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Chair: Mr. Patrick Weiler





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• (0925)

[English]

**The Chair (Mr. Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.)):** Good morning, everyone. I call this meeting to order.

Welcome to meeting number 137 of the House of Commons Standing Committee on Indigenous and Northern Affairs.

As always, I want to start by acknowledging that we are gathered on the ancestral and unceded territories of the Algonquin Anishinabe people and by expressing gratitude that we're able to do the important work of this committee on lands that they've stewarded since time immemorial.

Pursuant to Standing Order 108(2), the motion adopted by the committee on Tuesday, February 1, 2022, and the order of reference of Tuesday, November 19, 2024, the committee is resuming its study of the barriers to indigenous economic development.

I would like to welcome our witness today. We have Chief Lance Haymond from the Kebaowek First Nation. Thank you very much for attending this morning.

To start, Chief, you will have five minutes for your opening statement, and then we'll proceed to questions from members of the committee.

Chief Haymond, I'll turn the floor over to you.

**Chief Lance Haymond (Kebaowek First Nation):** Thank you very much and good morning.

First, I'd like to acknowledge that after getting an invitation on Friday, preparing for and showing up on a Tuesday morning has been a pretty tall task, but given the importance of this issue and how it directly implicates my community and nation, I could not miss an opportunity to speak to it.

I know that many people are coming here and speaking about the impacts that pretend Indians have on securing contracts through procurement. As a chief, I want to speak a bit about the broader impacts of pretend Indians and what they do to communities and nations.

As mentioned, I would be remiss if I did not acknowledge that we are on the traditional territory of my ancestors. We're always happy to welcome everyone here to conduct their business given its importance.

We are here to discuss an issue of profound importance, which is the impact of individuals who falsely claim indigenous identity, or

pretend Indians, on the inherent and treaty rights of first nations peoples. The phenomenon is not a mere abstract concern, but has real, tangible consequences that undermine the rights and sovereignty of indigenous communities across the country.

I want to go further and say that a large part of the problem is federal policy. It is to blame for the upswing in fake Indian institutions like the Métis Nation of Ontario and the Algonquins of Ontario, thus allowing individuals tied to these corporations to pretend to be something they are not, exercise section 35 rights that they don't have and, of course, extract benefits that they are not entitled to.

The federal government has created and funded pretend Indian organizations like the Algonquins of Ontario as they serve a useful purpose. They are used to manufacture consent when the real rights holders demand that the government honour its obligations under the United Nations Declaration on the Rights of Indigenous Peoples, including free, prior and informed consent.

The issue of recognition and protection of inherent rights is, or should be, paramount to any Crown government regarding sovereign indigenous peoples and the relationship between us. Unfortunately, there are still many flaws in our relationship with the Crown. Continued colonial and unilateral policy creates new Indians, like the Algonquins of Ontario, under different rules than those that we must follow. It's a lack of true recognition of our self-determination rights to decide for ourselves who are the Algonquin Anishinabe of our nation.

The federal Indian Act has caused confusion and has misinformed generations because the Indian Act has disconnected our people from their true indigenous governments. The problem here has been the century and a half of Indian Act rules and ignoring indigenous human rights to self-determination or simply running roughshod over them when it was convenient.

When individuals falsely claim to be indigenous, they are not just engaging in cultural appropriation; they are exploiting these rights for personal, financial or social gain. This has direct consequences on the lives of real indigenous people. False claims can distort policy discussions, divert resources and even undermine the legitimacy of the rights we are fighting to protect. Those who falsely identify as indigenous can often gain access to funding, scholarships, employment and other benefits that are rightly reserved for first nations.

The consequences of this harm are wide-reaching. False claims can undermine the work of indigenous leaders like me who are advocating for meaningful policy change, like improving housing outcomes, developing resources and protecting land, as in the ongoing legal fight we have against the Canadian government to stop a nuclear waste dump from being built beside the Ottawa River.

These claims create confusion and division within the broader Canadian society, hindering true reconciliation and the understanding of what it means to be indigenous in this country. In addition, the rising trend of pretend Indians further complicates efforts to protect our rights in court. When people falsely claim a connection to indigenous identity, it erodes the credibility of legitimate claims and weakens the voices of people whose rights have been historically ignored, violated and stripped away.

