vexing. Impacts on business are serious and are forcing changes in how our companies do business. Tourism is down, not just because of SARS or differences in political opinions, but also due to the public’s perception that crossing the border is becoming a hassle. We’ve worked closely with the Government of Canada to improve border security and ensure efficient movement of people and goods.”⁶⁸ -- Roger F. Noriega, Assistant Secretary of State for Western Hemisphere Affairs, Department of State (April 14, 2004)

“We support the private sector's efforts to reduce transit times by 25 percent in the Detroit-Windsor Gateway. This will require the effort of the entire community. DHS will do its part. And if all stakeholders are involved – bridge, tunnel and ferry operators; exporters and importers; and governments at all levels, on both sides of the border – we can achieve that goal. We can build barriers to terrorists and bridges to one another. We can eliminate gaps that our enemies could otherwise exploit.”⁶⁹ – Tom Ridge, Secretary, Department of Homeland Security

“The efficient movement of people and goods requires the right infrastructure to support it, and the right technology and intelligence to secure it.”⁷⁰ – Tom Ridge, Secretary, Department of Homeland Security

More recently,

“This project [the environmental assessment process undertaken by the Bi-National Partnership] is critical because international trade is essential to the economic and employment security of Michigan and the United States.”⁷¹ -- Gloria J. Jeff, Director of Transportation, State of Michigan (February 15, 2005)

But when Committee members pressed a number of Michigan congressmen in Washington, D.C., they were candid in saying that, while they were being pressured by Canadians to reduce border uncertainty, they were not receiving any pressure from Americans.

⁶⁸ Roger F. Noriega, “Remarks to the Canadian-American Business Council Washington, DC,” (April 14, 2004) Available at: <http://www.state.gov/p/wha/rls/rm/31402.htm>. Last visited: June 06, 2005.

⁶⁹ Tom Ridge, “Remarks by Secretary of Homeland Security Tom Ridge at a Press Conference with Canadian Deputy Prime Minister Anne McLellan” (December 17, 2004) Available at: http://www.dhs.gov/dhspublic/interapp/press_release/press_release_0569.xml. Last visited: June 06, 2005.

⁷⁰ Tom Ridge, “Progress Report - Security and Opportunity at the U.S.-Canada Border,” (June 28, 2002) Available at: <http://www.dhs.gov/dhspublic/display?theme=43&content=392&print=true>. Last visited June 06, 2005.

⁷¹ State of Michigan, “Press Release – Windsor-Detroit Crossing Study Moves Forward” (February 15, 2005) Available at: http://www.partnershipborderstudy.com/pdfs/MDOT_News_Release.pdf. Last visited: June 02, 2005.

And Americans, of course, vote for them. Canadians don't.

Border uncertainty could well prove to be a cancer for the Canadian economy. The U.S. economy would also suffer from the shutdown of any major crossing – the figures on Page 48 show that. But there is a dirty little secret behind some U.S. politicians' lack of interest in rushing to make Canada-U.S. land border crossings more secure, and it is this:

Border uncertainty serves the interest of certain businesses and some local politicians in Michigan by making Canada a less attractive place to invest capital.

If industry perceives the border crossings at Windsor-Detroit to be unreliable, then in time Canada will see negative impacts such as less investment, and even disinvestment.⁷² As Gerald Fedchun, President of the Automotive Parts Manufacturers' Association, said, "We don't think that perception is there just yet, but others can use the uncertainty against us."⁷³

The American mantra since 9/11 has been that national security trumps trade. But to some American communities that would like to see investment in Canada move south of the border, this may amount to patriotic talk that disguises where they would actually like to walk.

The American people need improved Canada-U.S. border crossings for security reasons, and there has been no shortage of political speeches citing security as the No.1 concern of every patriot.

The American people need improved Canada-U.S. border crossings for economic reasons. This may be less well known to Americans generally, but corporate America certainly understands the profitability that has resulted from the integrated Canada-U.S. production that has mushroomed since NAFTA was

TABLE 6: Border infrastructure delays

Extract from Committee Testimony, 1 December 2004:

"Eight years is an eternity in the foreign direct investment world."

**Mark Norman, President and CEO,
DaimlerChrysler Canada**

⁷² Disinvestment would be accurately defined as the withdrawal of capital investment from Canada.

⁷³ Michael Vaughn, "Five Questions for...The President, Automotive Parts Manufacturers' Association" *The Globe and Mail* (Thursday September 23, 2004): G2.

introduced.

And yet political foot-dragging persists on the U.S. side of the border in terms of moving quickly to fix insecure and uncertain border crossings.⁷⁴ This may well be in the interests of some American politicians whose constituencies are trying to attract outside investment that might otherwise go to Canada, or simply trying to protect their neighborhoods. But it is not in the overall interests of either American security or the American economy.

It is in Canada's interest – and America's overall interests as well – that potential American voters in elections for the mayoralty of the City of Detroit (Nov. 2005), the governorship of the state of Michigan (Nov. 2006) and presidential and congressional elections (Nov. 2008) clearly understand the consequences of foot-dragging on reinforcing Canada-U.S. border crossings at Windsor-Detroit.

Parochial interests should not be allowed to undermine the general interests of two great countries.

RECOMMENDATION

22. The federal government move in 2005 to fund an awareness campaign that will outline to Canadians and Americans the security and economic benefits that would result from reinforcing Canada-U.S. border crossings quickly and the potential cost of not doing so.

⁷⁴ Forbes Magazine has alleged that the owner of the Ambassador Bridge contributed to the electoral campaigns of U.S. Representative Carolyn Cheeks Kilpatrick and Detroit Mayor Kwame Kilpatrick in an effort to slow down construction of border crossing infrastructure. Stephane Fitch and Joann Muller, "The Troll Under The Bridge," *Forbes Magazine* (November 15, 2004): 135-141.

C. The current process will be challenged

Witnesses from the federal and Ontario governments testified that the process they are implementing is optimal for major infrastructure construction and that it is the safest way to ensure a correct decision, in a proper fashion, as economically and quickly as possible.⁷⁵ When asked how infrastructure construction at Windsor-Detroit could be accelerated, Deputy Prime Minister McLellan said,

"I know you are not suggesting that we take any kind of legal shortcuts here, because that could end up with lawsuits, and part of what we are trying to do is to ensure that the process is respected so that everybody believes that he or she has been treated fairly, and the prospect of any kind of legal action against whomever is reduced, one would hope, to almost nil."

The Deputy Prime Minister's contention that adhering to the existing bi-national process will avoid litigation is overly optimistic.

The Committee is convinced that the process has been ill-considered from day 1 because it has been based on the presumption that litigation can be avoided. The Deputy Prime Minister has been the recipient of bad advice bordering on the naïve.

The eventual solution to Windsor-Detroit will be a major piece of infrastructure affecting two large cities, and competing local and business interests: *no amount of careful adherence to process will eliminate the inevitability of litigation*. If there is to be litigation, it would be better to get on with it now rather than later.

And, if a crossing is disrupted in the meantime...

The Partnership process is based on the assumption that Canada and the United States can muddle through while the process moves slowly toward solutions. The situation is much more urgent than that.

⁷⁵ Bruce McCuaig, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (December 1, 2004); and Guy Bujold, "Testimony," Proceedings of the Standing Senate Committee on National Security and Defence, (February 7, 2005).

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As Senator Jim Munson asked Bruce McGuaig, one of the lead Ontario officials for the province's Ministry of Transportation working on the infrastructure challenge at Windsor-Detroit, when he testified before the Committee in December 2004:

“Are not the dates [projected for the completion of a new crossing] slightly misleading? What happens to the dates if you lose one of these crossings? Tragedy? You have all these expectations here. Those dates would be out of whack, would they not?”

McCuaig responded:

“That is not an assumption that has gone into this evaluation. If there were an event of that nature, then some other action is going to be required to respond to that. This process is not built on the assumption that we would lose access to one of the crossings.”

The Committee does not believe that Canada or the United States has the luxury of waiting for the completion of an additional crossing in the fullness of time. The effect of long-term disruption due to the damage or destruction of a crossing would be too great.

SOLUTIONS: EXPEDITING CONSTRUCTION AT WINDSOR-DETROIT

Given the consequences of inaction, all avenues that could lead to a more reasonable timetable need to be considered. The Committee believes that it is necessary to adopt innovative approaches to accelerate the timeline for the completion of a new crossing at Windsor-Detroit. We propose three.

Accelerator 1: Begin the design phase as soon as possible

Parallel to the Partnership process, various stakeholders have engaged engineering and consulting firms to examine the options in the Windsor-Detroit corridor. One of those was Sam Schwartz Engineering PLC which completed a study of possible crossing alternatives for the City of Windsor.

The company's report examined the five alternatives for crossing corridors laid out in the Bi-National Feasibility Report (a pre-cursor report to the current

environmental assessment process).⁷⁶ While these five alternatives have not been singled out as final candidates for the eventual crossing, they are likely candidates.

It is the Committee's view that as many steps of the Partnership's process as possible should be undertaken simultaneously. Without prejudicing the eventual outcome, the federal government should do what it can to commence design on four of the five options presented by the Schwartz Report before awaiting the eventual outcome of environmental assessment of the "Canada - United States - Ontario - Michigan Bi-National Partnership."⁷⁷

It is the Committee's belief that there is enough urgency to this project to get on with design for four of the five options while environmental issues are being thrashed out. That will add to the cost of the process. But compared to what delays are already costing the Canadian economy and could further cost the economy if something goes wrong at the bridge or the tunnel, Canadians should consider the extra cost an investment in avoiding disaster.

The Committee's recommended approach could save at least two years in delivering a new crossing to Windsor-Detroit by allowing the Partnership to proceed almost seamlessly from environmental assessment to construction.

Accelerator 2: Construct a crossing outside of Windsor-Detroit

We cannot afford to allow the process to get bogged down in the local politics of Windsor-Detroit.

In the interests of ensuring there will be a new crossing along the land border, the government should consider implementing a strategy similar to the one that has been adopted to solve the infrastructure challenge at the St. Stephen-Calais crossing along the border between New Brunswick and Maine.

⁷⁶ Sam Schwartz Engineering PLLC (SSC) was retained by the City of Windsor, Ontario, to provide the City with a recommended approach on how to address both commercial and passenger related traffic issues as they relate to the Detroit-Windsor border crossings.

⁷⁷ The Committee is of the view that the government only needs to begin design on four of the five alternatives because the fifth option, which involves twinning an existing crossing, fails to provide the redundancy the Committee believes is necessary for Windsor-Detroit. The Committee recommended that redundancy be a key element of any crossing above on page 45.

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The notoriously busy crossing at St. Stephen-Calais runs through the centre of both towns and often backs up traffic for hours. The strategy currently being implemented to address this challenge is the construction of a new crossing that bypasses the communities all together.⁷⁸

That could be a good strategy for Windsor-Detroit. The government should initiate a process to examine possible alternative crossings either north of Lake St. Clair along the Ontario-Michigan border or along the Ontario-New York border. An out-of-town solution would:

- A. Serve as an alternative route for the 14% of vehicles that travel through Windsor-Detroit as part of long distance journeys;
- B. Provide a backup and alternative to the bridge and the tunnel without further congesting these cities and without alienating groups likely to challenge any new structures;
- C. Introduce an element of competition from other potential crossing sites to the deliberations of officials in Windsor-Detroit, which might spur action.

Accelerator 3: Grant the Deputy Prime Minister the power to expedite construction through legislation

The importance of the crossings at Windsor-Detroit to Canada as a whole is so great, and the impact of a crossing being permanently disrupted would be so severe, that the Committee believes that the current situation constitutes a “public order emergency” to the security of Canada.

That being the case, the federal government has both the mandate and obligation, in the interests of national security, to remedy the situation as quickly as possible by creating an additional separate crossing (see Appendix XIV).

It should do so by introducing legislation granting the Minister of Public Safety and Emergency Preparedness the authority to expedite construction of key border infrastructure.

⁷⁸ Bujold, “Testimony,” Proceedings of the Standing Senate Committee on National Security and Defence, (February 7, 2005).

The legislation should include provisions that allow the Governor-In-Council, upon the recommendation of the Deputy Prime Minister, to waive all laws that must be waived to ensure expeditious construction of barriers and roads at land border crossings designated to be in the interest of national security.

The legislation should limit the legal recourse of those who want to block the decision to build border infrastructure that is subject to a waiver (but not limit their right to compensation from harm that expediting the process might inflict).

Similar legislation is working its way through the United States Congress to expedite construction on its borders.⁷⁹

RECOMMENDATIONS:

- 23. The federal government, in the interests of national security, introduce legislation that would grant the Governor-in-Council, upon the recommendation of the Minister of Public Safety and Emergency Preparedness, the authority to expedite border infrastructure construction.**
- 24. The federal government ensure viable crossing designs are completed before 2008.**
- 25. The federal government work with the United States government to complete a new crossing at Windsor-Detroit before 2011.**
- 26. The federal government immediately undertake a study of the feasibility of crossings outside of the Windsor-Detroit metropolitan area.**

⁷⁹The Bill in question is the Real ID Act of 2005. It is available at <http://thomas.loc.gov>.

CHAPTER VI

Afterward

This report has not endeavoured to be an all-inclusive assessment of the problems Canada faces on its southern border. Border security will continue to be a high priority for the Committee.

Subsequent reports will examine the following subjects:

A. The challenge of ensuring security between border posts

There is encouraging work being done by the multi-agency bi-national Integrated Border Enforcement Teams (IBETs) in 15 regions along the Canada-U.S. land border.

IBETs actively employ intelligence-based policing techniques that allow them to focus on identified threats rather than simply send out scouting patrols.⁸⁰ IBETs appear to be a valuable asset, but the public has no way of knowing. The government has yet to disclose any systematic measurements which demonstrate that IBETs have succeeded in reducing border threats.

The Committee is not yet convinced that IBETs, in themselves, provide enough security between crossings. We recognize that it makes sense to direct crime-fighting resources through intelligence and analysis, rather than simply patrol on a hit-and-miss basis.

However, we have questions about what more may need to be done.

- Beyond their publicized successes, how well do IBETs really perform?
- How big a role should they play in the border surveillance mix?
- Is there a need for a border patrol in addition to the IBETS? If so, who should undertake it?
- What role should other technologies like unmanned sensors, cameras, and unmanned aerial vehicles, play in watching the Canada-U.S. border?

⁸⁰ IBETs are deployed in-between border points and are not involved in customs and immigration processing.

B. Securing the length of the supply chain

Ferreting out potential trouble before it gets to the border obviously enhances security at Canada-U.S. border crossings.

Millions of containers are shipped by truck or rail between Canada and the United States every year. Knowing where they came from, what they contain, who is shipping them and where they are going is critical to border security.

The Committee has begun an examination of the integrity of Canada's supply chain. This examination is focusing on:

- Port and airport security;
- The risk assessment process used to vet goods from the point at which they are loaded, through their journey to Canada, their shipment within Canada, and their arrival at a final destination; and,
- Container bonding and documentation, container handling and in-transit control, container inspection techniques and technologies, and container physical security.

Some of the key unanswered questions in this new study are:

- How can we implement a container monitoring system that tracks containers and verifies their integrity throughout their journey through the entire course of the supply chain?
- How effective are Canadian targeting and inspection regimes?
- Has Canada deployed sufficient equipment like Vehicle and Cargo Inspection Systems (VACIS) and portal radiation detectors? Is it using what it has deployed as effectively as it could or should?⁸¹
- Should Canada implement exit checks on all containers leaving the country?

⁸¹ The Committee's early impression is that insufficient equipment has been deployed across Canada and that which has is being used unevenly.

C. Monitoring FAST and NEXUS participants

The Committee will also study the effectiveness and integrity of programs designed for known and trusted shippers – programs like Free and Secure Trade (FAST) and NEXUS Highway.

FAST and NEXUS Highway are joint Canada-U.S. programs designed to increase border efficiency without sacrificing security. Under FAST, commercial processes have been harmonized to ease the clearance of commercial shipments, meaning that drivers of FAST shipments are pre-approved. Similarly, NEXUS effectively pre-clears travelers.

FAST participants include 26,000 drivers, 15 import companies and 367 freight carrying companies. Approximately 75,000 travelers are enrolled in NEXUS Highway.⁸² Both programs provide special lanes at many major crossings so that pre-approved people, most notably importers/exporters, can cross with minimal delay. The joint principles behind these programs are (a) enhanced fluidity for pre-approved carriers, and (b) the freeing up of resources to allow Canadian and American border agencies to focus on higher risks.⁸³

These programs are certainly needed. FAST and NEXUS Highway have decreased border delays by reducing the amount of time border personnel spend examining their participants.

It is important that FAST and NEXUS programs do not become unrestricted free passes to smuggle. All programs that involve security need to prove themselves beyond the level of superficial success, and the Committee has questions as to what is happening behind the scene:

⁸² McLellan, "Testimony," (April, 11, 2005); and Alain Jolicoeur, "Enhancing Canada's Borders in the 21st Century," Presentation to Armchair Discussion at Canada School of Public Service, (February 10, 2005). Available at: http://www.myschool-monecole.gc.ca/events/archives/Armchair/docs/ecb10-02-05_e.ppt. Last visited: April 6, 2005.

⁸³ Canada Border Services Agency, "Fact Sheet: Free and Secure Trade program," (January 2005) and "Fact Sheet: NEXUS Highway program," (January 2005). Available at: www.cbsa-asfc.gc.ca/newsroom/factsheets/2005/0125fast-e.html and www.cbsa-asfc.gc.ca/newsroom/factsheets/2005/0125nexus_highway-e.html. Last visited: April 10, 2005.

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- How effective are screening procedures for applicants to these types of programs? What are the rates of acceptance, rejection, and renewal? How often program members caught cheating the system?
- What steps are being taken to conduct random checks on registered participants to ensure that unscrupulous people aren't taking advantage of their seal of approval to smuggle illegal goods through?⁸⁴
- What measures are in place to assure that non-approved vehicles aren't crashing the special lanes set up for FAST and NEXUS participants?
- What plans does CBSA have to upgrade infrastructure at plazas nearby border crossings so that trucks could get the go-ahead away from border crossings and then move through secure routes to the crossings, which would speed things up for truckers and decrease congestion at crossings?

D. Public disclosure of information related to the effectiveness of security

As the Washington-Post argued last August,

“Unnecessary secrecy erodes public confidence in government. It makes it impossible to take at face value government assertions that information is genuinely sensitive - even when it is. And in a post-Sept. 11 world, needless secrecy is downright dangerous insofar as it prevents the open sharing of information that ought to have many different pairs of eyes examining and analyzing it.”⁸⁵

Enough said. This is an issue the Committee will continue to revisit.

⁸⁴ Our early impressions are not many. In its investigations to date, the Committee has heard an anecdotal account from a FAST program participant at Windsor that random checks are extremely rare.

⁸⁵ “Too Much Secrecy,” *Washington-Post* (August 28, 2004): A24.

APPENDIX I

Order of Reference

Extract from the *Journals of the Senate*, Wednesday, October 20, 2004:

It was moved by the Honourable Senator Kenny,

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the national security policy of 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 and prevent a national emergency or attack, and the capability of the Department of Public Safety and Emergency Preparedness to carry out its mandate;
- (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 and critical infrastructure.

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

That the Committee report to the Senate no later than March 31, 2006 and that the Committee retain all powers necessary to publicize the findings of the Committee until May 31, 2006.

After debate,

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

Paul C. Bélisle

Clerk of the Senate

APPENDIX II

Index of Recommendations

1. Restructure the personal exemption limits to allow the Canada Border Services Agency to better focus on security. The restructuring should include harmonization with U.S. levels by 2007 and incremental bilateral increases to \$2000 per visit by 2010.
2. The government should implement a system of periodic effectiveness testing that assesses the effectiveness of each of the components of Canada's national security programs at our borders.
3. The government should release the results of periodic effectiveness testing of border security programs, after a delay sufficient to remedy problems.
4. The Canada Border Services Agency deploy only inspectors fully-trained to the level of indeterminate employees to perform primary duties on inspection lines.
5. The number of personnel employed by the Canada Border Services Agency be sufficient to provide security commensurate with increased security threat associated with the increased traffic and threat at Canada-U.S. land border crossings in recent years.
6. The Canada Border Services Agency ensure that at least half of all shifts at land border crossings be staffed by at least two persons by Dec. 31, 2006; and that all shifts at all land border crossings be staffed by at least two persons by Dec. 31, 2007.
7. The Canada Border Services Agency significantly increase its capacity to move extra personnel to posts during surge/emergency conditions, and that it document such an increase in capacity by Dec. 31, 2006.
8. The Canada Border Services Agency investigate the possibility of pairing students with full-time inspectors at land border crossings so that students could earn both summer wages and credits toward community college diplomas associated with policing and security.

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9. The Canada Border Services Agency expand its training programs in line with its newly focused mission on security as opposed to tax collection.
10. The Canada Border Services Agency improve its training programs for border agency personnel, with a special focus on components that increase skill sets for questioning techniques and cultural sensitivity.
11. The Canada Border Services Agency make mandatory the timely reporting and cataloguing of critical incidents faced by personnel.
12. The Canada Border Services Agency include a tally of those incidents in the Agency's annual report to Parliament.
13. The federal government arm border officers if it is not prepared to station and maintain an RCMP presence at all border crossings.
14. If the government does go ahead with arming border officers, it create a firearm qualification and recertification program that meets or exceeds the Firearms Course Training Standards of the Royal Canadian Mounted Police.
15. The Canada Border Services Agency connect *all* 62 unconnected border posts with real-time access to the customs mainframe by January 1st, 2006.
16. The Canada Border Services Agency upgrade the quality and fuse the data that is available to officers on the primary and secondary inspection lines.
17. The federal government develop and publicize an implementation plan for pre-clearance, with clearly understood timeframes.
18. The government move, with U.S. cooperation, to expand pre-clearance into continent-wide reverse inspection at all bridge and tunnel crossings.

19. By 2007, the government require documentation of all people entering Canada (including Canadians) that is:
 - a) Tamper-proof;
 - b) Machine-readable;
 - c) Biometrically enhanced; and,
 - d) Known to have been issued on the basis of reliable documentation.
20. Only those proposals for new crossing infrastructure at Windsor-Detroit which provide separate and secure infrastructure redundancy be considered.
21. Any new crossing constructed at Windsor-Detroit include facilities for reverse inspection.
22. The federal government move in 2005 to fund an awareness campaign that will outline to Canadians and Americans the security and economic benefits that would result from reinforcing Canada-U.S. border crossings quickly and the potential cost of not doing so.
23. The federal government, in the interests of national security, introduce legislation that would grant the Governor-in-Council, upon the recommendation of the Minister of Public Safety and Emergency Preparedness, the authority to expedite border infrastructure construction.
24. The federal government ensure viable crossing designs are completed before 2008.
25. The federal government work with the United States government to complete a new crossing at Windsor-Detroit before 2011.
26. The federal government immediately undertake a study of the feasibility of crossings outside of the Windsor-Detroit metropolitan area.

