



CUSTOMS AND IMMIGRATION UNION
SYNDICAT DES DOUANES ET DE L'IMMIGRATION

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BY EMAIL: david.mcquinty@parl.gc.ca

Hon. David J. McGuinty
Minister of Public Safety
House of Commons
Ottawa, ON, K1A 0A6

Re: Rethinking effective border enforcement

Dear Minister,

For the last months, the topic of border security has been at the forefront of public discourse, and for good reason: The fast-eroding Canada-U.S. relationship makes all too clear the need for Canada to rethink its approach to border enforcement. We share the world's longest undefended border with a country that has signaled that the partnership of old is no longer to be taken for granted. Now is the time for innovation to ensure our own country is equipped to act against emerging and existing threats — including the considerable flow of dangerous firearms originating from the U.S.

The recent federal border plan shows that border pressures are well on the radar of your government, yet more can be done. When we last met in January of this year, I highlighted the importance of exploring additional courses of action to reinforce Canada's ability to protect our communities. Notably, it would be in the best interest of the federal border infrastructure to expand the role of Canada Border Services Agency officers to allow them to act between ports of entry — in cooperation with Royal Canadian Mounted Police officers — and to boost CBSA's training capacity by opening new facilities to supplement the existing CBSA college in Rigaud.

Doing so would ensure sustainable staffing levels for the long term and would make it so that CBSA officers already present at the border and trained to enforce relevant border legislation, such as the Customs Act and the Immigration and Refugee Protection Act (IRPA), would be able to act jointly with the RCMP across the full breadth of the Canada-U.S. border. Canadians can only benefit from this shared expertise between the two major federal law enforcement agencies.

I was therefore disappointed to see the National Police Federation (NPF), which represents RCMP officers, [publish their recent position statement](#) strongly opposing any consideration of expanding the mandate of CBSA officers. This is contrary to the spirit of cooperation that federal Canadian law enforcement agencies should be pursuing. Indeed, it is in that same spirit that, when advocating for an expanded role for border personnel between ports of entry, the Customs and Immigration Union has always made clear that this should be done in collaboration with RCMP officers.

Rather than engaging in an ultimately fruitless public debate in the media in response to the NPF's assertions, I am writing to you today to reiterate the importance for your government to allow CBSA officers to perform the full extent of their functions at and between ports of entry and, in light of the constantly shifting border landscape, to further invest in CBSA.

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Indeed, two of the major federal political parties already recognize the need for greater reliance on CBSA officers: Both the federal New Democratic Party and the Conservative Party of Canada have pledged to hire thousands more border officers and to expand their role across the full breadth of the border. Going a step further, the NDP also committed to building a new CBSA training centre. This shows a true commitment to establishing a sustainable, long-term plan for our border. We hope that your government, too, will see the wisdom in this course of action.

The fact is that CBSA is uniquely positioned to help further strengthen Canada's border protection infrastructure, thanks in large part to the comprehensive and specialized training border officers receive, which focuses entirely on the Customs Act, IRPA and border protection. While the initial CBSA training is somewhat shorter than the RCMP's, this is simply a result of CBSA officers not needing to enforce provincial legislation as the RCMP does, and which falls well outside of the border enforcement mandate.

By adopting Bill C-20, your government has also codified its desire to see both the RCMP and CBSA benefit from the same civilian oversight, through a single body responsible for both agencies.

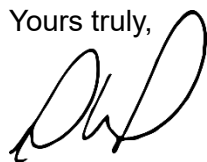
At the end of the day, border protection between ports of entry was not in the mandate of the RCMP until 1932, when the federal government transferred the responsibility away from what would become CBSA to the RCMP. Outside of repealing this nearly century-old OIC, allowing CBSA officers to act between ports of entry would require little to no legislative change as CBSA enforcement falls squarely under federal law — both the Customs Act and IRPA already have language authorizing actions outside ports.

CIU's position remains clear. To not include CBSA personnel as part of Canada's solution to secure our border between ports of entry would be a missed opportunity to capitalize on the unique, specialized expertise of the frontline border officers already present at the border. With this in mind, adequately tackling ongoing border challenges rests on three key points:

- Expanding the training capacity of the Canada Border Services Agency;
- Increasing the number of border officers deployed at the border; and
- Allowing border officers to fulfill their mandate at and between ports of entry, alongside the RCMP.

You and I are set to meet soon to discuss important border issues, and I look forward to reviewing the matters outlined in this letter with you in more details.

Yours truly,



Mark Weber
National President

cc. (by email) Brian Sauvé, President, National Police Federation