● (0930)

It is therefore vital that we remain vigilant in defending the integrity of our cultures and histories and that we call out false claims for what they are. This is not just about protecting the rights of individuals; it's about protecting the rights of our future and our nations.

*Meegwetch.* Thank you.

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

We'll move into our first round of questions, a six-minute round, starting with Mr. Schmale.

**Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC):** Thank you very much, Chair.

Thank you, Chief Haymond. It's great to see you here at committee again. I know this is not your first time. This is old hat for you, appearing before committee.

The first question I have builds on the words you just gave us. Given what has happened with Randy Boissonnault, do you feel it's appropriate that he remain in the Liberal caucus?

**Chief Lance Haymond:** That's a pretty interesting question. I really don't delve into politics per se, but given that somebody has misrepresented themselves, there definitely have to be consequences. What they should be are to be determined by others rather than me, but I feel there definitely need to be consequences for people who misrepresent themselves, abuse the fact that they are not indigenous and reap benefits from that representation.

**Mr. Jamie Schmale:** In your words, you were pretty clear that harm was done not only to you, your nation and your people, but to indigenous people, in particular, by Randy Boissonnault, who co-owned a company that claimed indigenous status. He claimed he had indigenous status when in fact he did not. That does harm to reconciliation, does it not?

**Chief Lance Haymond:** It does. Again, it taints the image of individuals who are legitimately working hard to advance their entrepreneurship and the business opportunities they've created.

When people misuse and abuse, sometimes it reinforces misconceptions that currently exist about first nations. Being first nations is a tough job and a tough reality as it is, but when people misuse benefits that are set aside for us, it gives the impression that we all may be like that, and that's really, truly unfair. Most indigenous en-

trepreneurs I know work really hard and struggle, because we don't have access to the same tools and resources that non-indigenous businesses do in a lot of cases.

Yes, it's detrimental to our reputation for sure.

**Mr. Jamie Schmale:** I'm sure you're quite aware that the government has a set-aside target to award 5% of government contracts to indigenous-owned businesses. I have no doubt that you heard the news recently that 1,100 businesses that were wrongly on that directory have been removed. I think that speaks to the fact that the issue of falsely claiming indigenous identity is a lot bigger than the average person understands.

● (0935)

**Chief Lance Haymond:** Absolutely. This committee has been focused a lot on the issues of procurement and people accessing contracts, benefits and other opportunities that they're not entitled to, but as I've indicated, that's the tip of the iceberg. The larger problem is that we have institutions and corporate entities representing and pretending that they are indigenous people and indigenous nations, like the Algonquins of Ontario.

They push legitimate first nations and communities like mine to decide...because suddenly they're at the forefront. They're being requested to participate in consultations, and their interests are very much different from those of real Algonquins. We want to look at a particular project, understand the impacts and protect the environment at all costs. Entities like the Algonquins of Ontario will give consent simply for a few contracts of pre- and post-monitoring, so it really is a much larger problem than this committee is looking at.

When the government sanctions and creates these entities for the sole purpose of usurping our rights, we definitely have a problem.

**Mr. Jamie Schmale:** One of the questions we asked yesterday—and we didn't really get an answer, though it's been said a few times—was about an indigenous woman, Jody Wilson-Raybould, standing up to the Prime Minister and saying no to corruption. She was removed from caucus. Now we have a non-indigenous man, a white man, who claimed to be indigenous, and it's come out that it was false. He did so for many years, and he still remains in caucus. It seems that there's no punishment for Liberals.

**Chief Lance Haymond:** No, it appears that there's a double standard. If that is the consequence for Madam Wilson-Raybould, then the consequences should be the same across the board and they should apply to Mr. Boissonnault as well.

**Mr. Jamie Schmale:** What can we do as we look to go to 5%—maybe more, who knows—for indigenous-owned businesses? How do we ensure that the registry is true?

**Chief Lance Haymond:** It's been said by others before me, and I'm sure it will be said by others after. In my opening remarks, I was clear that at the end of the day, first nations have to be in charge and determining ourselves what these businesses are and the criteria they meet.