APPENDIX III

Who the Committee Heard From

Abbas, Mr. Leo
Mayor
Town of Happy Valley Goose Bay
February 3, 2005

Adams, Mr. John
Commissioner
Canadian Coast Guard
May 5, 2003

Addy, Major General (ret'd) Clive
National Past Chairman
Federation of Military and United
Services Institutes of Canada
October 15, 2001

Alexander, Dr. Jane
Deputy Director
U.S. Defence Advanced Research Projects
Agency (DARPA)
February 04, 2002

Allard, The Honorable Wayne
Ranking Member (Republican –
Virginia), U.S. Senate Armed Services
Committee
February 05, 2002

Amos, Chief Warrant Officer Bruce
423 Maritime Helicopter Squadron, 12
Wing Shearwater
January 22-24, 2002

Adams, Superintendent Bill
Federal Services Directorate
RCMP
June 9, 2003

Adams, Corporal Terrance
CFB Borden Technical Services
CFB Borden
June 25-27, 2002

Alarie, Master Corporal Bernadette
Canadian Forces Dental Services School
CFB Borden
June 25-27, 2002

Allan, Major Murray
Deputy Commanding Officer
Royal Regina Rifles
January 27, 2003

Allen, Mr. Jon
Director General, North America
Bureau
Department of Foreign Affairs and
International Trade
January 28, 2002, March 17, 2003

Anderson, Colonel N.J.
National Defence
May 2, 2005

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Andrash, Mr. P. (Duke)
Sergeant 481, Vancouver Police
Department
November 18-22, 2001

Atkins, Chief Superintendent Ian
Criminal Operations Officer, H Division,
RCMP
January 22-24, 2002, September 22-23, 2003

Audcent, Mr. Mark
Law Clerk and Parliamentary Counsel
Senate of Canada
December 2, 2002

Axworthy, Dr. Thomas
Chairman, Centre for Study of Democracy
Queen's University
September 29, 2003

Baird, Master Corporal Keith
Bravo Squadron
CFB Kingston
May 7-9, 2002

Baker, Lieutenant-Colonel Roy
Wing Logistics and Engineering Officer
CFB Trenton
June 25-27, 2002

Baltabaev, M.P., Mr. Tashpolot
Kyrgyz Republic
May 12, 2003

Arcand, Chief Warrant Officer Gilles
5th Combat Engineer Regiment
CFB Valcartier
September 24, 2003

Atkinson, Ms. Joan
Assistant Deputy Minister, Policy and
Program Development
Department of Citizenship and Immigration
January 28, 2002

Avis, Captain Peter
Director of Maritime Policy, Operations and
Readiness
Department of National Defence
April 7, 2003

Badger, Captain Chris J.
Vice President, Operations, Vancouver Port
Authority
November 18-22, 2001

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

Balnis, Richard
Senior Research Officer
Canadian Union of Public Employees
November 18, 2002

Barbagallo, Lieutenant Jason
The Black Watch
November 5-6, 2002

APPENDIX III
Who the Committee Heard From

Bariteau, Lieutenant-Colonel François
Commanding Officer, Canadian Forces
Leadership and Recruit School
National Defence
June 1, 2005

Barrette, Mr. Jean Director
Security Operations, Safety and Security
Group
Transport Canada
November 27, 2002 / December 2, 2002

Basrur, Dr. Sheela
Medical Officer of Health
City of Toronto
October 30, 2003

Bastien, Commander Yves
Formation Administration Officer
Maritime Forces Atlantic
January 22-24, 2002

Bax, Ms. Janet
Director General, Programs
Office of Critical Infrastructure Protection
and Emergency Preparedness
October 20, 2003

Beattie, Captain Davie
Canadian Parachute Centre Adjutant
CFB Trenton
June 25-27, 2002

Beazley, Chief Frank
Halifax Regional Police
Halifax Regional Municipality
September 23, 2003

Barrett, Major Roger R.
Operational Officer, 2 RCR
CFB Gagetown
January 22-24, 2002

Bartley, Mr. Alan
Director General, Policy Planning and
Readiness, Office of Critical Infrastructure
Protection and Emergency Preparedness
July 19, 2001

Bastien, Major-General Richard
Deputy Commander of Air
Assistant Chief of the Air Staff
Department of National Defence
December 03, 2001

Baum, Major Nigel
J4
CFB Kingston
May 7-9, 2002

Beare, Brigadier-General Stuart A.
Commander, Land Forces Western Area
National Defence
March 7, 2005

Beattie, Lieutenant-Colonel Mark
Senior Staff Officer, Canadian Forces
Support Training Group, CFB Borden
June 25-27, 2002

Beers, Master Corporal Robert
Canadian Forces School of Electrical and
Mechanical Engineering
CFB Borden
June 25-27, 2002

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Begin, Mr. Robert
Regional Director, Quebec
Office of Critical Infrastructure Protection
and Emergency Preparedness
October 27, 2003

Belcourt, Chief Warrant Officer Mario
12th Canadian Armoured Regiment
5th Canadian Mechanized Brigade CFB
Valcartier
September 24, 2003

Bell, Mr. Peter
Intelligence Analyst
Organized Crime Agency of B.C.
November 18-22, 2001

Bercuson, Dr. David J.
Director, Centre for Military and Strategic
Studies
University of Calgary
April 19, 2004 and March 8, 2005

Berry, Major David
Canadian Parachute Centre Training Officer
Commander
CFB Trenton
June 25-27, 2002

Berthiaume, Mr. Tim
Deputy Fire Chief
City of Windsor
February 10, 2003

Begley, Inspector J.J. (Jim)
Federal Policing Service
RCMP
November 18-22, 2001

Bell, Lieutenant-Commander John
Commander, HMCS Queen
National Defence
March 9, 2005

Belzile, Lieutenant-General (ret'd)
Charles
Chairman
Conference of Defence Associations
October 15, 2001

Bernier, Warrant Officer Michel
5th Military Police Platoon
CFB Valcartier
September 24, 2003

Berthiaume, Lieutenant-Colonel Philip (Res)
Essex and Kent Scottish Regiment
December 1, 2004

Bildfell, Mr. Brian
Director, Ambulance Services
City of Windsor
February 27, 2003

APPENDIX III
Who the Committee Heard From

Bilodeau, Mr. Ronald
Associate Secretary to the Cabinet, Deputy
Minister to the Deputy Prime Minister and
Security and Intelligence Coordinator
Privy Council Office
February 24, 2003

Bissonnette, Captain J.R.A.
Commander, 5th Military Police Platoon
CFB Valcartier
September 24, 2003

Black, Lieutenant Colonel Dean C.
Commanding Officer, 403 Squadron
CFB Gagetown
January 22-24, 2002

Blair, Colonel Alan
12 Wing Commander
National Defence
May 5, 2005

Blanchard, Master Corporal Piette
Canadian Forces Dental Services School
CFB Borden
June 25-27, 2002

Bland, Professor Douglas
Chair of Defence Management Program,
School of Policy Studies
Queen's University
October 29, 2001 / May 27, 2002

Bishop Jr., The Honorable Sanford D.
(Democrat – Georgia)
U.S. House Select Committee on Intelligence
February 05, 2002

Black, Mr. Bob
Director, Office of Emergency Preparedness
City of Edmonton
January 28, 2003

Blackmore, Mr. David
Director of Building and Property,
Emergency Operations Centre Manager City
of St. John's
March 31, 2003

Blair, Master Warrant Officer Gérald
Canadian Forces School of Communications
and Electronics
CFB Kingston
May 7-9, 2002

Blanchette, Lieutenant-Colonel Michael
Commander, Canadian Parachute School
CFB Trenton
June 25-27, 2002

Blight, Master Corporal
8 Air Maintenance Squadron
8 Wing Trenton
June 25-27, 2002

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Blondin, Colonel Yvan
Wing Commander, 3 Wing Bagotville
National Defence
June 1, 2005

Boisjoli, Lieutenant-Commander André
Commanding Officer, HMCS Glace Bay,
Maritime Forces Atlantic
January 22-24, 2002

Bon, Mr. Daniel
Director General, Policy Planning, Assistant
Deputy Minister, Policy
Department of National Defence
July 18, 2001

Boswell, Lieutenant-Colonel Brad
Acting Director of Army Doctrine
CFB Kingston
May 7-9, 2002

Boucher, Mr. Mark
National Secretary Treasurer
Canadian Merchant Service Guild
February 2, 2005

Bourgeois, Mr. Terry
District Chief, Rural District 3,
Communications, Fire and Emergency
Service, Halifax Regional Municipality
September 23, 2003

Bloodworth, Ms Margaret
Deputy Minister
Public Safety and Emergency
Preparedness Canada
February 15, 2005

Bolton, Lieutenant Colonel Bruce D
Commanding Officer
The Black Watch, Royal Highland Regiment
of Canada
November 5-6, 2001

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

Bouchard, Major-General J.J.C
Commander, 1 Canadian Air Division
National Defence
March 10, 2005

Boulden, Ms Jane
Canada Research Chair in International
Relations and Security Studies
Royal Military College of Canada
November 29, 2004

Boutilier, Dr. James A.
Special Advisor (Policy), Maritime Forces,
Pacific Headquarters
Department of National Defence
June 9, 2003

APPENDIX III
Who the Committee Heard From

Bowes, Lieutenant-Colonel Steve
Armour School
C.F.B. Galetown
National Defence
January 31, 2005

Bramah, Mr. Brian
Regional Director
Transport Canada
November 18-22, 2001

Bradley, Corporal John
Imagery Technician
17 Wing Imaging and Associate Air Force
Historian, 17 Wing Winnipeg
November 18-22, 2001

Brodeur, Vice-Admiral (Ret'd) Nigel
As an individual
March 1, 2005

Brown, Major Chris
424 Squadron
CFB Trenton
June 25-27, 2002

Buck, Vice-Admiral Ron
Chief of the Maritime Staff
Department of National Defence
December 03, 2001, August 14, 2002, April
7, 2003

Buenacruz, Corporal
Wing Administration
8 Wing Trenton
June 25-27, 2002

Boyer, Colonel Alain
Commander 15 Wing Moose Jaw
National Defence
March 9, 2005

Brandt, Mr. Brion
Director, Security Policy
Transport Canada
May 5, 2003

Brochet, Inspector Pierre, Chief of
Operation, Planning Section, Montreal
Police Service, City of Montreal
September 26, 2003

Brooks, Captain Melissa
CFB Petawawa
June 25-27, 2002

Bryan, Mr. Robert
Emergency Planning Coordinator City
of Vancouver
January 30, 2003

Buck, Vice-Admiral Ron
Vice Chief of the Defence Staff
National Defence
December 6, 2004

Bugslag, Mr. Bob
Executive Director, Provincial Emergency
Program
Government of British Columbia
March 1, 2005

Borderline Insecure

Bujold, Mr. Guy
Assistant Deputy Minister
Infrastructure Canada
February 7, 2005

Burke, Captain (N) Greg
Chief of Staff, Maritime Forces
Atlantic
Department of National Defence
January 22-24, 2002

Burr, Ms Kristine
Assistant Deputy Minister, Policy
Transport Canada
February 7, 2005

Butler, Mr. John
Regional Director, Newfoundland and
Labrador
Canadian Coast Guard
February 2, 2005

Cameron, Colonel Scott
Director of Medical Policy on the staff
of the Director General Health Services
(DGHS)
Department of National Defence
December 10, 2001

Campbell, Anthony
Vice-President, Canadian Association
for Security and Intelligence Studies
June 3, 2002

Bullock, Ms. Margaret
Manager, Security Awareness, Policy
and Regulatory Corporate Security, Air
Canada
November 18-22, 2001

Burke, Mr. Sean
Research Associate, National Security
Studies, Council on Foreign Relations
February 04, 2002

Burrell, Mr. Bruce
Assistant Deputy Chief Director,
Halifax Regional Fire Service
Halifax Regional Municipality
September 23, 2003

Calder, Mr. Kenneth
Assistant Deputy Minister, Policy
Department of National Defence
November 26, 2001, August 14, 2002,
April 26, 2004, October 25, 2004

Cameron, Captain Keith
CFB Petawawa
June 25-27, 2002

Campbell, Lieutenant-General Lloyd
Commander of Air Command and Chief
of the Air Staff
Department of National Defence
December 03, 2001

APPENDIX III
Who the Committee Heard From

Campbell, Master Corporal Steve
426 Training Squadron, 8 Wing Trenton
June 25-27, 2002

Caouette, Sergeant Denis, Operational
Planning Section, Montreal Police
Service, City of Montreal
September 26, 2003

Caron, Corporal Denis
National Support Arrangements
Coordinator, Coast and Airport Watch
National Coordinator, Organized Crime
Branch, RCMP
April 7, 2003

Carroll, Lieutenant-Commander Derek
HMCS Tecumseh
National Defence
March 8, 2005

Castonguay, Staff Sergeant Charles
Unit Commander
RCMP
November 5-6, 2001

Cessford, Lieutenant-Colonel Michael
Acting Commader, Canadian Forces Joint
Operations Group, CFB Kingston
May 7-9, 2002

Charette, Mr. Serge
National President
Customs Excise Union Douanes Accise
January 22-24, 2002

Camsell, Lieutenant-Colonel J.F.
36th Service Battalion
February 2, 2005

Capstick, Colonel Mike
Director, Land Personnel Strategy
Patricia's Canadian Light Infantry
March 10, 2005

Caron, Lieutenant-General Marc
Chief of Land Staff
National Defence
February 7, 2005

Castillo, Corporal Marvin
CFB Kingston
May 7-9, 2002

Cellucci, H.E. Paul
Ambassador
Embassy of the United States of America to
Canada
August 15, 2002

Chapin, Mr. Paul
Director General, International Security
Bureau, Department of Foreign Affairs
and International Trade
February 23, 2004

Chartier, Honorary Lieutenant-Colonel
Victor G., OMM, CD.
The Black Watch
November 5-6, 2002

Borderline Insecure

Chartrand, Lieutenant-Commander
Yves
Acting Commanding Officer, HMCS
Huron
Maritime Forces Pacific
November 18-22, 2001

Christie, Mr. Ryerson
Researcher, Centre for International and
Security Studies
York University
March 21, 2005

Clapham, Superintendent, Ward D.
Officer in Charge
RCMP
November 18-22, 2001

Clarke, Master Corporal James
Gulf Squadron
CFB Kingston
May 7-9, 2002

Coble, The Honorable Howard
Ranking Member (Republican, North
Carolina)
U.S. House Judiciary Committee
February 07, 2002

Collenette, P.C., M.P., The
Honourable David Michael
Minister of Transport
December 2, 2002

Chow, Lieutenant Commander Robert
Commanding Officer, HMCS *Unicorn*
(Saskatoon)
January 27, 2003

Cirincione, Mr. Joseph
Senior Director, Non Proliferation
Project, The Carnegie Foundation
February 05, 2002

Clark, Captain Robert
CO BW No.2497 Cadet Corps
Head Librarian, Law Library
McGill University
November 5-6, 2002

Clarke, Mr. Shawn
Acting Regional Director, Prince
Edward Island, Office of Critical
Infrastructure Protection and
Emergency Preparedness
October 27, 2003

Cohen, Mr. Andrew
Associate Professor, School of
Journalism and Communications
Carleton University
March 21, 2005

Connolly, Mr. Mark
Director General, Contraband and
Intelligence Services Directorate,
Customs Branch
Canada Customs and Revenue Agency
February 10, 2003, September 22, 2003

APPENDIX III
Who the Committee Heard From

Connolly, Mr. Mark
Head, Customs Contraband,
Intelligence and Investigations
Canada Border Services Agency
February 23, 2004

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

Cormier, Master Seaman Michael
Canadian Forces Military Police Academy
CFB Borden
June 25-27, 2002

Côté, Mr. Bertin
Deputy Head of Mission
Canadian Embassy (Washington)
February 04-07, 2002

Côté, Brigadier-General Gaston
Commander, Land Forces Quebec Area
National Defence
June 1, 2005

Coulter, Mr. Keith
Chief, Communications Security
Establishment
February 24, 2003

Crabbe, Lieutenant-General (Ret'd) Ray
Royal Military Institute of Manitoba (RMIM)
March 10, 2005

Conyers, Jr., The Honorable John
Ranking Member Democrat-Michigan,
U.S. House Judiciary Committee
February 07, 2002

Corcoran, Mr. James
Former Deputy Director, Operations
Canadian Security and Intelligence
Service
October 01, 2001

Cormier, Captain Michael P.
Deputy Harbour Master
Vancouver Port Authority
November 18-22, 2001

Côté, Master Corporal Claude
Bravo Squadron
CFB Kingston
May 7-9, 2002

Côté, Mr. Yvan
Investigator, Organized Crime Task
Force, Montreal Urban Community
Police Department
November 05-06, 2001

Couture, Lieutenant-General Christian
Assistant Deputy Minister (Human
Resources – Military)
Department of National Defence
December 10, 2001

Creamer, Mr. Dennis
Vice-President, Finance and
Administration
Halifax Port Authority
January 22-24, 2002

Borderline Insecure

Crober, Mr. Paul
Regional Director for B.C. and Yukon,
Emergency Mgmt. and National Security
Sector, Public Safety and Emergency
Preparedness Canada
March 1, 2005

Crouch, Dr. Jack Dyer
Assistant Secretary of Defence,
International Security Policy
Office of the U.S. Secretary of Defence
February 06, 2002

Cushman, Dr. Robert
Chief Medical Officer of Health, City
of Ottawa
February 3, 2003

D'Cunha, Dr. Colin
Commissioner of Public Health, Chief
Medical Officer of Health, Ministry of
Health and Long-Term Care, Ontario
October 30, 2003

Dallaire, Gabriel
Gulf Squadron, CFB Kingston
May 7-9, 2002

Davidson, Rear-Admiral Glenn V.
Commander, Maritime Forces Atlantic
Department of National Defence
September 22, 2003

Dawe, Mr. Dick
Manager, Personnel Support
Programmes, Maritime Forces Pacific
November 18-22, 2001

Crosbie, Mr. William
Director General, North America Bureau
Foreign Affairs Canada
April 11, 2005

Croxall, Corporal Kevin
CFB Borden Administration Services, CFB
Borden
June 25-27, 2002

D'Avignon, Mr. Michel
Director General, National Security,
Policing and Security Branch, Solicitor
General Canada
July 19, 2001

Daigle, MSC, CD, MGen. Pierre
Special Advisor to the Chief of
Defence Staff
Department of National Defence
March 17, 2003 / February 23, 2004

Daniels, Private Jason
CFB Kingston
May 7-9, 2002

Davies, Ms. Krysta M.
Intelligence Analyst Specialist
KPMG Investigation and Security Inc.
October 01, 2001

DeCastro, Second Lieutenant. Rod
The Black Watch
November 5-6, 2002

APPENDIX III
Who the Committee Heard From

DeCuir, Brigadier-General Mike
Deputy Regional Commander
Canadian NORAD Region
Headquarters
November 18-22, 2001

Deering, Richard
Chief of Police
Royal Newfoundland Constabulary
February 3, 2005

Dempster, Major-General Doug
Director General, Strategic Planning
National Defence
April 11, 2005

Deschamps, Col. André
Director, Continental Operations
Department of National Defence
May 6, 2002

Devlin, Mr. W.A. (Bill)
Manager, Hub Development,
Vancouver International Airport
Air Canada
November 18-22, 2001

Dewar, Captain (N) (Ret'd) John
Member, Maritime Affairs
Navy League of Canada
May 12, 2003, June 2, 2003

Dickenson, Mr. Lawrence T.
Assistant Secretary to the Cabinet,
Security and Intelligence
Privy Council Office
October 29, 2001 / February 24, 2003

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

Dempsey, Mr. Lawrence
National Secretary Treasurer
Canadian Merchant Service Guild
September 22, 2003, February 2, 2005

De Riggi, Mr. Angelo
Intelligence Officer
Organized Crime Task Force - RCMP
November 5-6, 2001

Desrosiers, Chief Warrant Officer
Christian
5th Canadian Light Artillery Regiment
September 24, 2003

deVries, Nicolaas C.W.O. (Ret'd)
Military Bands
January 31, 2005

Dewitt, Mr. David
Director, Centre for International and
Security Studies
York University
December 2, 2004

Dietrich, Chief Warrant Officer Dan
Chief Warrant Officer
One Canadian Air Division
November 18-22, 2001

Borderline Insecure

Dion, Corporal Yves
Canadian Forces Fire Academy
CFB Borden
June 25-27, 2002

Doge, Ms. Trish
Director, Risk and Emergency
Management, City of Vancouver
January 30, 2003

Dowler, Chief Petty Officer First Class
George
Maritime Forces Atlantic
January 22-24, 2002

Doyle, Lieutenant Colonel Bert
Commanding Officer, 402 Squadron
17 Wing Winnipeg
November 18-22, 2001

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

Dufresne, Corporal
Canadian Forces Postal Unit
8 Wing Trenton
June 25-27, 2002

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

Ditchfield, Mr. Peter
Deputy Chief Officer
Organized Crime Agency of B.C.
November 18-22, 2001

Douglas, Lieutenant-Colonel Brian
Artillery School
C.F.B. Gagetown
National Defence
January 31, 2005

Downton, Master Corporal Doug
426 Training Squadron
8 Wing Trenton
June 25-27, 2002

Droz, Superintendent Pierre
Criminal Operations
RCMP
November 5-6, 2001

Dufour, Major Rénald
Commander, 58th Air Defence Battery
CFB Valcartier
September 24, 2003

Duguay, Mr. Yves
Senior Director
Corporate Security Risk Management
Air Canada
November 18-22, 2001

Dunn, Major General Michael
Vice Director, Strategic Plans and
Policy
The Pentagon
February 06, 2002

APPENDIX III
Who the Committee Heard From

Durocher, Captain Pascal
Deputy Commanding Officer,
2EW Squadron, CFB Kingston
May 7-9, 2002

Edmonds, Captain (N) David
Chief of Staff Personnel & Training,
Naval Reserve
Department of National Defence
September 25, 2003

Elliott, Mr. William
Assistant Deputy Minister, Safety and
Security Group
Transport Canada
November 27, 2002, December 2,
2002, May 5, 2003

Ellis, Colonel Jim
2nd in Command, Operation Peregrine
National Defence
March 1, 2005

Enger, Inspector T.G. (Tonia)
Operations Officer
RCMP
November 18-22, 2001

Evans, Ms. Daniela
Chief, Customs Border Services
Canada Customs and Revenue Agency
November 18-22, 2001

Earnshaw, Commander Paul F.
Commanding Officer TRINITY, Joint
Ocean Surveillance Information Centre
Department of National Defence
September 22, 2003

Elcock, Mr. Ward
Director
Canadian Security Intelligence Service
August 14, 2002, February 17, 2003

Ellis, Captain Cameron
CFB Petawawa
June 25-27, 2002

Ellis, Ms. Karen
Assistant Deputy Minister (Infrastructure and
Environment), National Defence
June 6, 2005

Erkebaev, M.P., The Honourable
Abdygany
Speaker of the Legislative Assembly
Kyrgyz Republic
May 12, 2003

Evraire, Lieutenant-General (Ret'd)
Richard J.
Conference of Defence Associations
April 19, 2004

Borderline Insecure

Fadden, Mr. Richard
Deputy Clerk, Counsel and Security
Intelligence Coordinator
Privy Council Office
October 29, 2001, January 29, 2002,
August 14, 2002

Fagan, Mr. Wayne
Regional Vice-President
Union of Canadian Transportation
Employees (UCTE)
February 2, 2005

Falkenrath, Mr. Richard
Senior Director
U.S. Office of Homeland Security
February 07, 2002

Farmer, Mr. Rick
Area Manager, Ontario East Port of Entries
Citizenship and Immigration Canada
May 7-9, 2002

Ferguson, Mr. Brian
Assistant Deputy Minister, Veterans
Services
Veterans Affairs Canada
January 22-24, 2002

Fernie, Iain
Regional Security Operations Manager
Air Canada
June 24, 2002

Fagan, Mr. John
Director of Intelligence and
Contraband, Atlantic Region
Canada Customs and Revenue Agency
January 22-24, 2002

Falconer, Captain Vic
Formation Drug Education
Coordinator, Formation Health
Services (Pacific)
Maritime Forces Pacific
November 18-22, 2001

Fantino, Chief Julian
Toronto Police Service
May 6, 2002

Farr, Mr. Bruce
Chief and General Manager, Toronto
Emergency Medical Services
City of Toronto
October 30, 2003

Fergusson, Mr. James
Centre for Defence and Security Studies
Department of Political Studies
University of Manitoba
March 10, 2005

Ferris, Mr. John
Faculty of Social Sciences,
International Relations Program
University of Calgary
March 8, 2005

APPENDIX III
Who the Committee Heard From

Fields, Fire Chief Dave
Fire Department
City of Windsor
February 27, 2003

Fisher, Captain Kent
J8
CFB Kingston
May 7-9, 2002

Flagel, Mr. Brian
Director, Airport Operations
Canada Customs and Revenue Agency
November 18-22, 2001

Flynn, Commander Steven
U.S. Coast Guard and Senior Fellow
National Security Studies, Council on
Foreign Relations
February 04, 2002

Forcier, Rear-Admiral J.Y.
Commander, MARPAC
National Defence
February 28, 2005

Forgie, Mr. John
Enforcement Supervisor, Vancouver
Citizenship and Immigration Canada
November 18-22, 2001

Foster, Lieutenant-Colonel Rob
Acting Commanding Officer, 8 Air
Maintenance Squadron
CFB Trenton
June 25-27, 2002

Fisher, Second Lieutenant Greg
The Black Watch
November 5-6, 2002

Flack, Mr. Graham
Director of Operations, Borders Task
Force
Privy Council Office
March 17, 2003, February 23, 2004

Fleshman, Larry
General Manager, Customer Service
Toronto, Air Canada
June 24, 2002