I am a proponent of ensuring that benefits go to those who are rightly deserving of them, but at the same time, I don't want a process that's overbearing and cumbersome for our indigenous entrepreneurs and that ultimately detracts from and adds additional costs to becoming part of an organization that will be created. At the end of the day, we need some type of registry system developed, managed and implemented by first nations.

Even sitting here today, it's a tough conversation to be in when I'm talking about our citizenship and who has the right to determine. As I've indicated, it should be us, but here we are in front of a number of non-indigenous parliamentarians, and we're talking about first nations citizenship, which really should be our exclusive authority and debate.

**Mr. Jamie Schmale:** Thank you, Chief.

**The Chair:** Thank you very much, Mr. Schmale.

We're moving next to Mrs. Atwin for six minutes.

**Mrs. Jenica Atwin (Fredericton, Lib.):** Thank you very much, Mr. Chair.

Thank you so much, Chief, for being here. I know how busy you must be on a day-to-day basis, and I respect so much that you've come to be with us today to speak about this important topic.

I lament a few of the inefficiencies in this study, and I go to the government operations committee, where we'll also be looking into this issue. However, I think it's really important that we continue the discussion on economic development, so I very much welcome a return to studying that. I was chair of the committee when we commissioned the original study, and we heard from many voices on these important issues.

I come to this place as a former educator. I remember working with my students specifically on career development and skill building, for example, and many times students who were from certain communities were told not to put their home addresses on their résumés because it would indicate that they were from a reserve and they may not be hired based on that fact. Really, a barrier we saw in a big way was racism in society in general when it came to indigenous people looking for work or even starting businesses or becoming entrepreneurs. The 5% procurement strategy is meant, in a way, to deal with some of the barriers that existed or continue to exist today in Canada, unfortunately.

We also see, though, that integrity has to be there because we want real indigenous businesses and entrepreneurs to be the ones to benefit from these programs and set-asides. That's very much what we're discussing today.

Do you know of any companies in your area that are in the indigenous business directory?

• (0940)

**Chief Lance Haymond:** No.

**Mrs. Jenica Atwin:** Do you know of any shell companies acting in bad faith or misrepresenting indigenous identity in your area that may be in the indigenous business directory?

**Chief Lance Haymond:** No, not off the top of my head. I know of a number of legitimate businesses that currently benefit from opportunities through the 5% set-aside, and legitimate indigenous businesses that are securing contracts and creating gainful employment for first nation citizens and non-first nation professionals as well.

**Mrs. Jenica Atwin:** That's what it's supposed to do, so I'm happy to hear that, for sure.

Speaking specifically for your community and the economic development planning that's happening, how big of an issue is indigenous identity fraud when it comes to that aspect?

**Chief Lance Haymond:** The larger issue for us is pretend Indians taking economic opportunities, but not in the same senses as you've described. As I mentioned earlier, our community owns a number of businesses, and none of them require us to look for contracts through the procurement process. However, I know other companies that benefit greatly from the set-aside. In fact, my wife works for an indigenous company in Ottawa that absolutely benefits from the procurement strategy that exists.

The bigger challenge always is ensuring the legitimacy of companies that are able to register. As an example, our tribal council, the Algonquin Anishinabeg Nation Tribal Council, as you're probably aware, registered to become part of the procurement strategy, and when it came time to produce proof, they simply had to upload a picture of a rabbit, I believe, and there was no verification.

The larger challenge is that this system is not monitored and there's nobody checking it on a regular basis to ensure that registered companies are legitimate indigenous companies for the purpose of benefiting from the procurement set-aside.

**Mrs. Jenica Atwin:** Do you think it represents a challenge for the tribal council specifically that oftentimes when you're registering as an indigenous business for the directory, you have to provide an individual's identification, like a status card or maybe a Métis nation card? Do you think it could have been part of the issue that a tribal council represents a collective, so there wouldn't be one piece of identification that represents it?

**Chief Lance Haymond:** Yes, that is exactly the point. The website and registration are geared towards recognizing individuals and not collective entities like tribal councils, which sometimes represent multiple first nations communities, like the Algonquin.

**Mrs. Jenica Atwin:** I'd like to highlight, as one of our colleagues, Mr. Schmale, mentioned, that 1,100 businesses were removed from the directory. To me, that looks like checks and balances are happening.