Fonberg, Mr. Robert
Deputy Secretary to the cabinet,
Operations
Privy Council Office
March 17, 2003

Forcier, Commodore Jean-Yves
Chief of Staff J3, Deputy Chief of the
Defence Staff, Department of National
Defence
July 18, 2001

Fortin, Lieutenant-Colonel Mario
Acting Commanding Officer, 426 Squadron
CFB Trenton
June 25-27, 2002

Fox, Mr. John
Member
Union of Canadian Transportation
Employees (UCTE)
February 2, 2005

Borderline Insecure

Fox, Mr. John
Regional Representative, Nova Scotia
(UCTE)
September 22, 2003

Frappier, Mr. Gerry
Director General, Security and
Emergency Preparedness and Chair of
Interdepartmental Marine Security
Working Group, Transport Canada
April 7, 2003, June 2, 2003, February
25, 2004

Fraser, Rear-Admiral Jamie D.
Commander
Maritime Forces Pacific
November 18-22, 2001

Frederick, Corporal
8 Air Maintenance Squadron
8 Wing Trenton
June 25-27, 2002

Fries, Mr. Rudy
Emergency Management Coordinator,
London-Middlesex Community
City of London
March 31, 2003

Gadula, Mr. Charles
Director General, Fleet Directorate,
Marine Services, Department of
Fisheries and Oceans Canada
April 7, 2003

Gagnon, Major Alain
Commanding Officer, Canadian Forces
Recruiting Centre, Montreal
June 25-27, 2002

Francis, Warrant Officer Charles
Bravo Squadron
CFB Kingston
May 7-9, 2002

Frappier, Lieutenant-Colonel Jean
Commander, 12th Canadian Armoured
Regiment, 5th Canadian Mechanized
Brigade, CFB Valcartier
September 24, 2003

Fraser, Ms. Sheila
Auditor General of Canada
December 10, 2001, December 6, 2004

Frerichs, Private Travis
CFB Kingston
May 7-9, 2002

Froeschner, Major Chris
Acting Commanding Officer, 429 Squadron
CFB Trenton
June 25-27, 2002

Gagné, Major M.K.
Officer Commanding Administration
Company, 2nd Battalion Princess
National Defence
March 10, 2005

Gagnon, Mr. Jean-Guy, Deputy
Director, Investigations Department,
Montreal Police Service, City of
Montreal
September 26, 2003

APPENDIX III
Who the Committee Heard From

Gardner, Major Craig
Mechanized Brigade Group
CFB Petawawa
June 25-27, 2002

Garnon, Lieutenant-Commander
Daniel
Comptroller, National Defence
September 25, 2003

Gauthier, Major-General Michael J.C.M.
Director General of Intelligence
National Defence
December 13, 2004

Gauvin, Commodore Jacques J.
Acting Assistant Chief of the Maritime
Staff
Department of National Defence
December 3, 2001

Gibbons, The Honorable Jim
Member (Republican – Nevada)
U.S. House Select Committee on
Intelligence
February 6, 2002

Gilbert, Chief Warrant Officer Daniel
Department of National Defence
December 3, 2001

Gilkes, Lieutenant-Colonel B.R.
Kings Own Calgary Regiment
National Defence
March 8, 2005

Garnett, Vice-Admiral (Ret'd) Gary L.
National Vice-President for Maritime
Affairs
Navy League of Canada
May 12, 2003

Gauthier, Corporal
2 Air Movement Squadron
8 Wing Trenton
June 25-27, 2002

Gauvin, Major Bart
Directorate of Army Training 5
CFB Kingston
May 7-9, 2002

Giasson, Mr. Daniel
Director of Operations, Security and
Intelligence
Privy Council Office
January 8, 2002 / January 29, 2002

Giffin-Boudreau, Ms. Diane
Acting Director General, Atlantic
Region, Department of Citizenship and
Immigration Canada
September 22, 2003

Gilbert, Staff Superintendent Emory
Operational Support Services, Toronto
Police Services, City of Toronto
October 30, 2003

Gimblett, Mr. Richard
Research Fellow
Centre for Foreign Policy Studies
Dalhousie University
February 21, 2005

Borderline Insecure

Girouard, Commodore Roger
Commander, CANFLTPAC
National Defence
February 28, 2005

Glencross, Captain, Reverend Bruce
Regimental Padre Minister
The Black Watch
November 5-6, 2002

Goatbe, Mr. Greg
Director General, Program Strategy
Directorate
Canada Customs and Revenue Agency
January 28, 2002

Goodall, Superintendent Bob
Bureau Commander, Field and Traffic
Support Bureau
Ontario Provincial Police
October 30, 2003

Gotell, Chief Warrant Officer Peter
Operations
12 Wing Shearwater
January 22-24, 2002

Graham, Master Corporal
8 Air Maintenance Squadron
8 Wing Trenton
June 25-27, 2002

Granatstein, Dr. Jack
Chair, Council for Defence and Security in
the 21st Century
May 27, 2002, April 28, 2004

Giroux, Master Corporal
Canadian Parachute Centre
8 Wing Trenton
June 25-27, 2002

Gludo, Colonel J.D.
Commander, 41 Canadian Brigade
Group of Canada, National Defence
March 8, 2005

Goetz, Captain J.J.
Mechanized Brigade Group
CFB Petawawa
June 25-27, 2002

Goss, The Honorable Porter
Chair (Republican - Florida)
U.S. House Select Committee on
Intelligence
February 6, 2002

Goupil, Inspector Pierre
Direction de la protection du territoire,
Unité d'urgence, région ouest, Sûreté
du Québec
November 5-6, 2001

Graham, Erin
Manager Safety, Capital District Health
Halifax Regional Municipality
September 23, 2003

Grandy, Mr. Brian
Acting Regional Director, Atlantic
Region
Canada Customs and Revenue Agency
January 22-24, 2002

APPENDIX III
Who the Committee Heard From

Grant, Captain Timothy J.
Commander, 1 Canadian Mechanized
Brigade Group
National Defence
March 7, 2005

Green, Major Bill
Commanding Officer, Saskatchewan
Dragoons (Moose Jaw)
January 27, 2002

Gregory, Leading Seaman
Wing Administration Human Resources
Department
8 Wing Trenton
June 25-27, 2002

Guevremont, Benoît
Gulf Squadron
CFB Kingston
May 7-9, 2002

Gutteridge, Mr. Barry
Commissioner, Department of Works
and Emergency Services
City of Toronto
October 30, 2003

Haché, Colonel Mike
Director, Western Hemisphere Policy
National Defence
April 11, 2005

Hall, Major Steve
Deputy Commandant, Canadian Forces
School of Communications and Electronics
CFB Kingston
May 7-9, 2002

Gray, P.C., Right Honourable Herb
Chair and Commissioner, Canadian
Section, International Joint
Commission
March 29, 2004

Grégoire, Mr. Marc
Assistant Deputy Minister, Safety and
Security Group
Transport Canada
February 25, 2004

Grue, Superintendent Tom
Edmonton Police Services
City of Edmonton
January 28, 2003

Guindon, Captain (N) Paul
Submarine Division
Maritime Forces Atlantic
January 22-24, 2002

Gupta, Lieutenant-Colonel Ranjeet K.
Canadian Forces School of Military
Engineering, C.F.B. Gagetown
National Defence
January 31, 2005

Haeck, Lieutenant Colonel Ken F.
Commandant of Artillery School IFT
CFB Gagetown
January 22-24, 2002

Hamel, MWO Claude
Regimental Sergeant-Major Designate
The Black Watch
November 5-6, 2002

Borderline Insecure

Hammond, Major Lee
Artillery
CFB Petawawa
June 25-27, 2002

Hapgood, Warrant Officer John
Canadian Parachute Centre
8 Wing Trenton
June 25-27, 2002

Harrison, Captain (N) R.P. (Richard)
Assistant Chief of Staff, Operations,
Maritime Forces Pacific
November 18-22, 2001

Harvey, Lieutenant-Commander Max
Commander
H.M.C.S. Cabot
February 2, 2005

Hatton, Commander Gary
Commanding Officer, HMCS Montreal
Maritime Forces Atlantic
January 22-24, 2002

Hazelton, LCol Spike C.M.
Commandant of Armour School C2
SIM, CFB Gagetown
January 22-24, 2002

Hébert, Barbara
Regional Director, Customs, Canada
Customs and Revenue Agency
June 24, 2002

Hansen, Superintendent Ken
Director of Federal Enforcement
RCMP
April 7, 2003, June 9, 2003

Harlick, Mr. James
Assistant Deputy Minister, Office of
Critical Infrastructure Protection and
Emergency Preparedness, National
Defence
July 19, 2001, October 20 & 27, 2003

Hart, Corporal
Wing Administration Human Resources
Department, 8 Wing Trenton
June 25-27, 2002

Haslett, Lieutenant Adam
Logistics Officer & Course Commander, The
Black Watch
November 5-6, 2002

Haydon, Mr. Peter T.
Senior Research Fellow, Center for
Foreign Policy Studies
Dalhousie University
April 28, 2003, February 1, 2005

Hearn, Brigadier-General T.M.
Director General, Military Human
Resources Policy and Planning
Department of National Defence
December 10, 2001

Heinbecker, Paul
Former Ambassador to the U.N.
As an individual
February 21, 2005

APPENDIX III
Who the Committee Heard From

Heimann, Dr. Alan
Medical Officer of Health
City of Windsor
February 27, 2003

Henault, General Raymond R.
Chief of the Defence Staff
National Defence
December 3, 2001

Henderson, Major Georgie
Deputy A3
CFB Trenton
June 25-27, 2002

Henry, Dr. Bonnie
Associate Medical Officer of Health
City of Toronto
October 30, 2003

Herbert, Mr. Ron
Director General, National Operations
Division
Veterans Affairs Canada
January 22-24, 2002

Hickey, Captain (N) Larry
Assistant Chief of Staff Plans and
Operations (Maritime Forces Atlantic)
National Defence
June 16, 2003

Hildebrandt, Captain Gerhard
Canadian Parachute Centre
8 Wing Trenton
June 25-27, 2002

Heisler, Mr. Ron
Canada Immigration Centre, Halifax
Department of Citizenship and
Immigration Canada
September 22, 2003

Hendel, Commodore (Ret'd) Hans
Consultant, Canadian Forces Staff
College
April 28, 2003

Henneberry, Lieutenant-Commander,
HMCS Nanaimo
Maritime Air Force Command Pacific
November 18-22, 2001

Henschel, Superintendent Peter
Federal Services Directorate
RCMP
June 9, 2003

Hickey, Mr. John
MHA, Lake Melville
House of Assembly of Newfoundland
and Labrador
February 3, 2005

Hildebrand, Sergeant F.D. (Fred)
"H" Division, Criminal Operations
Branch, RCMP
September 22, 2003

Hill, Mr. Dave
Chair, Capital Region Emergency
Preparedness Partnership
City of Edmonton
January 28, 2003

Borderline Insecure

Hillier, General Rick
Chief of the Defence Staff
National Defence
May 30, 2005

Hincke, Colonel Joe
Commanding Officer
12 Wing Shearwater
January 22-24, 2002

Horn, Lieutenant-Colonel Bernd
CFB Petawawa
June 25-27, 2002

Hounsell, Master Corporal Scott
Canadian Forces School of Electrical and
Mechanical Engineering, CFB Borden
June 25-27, 2002

Huebert, Dr. Rob
Professor, Dept. of Political Science
University of Calgary
March 8, 2005

Hunter, The Honorable Duncan
Ranking Member, Subcommittee on
Military Procurement (Republican –
California)
U.S. House Armed Services Committee
February 06, 2002

Hynes, Major A.G.
Air Reserve Coordinator (East)
1 Canadian Air Division Headquarters
February 1, 2005

Hillmer, Dr. Norman
Professor of History and International Affairs.
Carleton University
November 1, 2004

Hines, Colonel Glynne
Director, Air Information Management,
Chief of the Air Staff
National Defence
July 18, 2001

Hornbarger, Mr. Chris
Director
U.S. Office of Homeland Security
February 7, 2002

Howe, Corporal Kerry
CFB Borden Technical Services
CFB Borden
June 25-27, 2002

Hunt, Mr. Baxter
Embassy of the United States of America to
Canada
August 15, 2002

Hupe, Master Corporal Bryan
426 Training Squadron
8 Wing Trenton
June 25-27, 2002

Iatonna, Mr. Mario
Municipal Engineer
City of Windsor
December 1, 2004

APPENDIX III
Who the Committee Heard From

Idzenga, Major Ray
Commanding Officer, Gulf Squadron
CFB Kingston
May 7-9, 2002

Innis, Captain Quentin
Instructor, Canadian Parachute Centre
8 Wing Trenton
June 25-27, 2002

Issacs, Sergeant Tony
Search and Rescue Technician
Maritime Forces Atlantic
January 22-24, 2002

Jackson, Ms. Gaynor
Manager, Military Family Support
Centre, Maritime Forces Pacific
November 18-22, 2001

Jarvis, Vice-Admiral Greg
Assistant Deputy Minister (Human Resources
Military)
February 21, 2005

Jeffery, Lieutenant General M.K.
Chief of the Land Staff
Department of National Defence
December 3, 2001 / August 14, 2002

Jestin, Colonel Ryan
Commander, C.F.B. Gagetown
3 Area Support Group
National Defence
January 31, 2005

Inkster, Mr. Norman
President, KPMG Investigation and
Security Inc.
Former Commissioner, RCMP
October 01, 2001

Irwin, Brigadier-General S.M.
Chief Executive Officer of the Canadian
Forces Housing Agency
National Defence
June 6, 2005

Jackson, Major David
J3
CFB Kingston
May 7-9, 2002

Janelle, Private Pascal
CFB Kingston
May 7-9, 2002

Jean, Mr. Daniel
Assistant Deputy Minister, Policy and
Program Development, Department of
Citizenship and Immigration Canada
March 17, 2003

Jenkins, Wilma
Director, Immigration Services
Citizenship and Immigration Canada
June 24, 2002

Job, Mr. Brian
Chair, Institute of International Relations
University of British Columbia
March 1, 2005

Borderline Insecure

Johns, Fred
General Manager, Logistics and Processing
Strategies
Canada Post
August 15, 2002

Johnson, Captain Wayne
J7, CFB Kingston
May 7-9, 2002

Johnston, Chief Cal
Chief of Police
City of Regina
January 27, 2003

Jolicoeur, Mr. Alain
President, Department of Public Safety
and Emergency Preparedness Canada
Canada Border Services Agency
February 23, 2004, April 11, 2005

Jurkowski, Brigadier-General (ret'd)
David
Former Chief of Staff, Joint Operations
Department of National Defence
October 1, 2001

Kavanagh, Paul
Regional Director, Security and
Emergency Planning
Transport Canada
June 24, 2002

Keating, Dr. Tom
Professor, Department of Political Science
University of Alberta
March 7, 2005

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

Johnston, Rear-Admiral (Ret'd) Bruce
As an individual
April 28, 2003

Johnston, Mr. Kimber
Director General, Strategic Policy
Public Safety and Emergency
Preparedness Canada
February 15, 2005

Joncas, Chief Petty Officer First Class
Serge
Maritime Command Chief Petty
Officer, National Defence
December 3, 2001

Kasurak, Mr. Peter
Principal
Office of the Auditor General of
Canada
December 10, 2001, December 6, 2004

Keane, Mr. John
Deputy Assistant Secretary, Bureau of
Western Hemisphere Affairs
U.S. Department of State
February 06, 2002

Kee, Mr. Graham
Chief Security Officer
Vancouver Port Authority
November 18-22, 2001

APPENDIX III
Who the Committee Heard From

Kelly, Mr. James C.
As an individual
May 26, 2003

Kelly, Lieutenant Colonel W.J.
Force Planning and Program
Coordination, Vice Chief of the
Defence Staff, National Defence
July 18, 2001

Kennedy, Mr. Paul
Senior Assistant Deputy Solicitor
General, Solicitor General of Canada
January 28, 2002, February 24, 2003

Keyes, Mr. Bob
Senior Vice-President, International
Canadian Chamber of Commerce
December 1, 2004

Kiloh, Insp. D.W. (Doug)
Major Case Manager, RCMP
November 18-22, 2001

King, Vice-Admiral (Ret'd) James
As an individual
May 12, 2003

Kloster, Mr. Deryl
Emergency Response Department
City of Edmonton
January 28, 2003

Kelly, Chief Warrant Officer Michael
The Black Watch
November 5-6, 2002

Kennedy, Mr. Paul E
Senior Assistant Deputy Solicitor
General, Policy Branch, Public Safety
and Emergency Preparedness Canada
February 15, 2005

Kerr, Captain Andrew CD
The Black Watch
November 5-6, 2002

Khokhar, Mr. Jamal
Minister-Counsellor (Congressional
Affairs)
Canadian Embassy (Washington)
February 04, 2002

King, Lieutenant-Colonel Colin
Commanding Officer, Royal Regina
Rifles (Regina)
January 27, 2003

King, Vice-Admiral (Ret'd) Jim
Vice-President, Atlantic
CFN Consultants
May 5, 2005

Kobolak, Mr. Tom
Senior Program Officer, Contraband
and Intelligence
Canada Customs and Revenue Agency
April 7, 2003

Borderline Insecure

Koch, Major Pat
J5, CFB Kingston
May 7-9, 2002

Knapp, Corporal Raymond
CFB Borden Technical Services
June 25-27, 2002

Krause, Lieutenant Colonel Wayne
423 Maritime Helicopter Squadron
12 Wing Shearwater
January 22-24, 2002

Kubeck, Commander Kimberley
Naval Control of Shipping Intelligence,
Department of National Defence
September 25, 2003

Kurzynski, Major Perry
Search and Rescue Operations Centre
Maritime Forces Atlantic
January 22-24, 2002

Lachance, Mr. Sylvain
A/Director General, Fleet
Canadian Coast Guard
February 17, 2003

Lacroix, Colonel Roch
Chief of Staff, Land Force Atlantic Area
National Defence
May 6, 2005

Koop, Mr. Rudy
Research Adviser, Canadian Section
International Joint Commission
March 29, 2004

Kneale, Mr. John
Executive Coordinator, Task Force on
Enhanced Representation in the U.S
Foreign Affairs Canada
April 11, 2005

Krueger, Master Corporal
8 Air Maintenance Squadron
8 Wing Trenton
June 25-27, 2002

Kummel, Colonel Steff J.
Wing Commander, 17 Wing Winnipeg
National Defence
March 10, 2005

Kwasnicki, Corporal Anita
CFB Kingston
May 7-9, 2002

Lacroix, Colonel Jocelyn P.P.J.
Commander, 5th Canadian Mechanized
Brigade Group, CFB Valcartier
September 24, 2003

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

APPENDIX III
Who the Committee Heard From

LaFrance, Mr. Albert
Director, Northern New Brunswick
District
Canada Customs and Revenue Agency
January 22-24, 2002

Laing, Captain (Navy) Kevin
Director, Maritime Strategy, Chief of
Maritime Staff, National Defence
July 18, 2001

Lalonde, Major John
Air Reserve Coordinator (Western Area)
National Defence
March 8, 2005

Landry, LCol (Ret'd) Rémi
International Security Study and
Research Group
University of Montreal
June 2, 2005

Langelier, Mr. André
Director, Emergency and Protective
Services, City of Gatineau
February 3, 2003

Laroche, Colonel J.R.M.G.
National Defence
May 2, 2005

Lafrenière, Major Luc
Commander, Headquarters and Signal
Squadron
CFB Valcartier
September 24, 2003

Lait, Commander K.B.
Commander, Directorate of Quality of Life,
DQOL 3 - Accommodation Policy Team
Leader, National Defence
June 6, 2005

Landry, Chief Warrant Officer André
1st Battalion, 22nd Royal Regiment
CFB Valcartier
September 24, 2003

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

Laprade, CWO Daniel
Headquarters and Signal Squadron
CFB Valcartier
September 24, 2003

Larrabee, Mr. Bryan
Emergency Social Services
Coordinator, Board of Parks and
Recreation, City of Vancouver
January 30, 2003

Borderline Insecure

Last, Colonel David
Registrar
Royal Military College of Canada
November 29, 2004

LeBoldus, Mr. Mick
Chief Representative at the NATO
Flight Training Centre
Bombardier Aerospace
March 9, 2005

Lefebvre, Denis
Assistant Commissioner, Customs
Branch
Canada Customs and Revenue Agency
May 6, 2004, February 10, 2003

Legault, Mr. Albert
Université du Québec à Montréal (UQAM)
February 21, 2005

Lenton, Assistant Commissioner W.A.
(Bill)
RCMP
January 28, 2002, June 9, 2003

LePine, Mr. Peter
Inspector, Halifax Detachment
RCMP
September 23, 2003

Leslie, Major-General Andrew
Canadian Forces
November 29, 2004

Leblanc, Ms. Annie
Acting Director, Technology and
Lawful Access Division, Solicitor
General of Canada
July 19, 2001

Lefebvre, Mr. Denis
Executive Vice-President
Canada Border Services Agency
February 7, 2005

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

Leighton, Lieutenant-Commander John
J1
CFB Kingston
May 7-9, 2002

Leonard, Lieutenant-Colonel S.P.
Royal Newfoundland Regiment
(1st Battalion)
February 2, 2005

Lerhe, Commodore E.J. (Eric)
Commander, Canadian Fleet Pacific
Maritime Forces Pacific
November 18-22, 2001

Lessard, Brigadier-General J.G.M.
Commander, Land Forces Central Area
December 2, 2004

APPENDIX III
Who the Committee Heard From

Lester, Mr. Michael
Executive Director, Emergency
Measures Organization
Nova Scotia Public Safety Anti-
Terrorism Senior Officials Committee
September 23, 2003

Lichtenwald, Chief Jack
Regina Fire Department
City of Regina
January 27, 2003

Loeppky, Deputy Commissioner Garry
Operations
RCMP
October 22, 2001 / December 2, 2002

Loschiuk, Ms Wendy
Principal
Office of the Auditor General of Canada
December 6, 2004

Luciak, Mr. Ken
Director, Emergency Medical Services
City of Regina
January 27, 2003

Lupien, Chief Petty Officer First Class
R.M.
Canadian Forces Chief Warrant Officer
Department of National Defence
December 03, 2001

Levy, Mr. Bruce
Director, U.S. Transboundary Division
Department of Foreign Affairs and
International Trade
January 28, 2002

Lilienthal, Lieutenant-Colonel Mark
Senior Staff Officer
Canadian Forces Support Training Group
CFB Borden
June 25-27, 2002

Logan, Major Mike
Deputy Administration Officer, Canadian
Forces Support Training Group
CFB Borden
June 25-27, 2002

Lucas, Major General Steve
Commander One Canadian Air
Division, Canadian NORAD Region
Headquarters
November 18-22, 2001

Luloff, Ms. Janet
A/Director, Regulatory Affairs, Safety
and Security Group, Transport Canada
November 27, 2002, December 2, 2002

Lyrette, Private Steve
CFB Kingston
May 7-9, 2002

Borderline Insecure

Macaleese, Lieutenant-Colonel Jim
Commander
9 Wing (Gander)
February 2, 2005

Mack, Rear Admiral Ian
Defence Attaché
Canadian Embassy (Washington)
February 04, 2002

MacKenzie, Major-General (Ret'd)
Lewis
As an individual
May 3, 2004, December 6, 2004

MacLaughlan, Superintendent C.D.
(Craig), Officer in Charge, Support
Services ``H" Division, RCMP
September 22, 2003

MacLean, Vice-Admiral Bruce
Chief of Maritime Staff
National Defence
February 14, 2005

Macnamara, Mr. W. Donald
Senior Fellow
Queen's University
November 29, 2004

MacQuarrie, Captain Don
J6
CFB Kingston
May 7-9, 2002

Macdonald, Lieutenant-General George
Vice Chief of the Defence Staff
Department of National Defence
January 28, 2002, May 6, 2002, August
14, 2002, February 23, 2004

MacKay, Major Tom
The Black Watch
November 5-6, 2002

MacIsaac, Captain (N) Roger
Base Commander, CFB Halifax
National Defence
May 6, 2005

MacLaughlan, Mr. Craig
Executive Director, Emergency
Measures Organization
Province of Nova Scotia
May 6, 2005

MacLeod, Colonel Barry W.
Commander 3 Area Support Group
CFB Gagetown
January 22-24, 2002

Macnamara, Brigadier-General (ret'd)
W. Don, President, Conference of
Defence Associations Institute
May 3, 2004