We've learned through witnesses here and at the government operations committee that there are many reasons for that. It could be that the structure of a business has changed. We heard from one witness that he continues to conduct business but is not in the directory because his status card was expired at the time. There are multiple reasons this might be happening.

I have about 30 seconds, but we're looking for some concrete recommendations moving forward. You've mentioned some specifically, I think, with regard to consultations on broader policy. That's really interesting and we need to look into it, but is there anything else we could do today to strengthen the integrity of the system to maintain the 5% procurement strategy?

**Chief Lance Haymond:** It will come back to ensuring that first nations themselves are in charge of the system. When a system is designed and developed by government for government purposes, sometimes down the road it needs to change.

In this case, it's absolutely clear that we need a system in place that allows us to recognize legitimate indigenous businesses and individuals so they are not put in a situation where they are competing against other businesses that, for all intents and purposes, are unfairly accessing these opportunities.

Any system going forward that we are in charge and in control of and that allows for legitimate businesses to register should eliminate, by and large, fraudulent businesses that are simply taking advantage of a situation like the 5% set-aside.

• (0945)

[Translation]

**The Chair:** Thank you very much, Mrs. Atwin.

Mr. Lemire, you have the floor for six minutes.

**Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ):** Thank you very much, Mr. Chair.

What we just heard clearly illustrates why I wanted to support the Conservative Party motion. We need to talk about the issue of fake indigenous people and expand on that.

What the community of Kebaowek is going through is quite peculiar, but it is not a unique case.

I would like to hear your opinion, Chief Haymond, on the Chalk River issue, which directly affects your ancestral lands. A legal battle has been under way for about 10 years, and your case is currently before the Supreme Court, because others wanted you to give the Chalk River project social licence on behalf of the indigenous people.

Can you tell us more about that?

[English]

**Chief Lance Haymond:** Yes, I'd be very happy to tell you about that. Outside of economic development, our interests are continually being usurped by entities that are created by the federal government. Algonquins of Ontario is probably the most profound example of how non-indigenous people have been empowered and given recognition that they don't deserve.

Algonquins of Ontario was created by the federal government solely for the purpose of negotiating and voting on a land claim that directly impacts the Algonquin nation. The 7,000 non-indigenous individuals, who simply have to tie themselves to a root ancestor from the 1600s or 1700s to claim being indigenous, are now being used by the government and agencies like CNL and the Canadian Nuclear Safety Commission to provide manufactured consent when first nations communities like mine and the Algonquin nation stand up and say no to destructive projects that are happening on their territory.

We vehemently oppose the whole issue of an NSDF—which for all intents and purposes is for nuclear waste—being built on the side of the Ottawa River. We've challenged this government and the CNSC on its implementation of UNDRIP. When we do this, the government, because it's created entities like Algonquins of Ontario, approaches organizations like Algonquins of Ontario and says, "What's your opinion on this project?" By and large, they will support just about any project the federal government asks them to support on the basis that, at the end of the day, they will secure economic benefits from that support through the issuing of contracts for a whole host of work on the site in pre- and post-monitoring. We are continually finding ourselves in tough situations because these entities are being asked their opinion when they are creations of government and do not have the same standing we do as first nations citizens.

[Translation]

**Mr. Sébastien Lemire:** Thank you.

What is the legal status of Algonquins of Ontario, or AOO?

If Bill C-53 were to pass, what effect would that have on the legitimacy of the Algonquins of Ontario? I would remind you that the committee had to report this bill to the House with amendments.

• (0950)

[English]

**Chief Lance Haymond:** There's a bit of a difference between Algonquins of Ontario—because it was created by the federal government, as I said, for the simple purpose of negotiating a land claim—and the Métis Nation of Ontario. They're a special animal unto themselves. We are directly impacted by the Métis Nation of Ontario because they claim rights, title and benefits on land that directly overlaps with the Kebaowek First Nation and the Algonquin people.

Bill C-53 has less of an impact on the AOO, but if Bill C-53 were to go forward, it would give rights, title and recognition to a group that simply didn't exist prior to contact. There are huge issues when government creates legislation for the benefit of recognition. Doing so does a disservice to the first nations people whose lands and territory the government is granting rights to.