Maddison, Vice Admiral Greg
Deputy Chief of the Defence Staff
National Defence
May 5, 2002, February 14, 2005

APPENDIX III
Who the Committee Heard From

Magee, Mr. Andee
Dog Master
Canada Customs and Revenue Agency
May 7-9, 2002

Maillet, Acting School Chief Warrant Officer Joseph
Canadian Forces School of Communications and Electronics, CFB Kingston
May 7-9, 2002

Maisonneuve, Major-General J.O. Michel
Assistant Deputy Chief of Defence Staff
October 22, 2001

Malec, Mr. George
Assistant Harbour master
Halifax Port Authority
January 22-24, 2002

Mandel, Mr. Stephen
Deputy Mayor and Councillor
City of Edmonton
January 28, 2003

Manuel, Mr. Barry
Coordinator, Emergency Measures Organization, City of Halifax
May 6, 2005 / September 23, 2003

Martin, Ms Barbara
Director, Defence and Security Relations Division, Foreign Affairs Canada
April 11, 2005

Maher, Lieutenant Earl
4 ESR
CFB Gagetown
January 21-24, 2002

Maines, Warren
Director, Customer Service
Air Canada
June 4, 2002

Malboeuf, Corporal Barry
CFB Kingston
May 7-9, 2002

Mallory, Mr. Dan
Chief of Operations for Port of Lansdowne
Canada Customs and Revenue Agency
May 7-9, 2002

Manning, Corporal Rob
CFB Borden Technical Services
CFB Borden
June 25-27, 2002

Marcewicz, Lieutenant-Colonel
Base Commander, CFB Edmonton
National Defence
March 7, 2005

Martin, Mr. Ronald
Emergency Planning Coordinator
City of Vancouver
January 30, 2003, March 1, 2005

Borderline Insecure

Mason, Lieutenant-Colonel Dave
Commanding Officer, 12 Air Maintenance
Squadron, 12 Wing Shearwater
January 22-24, 2002

Mason, Ms. Nancy
Director, Office of Canadian Affairs,
Bureau of Western Hemisphere Affairs
U.S. Department of State
February 06, 2002

Matheson, Corporal
2 Air Movement Squadron
8 Wing Trenton
June 25-27, 2002

Mattie, Chief Warrant Officer Fred
12 Air Maintenance Squadron
12 Wing Shearwater
January 22-24, 2002

Maude, Master Corporal Kelly
436 Transport Squadron
8 Wing Trenton
June 25-27, 2002

McCoy, Chief Warrant Officer Daniel
Support Unit, 430th Helicopters
Squadron
CFB Valcartier
September 24, 2003

McDonald, Corporal Marcus
Canadian Forces Medical Services School
CFB Borden
June 25-27, 2002

Mason, Mr. Dwight
Joint Chief of Staff, U.S. Chair,
Permanent Joint Board on Defence
The Pentagon
February 06, 2002

Massicotte, Ms Olga
Regional Director General/Atlantic
Veterans Affairs Canada
January 22-24, 2002

Matte, Colonel Perry
14 Wing Commander
National Defence
May 5, 2005

Mattiussi, Mr. Ron
Director of Planning and Corporate Services
City of Kelowna
March 1, 2005

McAdam, Lieutenant-Colonel Pat
Tactics School, C.F.B. Gagetown
National Defence
January 31, 2005

McCuaig, Mr. Bruce
Assistant Deputy Minister
Policy, Planning and Standards Division
Ontario Ministry of Transportation
December 1, 2004

McIlhenny, Mr. Bill
Director for Canada and Mexico
U.S. National Security Council
February 07, 2002

APPENDIX III
Who the Committee Heard From

McInenly, Mr. Peter
Vice-President, Business Alignment
Canada Post
August 15, 2002

McKerrell, Mr. Neil
Chief, Emergency Management Ont.
Ontario Ministry of Community Safety
and Correctional Services
October 30, 2003

McKinnon, Lieutenant-Colonel DB
P.E.I. Regiment
February 1, 2005

McLellan, The Honourable Anne, P.C. M.P.
Deputy Prime Minister and Minister of Public
Safety and Emergency Preparedness
February 15, 2005 & April 11, 2005

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

McNeil, Rear-Admiral Dan
Commander, Maritime Forces Atlantic
National Defence
May 6, 2005

McNeil, Commodore Daniel
Director, Force Planning and Program
Coordination, Vice Chief of the
Defence Staff
Department of National Defence
July 18, 2001

McKeage, Mr. Michael
Director of Operations, Emergency
Medical Care
Halifax Regional Municipality
September 23, 2003

McKinnon, Chief David P.
Chief of Police
Halifax Regional Police Force
January 22-24, 2002

McLean, Corporal
Wing Operations
8 Wing Trenton
June 25-27, 2002

McLellan, Mr. George
Chief Administrative Officer
Halifax Regional Municipality
September 23, 2003

McManus, Lieutenant-Colonel J.J.
(John), Commanding Officer, 443
(MH) Squadron,
Maritime Air Force Command Pacific
November 18-22, 2001

McNeil, Commodore Daniel
Vice Chief of the Defence Staff
Department of National Defence
July 18, 2001

McRoberts, Mr. Hugh
Assistant Auditor General
Office of the Auditor General of
Canada
December 6, 2004

Borderline Insecure

Mean, Master Corporal Jorge
Canadian Forces School of Aerospace
Technology and Engineering
June 25-27, 2002

Melançon, Lieutenant-Colonel René
Infantry School
C.F.B. Gagetown
National Defence
January 31, 2005

Mercer, Mr. Wayne
Acting First Vice-President, Nova Scotia
District Branch, (CEUDA)
January 22-24, 2002

Michaud, Mr. Jean-Yves, Deputy
Director, Administrative Support
Directorate, City of Montreal
September 26, 2003

Miller, Lieutenant-Colonel
Commander,
10th Field Artillery Regiment, RCA
National Defence
March 9, 2005

Milner, Dr. Marc
Director, Military and Strategic Studies
Program
University of New Brunswick
January 31, 2005

Mitchell, Mr. Barry
Director, Nova Scotia District
Canada Customs and Revenue Agency
January 22-24, 2002

Meisner, Mr. Tim
Director, Policy and Legislation,
Marine Programs Directorate
Canadian Coast Guard
February 17, 2003, April 7, 2003

Melis, Ms. Caroline
Director, Program Development,
Department of Citizenship and
Immigration Canada
March 17, 2003

Merpaw, Ms. Diane
Acting Deputy Director, Policy
Development and Coordination
Citizenship and Immigration Canada
April 7, 2003

Middlemiss, Professor Danford W.
Department of Political Science
Dalhousie University
May 12, 2003, May 5, 2005

Miller, Mr. Frank
Senior Director, President's Adviser on
Military Matters
U.S. National Security Council
February 7, 2002

Minto, Mr. Shahid
Assistant Auditor General
Office of the Auditor General of
Canada
December 10, 2001

Mitchell, Brigadier General Greg
Commander
Land Forces Atlantic Area
January 22-24, 2002

APPENDIX III
Who the Committee Heard From

Mogan, Mr. Darragh
Director General, Program and Service
Policy Division, Veterans Services
Veterans Affairs Canada
January 22-24, 2002

Morris, Ms. Linda
Director, Public Affairs
Vancouver Port Authority
November 18-22, 2001

Moutillet, Lieutenant-Commander
Mireille
Senior Staff Officer Policy
National Defence
September 25, 2003

Mundy, Lieutenant-Commander Phil
Executive Officer
H.M.C.S. Queen Charlotte
February 1, 2005

Munroe, Ms. Cathy
Regional Director of Customs for Northern
Ontario
Canada Customs and Revenue Agency
May 7-9, 2002

Murray, Ms. Anne C.
Vice President, Community and
Environmental Affairs, Vancouver
International Airport Authority
November 18-22, 2001

Murray, Admiral (Ret'd) Larry
Deputy Minister
Veterans Affairs Canada
January 22-24, 2002

Morency, André
Regional Director General, Ontario
Region, Transport Canada
June 24, 2002

Morton, Dr. Desmond
Professor
University of McGill
November 15, 2004

Mulder, Mr. Nick
President, Mulder Management
Associates
June 9, 2003

Munger, Chief Warrant Officer JER
Office of Land Force Command
Department of National Defence
December 03, 2001

Murphy, Captain (N) R.D. (Dan)
Deputy Commander, Canadian Fleet
Pacific
Maritime Forces Pacific
November 18-22, 2001

Murray, Major James
Commandant, Canadian Forces Fire
Academy
CFB Borden
June 25-27, 2002

Mushanski, Lieutenant Commander Linda
Commanding Officer
HMCS *Queen* (Regina)
January 27, 2003

Borderline Insecure

Narayan, Mr. Francis
Detector Dog Service
Canada Customs and Revenue Agency
November 18-22, 2001

Neumann, Ms. Susanne M.
Compliance Verification Officer
Customs – Compliance Mgt. Division
Canada Customs and Revenue Agency
November 18-22, 2001

Newberry, Mr. Robert J.
Principal Director, Territorial Security
The Pentagon
February 06, 2002

Niedtner, Inspector Al
Vancouver Police, Emergency
Operations and Planning Sector
City of Vancouver
January 30, 2003

Noël, Chief Warrant Officer Donald
5th Field Ambulance
CFB Valcartier
September 24, 2003

Norman, Mr. Mark
President of Daimler-Chrysler and Chair of
the Infrastructure Committee
Canadian Automotive Partnership Council
December 1, 2004

Normoyle, Ms. Debra
Head, Immigration Enforcement
Canada Border Services Agency
February 23, 2004

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

Neville, Lieutenant-Colonel Shirley
Wing Administration Officer, Acting
Wing Commander, 17 Wing
17 Wing Winnipeg
November 18-22, 2001

Newton, Captain John F.
Senior Staff Officer, Operations
Maritime Forces Atlantic
January 22-24, 2002

Nikolic, Mr. Darko
District Director, St. Lawrence District
Canada Customs and Revenue Agency
May 7-9, 2002

Nordick, Brigadier-General Glenn
Deputy Commander, Land Force Doctrine and
Training Systems, CFB Kingston
May 7-9, 2002

Normoyle, Ms. Debra
Director General, Enforcement Branch
Department of Citizenship and
Immigration Canada
April 7, 2003

Nossal, Dr. Kim Richard
Professor and Head, Political Studies
Department
Queen's University
November 29, 2004

APPENDIX III
Who the Committee Heard From

Nymark, Ms. Christine
Associate Assistant Deputy Minister
Transport Canada
January 28, 2002

O'Donnell, Mr. Patrick
President
Canadian Defence Industries Association
November 22, 2004

O'Shea, Mr. Kevin
Director, U.S. General Relations
Division, Department of Foreign
Affairs and International Trade
January 28, 2002

Orr, Major Ken
Senior Staff Officer, Attraction Canadian
Forces Recruiting Group
CFB Borden
June 25-27, 2002

Ouellet, Chief Warrant Officer J.S.M.
5th Canadian Mechanized Brigade
Group
CFB Valcartier
September 24, 2003

Ouellette, Lieutenant-Colonel Bernard
Commander, 2nd Battalion, 22nd
Royal Regiment, CFB Valcartier
September 24, 2003

O'Bright, Mr. Gary
Director General, Operations
Office of Critical Infrastructure
Protection and Emergency
Preparedness
July 19, 2001, October 20, 2003

O'Hanlon, Mr. Michael
Senior Fellow, Foreign Policy Studies
The Brookings Institution
February 05, 2002

Olchowiecki, Private Chrissian
CFB Kingston
May 7-9, 2002

Ortiz, The Honorable Solomon P.
Ranking Member, Subcommittee on
Military Readiness (Democrat – Texas)
U.S. House Armed Services Committee
February 06, 2002

Ouellet, Major Michel
Acting Commanding Officer, 5th
Canadian Service Battalion
CFB Valcartier
September 24, 2003

Parker, Major Geoff
Infantry
CFB Petawawa
June 25-27, 2002

Borderline Insecure

Parks, Lieutenant-Commander Mike
Directorate of Army Training 5-4
CFB Kingston
May 7-9, 2002

Pasel, Mr. William
Emergency Measures Coordinator,
Hamilton Emergency Services
Department, City of Hamilton
March 31, 2003

Paulson, Captain (N) Gary
Commanding Officer of HMCS Algonquin
Maritime Forces Pacific
November 18-22, 2001

Pearson, Lieutenant Colonel Michael
Commandant of Infantry School SAT
CFB Gagetown
January 22-24, 2002

Pelletier, France
Legislative and Regulatory Affairs,
Airline Division
Canadian Union of Public Employees
November 25, 2002

Pennie, Lieutenant-General Ken
Chief of Air Staff
National Defence
February 7, 2005

Pentney, Mr. Bill
Assistant Deputy Attorney General
Department of Justice Canada
February 15, 2005

Parriag, Ms Amanda
Centre for Research and Information on
Canada
December 6, 2004

Pataracchia, Lieutenant (N) John
Representing Commanding Officer, Canadian
Forces Recruiting Centre, Halifax
CFB Borden
June 25-27, 2002

Payne, Captain (N) Richard
Commanding Officer, Fleet
Maintenance Facility Cape Scott
Maritime Forces Atlantic
January 22-24, 2002

Pellerin, Colonel (Ret'd) Alain
Executive Director
Conference of Defence Associations
October 15, 2001, April 19, 2004

Penner, Lieutenant-Colonel Doug
Commanding Officer, North
Saskatchewan Regiment (Saskatoon)
January 27, 2003

Pentland, Mr. Charles
Political Studies, Centre for International
Relations, Queen's University
November 29, 2004

Peters, Colonel William
Director, Land Strategic Planning,
Chief of the Land Staff
National Defence
July 18, 2001

APPENDIX III
Who the Committee Heard From

Petras, Major-General H.M.
Chief, Reserves and Cadets
National Defence
June 6, 2005

Pharand, M. Pierre
Director, Airport Security
Montréal Airports
November 5-6, 2001

Pichette, Mr. Pierre-Paul
Assistant Director, Montreal Urban
Community Police Department
November 5-6, 2001

Pigeon, Mr. Jean François
Acting Director, Security
Montréal Airports
November 5-6, 2001

Pile, Captain (N) T.H.W. (Tyron)
Commander, Maritime Operations
Group Four, Maritime Forces Pacific
November 18-22, 2001

Pilon, Mr. Marc
Senior Policy Analyst, Security Policy
Division, National Security Directorate
Office of the Solicitor General
February 24, 2003

Pitman, Mr. B.R. (Brian)
Sergeant, Waterfront Joint Forces
Operation, Vancouver
Royal Canadian Mounted Police
November 18-22, 2001

Pettigrew, Master Corporal Robert
Canadian Forces School of Administration
and Logistics, CFB Borden
June 25-27, 2002

Pichette, Mr. Pierre Paul, Deputy
Director, Operational Management
Department, Montreal Police Service,
City of Montreal
September 26, 2003

Pigeon, Mr. Jacques
Senior General Counsel and Head,
Department of Justice, Legal Services
Transport Canada
December 2, 2002

Pile, Commodore Ty
Commander, Canadian Fleet Atlantic
National Defence
May 6, 2005

Pilgrim, Superintendent J. Wayne
Officer in Charge, National Security
Investigations Branch, Criminal
Intelligence Directorate, RCMP
July 19, 2001

Pinsent, Major John
Canadian Parachute Centre, 8 Wing Trenton
June 25-27, 2002

Plante, Master Corporal
8 Air Maintenance Squadron
8 Wing Trenton
June 25-27, 2002

Borderline Insecure

Poirier, Mr. Paul
Director, Intelligence and Contraband
Division
Northern Ontario Region
Canada Customs and Revenue Agency
May 7-9, 2002

Potvin, Corporal
8 Air Maintenance Squadron
8 Wing Trenton
June 25-27, 2002

Preece, Captain (N) Christian
Maritime Forces Atlantic
January 22-24, 2002

Primeau, M. Pierre
Investigator
Organized Crime Task Force – RCMP
November 5-6, 2001

Purdy, Ms. Margaret
Associate Deputy Minister
Department of National Defence
August 14, 2002

Quick, Mr. Dave
Co-ordinator, Emergency Planning
City of Regina
January 27, 2003

Raimkulov, M.P., Mr. Asan
Kyrgyz Republic
May 12, 2003

Polson, Captain (N) Gary
Commanding Officer
HMCS Algonquin
Maritime Forces Pacific
November 18-22, 2001

Poulin, Corporal Mario
Canadian Forces Military Police Academy
CFB Borden
June 25-27, 2002

Préfontaine, Colonel Marc
Comd 34 Brigade Group Executive
The Black Watch
November 5-6, 2002

Proulx, Asst. Commissioner Richard
Criminal Intelligence Directorate
RCMP
October 22, 2001

Puxley, Ms Evelyn
Director, International Crime and Terrorism
Division, Foreign Affairs Canada
April 11, 2005

Quinlan, Grant
Security Inspector
Transport Canada
June 24, 2002

Randall, Dr. Stephen J.
Dean, Faculty of Social Sciences
University of Calgary
March 8, 2005

APPENDIX III
Who the Committee Heard From

Rapanos, Mr. Steve
Chief, Emergency Medical Services
City of Edmonton
January 28, 2003

Read, Mr. John A.
Director General, Transport Dangerous
Goods, Transport Canada
February 25, 2004

Reed, The Honorable Jack
Chair (Democrat – Rhode Island), U.S.
Senate Armed Services Committee
February 05, 2002

Reid, Chief Warrant Officer Clifford
Canadian Forces Fire Academy
CFB Borden
June 25-27, 2002

Reid, Warrant Officer Jim
Air Defence Missile
CFB Petawawa
June 25-27, 2002

Richard, CWO Stéphane
5th Canadian Service Battalion
CFB Valcartier
September 24, 2003

Richter, Dr. Andrew
Assistant Professor, International
Relations and Strategic Studies
University of Windsor
December 1, 2004

Rathwell, Mr. Jacques
Manager, Emergency and Protective
Services, City of Gatineau
February 3, 2003

Reaume, Mr. Al, Assistant Chief of
Fire and Rescue Services, Fire
Department, City of Windsor
February 27, 2003

Regehr, Mr. Ernie
Executive Director
Project Ploughshares
March 21, 2005

Reid, Lieutenant Colonel Gord
Commandant, Canadian Forces Air
Navigation School (CFANS)
17 Wing Winnipeg
November 18-22, 2001

Renahan, Captain Chris
Armour
CFB Petawawa
June 25-27, 2002

Richmond, Mr. Craig
Vice President, Airport Operations
Vancouver International Airport
November 18-22, 2001

Riffou, Lieutenant-Colonel François
Commander, 1st Battalion, 22nd Royal
Regiment, CFB Valcartier
September 24, 2003

Borderline Insecure

Rivest, Master Corporal Dan
Canadian Forces School of Aerospace
Technology and Engineering, CFB Borden
June 25-27, 2002

Robertson, Mr. John
Chief Building Inspector
City of Vancouver
January 30, 2003

Rochette, Colonel J.G.C.Y.
Director General Compensation and
Benefits
National Defence
June 6, 2005

Rose, Mr. Frank
International Security Policy
The Pentagon
February 6, 2002

Ross, Mr. Dan
Assistant Deputy Minister (Information
Management), National Defence
February 14, 2005

Ross, Master Warrant Officer Marc-
André, 58th Air Defence Battery
CFB Valcartier
September 24, 2003

Rostis, Mr. Adam
Federal/Provincial/Municipal Liaison Officer
Province of Nova Scotia
May 6, 2005

Robertson, Rear-Admiral Drew W.
Director General, International Security
Policy Department of National Defence
February 23, 2004, April 11, 2005

Robinson, Second Lieutenant. Chase
The Black Watch
November 5-6, 2001

Romses, Brigadier-General R.R.
Commander
Land Forces Atlantic Area
National Defence
January 31, 2005

Ross, Major-General H. Cameron
Director General, International Security
Policy, National Defence
January 28, 2002

Ross, Dr. Douglas
Professor, Faculty of Political Science
Simon Fraser University
March 1, 2005

Rossell, Inspector Dave
Inspector in charge of Operations-
Support Services, Windsor Police
Services City of Windsor
February 27, 2003

Rousseau, Colonel Christian
Commanding Officer, 5th Area Support Group
National Defence
June 1, 2005

APPENDIX III
Who the Committee Heard From

Rudner, Dr. Martin
Director, Centre for Security and
Defence Studies, Carleton University
June 3, 2004 / December 13, 2004

Rurak, Ms. Angela
Customs Inspector
Canada Customs and Revenue Agency
May 7-9, 2002

Rutherford, Master Corporal Denis
Canadian Forces Fire Academy
CFB Borden
June 25-27, 2002

Salesses, Lieutenant Colonel Bob
Logistics Directorate for Homeland
Security, The Pentagon
February 6, 2002

Samson, Brigadier-General P.M.
Director General, Intelligence
National Defence
October 22, 2001

Saunders, Corporal Cora
16 Wing
CFB Borden
June 25-27, 2002

Savard, Lieutenant-Colonel Danielle
Commander, 5th Field Ambulance
CFB Valcartier
September 24, 2003

Rumsfeld, The Honorable Donald
U.S. Secretary of Defense
February 06, 2002

**Russell, Mr. Robert A., Assistant
Commissioner, Atlantic Region,**
Canada Customs and Revenue Agency
September 22, 2003

Rutherford, Lieutenant-Colonel Paul
Commander, 73 Communication Group
National Defence
March 9, 2005

Samson, Chief Warrant Officer Camil
2nd Battalion, 22nd Royal Regiment
CFB Valcartier
September 24, 2003

Sanderson, Mr. Chuck
Executive Director, Emergency Measures
Organization, Province of Manitoba
March 10, 2005

Saunders, Captain Kimberly
Disaster Assistance Response Team
CFB Kingston
May 7-9, 2002

Schmick, Major Grant
Commanding Officer, Canadian Forces
Recruiting Centre, CFB Borden
June 25-27, 2002

Borderline Insecure

Scofield, Mr. Bruce
Director, Refugees Branch
Department of Citizenship and
Immigration Canada
March 17, 2003

Scott, Captain John
Canadian Parachute Centre
8 Wing Trenton
June 25-27, 2002

Shadwick, Mr. Martin
Research Associate, Centre for International
and Security Studies, York University
December 2, 2004

Sharapov, M.P., Mr. Zakir
Kyrgyz Republic
May 12, 2003

Sheridan, Norman
Director, Customs Passenger Programs
Canada Customs and Revenue Agency
June 24, 2002

Simmons, Mr. Robert
Deputy Director, Office of European
Security and Political Affairs
U.S. Department of State
February 6, 2002

Sinclair, Ms. Jill
Acting Assistant Deputy Minister,
Global Security Policy, Department of
Foreign Affairs and International Trade
January 28, 2002 / August 14, 2002

Scott, Dr. Jeff
Provincial Medical Officer of Health
Halifax Regional Municipality
September 23, 2003

**Sensenbrenner, Jr., The Honorable F.
James, Chair (Republican – Wisconsin)**
U.S. House Judiciary Committee
February 07, 2002

Shapardanov, Mr. Chris
Counsellor, Political
Canadian Embassy (Washington)
February 04, 2002

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

Sigouin, Mr. Michel
Regional Director, Alberta, Office of
Critical Infrastructure Protection and
Emergency Preparedness
October 27, 2003

Sinclair, Ms. Jill
Director General, International Security
Bureau, Department of Foreign Affairs
and International Trade
March 17, 2003

Sirois, Lieutenant-Colonel Sylvain
Commander, 5th Combat Engineer
Regiment, CFB Valcartier
September 24, 2003

APPENDIX III
Who the Committee Heard From

Skelton, The Honorable Ike
Ranking Member (Democrat Missouri),
U.S. House Armed Services Committee
February 6, 2002

Skidmore, Colonel Mark
Commander, 2 Canadian Mechanized
Brigade Group, CFB Petawawa
June 25-27, 2002

Smith, Corporal
Canadian Postal Unit
8 Wing Trenton
June 25-27, 2002

Smith, Mr. Bob
Deputy Chief, Vancouver Fire and
Rescue Services, City of Vancouver
January 30, 2003

Smith, Mr. Doug
Engineering Department
City of Vancouver
January 30, 2003

Snow, Master Corporal Joanne
Canadian Forces School of Administration
and Logistics, CFB Borden
June 25-27, 2002

Spraggett, Ernest
Director, Commercial Operations
Canada Customs and Revenue Agency
June 24, 2002