It would absolutely be a dangerous precedent for Bill C-53 to move ahead. It would put us in direct conflict with the Métis Nation of Ontario.

[Translation]

**Mr. Sébastien Lemire:** Thank you for that clarification.

Given the current context and everything that is going on with some of the Métis national movements, do you think Bill C-53 should be abandoned by the minister?

[English]

**Chief Lance Haymond:** Absolutely, without a doubt. We've been advocating for that since the minister dropped this bill, along with the Assembly of First Nations of Quebec and Labrador, the Chiefs of Ontario and others, who have clearly recognized that the Métis Nation of Ontario's legitimacy and claim to fame come from using our ancestors as ways and means to justify its existence when in fact it's far removed from our communities. Again, granting it recognition through Bill C-53 would be a travesty and an important injustice for indigenous people across the country and, more importantly, directly for the Algonquin nation, whose title and lands are being claimed by these fake Indians.

[Translation]

**The Chair:** Thank you very much, Mr. Lemire.

[English]

Next we're going to Ms. Idlout for six minutes.

**Ms. Lori Idlout (Nunavut, NDP):** *Qujannamiik, Iksivautaq.*

Chief Haymond, thank you for appearing at the last minute for this important issue.

When you share with us the deep impacts when pretendianism happens, you clearly state how damaging it is for indigenous people. Just as a case in point, in Nunavut, sponsorship that was meant to go to Inuit students went to non-indigenous people. They used fraud to get sponsorship, so the costs are high.

Based on what I understand, you either filed a human rights complaint with the United Nations or brought issues to the United Nations about indigenous identity fraud this past summer. I wonder whether you could share with us what you shared at the UN.

**Chief Lance Haymond:** I'm sorry, but I don't understand the question.

**Ms. Lori Idlout:** I'm not too sure whether I'm getting my facts straight, but it sounds like the Abenaki and the Kebaowek went to the United Nations to make a complaint about indigenous identity fraud.

**Chief Lance Haymond:** I believe it was the Abenaki Nation that went there and made that complaint. It was highly publicized and in the media quite a bit, so I know for a fact that it was the Abenakis who raised this issue about pretend Indians.

• (0955)

**Ms. Lori Idlout:** Thank you for that clarification.

Based on your experience, because you know the deep impacts and what the federal government needs to be doing, could you share your expertise or some recommendations on what the federal government should do, understanding that we need to respect the self-determination of first nations, Métis and Inuit? What role can

the federal government play to make sure there's more decisive action when pretendians become obvious?

**Chief Lance Haymond:** I think there are a number of things the federal government can do. One of them, most importantly, is to stop developing policies that create institutions like the Algonquins of Ontario and giving recognition to the Métis Nation of Ontario through legislation like Bill C-53 without clearly understanding what these entities will do once they're created.

The bigger challenge, and I think the message I want to send the federal government, is that as a status first nation citizen, my first nation indigenouness is determined through the Indian Act, through subsections 6(1) and 6(2). Clearly, there are a number of rules within the Indian Act that tell me whether I'm status or non-status. The government, when it's convenient, as in the case of the Algonquins of Ontario, can simply develop a new policy and create new Indians who do not have to follow the same rules and pass the same tests that I do to be granted status.

My grandparents, my great-grandparents, my parents and I have all had to have indigenous ancestors to be recognized by the Canadian government as Indian. However, when it's convenient, they can create Indians like the Algonquins of Ontario through a policy that clearly gives them different rules from what we have to follow. To become an Algonquin of Ontario, you simply have to tie yourself to one of 12 root ancestors who have been identified, dating back to the 16th or 17th century.

There are two different sets of rules in this country when it comes to being first nations. There are those of us who are required to prove our indigenouness through the Indian Act and the rules that apply there, but there's a much lesser standard the government uses in the case of the Algonquins of Ontario because they simply have an end objective they want to achieve.

For me, at the end of the day, if we want to be recognized as first nations or indigenous, we should all have to be recognized under the same rules of the game and not have different rules for different groups and different entities, especially one that has a lesser standard than we have to meet to be considered Indian by the Canadian government.

**The Chair:** Thank you very much, Ms. Idlout.

That concludes the first round of questioning. Given the timing, I am going to abridge the second round. We'll do three minutes for the Conservatives and the Liberals, and then we'll do two minutes for the Bloc and the NDP. That's because we have another panel coming in about 15 minutes.

With that, we'll go to Mr. Shields for three minutes.

**Mr. Martin Shields (Bow River, CPC):** Thank you, Mr. Chair, and thank you for being here, Chief.

I'll quickly go to the structure of the program as it exists now. Loopholes can be found in legislation. Was the joint application a loophole that was taken advantage of? Do you believe how the structure for applying was developed, with the joint application, was a loophole in legislation that led to fraud?

• (1000)

**Chief Lance Haymond:** I don't necessarily think it's a loophole. I think it's one of those elements that may not have been given enough attention. At the end of the day, there need to be opportunities for partnerships when indigenous businesses and individuals do not have all the capacities to take advantage of opportunities.

Absolutely, there has to be an opportunity for us to partner with those who have capacity and experience and who can assist in ensuring that we get a share, but again, we need to ensure rules are in place that clearly define how those partnerships should exist. That needs to happen. If not, the system can be fraught with potential fraud, for sure.

**Mr. Martin Shields:** One of the points the auditor who was involved with this program made was that this was a difficult part of it. They also said the other part was that they were no longer able to identify...and it was turned over to lower-level people in the government, who had no understanding of the program, to ask questions. He believes those two things created a problem for access to the program by those who should have access to it.

**Chief Lance Haymond:** That's probably a relatively fair statement, but a lot of this would be addressed and cleared up if the rules were clearly outlined on the front end of the process to avoid the potential for fraud.

**Mr. Martin Shields:** You explained that the role you believe indigenous people should be involved in is one of identification, and much more at the forefront of it rather than the process we've had before.

**Chief Lance Haymond:** Yes, absolutely. Again, it's really hard for first nation people to take charge and benefit from a process when we've had no input into how it was developed. Most certainly, we feel the impacts when there are shortcomings in a process designed by government. I'm always a firm believer that when it's first nation-developed and first nation-led, when it directly affects us, that's the best way forward.

**Mr. Martin Shields:** To the point of whether one person or one business is taking advantage, or whether it's 1% or 20%, it doesn't matter. If the program is wrong, the program is wrong, and it needs to be changed, as you said, for your indigenous involvement in it.

**Chief Lance Haymond:** Yes.

**Mr. Martin Shields:** Thank you, Mr. Chair.

**The Chair:** Thank you very much, Mr. Shields.

We're going to Mr. Hanley for three minutes.

**Mr. Brendan Hanley (Yukon, Lib.):** Thank you very much, Mr. Chair.

Chief Haymond, thank you so much for appearing. I take note of your comments on being asked to come on very short notice. I realize how much it takes to prepare for a meeting like this, but these are very important questions we are considering.

You're bringing up repeatedly in your testimony and in your answers how important it is to establish indigenous identity, but your focus, I would say, is not so much on the individual but on the entity. You've spoken a lot to the importance of clear criteria for establishing what constitutes an indigenous identity.

I wonder if you can elaborate on what you would consider proper criteria. You've mentioned indigenous participation in that definition, of course, but what specifically should the criteria be for how you constitute and define an indigenous entity?

**Chief Lance Haymond:** I think we have to be fair and realistic given that there is a huge amount of diversity in and among our communities, but absolutely, at the end of the day, clearly we have to have mechanisms to know for certain that a particular business is an indigenous business.

When it's a corporation, it's sometimes easier, because you get to see who the founders are and the members of the corporation. Again, it's about having clear rules and a clear understanding. When it's an individual who owns a company, the rules should be clear: That individual must have a 51% stake in that company, and not just simply on paper.

I think there's work we have to do on our end to validate and ensure that the first nation people who own these businesses are the real owners. That is done through system verification that we develop and design for first nations by first nations. I know that my friends at the NACCA network have been at the forefront of this issue and speaking about what is required. There are a number of possible ways to do it, but it should be left to us to sit down, figure out and decide. It has to be led and developed by first nations.

Given the complexities, I think we need some time to think about what that would look like so as not to penalize any individual communities or first nation individuals' businesses and to ensure that at the end of the day, we do a better job than the federal government has in managing this procurement program since its development.