Skidd, Officer Cadet. Alden
The Black Watch
November 5-6, 2002

Slater, Ms. Scenery C.
District Program Officer
Metro Vancouver District
Canada Customs and Revenue Agency
November 18-22, 2001

Smith, Captain (N) Andy
Commanding Officer, Fleet Maintenance
Facility, National Defence
May 6, 2005

Smith, Mr. Bill
Chief Superintendent
Royal Canadian Mounted Police
February 3, 2005

Smith, Master Corporal Terry
436 Transport Squadron
8 Wing Trenton
June 25-27, 2002

Sokolsky, Dr. Joel
Dean of Arts and Professor of Political
Science, Royal Military College of Canada
November 22, 2004

Stacey, Corporal Derrick
CFB Borden Administration Services
CFB Borden
June 25-27, 2002

Borderline Insecure

Stairs, Dr. Denis
Professor, Department of Political Science
Dalhousie University
May 5, 2005

Stark, Lieutenant-Commander Gary
Commanding Officer, HMCS
Whitehorse, Maritime Forces Pacific
November 18-22, 2001

Stevens, Pipe-Major Cameron
The Black Watch
November 5-6, 2002

Stewart, Mr. James
Civilian Human Resources
Maritime Forces Atlantic
January 22-24, 2002

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

St. John, Dr. Ron
Executive Director, Centre for
Emergency Preparedness and Response
Health Canada
February 10, 2003

St-Pierre, M. Jacquelin
Commanding Officer, Post 5, Montreal
Urban Community Police Department
November 5-6, 2001

Sullivan, Colonel C.S.
Wing Commander, 4 Wing Cold Lake
National Defence
March 7, 2005

Starck, Mr. Richard
Senior Counsel, Quebec Regional
Office, Department of Justice
November 5-6, 2001

St-Cyr, Lieutenant-Colonel Pierre
Commander, Support Unit, 430th
Helicopters Squadron, CFB Valcartier
September 24, 2003

Stewart, Warrant Officer Barton
Canadian Forces School of Communications
and Electronics, CFB Kingstson
May 7-9, 2002

Stewart, Chief William
Fire Chief and General Manager,
Toronto Fire Services, City of Toronto
October 30, 2003

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

Stone, Master Corporal
Canadian Parachute Centre
8 Wing Trenton
June 25-27, 2002

Stump, The Honorable Bob
Chair (Republican – Arizona)
U.S. House Armed Services Committee
February 6, 2002

Sully, Mr. Ron
Assistant Deputy Minister, Programs
and Divestiture, Transport Canada
February 7, 2005

APPENDIX III
Who the Committee Heard From

Summers, Rear-Admiral (Ret'd) Ken
Naval Officers Association of Vancouver
Island
February 28, 2005

Taillon, Mr. Paul
Director, Review and Military Liaison
Office of the Communications Security
Establishment Commissioner
June 2, 2005

Tarrant, Lieutenant-Colonel Tom
Deputy Director of Army Training
CFB Kingston
May 7-9, 2002

Taylor, The Honorable Gene
Subcommittee on Military Procurement
U.S. House Armed Services Committee
February 6, 2002

Taylor, The Honourable Trevor
Minister of Fisheries and Aquaculture
and Minister Responsible for Labrador
Government of Newfoundland and
Labrador
February 3, 2005

Thibault, Master Corporal Christian
Gulf Squadron
CFB Kingston
May 7-9, 2002

Thomas, Mr. John F.
Partner
BMB Consulting
June 9, 2003

Szczerbaniwicz, LCol Gary
Commanding Officer, 407 Squadron
Maritime Air Force Command Pacific
November 18-22, 2001

Tait, Mr. Glen
Chief, Saint John Fire Department,
City of Saint John
March 31, 2003

Tattersall, Lieutenant-Commander John
Directorate of Army Training 3
CFB Kingston
May 7-9, 2002

Taylor, Mr. Robert
Inspector
Vancouver Police Department
November 18-22, 2001

Theilmann, Mr. Mike
Acting Director, Counter-Terrorism
Division, Solicitor General Canada
July 19, 2001

Thomas, Vice-Admiral (Ret'd) Charles
As an individual
March 1, 2005

Thompson, Ms Susan
Former Mayor of the City of Winnipeg
As an individual
March 10, 2005

Borderline Insecure

Tracy, Ms Maureen
Acting Head, Customs Contraband,
Intelligence and Investigations, Enforcement
Branch, Canada Border Services Agency
February 7, 2005

Tremblay, Colonel Alain
Commander, Canadian Forces Recruiting
Group, CFB Borden
June 25-27, 2002

Tremblay, Captain (N) Viateur
Deputy Commander, Naval Reserve
Department of National Defence
September 25, 2003

Trottier, Lieutenant-Colonel Ron (Res)
Windsor Regiment
December 1, 2004

Ur, Corporal Melanie
16 Wing, CFB Borden
June 25-27, 2002

Villiger, Lieutenant-Colonel F.L.
Calgary Highlanders
National Defence
March 8, 2005

Wamback, Lieutenant-Commander A.
Commanding Officer, HMCS Windsor
Maritime Forces Atlantic
January 22-24, 2002

Tracy, Ms. Maureen
Director, Policy and Operations
Division
Canada Customs and Revenue Agency
April 7, 2003

Tremblay, Lieutenant-Colonel Eric
Commander, 5th Canadian Light
Artillery Regiment, CFB Valcartier
September 24, 2003

Trim, Corporal
8 Air Maintenance Squadron, 8 Wing Trenton
June 25-27, 2002

Tulenko, Mr. Timothy
Political-Military Officer, Canadian
Affairs, U.S. Department of State
February 06, 2002

Verga, Mr. Peter F.
Special Assistant for Homeland
Security, The Pentagon
February 06, 2002

Wainwright, Lieutenant-Colonel J.E.
Commander, 16/17 Field Ambulance
National Defence
March 9, 2005

Ward, Master Corporal Danny
Canadian Forces School of Aerospace
Technology and Engineering, CFB Borden
June 25-27, 2002

APPENDIX III
Who the Committee Heard From

Ward, Officer Cadet. Declan
Student
McGill University
November 5-6, 2002

Ward, Master Corporal
Wing Operations
8 Wing Trenton
June 25-27, 2002

Wark, Professor Wesley K.
Associate Professor in the Department
of History, Trinity College
University of Toronto
October 1, 2001, May 5, 2003

Warren, Mr. Earle
Director General, Major Projects Design and
Development Directorate, Customs Branch
Canada Customs and Revenue Agency
February 10, 2003

Watts, Chief Warrant Officer Ernest
3 Area Support Group
CFB Gagetown
January 22-24, 2002

Weldon, The Honorable Curt
Chair, Subcommittee on Military
Procurement (Republican –
Pennsylvania)
U.S. House Armed Services Committee
February 06, 2002

Werny, Colonel W.S.
Commanding Officer, Aerospace Engineering
Test Establishment
National Defence
March 7, 2005

Ward, Colonel Mike J.
Commander Combat Training Centre
CFB Gagetown
January 22-24, 2002

Wareham, Corporal
8 Air Maintenance Squadron
8 Wing Trenton
June 25-27, 2002

Warner, The Honorable John
Ranking Member, U.S. Senate Armed
Services Committee
February 05, 2002

Watt, Major John
Commanding Officer, Bravo Squadron
CFB Kingston
May 7-9, 2002

Weighill, Mr. Clive
Deputy Chief of Police
City of Regina
January 27, 2003

Wells, Corporal Corwin
CFB Kingston
May 7-9, 2002

Whalen, Private Clayton
CFB Kingston
May 7-9, 2002

Borderline Insecure

Whitburn, Lieutenant Colonel Tom
Squadron 435
17 Wing Winnipeg
November 18-22, 2001

Wicks, Major Brian
Commander, 103 Search and Rescue
Squadron (Gander)
February 2, 2005

Williams, Captain (N) Kelly
Former Commanding Officer, HMCS
Winnipeg, National Defence
September 22, 2003

Wilmink, Mr. Chuck
Consultant
November 4, 2004

Wing, Mr. Michael
National President, Union of Canadian
Transportation Employees
September 22, 2003

Wolsey, Chief Randy
Fire Rescue Services, Emergency
Response Department
City of Edmonton
January 28, 2003

Woods, Corporal Connor
Canadian Forces Medical Services School
CFB Borden
June 25-27, 2002

Wright, Robert
Commissioner
Canada Customs and Revenue Agency
May 6, 2002

White, Lieutenant (N) Troy
J2
CFB Kingston
May 7-9, 2002

Williams, Mr. Alan
Assistant Deputy Minister (Material)
National Defence
November 1, 2004

Williams, Col. Richard
Director, Western Hemisphere Policy
Department of National Defence
May 6, 2002, March 17, 2003

Wilson, Mr. Larry
Regional Director, Maritimes
Canadian Coast Guard
September 22, 2003

Winn, Mr. Conrad
President and CEO
COMPASS
December 2, 2004

Woodburn, Commander William
Submarine Division
Maritime Forces Atlantic
January 22-24, 2002

Wright, Mr. James R.
Assistant Deputy Minister, Global and
Security Policy, Department of Foreign
Affairs and International Trade
February 23, 2004

Wright, Mr. James R.
Assistant Deputy Minister, Global and
Security Policy, Privy Council Office
February 23, 2004

APPENDIX III
Who the Committee Heard From

Wynnyk, Colonel P.F.
Area Support Unit Commander
National Defence
March 7, 2005

Young, Brigadier-General G.A. (Res)
Deputy Commander, Land Forces Central
Area
December 2, 2004

Young, Major Marc
J4
CFB Kingston
May 7-9, 2002

Yanow, Rear-Admiral (Ret'd) Robert
As an individual
March 1, 2005

Young, Dr. James
Assistant Deputy Minister, Public
Safety and Commissioner of Public
Security, Ontario Ministry of
Community Safety and Correctional
Services
October 30, 2003

APPENDIX IV
66 Questions – Border Security

**Response to the Standing Senate Committee on
National Security and Defence**

Canada Border Services Agency
February 1, 2005

Personnel

Q1. How many land border crossings are there in Canada that employ customs officers?

A1. There are 119 highway land borders crossings. We classify these sites as being a direct highway border arrival/reporting office for vehicles and people from the United States.

Q2. How many international airports are there in Canada that employ customs officers?

A2. There are 13 major international airports that are staffed by CBSA officers:

- Victoria International Airport, BC
- Vancouver International Airport, BC
- Edmonton International Airport, AB
- Calgary International Airport, AB
- Winnipeg International, MB
- Lester B. Pearson International Airport, Toronto, ON
- MacDonald Cartier International Airport, Ottawa, ON
- Pierre Elliot Trudeau International Airport, Dorval, QC
- Jean Lesage International Airport, Quebec City, QC
- Halifax International Airport, NS
- Greater Moncton International Airport, NB
- Gander International Airport, NL
- St. John's International Airport, NL

All passenger flights at Mirabel were transferred to Pierre Elliot Trudeau International Airport on November 1, 2004. Currently, only flights transporting international commercial goods are processed at the Mirabel airport.

In addition, there are 193 airports in Canada that are not classified as international but receive charter and trans-border flights and are serviced by CBSA officers.

Borderline Insecure

Q3. How many marine ports are there in Canada that employ customs officers?

A3. Service is provided to more than 220 commercial marine vessel sites, 15 cruise ships sites, and 11 ferry clearance sites. As well, service is provided to more than 470 private marinas on a call-out basis. The CBSA has 3 major marine container examination centres that are staffed by officers on a permanent basis, Vancouver Marine Operations, BC; Montreal Marine Operations, QC and Halifax, NS.

Q4. How many full-time, indeterminate employees work at each land border crossing, international airport, and marine port?

A4. The following figures represent full-time (FTE - full time equivalent) indeterminate employees on strength for fiscal year 2003/2004:

Land Border Crossings:	2,006
International Airports:	1,133
Marine ports:	192

To these numbers we can also add for 2004 approximately 700 Ports of Entry Officers (CIC) and 105 CFIA Inspectors.

Q5. How many student customs officers work at each land border crossing, international airport, and marine port?

A5. The following numbers represent student customs officers working at the various locations across Canada in July 2004. Our peak period for employing student customs officers is the month of July.

Land Border Crossings:	589
International Airports:	306
Marine ports:	79
Other:	155
Total:	1,129 student customs officers for 2004

**Q6. What, if any, are the different classifications of border crossings?
Please define each.**

A6. The different classifications of border crossings are as follows:

Airport of Entry: An authorized airport of entry for customs clearance of all classes of scheduled and non-scheduled aircrafts (passenger and cargo).

Airport of Entry/CANPASS: An airport of entry designated for CANPASS permit holders.

Airport of Entry/Commercial: An airport of entry solely for the clearance of commercial goods arriving by air transport.

Airport of Entry/Military: An airport of entry solely for clearance of military aircraft only (unless otherwise designated).

Commercial Vessel: An authorized marine site where commercial vessels, other than ferryboats or cruise ships, report to customs.

CANPASS- Private Boats: An authorized marine port of entry solely for CANPASS Private Boat Program permit holders.

Customs Mail Center: An office for the customs processing and examination of international mail.

Cruise Ship Operations: An authorized disembarkation site for passengers and crew for all types of cruise ships.

Designated Commercial Office: An office that provides 24-hour service, 7-days-a-week, for reporting and clearing of commercial goods.

Ferry Terminal: An authorized point of entry for the disembarkation of passengers and/or vehicles arriving by ferry.

Borderline Insecure

Inland Alternate Service: A location not staffed by CBSA customs, at which commercial clearance services are provided by an identified hub office.

Hub-Central Office: An office responsible for providing service to inland alternate service sites and other service locations reporting to the hub.

Highway (Land Border Office): An authorized port of entry from the United States for the clearance of passengers and/or commercial highway traffic arriving by land.

Inland Customs Office: A CBSA customs office classified as a non-direct point of entry, which provides a full range of customs services to the general public and to other service sites. (e.g. in-bond highway, marine, rail, etc.)

Railway Depot: An authorized point of entry for the reporting of passengers and/or freight arriving by rail.

Telephone Reporting Site (Marine): A location at which non-commercial, private and passenger marine vessels may report to customs by telephone.

- Q7.** How many points of entry into Canada are open with personnel present 24/7?
- A7.** There are 7 airports that have on-site staff 24/7: Victoria International Airport, Vancouver International Airport, Edmonton International Airport, Calgary International Airport, Winnipeg International Airport, Lester B. Pearson International Airport (Toronto), and Pierre Elliot Trudeau International Airport (Dorval, QC)

There are also 61 land border sites that are staffed on a 24/7 basis.

How many for lesser periods?

The CBSA provides service to 200 airport service sites that are staffed less than 24/7.

There are also 58 land border offices that are staffed less than 24/7.

What are these periods?

Each site provides the hours of operation necessary to meet the needs of the community it serves. Hours of service may vary depending on the time of day, day of the week, and season.

Where are these ports of entry?

A listing of the 58 is attached in Appendix A.

Q8. How many points of entry have only one person guarding them per shift? What are the locations of these points of entry? Or what is the breakdown per Province?

A8. There are 139 locations across Canada where CBSA customs officers work alone, performing primary or secondary inspections, for part of a shift or a full shift.

Quebec Region:	44
Prairies Region:	40
Pacific Region:	22
Atlantic Region:	12
Northern Ontario Region:	8
Windsor/St. Clair Region:	6
Niagara Falls/Fr. Erie Region:	4
Greater Toronto Area Region:	3

Q9. What number and type of violent or threatening incidents against customs officers or student customs officers have taken place, by location, over the past 5 years?

A9. The CBSA has the following critical incident reports on file as a result of research conducted for the Job Hazard Analysis.

Borderline Insecure

Assault Data

Threats	Aggravated Assault	Physical Assault by Weapon	Police Called	Arrest	Weapon Seized	Customs Inspector Injury Sustained
39	24	0	42	34	2	19

Incidents by Region

Atlantic	Quebec	N. Ont.	S. Ont.	Prairies	Pacific
8%	2%	3%	56%	9%	20%

- There were 63 documented critical incident reports covering a consecutive time period of approximately 24 months (August 23, 2000 – October 1, 2002).

Critical Incident Reports are completed as a requirement of the *Criminal Code*. It details criminal incidents and may describe one or more of the following events:

Threats to CBSA officers;
Assaults on CBSA officers;
Arrests; and
Police involvement.

Observations from Critical Incident Reports Review

- There were no reported assaults with weapons (even though weapons were seized).
- It should be further noted that all injuries to officers were minor in nature.
- There were no fatalities or permanent disabilities.

Q10. What are the pay scales of a customs officer on the primary inspection line?

A10. All CBSA customs officers are currently classified at the PM-03 level. This level corresponds to a pay scale containing three grades that range from \$48,802 to \$53,091.

Q11. What increases are there in future years of their contract?

A11. The contract includes annual increases of:

- 2.4% (effective June 21, 2005); and
- 2.5% (effective June 21, 2006).

Q12. Is bilingualism a requirement for all posts? If not, where is it required and to what level? What percentage of employees is currently off on language training and what is the impact of these vacancies?

A12. Bilingualism is not a requirement for all jobs. According to Treasury Board policy *Directives on the Linguistic Identification of Positions or Functions & the Staffing of Bilingual Positions*, the identification of bilingual positions depends on the nature of the duties and the location of the position. Currently, approximately 35 employees are on language training, which represents 0.3% of CBSA employees. Due to the small percentage, the impact is minimal.

Q13. How many weeks training do indeterminate customs officers who work on the PIL receive on the job or at Rigaud College in Quebec?

A13. Primary Inspection Line training is part of the overall Customs Inspector Recruitment and Training Program. This program lasts 8.5 weeks and is held in Rigaud, QC. Primary processing is mainly addressed in the first half of the training program.

Q14. How many subsequent weeks of training do they receive each year, for each specialty?

A14. There are over 70 training courses that are available to CBSA customs officers. Each year, through the performance management program, CBSA customs officers develop a learning plan to address their learning needs based on their work location, the type of clientele, the service (e.g. airport, highway) and their career aspirations. There are no prescribed numbers of weeks of training that officers have to receive every year.

Q15. Same previous 2 questions for term employees, part-time employees, and for student customs officers.

A15. Term and permanent part-time employees receive the same training as permanent CBSA customs officers. Student customs officers receive a three-week training program that focus essentially on primary processing.

Q16. How many grievances have CBSA and its predecessor received from customs officers over the past 5 years? Please provide totals by type of grievance and post, as well as the totals Agency-wide.

A16. Job content/effective date grievances

- Over the past 5 years, there have been 1,690 job content /effective date grievances.

Classification Grievances:

- Over the past 5 years, there were a total of 800 classification grievances.

Note: As per a MOU signed between the former CCRA and CEUDA in 2001, all these grievances were recently responded to under one individual griever.

Acting Pay Grievances:

- Over the past 5 years, there were 3,128 acting pay grievances.

Q17. How many CCRA or CBSA employees have been injured during that period of time by people crossing the border by post and type of injury?

A17. The CBSA has the following critical incident reports on file as a result of research conducted for the Job Hazard Analysis.
In total, there were 793 hazard/accident reports filed between January 8, 2000 and October 1, 2002.

The following represents the percentages based on the 793 reports:

Categories of Events

Accident	Incident	Hazard	Undefined
91%	7%	2%	<1%

Accidents by Region

Atlantic	Quebec	North Ont.	South Ont.	Prairies	Pacific
5%	5%	6%	67%	11%	6%

Accidents by Function

Land Border	Air	Marine	Postal
72%	19%	9%	<1%

Injury Types

Strains & Sprains	Cuts	Contusions	Exposure to Potentially Hazardous Substance	Irritation	Fractures	Others	Not Identified
51%	11%	7%	5%	3%	<1%	10%	12%

Borderline Insecure

Injury Treatment Categories

First Aid	Medical	Temporary Disability	Permanent Disability	Other
89%	2%	<1%	<1%	8%

Note: Accident Frequency and Severity rates, based on manpower deployment and hours worked, were not calculated.

Q18. How many student customs officers are employed year-round?

A18. For the past five years, we have employed between 1,100 and 1,200 student customs officers every year.

Q19. How many student customs officers during the past 5 years, for each year, are employed by customs and have one or more parents already working in customs?

A19. The following information represents, by fiscal year, the number of student customs officers:

2000/2001: 1,235

2001/2002: 1,228

2002/2003: 1,256

2003/2004: 1,152

2004/2005: 1,129

Note: There is no data regarding students employed by the CBSA that have one or more parents already working for the CBSA.

Inspections

Q20. Are there quotas or targets of the number of inspections per hour that are formally or informally set? Is this something that is addressed during formalized training of employees?

A20. The CBSA does not set inspection quotas or target rates.

Q21. How many illegal weapons, and what type, have been seized over the past 5 years by port of entry?

A21. From January 1, 2000 to December 31, 2004 the CBSA seized 5,446 firearms, (2,010 of which were prohibited) and 20,129 other various prohibited weapons.

Seized Firearms by Region

Type	Atlantic	Quebec	North Ont.	South Ont.	Prairies	Pacific
Non-Restricted	32	73	121	178	263	415
Restricted	96	85	194	719	490	770
Prohibited	18	589	130	416	135	722

Seized Prohibited Weapons

Atlantic	Quebec	North Ont.	South Ont.	Prairies	Pacific
362	885	1103	9932	1488	6359

Q22. Are there quotas or targets set, formally or informally, of the number of passenger or commercial vehicles that have to pass through the PIL at border crossings? If so, what are they by crossing?

A22. The CBSA does not set inspection quotas or target rates. Upon arrival at a border crossing all passengers and commercial vehicles must pass through the primary inspection line.

Q23. What duties do student customs officers not carry out, and what percentage of the workload of an indeterminate customs officer does this amount to?

A23. Students do not perform the full range of a CBSA customs officer's duties.

Students do not:

- arrest for *Criminal Code* violations;
- administer breathalyser tests;
- participate in joint forces operations;
- conduct intrusive examination of aircrafts;
- perform deep rummage functions;
- perform strategic export functions;
- perform secondary immigration examinations;
- target;
- do analysis; nor
- work in the enforcement area in the customs mail centres.

Like CBSA customs officers, the duties that student customs officers perform vary significantly depending on their work location. The CBSA ensures that student customs officers are appropriately trained to perform the duties they are asked to do.

Q24. Do student customs officers work alone?

A24. Student customs officers are part of a team and management ensures that they have access, at all times, to senior officers to obtain appropriate advice, guidance, training, support and assistance as our other employees do.

Q25. What constitutes supervision of student customs officers?

A25. Student customs officers work with appropriate supervision. They have access to senior officers at all times to obtain advice, guidance and assistance to do their work.

Q26. Is there a maximum ratio of student customs officers to full-time, indeterminate customs officers allowed in any one work place? What is that ratio?

A26. No, there is no set ratio. The ratio changes from shift to shift, from port to port, and from season to season. For example, the ratio is higher in the summer at many ports. One of the reasons that students are hired in the summer is for operational reasons. While CBSA customs officers take vacations, student customs officers perform certain tasks that they are trained to do, to allow CBSA customs officers to focus their attention on higher risk tasks.

Q27. If student customs officers are not permitted to enforce the *Criminal Code*, what happens when a *Criminal Code* offender, such as a drunk driver, reports to the PIL staffed by a student customs officer? Under any circumstance, is a student customs officer deemed to be detaining a suspect offender under the *Criminal Code*?

A27. The student would suspend questioning long enough to seek a designated officer on shift. If a designated officer were not readily available, the student would release the person once the examination is completed and immediately call the local police. At no time does

Borderline Insecure

the student have the authority to detain the subject under the *Criminal Code* for a suspected *Criminal Code* offence. Prior to release, the student may request that the traveller park his/her vehicle and seek alternate transportation and explain the consequences of not adhering to their request.

Land / Rail

Q28. How many containers in land crossings ports were totally “destuffed” during the last 12 months for which you have statistics? When is that 12-month period, and what percentage is that of the total number of containers entering Canada in the same period?

A28. All containers, regardless of mode, that present a risk are examined. CBSA officers use state of the art inspection techniques combined with modern technology and risk assessment tools to make certain that all examinations are commensurate to the risk posed. Thus, the least intrusive alternatives are preferred as long as they satisfy us that there is no risk.

The majority of traders are honest and legitimate businesses that present a low risk. As a result, the proportion of containers and trucks that undergo examination is small. However, the number of examinations conducted varies from day-to-day and port-to-port, depending on the risk.

Q29. How many containers in land crossings ports were “back ended” during the last 12 months for which you have statistics? When is that 12-month period, and what percentage is that of the total number of containers entering Canada in the same period?

A29. All containers, regardless of mode, that present a risk are examined. CBSA officers use state of the art inspection techniques combined with modern technology and risk assessment tools to make certain that all examinations are commensurate to the risk posed. Thus, the least intrusive alternatives are preferred as long as they satisfy us that there is no risk.

The majority of traders are honest and legitimate businesses that present a low risk. As a result, the proportion of containers and trucks that undergo examination is small. However, the number of examinations conducted varies from day-to-day and port-to-port, depending on the risk.

Q30. How many containers in land crossings ports went through a VACIS machine during the last 12 months for which you have statistics? When is that 12-month period, and what percentage is that of the total number of containers entering Canada in the same period?

A30. All containers, regardless of mode, that present a risk are examined. CBSA officers use state of the art inspection techniques combined with modern technology and risk assessment tools to make certain that all examinations are commensurate to the risk posed. Thus, the least intrusive alternatives are preferred as long as they satisfy us that there is no risk.

The majority of traders are honest and legitimate businesses that present a low risk. As a result, the proportion of containers and trucks that undergo examination is small. However, the number of examinations conducted varies from day-to-day and port-to-port, depending on the risk.

Q31. What tools currently exist at land border crossings to accurately and rapidly identify people wishing to enter Canada?

A31. Officers use passport information and other identity documentation as well as interviews to obtain the identity of travellers. They also have access to a wide variety of databases that provide information on criminal and suspected terrorist lookouts, customs and immigration enforcement history as well as criminal records and intelligence.

Q32. How many land border, marine, or international airport customs offices currently do not have 24/7, real-time access to the customs mainframe so that customs officers can run people's names and/or credentials through a database for a check?

A32. Currently, 62 offices do not have 24/7, real-time access to the customs mainframe. CBSA is currently developing a business case to address connecting all of the unconnected offices. Presently local customs offices have the option of acquiring access to the necessary databases through secure remote access. Officers have the ability to call other work locations that have 24/7 real time access to ensure that individuals are queried through the applicable databases when necessary. The feedback on these requests is received instantaneously.

Q33. How many times in the past 5 years has someone forced their way through a land border crossing by not stopping and simply driving on or around the office, or not going to secondary as instructed, or not turning around because the office was closed.

A33. It is estimated that in 2004, there were approximately 1,600 border runners or failure to report instances.

How many people were subsequently apprehended?

This information is not available on a national basis at this time. In many instances, travellers do not intentionally fail to report and omit to do largely because of their lack of understanding in their obligation under the law to do so. In these instances no penalties are applied and travellers are made aware of these obligation. This commonly occurs when a Canadian tourist takes a wrong road and arrives at the US border unintentionally or is refused entry in the US by Customs and Border Protection (CBP) Services. Upon their return to Canada, the tourists do not realize that they have left the country and therefore are required to report to Canadian Customs. Another situation that causes confusion for the traveller and may result in running the port, is when CBP perform export checks on travellers at the border. Often the traveller assumes that this is their report to Canadian Customs and then they do not stop when they do arrive in Canada.

Q34 How many customs offices close at night?

A34. Of the 119 CBSA land border sites, there are 58 offices that close at night. Closing times vary greatly by site from ending services at 5 p.m. to closing at midnight.

How many of these offices have tools to help customs detect port runners – those who forced their way through?

The majority of these offices do not have any specific detections tools. Video cameras and surveillance equipment are available at approximately 7 sites, mainly in the Atlantic Region. The CBSA also sends its flexible response teams on an ad hoc basis.

Q35. What are the constraints on sending people to secondary at peak periods? What “surge” capacity exists at the 30 most active crossings?

A35. There are no constraints when sending people to secondary during peak periods. Referrals for secondary examinations are based on risk indicators and not on the number of people waiting. Peak periods are managed by adjusting shift schedules and using overtime.

Q36. How many rail crossings are there across the border?

A36. There are a total of 24 rail sites (passenger and freight).

How many of them have 24/7 customs officers posted at them?

There are no rail sites with a 24/7-staffed presence, as service is provided on a call-out basis upon arrival of a train.

Borderline Insecure

Q37. Where are trains carrying freight across the border physically inspected?

A37. In most cases, freight trains are physically inspected inland. However, depending on the level of risk associated with the train, they can also be inspected as they cross the border.

If trains are physically inspected, do they ever stop (for any reason) before crossing the border?

The CBSA is not able to indicate if there are stoppages prior to arrival.

Marine

Q38. How many vessels do customs officers operate?

A38. The CBSA currently operates a total of 3 marine vessels: one in the Quebec region and 2 in the Pacific region. It should be noted that CBSA is responsible for compliance verification at ports of entry. The RCMP, in cooperation with provincial and some municipal police forces, operates vessels on the water to conduct law enforcement activities.

Q39. What is the minimum number of customs officers permitted to board a vessel being inspected?

A39. There is no minimum number of CBSA officers permitted to board a vessel being inspected. Whether examining and/or searching vessels and their cargo, conducting a deep rummage, verifying documents or interviewing persons on board, the CBSA will ensure that the number of officers on board is sufficient to complete the tasks efficiently and safely.

Q40. How many containers in sea ports were totally “destuffed” during the last 12 months for which you have statistics? When is that 12-month period and what percentage is that of the total number of containers entering Canada in the same period?

A40. All containers, regardless of mode, that present a risk are examined. CBSA officers use state of the art inspection techniques combined with modern technology and risk assessment tools to make certain that all examinations are commensurate to the risk posed. Thus, the least intrusive alternatives are preferred as long as they satisfy us that there is no risk.

The majority of traders are honest and legitimate businesses that present a low risk. As a result, the proportion of containers and trucks that undergo examination is small. However, the number of examinations conducted varies from day-to-day and port-to-port, depending on the risk.

Q41. How many containers in sea ports were totally “back ended” during the last 12 months for which you have statistics? When is that 12-month period and what percentage is that of the total number of containers entering Canada in the same period?

A41. All containers, regardless of mode, that present a risk are examined. CBSA officers use state of the art inspection techniques combined with modern technology and risk assessment tools to make certain that all examinations are commensurate to the risk posed. Thus, the least intrusive alternatives are preferred as long as they satisfy us that there is no risk.

The majority of traders are honest and legitimate businesses that present a low risk. As a result, the proportion of containers and trucks that undergo examination is small. However, the number of examinations conducted varies from day-to-day and port-to-port, depending on the risk.

Q42. How many containers in sea ports went through a VACIS machine during the last 12 months for which you have statistics? When is that 12-month period and what percentage is that of the total number of containers entering Canada in the same period?

A42. All containers, regardless of mode, that present a risk are examined. CBSA officers use state of the art inspection techniques combined with modern technology and risk assessment tools to make certain that all examinations are commensurate to the risk posed. Thus, the least intrusive alternatives are preferred as long as they satisfy us that there is no risk.

The majority of traders are honest and legitimate businesses that present a low risk. As a result, the proportion of containers and trucks that undergo examination is small. However, the number of examinations conducted varies from day-to-day and port-to-port, depending on the risk.

Q43. How many places in Canada may a boat or vessel land from another country that do not have 24/7 customs coverage?

A43. Marine offices are not staffed on a 24/7 basis, however service may be provided under the CANPASS programs service delivery. The CBSA does not keep a record of the hours of service at private docks, marinas, or restaurants that serve as reporting sites and dispatches officers as required.

How many have one-shift coverage?

Since these are not staffed locations, no sites are considered as having one-shift coverage.

How many allow people to just phone in?

There are approximately 470 Telephone Reporting Marine sites for private recreational boaters. Those travellers who are pre-approved members of the CANPASS Private Boats program are required to report, by telephone, their estimated time of arrival in Canada, any

time up to four hours before arriving. The call is received at one of the four national telephone reporting centres. CBSA officials are then dispatched to meet the travellers as required and marinas are monitored for compliance as well. If no officer is waiting to conduct an inspection, the master of the boat may proceed to the final destination.

Travellers who are not CANPASS Private Boat members, call the telephone reporting centre immediately upon arrival to Canada. The CBSA officer will either provide a clearance number and allow the boat to proceed or instruct the boater to remain aboard the vessel until an officer arrives to complete an examination. CBSA officials are dispatched to meet travellers as required and marinas are also monitored for compliance.

Please see Appendices B and C which explain the program and general reporting procedures.

<http://www.cbsa-asfc.gc.ca/travel/canpass/privateboat-e.html>
<http://www.cbsa-asfc.gc.ca/travel/canpass/canpassprivateboat-e.html>

Q44. How many phone-in marine locations are there which customs officers cannot access?

A44. There is access to each and every designated CBSA site that allows for CBSA customs officers to complete their secondary examinations and perform all verification functions. Should a site become inaccessible, the CBSA would withdraw the site from the approved list of designated reporting sites.

Air

Q45. How many airports in Canada accept flights from other countries but do not have 24/7 customs officers present?

A45. There are a total 200 air sites that do not have officers present on a 24/7 basis.

Q46. How many airports have customs officers present for only one shift?

A46. Seven of the 13 International Airports are staffed on a 24/7 basis; the other six are staffed for 16 hours daily. The vast majority of airports that the CBSA provides service to are not permanently staffed. Officers are dispatched from another work location to provide service and, in some instances, are one-shift operations. Officers are dispatched on an “as needed” basis to provide service outside of their normal hours of work on a call-out basis (overtime).

How many allow people to just phone-in?

All sites that receive airport service can potentially receive general aviation-type travellers that are required to report, by telephone, via the telephone reporting centres. For those clients who are pre-approved members of the CANPASS Private Aircraft program or the CANPASS Corporate Aircraft program, the pilot must report the estimated time of arrival phone at least 2 hours, but no more than 48 hours, before flying into Canada. The plane may be met by a CBSA official, if warranted. For those general aviation flights involving non-permit holders, who are not members of a CANPASS program, an additional call is made to the telephone reporting centre upon arrival. The pilot and passengers are not allowed to leave the aircraft until authorized to do so. All calls are received at one of four national telephone reporting centres.

Please see Appendices D, E, and F for more information about the telephone reporting requirements for these programs.

<http://www.cbsa-asfc.gc.ca/travel/canpass/generalavi-e.html>
<http://www.cbsa-asfc.gc.ca/travel/canpass/privateair-e.html>
<http://www.cbsa-asfc.gc.ca/travel/canpass/corporateair-e.html>

What percent of phone-in declarations are subsequently verified by a customs officer?

All high-risk flights are subject to 100% verification levels.

Intelligence

Q47 Does CBSA have an intelligence division?

A47. Yes, there is an intelligence area within CBSA responsible for customs and immigration programs.

Q48. How are employees selected and trained for these positions?

A48. Employees are selected based on specific experience and knowledge criteria. Once selected, officers participate in formalized training courses and individual training plans are designed to address specific requirements based on experience and position requirements.

Q49. What is the nature and extent of intelligence training provided?

A49. Specific training packages in relation to Intelligence exist including classroom training, workshops, and on-the-job training.

Q50. Are CBSA employees able to take part in intelligence training provided to US border authorities?

A50. Yes.

Q51. As the threat from terrorism continues to grow, are CBSA employees provided with the necessary sensitivity and cultural training to ensure that they are properly prepared for incidents that may arise?

A51. Front-line CBSA employees are provided with diversity training. This training is delivered within the following programs: the Customs Inspector Recruit Training Program, the curriculum for POE immigration officer and the student customs officer training program. The CBSA has also developed an e-learning diversity course that will soon be accessible on-line to all CBSA employees.

Q52. Given the multicultural world we live in, are there sufficient numbers of employees with linguistic capability in languages other than French or English?

A52. Given the multicultural make up of certain communities across Canada, every effort is made to accommodate the language requirements of travellers.

Q53. What is the capacity of CBSA to draw on the assistance of linguists in this regard?

A53. Given the multicultural make up of certain communities across Canada, every effort is made to accommodate the language requirements of travellers. In various locations an inventory of translators and interpreters is drawn upon to assist our employees in communicating with travellers when needed.

Q54. Are intelligence units located at all land, sea, and air locations?

A54. Intelligence units service all land, sea and air locations. Where traffic volume and risk warrants there may be an on-site intelligence presence.

Q55. How is intelligence defined from a CBSA perspective, security intelligence, criminal intelligence?

A55. Intelligence is the result of subjecting information to an evaluative and analytical process. This process transforms the information into deductive patterns of meaningful inferences, which becomes “intelligence”. Intelligence forewarns of activities likely to occur and serves to establish indicators and trends. Intelligence serves as a proactive function in the CBSA environment that supports decision-making and enforcement efforts. Security and criminal intelligence is processed in the exact same manner.

Q56. From where does CBSA derive its intelligence? Is it collected by CBSA, or is CBSA the beneficiary of the intelligence collection efforts of others?

A56. The CBSA receives intelligence from a wide array of domestic and foreign partners and develops intelligence independently based on information, clients, and internal and external sources.

Q57. With whom does CBSA share intelligence and from whom does CBSA receive intelligence?

A57. The CBSA shares and receives intelligence with and from partner agencies both domestic and foreign. Specific agencies include foreign customs and immigration agencies, the RCMP, CSIS and local police agencies, as well as with other foreign governments with which we have information-sharing agreements.

Q58. Do all CBSA employees have security clearances, to what level?

A58. Yes, all CBSA employees undergo a security screening prior to appointment within the organization. Security Screening levels vary depending upon the position (or duties) of the employee.

As a minimum, employees are initially security screened to the “reliability” level. Further screening is conducted if the employee will be appointed to a position that requires a Security Clearance at the Confidential, Secret or Top Secret Level. No individual is appointed without first obtaining the appropriate security screening level. Further, as outlined in the terms and conditions of employment, the requirement to retain the required security level is a condition of employment, and failure to do so may result in termination of the appointment. These terms and conditions are strictly enforced by the CBSA.

Q59. Are there limitations on the ability of CBSA intelligence officers to share intelligence with other CBSA employees and/or other departments, federal, provincial, municipal, and foreign governments?

A59. CBSA intelligence officers have the authority to share intelligence information on a need to know basis with other employees pursuant to the provisions of the *Privacy Act* and the *Customs Act*, as well as agreements and memoranda of understanding, define the circumstances and types of information that may be shared with external and foreign partners.

Q60. Does CBSA have access to all of the information it requires from other government agencies? How does CBSA manage this access, how is information received, stored, and accessed at border points?

A60. The CBSA has access to information from many government agencies. This access is restricted under some circumstances and is often dependent on the end use of the information. There is some information that is not available due to privacy and legislative constraints.

The information is stored for the prescribed periods of time in an environment appropriate to the required security level. Information received is disseminated to field offices as required through a

combination of electronic and manual methods including lookouts entered into our enforcement systems, bulletins and alerts.

Q61. Do CBSA officers have peace officer status? Is this a requirement for access to information held by federal, provincial, and municipal police departments?

A61. CBSA customs officers derive their peace officer status from Section 2 of the Criminal Code. Under the *Immigration and Refugee Protection Act* (IRPA), a CBSA immigration officer may be delegated the authority and powers of a peace officer.

It is not a requirement to be a peace officer to access information held by federal, provincial, and municipal police departments.

Q62. What are the responsibilities or limitations on employees when an incident moves away from the border? Are there geographical restrictions on an employee's capacity to remain involved or to take action that may be required?

A62. There are no legislative or regulatory limitations. CBSA investigators work on customs and immigration inland cases to address inland issues. However, responsibility for the enforcement of the *Custom Act* and the *Immigration and Refugee Protection Act* is shared with the RCMP.

Q63. Please describe in detail, the process followed by a CBSA officer when someone is stopped at the border and something gives the CBSA officer reason to be concerned. i.e. what type of checks are conducted, with what agencies, with what data banks.

A63. Suspect travellers are referred to the secondary area for a more in-depth interview and examination. Officers have direct access to a wide variety of databases that provide information on criminal and suspected terrorist lookouts, customs and immigration enforcement history as well as criminal records and intelligence. Depending on the

Borderline Insecure

circumstances, CSIS, the RCMP or another law enforcement organization can be contacted for further information.

Q64. Does direct contact exist with the RCMP, CSIS, Transport, etc., 7 days a week, 24 hours a day? Is this contact local, or through organizational headquarters? Are response times sufficient? Have there been problems in getting a response to a particular incident?

A64. There is contact with all federal and local agencies on a 24/7 basis as required at local and headquarters levels.

There have been no specific problems associated with responses from other agencies that would indicate ongoing or endemic problems.

Q65. Is CBSA part of the IBETs (Integrated Border Enforcement Team)? Does CBSA have access to the same intelligence as other members of the team?

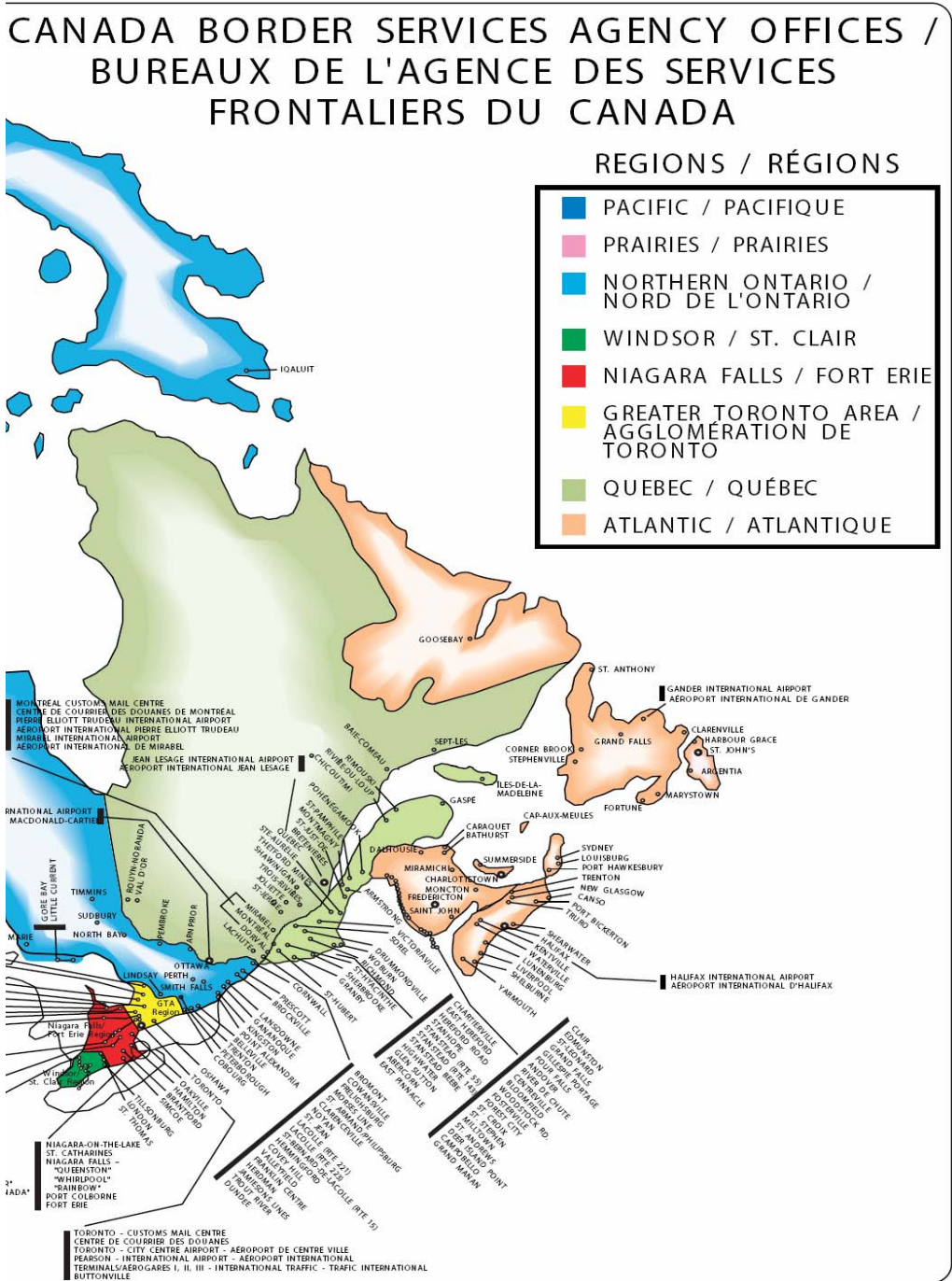
A65. The CBSA is an integral part of the IBETs and has access to the same intelligence as all members.

Q66. Is CBSA part of the INSET, (Integrated National Security Enforcement Team)? Does CBSA have access to the same intelligence as other members of the team?

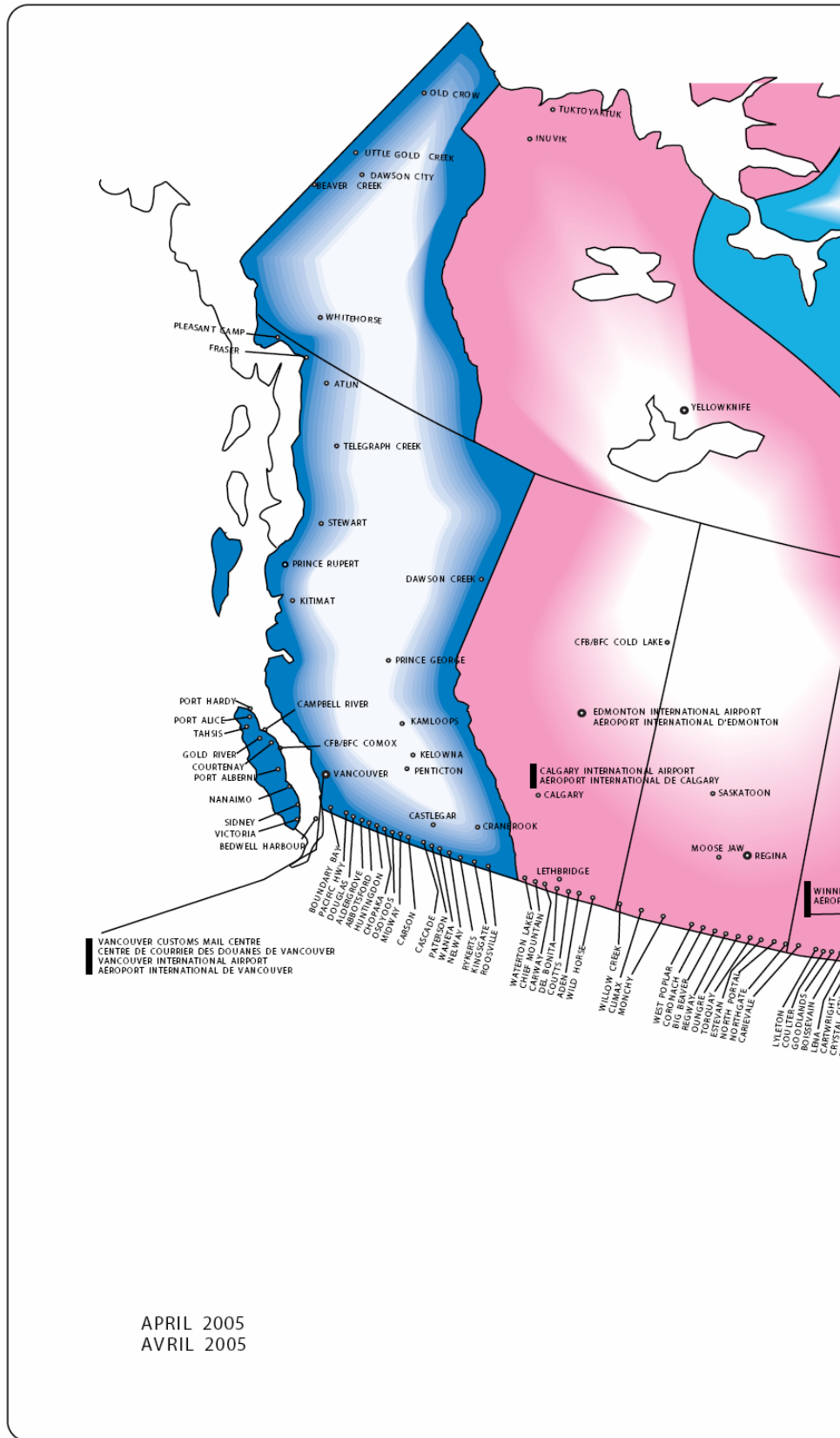
A66. Yes, CBSA officers participate in the INSET program and have access to the same intelligence as all as other members of the team.

APPENDIX V

Map of Land Border Crossings in Canada
Prepared by Canada Border Services Agency at the Request of the Committee



APPENDIX V Map of Land Border Crossings in Canada



APRIL 2005
AVRIL 2005

APPENDIX VI

History of the Evolution of the Canada Border Services Agency

Prepared by the Canada Border Services Agency at the request of the Committee

The Canada Border Services Agency (CBSA) operates as an integral part of the Public Safety and Emergency Preparedness (PSEP) portfolio. The creation of the CBSA, just over one year ago, brought together the Customs Branch of the former Canada Customs and Revenue Agency (CCRA), as well as parts of the Appeals and Compliance Branches that supported Customs; the Intelligence, Interdiction, and Enforcement program of Citizenship and Immigration Canada (CIC); and the Import Inspection at Ports of Entry program from the Canadian Food Inspection Agency (CFIA). In October 2004, the immigration functions at Ports of Entry were also transferred to CBSA.

Bringing these border service functions together provides the CBSA with the flexibility required to take a more comprehensive and streamlined approach to strengthening Canada's capacity to protect the safety and security of Canadians. Integration allows us to better manage risks by getting the right information at the right time, often in advance of the arrival of people and goods at our borders. Where legislation allows, information is exchanged with our domestic and international partners to improve our overall capacity to respond rapidly and effectively to threats. In developing strategic approaches to border security, we keep pace with new and emerging global threats, while ensuring Canada's borders remain open to facilitate the flow of legitimate cross border traffic (e.g. the Canada-U.S. Smart Border initiatives). Our work to advance Canadian economic competitiveness and social and humanitarian interests continues to be a priority. CBSA is a world leader in researching and developing innovative, scientific and technological solutions to address the challenges of border management.

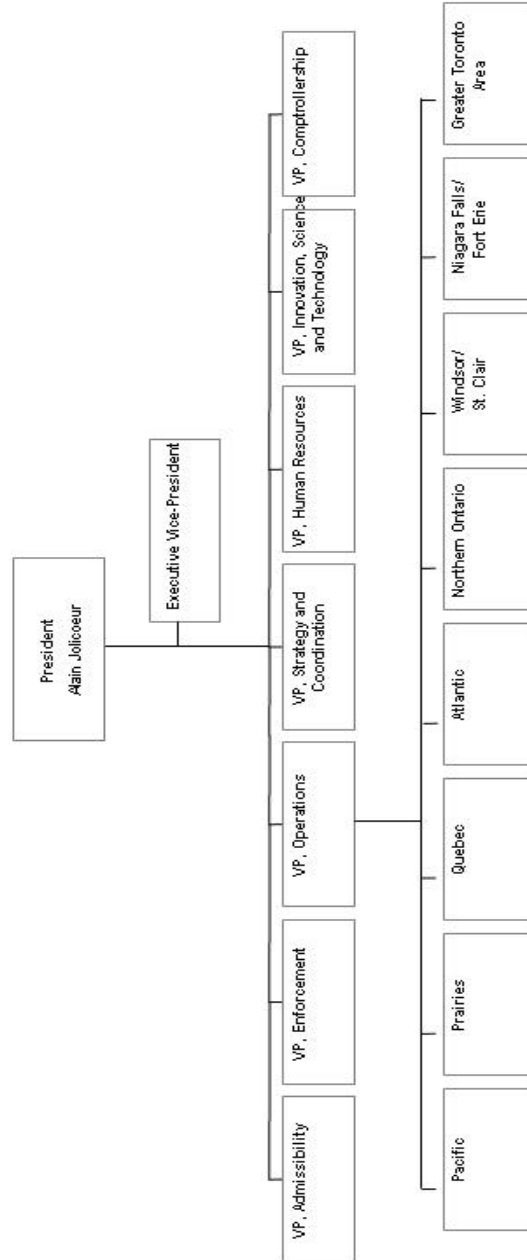
As the CBSA enters its second year of operation, we will focus our efforts on key activities that will further strengthen public safety and security as we continue to build a stronger, smarter border. Our key priorities for 2005-2006 are: integrated border management, a solid corporate foundation, program integrity, a modern management regime, and a knowledge-based approach.

APPENDIX VII

Organizational Chart of the CBSA

Prepared by the Canada Border Services Agency at the request of the Committee

Canada Border Services Agency



APPENDIX VIII

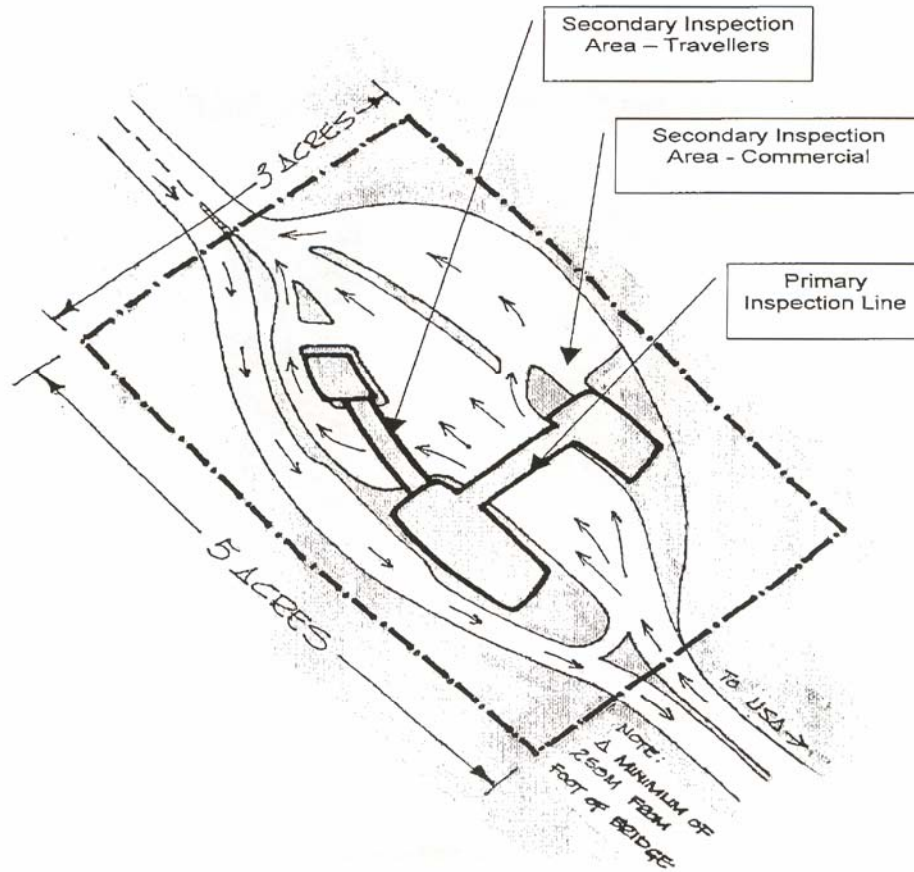
Diagram of a Typical Land Border Crossing Prepared by the Canada Border Services Agency at the request of the Committee

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Diagram of a Typical Border Crossing



A) Primary Inspection Line (PIL)

The term “Primary Inspection Line” (PIL) refers to the point at which the person entering Canada makes a report of his or her person and goods. This is the first screening mechanism at ports of entry into the country. In highway and air modes, the CBSA has PIL booths from which the officers conduct primary interviews. For travellers arriving by marine mode, the clearance process is dependent on the location and facilities.

Travellers arriving in Canada by air are asked to complete the Travellers Declaration Card before arriving at the PIL booths in the inspection area. The card allows them to have their declarations of citizenship and goods ready for the PIL, where a CBSA inspector reviews the declaration and conducts a brief interview.

At land border ports of entry, travellers approaching the CBSA inspection line stop at a PIL booth. They remain in their vehicles while the inspector conducts the primary interview. In contrast to the declaration procedure at airports, the highway interview does not require completion of a declaration card by the traveller.

For travellers arriving by marine modes, the CBSA inspector may board the vessel upon its arrival. The inspector will review passenger manifests and crew lists. The master of the vessel is responsible for ensuring passengers are presented to CBSA who require examination for immigration purposes. The master must also ensure that all passengers terminating their voyage at any port of arrival in Canada is presented to the CBSA with their baggage and a completed Travellers Declaration Card.

B) Secondary Inspection

A secondary inspection is conducted to verify information or to conduct a physical examination, as a result of a referral from PIL. During the inspection, the officer may make use of tools such as intelligence databases, contraband detection equipment, x-ray equipment or detector dogs.

CBSA officers working the PIL may refer a person whom they believe should be examined in more detail in order to determine whether they have a right to enter Canada or whether they are or may become authorized to enter and remain in Canada. Examinations of personal baggage, goods, and conveyances will be conducted if it is necessary to:

- verify or determine that a person and their baggage, goods, and conveyance comply with the laws and regulations administered by CBSA and other government departments (OGD's) (i.e. declaration verification, tariff classification, valuation);
- conduct examinations of identified persons, baggage, goods, and conveyances such as those selected by enforcement systems or deemed as possibly suspect by an alert or lookout; and
- confirm or negate officers' suspicions based on reasonable grounds and indicators of non-compliance.

APPENDIX IX

Comparison of Reverse Inspection vs. Land Pre-Clearance

Prepared by the Canada Border Services Agency at the request of the Committee

- Preclearance involves relocating the border operations of one country to another.
- It has been applied successfully in the air context for decades with U.S. border officers preclearing passengers (but not air cargo) destined to the U.S. at certain Canadian airports.
- Application of preclearance at the land border is a natural next step.
- While the preclearance concept is sound, it has not been applied and tested at the land border.
- This is why the Governments agreed to pilot land preclearance at Peace Bridge, where U.S. border inspection functions will be moved from Buffalo to Fort Erie, Ontario; and, at another site, yet to be determined, where Canadian inspection facilities will be moved to the U.S. side of the border.
- Land preclearance allows for the placement of border inspection where it makes most sense and where land is available to address congestion and security issues.
- Reverse inspection is one form of preclearance and involves both sets of border officials switching where they conduct border inspections.
- In the Canada-U.S. context, this would entail the Canada Border Services Agency moving its inspection facilities to the U.S. side of a border crossing and U.S. Customs and Border Protection relocating its inspection functions to the Canadian side of the same crossing.

- Reverse inspection may provide greater infrastructure security than land preclearance; however, it also requires geography on both sides of the same border crossing that would accommodate it.
- On this latter point, it is important to note that land preclearance is being considered on the Canadian side of Peace Bridge, in large measure because of land constraints on the Buffalo side that hamper efficient border operations. The geography at the Peace Bridge would not support an efficient reverse inspection operation.

APPENDIX X

Summary of Main Issues to be Resolved with Regards to Land Pre-Clearance

Prepared by the Canada Border Services Agency at the request of the Committee

- Canada and the U.S. are currently working together to conclude a land preclearance agreement at the earliest date. While certain of the issues are complex, significant progress is being made.
- Legislative changes to the Canadian *Preclearance Act* will be needed to support the land preclearance agreement, before it can be brought into force. These legislative changes will be introduced for review by Parliament in the coming months.
- Land preclearance will be reciprocal, in that it will be capable of accommodating US officials operating on Canadian soil as well as Canadian officials operating on US soil.
- The U.S. will pilot at Fort Erie (Peace Bridge). Canadian officials are in the process of determining the site of the land preclearance pilot operations on U.S. soil. The preferred site location will be announced in due course.
- Implementation of the land preclearance pilots will also require important infrastructure changes to be made by the crossing operators. Once the Canadian site has been announced, work will begin with the crossing operator on site design and development and environmental assessments.

APPENDIX XI

ModuSpec Risk Analysis Comparison **ModuSpec Risk Management Services Report**

This appendix presents excerpted sections of the working and final drafts of the Job Hazard Analysis prepared by ModuSpec Risk Management Services Canada Ltd. The section deals with firearms. The working draft appears first. The final draft appears second.

This appendix will enable readers to compare and contrast the drafts, and to decide for themselves the significance of any differences.

Canada Customs JHA

**FOR DISTRIBUTION TO NATIONAL HEALTH
AND SAFETY POLICY COMMITTEE
MEMBERS ONLY**

WORKING COPY #1

Canada Customs and Revenue Agency

Customs Inspectors and Superintendents Job Hazard Analysis

Final Report

DRAFT



January 2003

ModuSpec Risk Management Services Canada Ltd.
London, Ontario

OBSERVATIONS AND RECOMMENDATIONS	CATEGORY: All Functions	IDENTIFIER: AF - 9
Mode: All Field Locations		
Issue: Firearms		

Observations:

Background Information

Up until the introduction of Bill C-18, customs officer's responsibilities under the *Customs Act* and the *Criminal Code Act*, was applicable to all officers. Under the provisions of these acts, CI's have the authority to arrest and detain individuals. To assist in these requirements, CI's are provided with a set of handcuffs, which they can legally use to restraint and control the person under arrest. The handcuffs are carried on the CI's utility belt.

In 1998, Bill C-18, *An Act to amend the Customs Act and the Criminal Code*, authorized 'Designated Customs Officers' to arrest without warrant, persons seeking entry into Canada, whom they believed on reasonable grounds, had committed or were in the process of committing a Criminal Code or other federal offence.

The offences that are the primary focus of Officer Powers enforcement are:

- impaired driving offences
- kidnapped/abducted children
- persons who are the subject of an outstanding warrant
- stolen property

To become a *Designated Officer*, the CI must successfully complete the CCRA approved training course which is comprised of two components – Use of Force training and Officers Powers training. Once they have been properly trained they receive the certification from the regional director. Successful completion of refresher training is also a requirement to maintain certification.

Designated Officers are provided with two additional tools – a Baton and OC Spray. These tools are also to be worn on the officer's utility belt.

There is provision in CCRA's *Criminal Code Enforcement Policy* that states:

"If for reasons of health and safety a designated officer chooses to withdraw from a situation (i.e. suspected impaired driver; persons(s) in possession of stolen property; person(s) wanted on an outstanding warrant(s); suspected abduction or kidnapping) he/she will report the incident immediately to the responding police agency and request assistance to intercept the suspect(s) in question"

Are Enforcement Tools Adequate?

At site visits, we aggressively inquired through interviews if CI's and Superintendents thought that the tools (Baton and OC Spray) were adequate enough to safely exercise their duties as a designated officer.

There were CI's who thought that the present enforcement tools are inadequate and that they should be granted the right to carry a firearm, the same rights that police officers have.

APPENDIX XI ModuSpec Risk Analysis Comparison

Canada Customs Job Hazard Analysis

At all locations visited, this question was brought forward at interviews of CI's, Superintendents and local Safety and Health Committee members. Individuals were asked, "Should Designated Officers be issued firearms?" In some cases the interviewee without any prompting brought up the issue.

Without using any scientific survey methodology, the majority of those interviewed said "no" to wearing guns.

During our site visits there were no physical threat incidents witnessed by the consultants. There were however incidents of verbal abuse.

Discussion:

We conclude, based on observations, interview feedback and analysis, that the present tools provided to customs officers are adequate to enforce their responsibilities. Carrying a firearm would not reduce the risks to CI's. The following points are made to support this conclusion:

- Although the frequency of arrests have increased since the introduction of Officer Powers, it appears that the probability of a serious injury occurring has not been increased
- No fatalities, permanent disabilities or extended lost time serious injuries have occurred to a CI as a result of a confrontation with a client in the nearly 3 years since the introduction of Officer's Powers
- Customs Officers are considered peace officers, not a police agency
- CI's are given the authority by the CCRA to terminate an arrest or confrontation if they feel their health and safety will be affected
- CI's have the right and are encouraged to call the local police authority at any time to assist in an arrest or confrontation
- Based on the incident reports and the location where they occurred, police authorities are in the immediate vicinity
- Based on the incident reports, CI's demonstrated their skills and training to diffuse the situations and a firearm in all of these cases would not have been required
- By equipping approximately 4000 customs officers with firearms, there would be an additional 4000 hazards on the job. This dramatically increases the risk of a firearm being discharged and an injury being sustained by a CI or another customs employees or an immigration officer or a member of the travelling public.
- The majority of customs officers do not want to carry a gun.

We are suggesting however to increase police presence at specific locations during certain times. For instance, in Ontario border cities, traffic volume from the USA on weekends and the influx of "undesirables" is ramped up substantially because of border casinos, bingo halls and the lower drinking age. CI's are faced with an increase of detainees and drunk drivers during this time. With police on location, the support and processing of these individuals would add significantly to CI confidence and peace of mind.

At airports, we noticed little presence of policing during international flight arrivals. Their presence could minimize a potential problem, especially on targeted flights.

Recommendations:

1. Customs Services should make a concerted effort to organize a police presence at specific land border locations during certain times (based on regional analysis) and certain events. Some of these locations are:
 - Windsor Tunnel
 - Windsor Bridge
 - Peace Bridge
 - Bluewater Bridge
 - Pacific Highway
 - Lacolle
2. Customs Services should develop a Memorandum of Understanding with all police authorities at international airports that their presence is required in the Baggage Claim and Secondary Inspection areas during the processing of passengers from a targeted flight and for late flight arrivals after midnight.



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Canada Customs and Revenue Agency

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APPENDIX XI

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- CI's have the right and are encouraged to call the local police authority at any time to assist in an arrest or confrontation
- Based on the incident reports and the location where they occurred, police authorities are in the immediate vicinity
- Based on the incident reports, CI's demonstrated their skills and training through the Use of Force Continuum to diffuse situations and a firearm in all of these cases would not have been required
- By equipping customs officers with firearms, there is the introduction of additional hazards on the job. This dramatically increases the risk of a firearm being discharged and an injury being sustained by a CI or another customs employees or an immigration officer or a member of the travelling public.
- Based on approximately 200 interviews the majority of customs officers (about 75%) do not believe carrying a gun is necessary.

Our conclusion to not issue firearms to uniformed customs officers is upheld by the RCMP Commissioner. In a March 2001 letter from the RCMP Commissioner to the CCRA Commissioner (Appendix II), he states that he does not support the idea of supplying customs officers with firearms. Some of his rationale is based in part on the following excerpts from the letter:

"I believe that the issue of arming customs officers is based primarily on the perception that carrying a firearm is the only option for handling difficult situations. However, in reality, this can be more of a liability than a solution, and can significantly increase the danger with which the officers must contend".

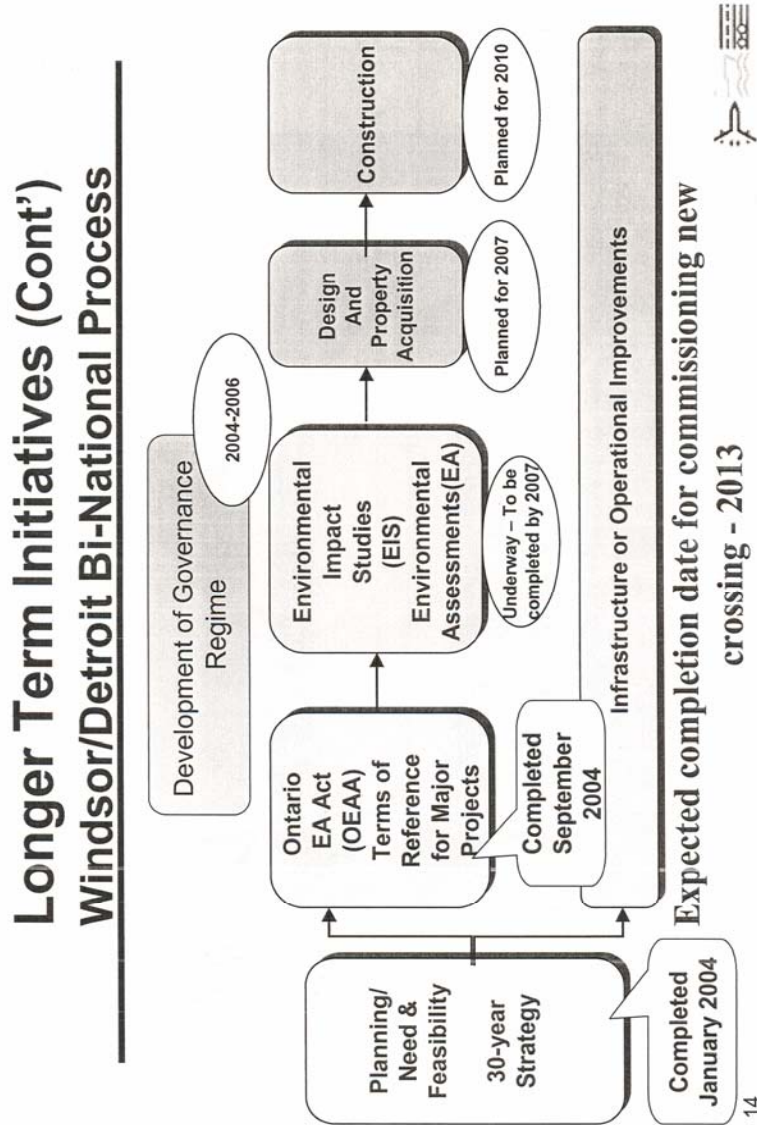
"Despite the best training practices, there is always the potential that during a confrontation, armed officers may have their own firearm taken from them and turned against them or the general public."

Recommendation:

1. Customs Services should not issue firearms to Customs Superintendents and Inspectors.

APPENDIX XII

Chart Documenting the Construction Timeline to 2013



Source: Transport Canada

APPENDIX XIII

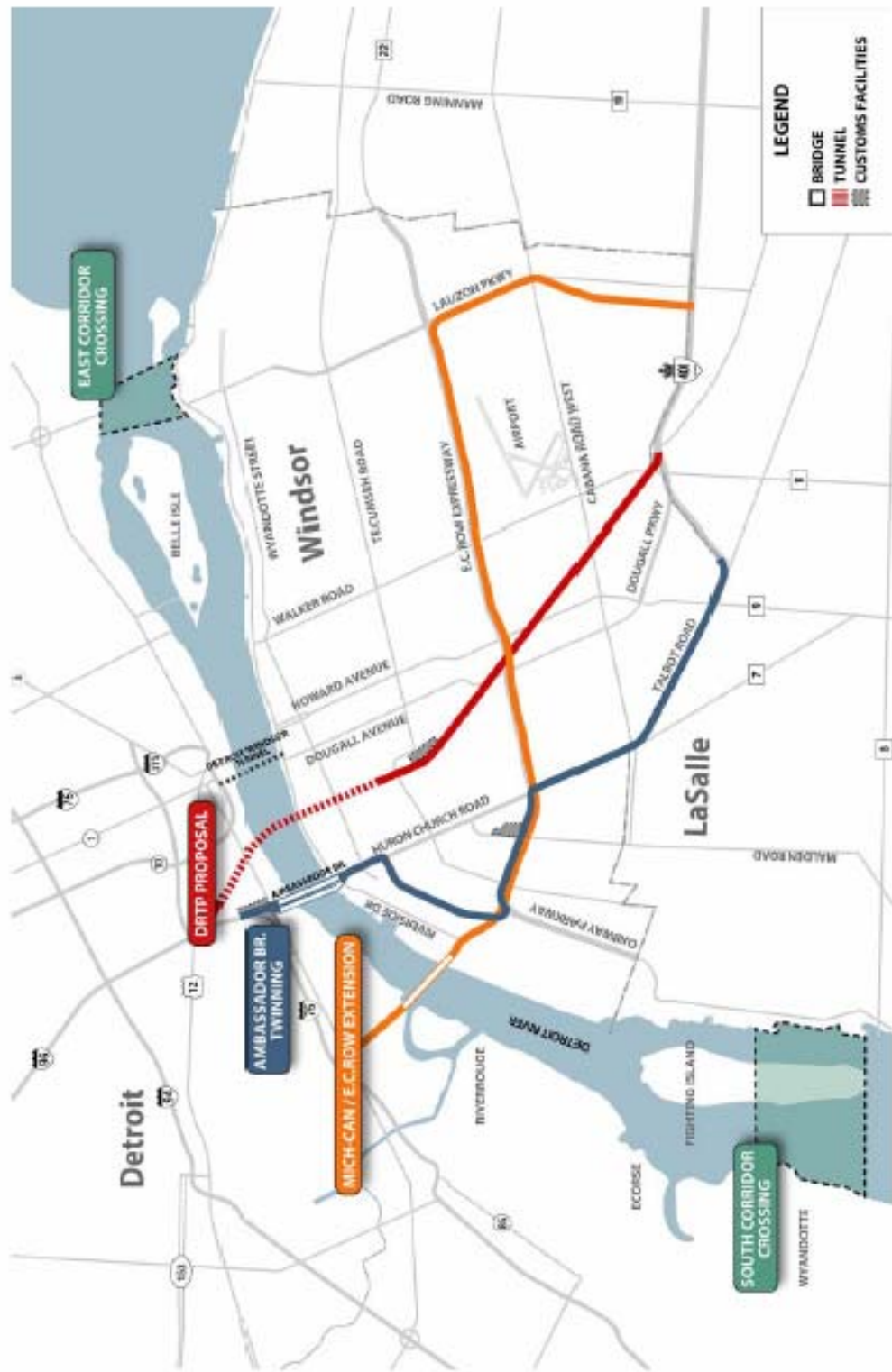
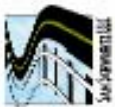
Windsor-Detroit Crossings and Crossing Corridor Alternatives

Below is a diagram of the existing crossings at Windsor-Detroit.



Source: Michigan Department of Transportation and U.S. Department of Transportation Federal Highway Administration, "Draft Purpose and Need Statement," 1. Available at: http://www.partnershipborderstudy.com/pdf/DraftPurpose&Need_WEB.pdf. Last visited: June 06, 2005.

Bi-National Alternatives



Source: Courtesy of Sam Schwartz Engineering, LLC.

APPENDIX XIV

Senate Law Clerk's Opinion on the Constitutionality of US-style Legislation

By Hand

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

June 2, 2005

Dear Senator Kenny,

On behalf of the Standing Senate Committee on National Security and Defence, you have asked whether it would be lawful for the Parliament of Canada to adopt a waiver of laws provision along the lines of that being considered by the U.S. Congress in Bill H.R. 418, the Real ID Act of 2005. The relevant U.S. provision would amend section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note). Your particular concern is the power of the Parliament of Canada to enact an analogous provision.

My conclusion is that an analogous waiver of laws provision, adapted to the Canadian context, is within the power of the Parliament of Canada. However, the differences in our constitutions, administrative structures and national values, and the different nature of the social problems being addressed, would suggest the need for variations in the legislation.

Context

The context of the U.S. provision is an existing statutory requirement that the Attorney General, in consultation with the Commissioner of Immigration and Naturalization, carry out installations to ensure the expeditious construction of roads and barriers in the U.S. designed to deter illegal crossings in areas of high illegal entry into the United States, in particular near San Diego. The proposed

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amendment would replace an existing power of the Attorney General to waive two federal environmental statutes with an expanded power of the Secretary of Homeland Security to waive all laws necessary to ensure expeditious construction of the barriers and roads. The mischief being addressed is that the existing power proved insufficient to prevent delay because opponents were able to resort to California state law to make their case. The amendment also contains a provision denying judicial review and relief to parties affected by the exercise of the waiver.

The context of your concern is your Committee's belief that the federal government needs to expedite construction of key border infrastructure in the Windsor-Detroit area. The Committee has determined that the existing situation is in the nature of a public order emergency because a serious disruption of an existing crossing would threaten the security of Canada. The Committee believes that the federal Government, in cooperation with U.S. authorities, should create an additional separate crossing as soon as possible.

Hence, while the U.S. measure is an immigration measure with security and environmental implications, the pith and substance of the Canadian measure your Committee recommends would be national security, with implications for international bridges and tunnels, trade, and immigration, and possibly for the environment and others.

Constitutional Considerations

What would be the source of Parliament's power to legislate a waiver provision?

With respect to federal laws, it is a fundamental proposition that the power to make laws carries with it the power to amend and repeal them, and hence the power to waive them too. Parliament can provide for the waiver of federal laws and has done so in the past.

With respect to provincial laws, the Canadian constitution allows the federal Parliament to make laws that operate in the provincial sphere. If a federal law is made in relation to a valid head of federal constitutional power and "...is inconsistent with a provincial law, the doctrine of paramountcy stipulates that the provincial law must yield to the federal law" (Peter Hogg, *Constitutional Law of Canada* (3rd), p. 16-17). The federal statute book contains numerous provisions that expressly bind Her Majesty in right of a province.

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Senate Law Clerk's Opinion on the
Constitutionality of US-style Legislation

What valid head of federal constitutional power is relevant to Canada's international border crossings and to their security? Section 91 of the *Constitution Act, 1867* gives Parliament the power to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects assigned exclusively to the legislatures of the provinces. In analyzing the peace, order and good government power, Professor Hogg speaks of its gap, national concern and emergency dimensions.

A second head of federal power is the combined effect of subsection 91(29) and paragraph 92(10)(a) of the *Constitution Act, 1867*. Paragraph 92(10)(a) removes from provincial jurisdiction all works or undertakings that extend beyond the limits of a province. Subsection 91(29) is the corollary provision that gives Parliament jurisdiction over those classes of subjects expressly excepted in the enumeration of the classes of subjects assigned exclusively to the legislatures of the provinces.

In addition, Parliament has the express jurisdiction, under s. 92(10)(c), to declare any work, although wholly situate within a province, to be a work for the general advantage of Canada.

Therefore, while borders themselves are not an expressly assigned head of power in the *Constitution Act, 1867*, either Parliament now has jurisdiction over border crossings under the combined effect of paragraph 92(10)(a) and subsection 91(29), or Parliament may obtain jurisdiction over border crossings through a declaration or declarations made under s. 92(10)(c).

Several other enumerated heads of federal power are also relevant, including: the public debt and property (s. 91(1.12)); the regulation of trade and commerce (s. 91(2)); militia, military and naval service, and defence (s. 91(7)); ferries between a province and any British or foreign country or between two provinces (s. 91(13)); naturalization and aliens (s. 91(25)); criminal law (s. 91(27)); and agriculture and immigration (s. 95).

Flowing from these grants of federal power, the following exercises of it can be particularly noted: those in relation to national security, those in respect of local works and undertakings extending beyond the province and works declared to be for the general advantage of Canada, and those using the spending power.

With respect to national security, royal assent was given on March 23, 2005 to the *Department of Public Safety and Emergency Preparedness Act*, which establishes the new department and repeals the *Department of the Solicitor General Act*. Other Acts that come under the general rubric of national security include the *National Defence Act*, the *Canadian Security Intelligence Service Act*, the *Emergencies Act* and the *Emergency Preparedness Act*.

Bill C-44, entitled An Act to amend the Canada Transportation Act and the Railway Safety Act, to enact the VIA Rail Canada Act and to make consequential amendments to other Acts, is presently before Parliament. One of the bill's objectives is to centralize some decision-making regarding international bridges and tunnels. Clause 63 of that bill would amend the *Canada Transportation Act* in many ways, including the addition of sections 172.14 to 172.19 and section 172.2, which would appear under the heading "Security and Safety". These provisions allow the Governor in Council, on the recommendation of the Minister, to make regulations respecting the security and safety of international bridges and tunnels. The provisions also authorize the Minister to make emergency directions **when** there is an immediate threat. This, then, is arguably a more particular and restricted exercise of power on the same subject matter.

With respect to the infrastructure itself, the simplicity and certainty of declaring a work to be for the general advantage of Canada is particularly attractive and has not been overlooked in the past. For example, section 2 of An Act respecting the acquisition, operation and disposal of the Windsor-Detroit Tunnel by the City of Windsor, S.C. 1987, c. 55, declares that tunnel to be a work and undertaking for the general advantage of Canada. See too the proposed new section 172.03 of the *Canada Transportation Act* found in clause 63 of Bill C-44.

More related to the building of new infrastructure than to the proposed waiver is the spending power. Parliament exercises the spending power in a myriad of ways. While its exercise is not always appreciated and occasionally objected to, Professor Hogg says: "It seems to me that the better view of the law is that the federal Parliament may spend or lend its funds to any government or institution or individual it chooses, for any purpose it chooses; and that it may attach to any grant or loan any conditions it chooses, including conditions it could not directly legislate". (p. 6-17)

APPENDIX XIV
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Any exercise of federal power should of course be examined for compliance with the *Canadian Charter of Rights and Freedoms*.

In addition, while the Charter does not expressly protect property rights, the *Canadian Bill of Rights* does. Section 1 of that quasi-constitutional statute recognizes and declares the right of enjoyment of property, and the right not be deprived thereof except by due process of law. It requires that every law of Canada be read not to abrogate or infringe the *Bill of Rights* unless the statute expressly declares that it operates notwithstanding the *Bill of Rights*.

Adaptation Considerations

The fact that something can be done doesn't mean that it can be done in any way. It must be done correctly, as an appropriate exercise of power within the applicable parameters. In adapting the concept of a waiver provision to the Canadian context, the following are among the additional considerations that should be taken into account.

Either in the conferring or the exercise of a waiver power, Canada would want to take its international obligations into account, particularly those in relation to the United States. For example regard must be had to our obligations under the International Boundary Waters Treaty, as legislated by the *International Boundary Waters Treaty Act*, and to the role of the International Joint Council established to administer it. Free trade obligations would be another example. It would also want to take into account its internal obligations, contractual or other.

While Parliament might want to limit the ability to block or delay the construction of border infrastructure by conferring and exercising a waiver power on the executive Government, it could of course anticipate concerns being raised over the abolition of judicial review and Canadians might not want to see those affected deprived of their recourse to the courts for compensation or damages.

Finally, Parliament would want to be careful in conferring the waiver power to ensure a responsible mechanism for its exercise. While the lead Minister for a national security measure might be the Minister of Public Security and Emergency Preparedness, the unusual nature of such a waiver power would suggest placing political responsibility for its exercise on the Governor-in-Council.

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Trusting the whole to your satisfaction, I am

Yours truly,

Mark Audcent

APPENDIX XV

Biographies of Committee Members



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.

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.

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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, and a member of Internal Economy, Budgets and Administration, 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.



The Honourable TOMMY BANKS, Senator

Tommy Banks is known to many Canadians as an accomplished and versatile musician and entertainer. He is a recipient of the Juno Award, the Gemini Award and the Grand Prix du Disque.

From 1968 to 1983 he was the host of The Tommy Banks Show on television. He has provided musical direction for the ceremonies of the Commonwealth Games, the World University Games, Expo '86, the XV Olympic Winter Games, various command performances and has performed as guest conductor of symphony orchestras throughout Canada, the United States, and in Europe.

He was founding chairman off the Alberta Foundation for the Performing Arts. He is the recipient of an Honourary Diploma of Music from Grant MacEwen College, and Honourary Doctorate of Laws from the University of Alberta, and of the Sir Frederick Haultain Prize. He is an officer of the Order of Canada, and a Member of the Alberta Order of Excellence.

Tommy Banks was called to the Senate of Canada on 7 April 2000. On 9 May 2001, Senator Tommy Banks was appointed Vice-Chair of the Prime Minister's Caucus Task Force on Urban issues.

He is currently a member of the Committee on National Security and Defence, Chair of the Committee on Energy, the Environment and Natural Resources, and chair of the Alberta Liberal Caucus in the Parliament of Canada.

A Calgary-born lifelong Albertan, he moved to Edmonton in 1949 where he resides with Ida, as do their grown children and their families.



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; and, a volunteer with her church in Dartmouth.

Senator Cordy is a native of Sydney, Nova Scotia.

Currently, she is a member of the Standing Senate Committee on National Security and Defence and the Standing Senate Committee on Social Affairs, Science and Technology. She is Chair of the Canadian NATO Parliamentary Association and Vice-Chair of the Canadian Branch of the Commonwealth Parliamentary Association.



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: National Security and Defence; the Subcommittee on Veterans Affairs, National Finance and Internal Economy Budgets and Administration. 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. He is also the Chair of the Canada-Mongolia Friendship Group.

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 Renault in Ottawa, and Donald F. Sim, Q.C. in Toronto, where he began his career in 1973.

An active member of the community, Senator Day recently chaired 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 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 Colleges Club of Canada.

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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. He is a member of the bars of Ontario, Quebec and New Brunswick.



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 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, a Member of the Interim Committee on National Security, and a member of the Joint Committee on the Library of Parliament. The Honourable J. Michael Forrestall has, in the past, served as a member of the Senate Special Committee on the Canadian Airborne Regiment in

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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, Canada-Europe Parliamentary Association, Inter-Parliamentary Union, Commonwealth Parliamentary Association, Canada-U.S. Inter-Parliamentary Group and the Royal Canadian Legion and a Director of the North Atlantic Council of Canada.



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 1969 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 and a member of the Standing Senate Committee on Internal Economy, Budgets and Administration, Chair of the Subcommittee on Member Services.

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.

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Website: <http://sen.parl.gc.ca/ckenny>



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 practiced litigation and commercial law in Montreal and Toronto. He is Counsel to the law firm Ogilvy Renault, and was Co-Legal Counsel to the Deschênes Commission on War Criminals. He sits on the Boards of Directors of Paribas Participations Limited, J.C. Clark Ltd. (Toronto), and Sentry Select Capital Corp. (Toronto).

Senator Meighen's present involvement in community service includes the Salvation Army (Past Chair), Stratford Festival (past Chair), Prostate Cancer Research Foundation (Director), Atlantic Salmon Federation - Canada (President), University of King's College (Chancellor), University of Waterloo Centre for Cultural Management (Chair, Board of Governors), McGill University (Governor).

Senator Meighen is a graduate of McGill University and Université Laval and was awarded Honorary Doctorates in Civil Law from Mount Allison University in 2001 and from University of New Brunswick in 2002. He lives in Toronto with his wife Kelly and their three sons.



The Honourable JIM MUNSON, Senator

Jim Munson is best known to Canadians as a trusted journalist and public affairs specialist. He was nominated twice for a Gemini in recognition of excellence in journalism.

As a journalist, he reported news for close to thirty years, more recently as a television correspondent for the CTV network. During those years he applied his knowledge, his skills and his wit as an acute observer of people and politics to write and deliver compelling television stories and reports from all parts of Canada and around the world for Canadian viewers. He covered national events such as election campaigns and the governments of Pierre Trudeau, Joe Clark and Brian Mulroney, as well as international events such as the Iran-Iraq war, the Gulf War and the Tiananmen Massacre in Beijing on June 4, 1989.

After a brief period of consulting with the Minister of Indian and Northern Affairs, he joined the Prime Minister's Office, first as a Special Communications Advisor before being promoted to Director of Communications.

Jim Munson was called to the Senate of Canada on 10 December 2003, to represent the province of Ontario.

He is currently a member of the Committee on National Security and Defence, Internal Economy, Budgets and Administration, and the Committee on Official Languages.

Born in Woodstock, New Brunswick, Jim Munson and his wife Ginette live in Ottawa with their two sons.



The Honourable Pierre Claude Nolin, Senator

Senator Pierre Claude Nolin was first appointed to the Senate by Prime Minister Mulroney on June 18, 1993 to represent the district of De Salaberry in Quebec.

Since his appointment, he has been an active parliamentarian nationally and on the international scene. He is the Vice-Chair of the Senate Committee on Internal Economy, Budget and Administration. He is also a member of the Senate Committee on Legal and Constitutional Affairs and the Joint Committee for the Scrutiny of Regulations. From 1999 to 2002, he chaired the Special Senate Committee on Illegal Drugs.

At the international level, he serves as the Vice-President of the Canadian NATO Parliamentary Association and General Rapporteur of the Science and Technology Committee.

Senator Nolin is lawyer and has been a member of the Quebec Bar Association since 1977. He has worked for several law firms.

Before his appointment, he was active politically serving in key posts inside and outside the federal government. He was chief of staff for the Minister of Public Works from 1984 to 1986. He was subsequently named to the position of special assistant to Prime Minister Brian Mulroney. He left the federal government to assume the position of Director General of the Progressive Conservative Party of Canada. He also served as Co-Chair of the 1997 Electoral Campaign.

Born in Montreal, Senator Nolin is the son the Honourable Jean Claude Nolin, Judge, Quebec Superior Court and Jacqueline Quevillon. He is married to Camille Desjardins and they have 3 children, Simon, Louis and Virginie.

APPENDIX XVI

Biographies of the Committee Secretariat



Major-General (Ret'd) G. Keith McDonald, Senior Military Advisor

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.

MGen McDonald operationally flew the Tutor, T-33, CF5, CF104 and CF18 aircraft accumulating over 4000 hours of pilot in command throughout his 37-year career in the Air Force, Canadian Forces.

He held staff positions at the Royal Military College, in Baden Soellingen Germany, at National Defence Headquarters in Ottawa and at the North American Aerospace Command in Colorado Springs. Command positions include CF18 Squadron Commander, Base and Wing Commander in Baden Soellingen, Germany.

Major General McDonald ended his military career as the Director of Combat Operations at Headquarters North American Aerospace Defence Command at Colorado Springs, USA.

After leaving the military in 1998, General McDonald served a period of “conflict of interest” prior to joining BMCI Consulting as a Principal Consultant in the Aerospace and Defence Division. He left BMCI in 2002 to set up his own consulting company, KM Aerospace Consulting.

Major General McDonald has a degree in Political and Economic Science (Honours Courses) from the Royal Military College. He has completed Canadian Forces staff school, the Royal Air Force (England) Staff College, the National Security studies course, Post Graduate Courses in Business at Queens University, Electronic Warfare Courses at the University of California Los Angeles, the Law of Armed Conflict at San Remo, Italy, and numerous project management courses.

Borderline Insecure

General McDonald is married to the former Catherine Grunder of Kincardine, Ontario, and they have two grown daughters, Jocelyn and Amy.

Barry A. Denofsky, National Security Advisor

Barry Denofsky recently retired after having completed 35 years with the Canadian Security Intelligence Service (CSIS) and the Royal Canadian Mounted Police (RCMP). Mr. Denofsky joined the RCMP in January 1969 and worked as a peace officer in Saskatchewan, Alberta, and Quebec. In 1972, he was transferred to the RCMP Security Service where he was involved in a variety of national security investigations. With the creation of CSIS in 1984, Mr. Denofsky maintained his interest and involvement in matters of national security with the new Service.

Mr. Denofsky held a variety of operational and senior management positions with CSIS which have included the following: Chief, Counter Intelligence, Quebec Region, Deputy Director General Operations, Ottawa Region, Deputy Director General Counter Terrorism, Headquarters, Ottawa, and Director General Counter Intelligence, Headquarters, Ottawa. On retirement from CSIS, Mr. Denofsky was the Director General, Research, Analysis and Production, Headquarters, Ottawa. In that capacity, he was responsible for the production and provision to government of all source analytical products concerning threats to the security of Canada

Mr. Denofsky also represented CSIS for many years at meetings of the NATO Special Committee in Brussels, Belgium. The Special Committee is an organization of security and intelligence services representing all member nations of NATO. In 2002, Mr. Denofsky was the Chair of the NATO Special Committee Working Group.

Mr. Denofsky is a graduate of the University of Toronto, and holds a graduate Diploma in Public Administration from Carleton University in Ottawa. He is a member of the Council of Advisors, the Canadian Centre of Intelligence and Security Studies, (CCISS), Carleton University. He is married and has two children.



Dr. Grant Dawson, Analyst

Grant Dawson joined the Parliamentary Research Branch of the Library of Parliament in March 2003. He serves as the Research Officer for the Standing Senate Committee on National Security and Defence.

Dr. Dawson received his Double Honours B.A. (History and English) and M.A. (History) from the University of Manitoba, and his Ph.D. in History from Carleton University, Ottawa. His dissertation is the first critical examination of the Canadian government's decision-making in relation to its contribution of troops to the Somalia peace operations in 1992. Dr. Dawson's academic research interests include Canadian diplomatic and military history, peace history (especially the writings of Jean de Bloch), peacekeeping and peacebuilding. Dr. Dawson has published in the "Journal of Contemporary History" (lead article in January 2002), "International Journal" (Spring 2000), and the 2001 and 2003 editions of the foreign policy essay collection "Canada Among Nations."

Dr. Dawson has lectured for the Royal Military College, Kingston, and was a recipient of a Department of National Defence / Security and Defence Forum Ph.D. Fellowship in 2001-02 and 2002-03.



Liam Price, Analyst

F. William Price joined the Parliamentary Research Branch of the Library of Parliament in January 2004. He serves as a Research Officer for the Standing Senate Committee on National Security and Defence.

Mr. Price received a *cum laude* Bachelor of Science Foreign Service in International Politics Security Studies from Georgetown University in Washington, DC, and a Masters of Literature in International Security Studies from the University of St. Andrews in Scotland. At Georgetown, Mr. Price completed a certificate in International Business Diplomacy and co-designed a course on the Idea of Canada in a Globalizing World; also he earned the Learning, Peace and Freedom and Krogh Medals, and was selected to be a speaker at Convocation.

Mr. Price's recent studies have included work on post-positivist international relations theory, military responses to terrorism and the emergence of Private Military Companies in Sierra Leone.

Brigadier-General James S. Cox OMM CD MA (Retired), Analyst

Brigadier General James S. Cox was born in Toronto, Ontario. In 1967 he was commissioned into the infantry and served in Canada and Cyprus. During the period 1972-74, he served with the Gloucestershire Regiment, then part of the British Army of the Rhine.

In following years, Brigadier General Cox served with the Infantry School, Allied Command Europe Mobile Force (Land), twice with the Canadian Airborne Regiment and in senior staff appointments in Army Headquarters and National Defence Headquarters. From 1985 until 1987 he commanded the 3rd Battalion, The Royal Canadian Regiment and from 1991 to 1992 he served as Deputy Commander of the Special Service Force before taking up duty as the Military Chief of Staff of the United Nations Operation in Somalia I and II, until 1993. Upon return to Canada in the summer of 1993, Brigadier General Cox was appointed Commander, 1 Canadian Mechanized Brigade Group. In 1995 he was appointed Director General Land Force Development in Ottawa. From 1996 until 1998, he was the Army Command Inspector. In July 1998 Brigadier General Cox was appointed Deputy Assistant Chief of Staff Intelligence at Supreme Headquarters, Allied Powers Europe, in Mons, Belgium.

Brigadier General Cox completed six operational tours of duty with the United Nations. He has trained with the United States Army, The United States Marine Corps, the British Army Special Air Service and the Royal Marines. He is a graduate of the University of Manitoba, the Royal Military College of Canada, the Canadian Forces College, and has studied at the NATO Defence College in Rome. In 1993 he was awarded the Order of Military Merit in the grade of Officer.

Since retiring from the Army in August 2001, Brigadier General (Ret'd) Cox has worked as a consultant in Ottawa, completed graduate studies and served as the Executive Secretary of the Canadian Association for Security and Intelligence Studies. In addition to his current position as a Library of Parliament Researcher, he is a doctoral candidate in War Studies at the Royal Military College of Canada.



Daniel Charbonneau, Committee Clerk

Dan joined the Senate Committees Directorate as a committee clerk in 2001 and has worked on several committees including: National Security and Defence, Social Affairs, Science and Technology, Agriculture and Forestry and Illegal Drugs.

Dan graduated from Laurentian University with an Honours B.A. in Political Science specializing in Canadian Government. As a student, he was active on campus and held several key positions in the *Association des étudiantes et étudiants francophones* (AEF) including president and C.E.O. He served on the university's academic Senate and several of its committees. Following graduation, he continued his involvement as a board member of the Laurentian University Alumni Association.

From 1995 to 2000, Dan worked as a Special Assistant and a Senior Outreach Officer for a member of the House of Commons.

Currently, he is a part-time student at Algonquin College studying to become a sommelier.



Jodi Turner, Committee Clerk

Jodi Turner joined the Committees Branch of the Senate in January 2005. She serves as the Co-clerk for the Standing Senate Committee on National Security and Defence.

Ms. Turner received a *cum laude* Double Honours Bachelor of Arts (French and Political Studies) and a *cum laude* Masters in Public Administration

(specialization in Canadian Politics), from the University of Manitoba.

Previous to joining the Committee, she served as Chief of Staff to the Speaker of the Senate from 2002 – 2005; and was Vice-President of Research for Western Opinion Research in Winnipeg, Manitoba from 2000 – 2002.



Kevin Pittman – Legislative Clerk

Kevin studied history at Memorial University of Newfoundland and then went on to complete a Political Science degree at Laval University.

Following a 3 year period overseas in Asia, he undertook his graduate studies in Policy Analysis at Laval University.

He began working at the Committees Directorate in September, 2004. For the two years previous, he was with Parliamentary Public Programs at the Library of Parliament.