• (1005)

[*Translation*]

**The Chair:** Thank you very much, Dr. Hanley.

I now give the floor to Mr. Lemire for two minutes.

**Mr. Sébastien Lemire:** Thank you.

Chief Haymond, who is Michel J. Tremblay?

[*English*]

**Chief Lance Haymond:** Michel Tremblay is an individual who, in the early 2000s, started to claim and exercise rights as a member of the Métis Nation of Ontario. He was exercising these rights in the province of Quebec, on our traditional territory, to which we wholeheartedly objected.



Mr. Tremblay was subsequently charged by the provincial government for 47 offences, from trapping without a licence and hunting without a licence to destruction of the territory. He built roads. He built his own pond. He really believed that he had the right to do so, and as in every other court case the Métis have brought forward in Quebec, he tried to prove that as a Métis citizen, he had rights and the ability to exercise those rights in Quebec. The Quebec Court of Appeal rendered a decision and found Mr. Tremblay guilty of all 47 charges.

While that was going on, Canada continued to address, through a number of bills, issues of people who lost their status through modifications to the Indian Act registration, the last one being Bill S-3. With the subsequent proof issues, Mr. Tremblay ultimately went from being a non-indigenous person to becoming a Métis who exercised rights and was convicted. In his testimony, it was clear that he had some linkages to the Algonquin nation. The problem is that non-status individuals like Mr. Tremblay sometimes mistake who they are and who they represent. Ultimately, as time went by and a number of years passed, the improvements changed, and lo and behold, Mr. Tremblay became a card-carrying member of one of the Algonquin communities, Pikwakanagan, which is in Ontario, as a matter of fact.

The situation with Mr. Tremblay highlights one of the major problems we have with the Métis Nation of Ontario. Many of the individuals who claim to be Métis are in fact non-status individuals who have been removed from our communities for generations. It just shows the extent of the mentality and the mindset that folks like Mr. Tremblay get when they acquire or think they have rights, versus how we look at the world and how we exercise rights as real Algonquin people on the territory.

We can talk about this from an economic perspective. What we see is that, while we prioritize the protection of the territory over everything else, groups like MNO and AOO are ready to give up the protection of the territory for contracts.

The best example for us is the Timiskaming dam replacement project. We've been leading the environmental assessment since 2018 on our behalf and that of two other Algonquin communities. We've engaged our communities. We've had many consultations. Four hundred people have come out and have told us that the new dam has to be built on site. It cannot be relocated because it will have huge detrimental impacts on white sturgeon.

The MNO, because they are more interested in pre- and post-monitoring contracts, simply spoke to four of their members. They decided that the best location to build this new bridge is in the spawning bed, because it will create work for them. It will create pre- and post-monitoring work. Plus, they will be responsible for creating the offset. If they destroy the spawning bed, they have to build a new one.

• (1010)

**The Chair:** I'm sorry, Chief. I'll have to interject at this point. We're quite a bit over time. If you want to provide more evidence, please submit it in writing.

We'll go to Ms. Idlout for two minutes.

**Ms. Lori Idlout:** Before you start my two minutes, I want to share my issue with you unilaterally abridging the time. We had one hour with Lance, and cutting my time by even 30 seconds is a big cut for me. I'm sure Mr. Lemire feels the same way.

Knowing that we have extra resources to be here longer, I just wanted to share that really quickly, but I will proceed with asking my question. You can start my time now.

**The Chair:** Please do.

**Ms. Lori Idlout:** Chief Haymond, the indigenous business directory has been a paternalistic process. The Liberals introduced the directory without consulting indigenous peoples first, and Ms. Hajdu said when she appeared before us yesterday that she is working with indigenous peoples on reforming the directory.

How can first nations, Inuit and Métis trust the process to fix a problem that was created by the Liberals in the first place?

**Chief Lance Haymond:** That's a very good question, Madam Idlout. I think you know that the challenge has always been the trust factor when somebody else creates an entity that, at the end of the day, we recognize doesn't work.

I'll go back to my original comments. As you know, the things that the government tends to develop, they do for a specific purpose—a specific reality and an objective they want to achieve. As the shortcomings of the current process have been explicitly highlighted, we should look at this as an opportunity for a reset, rather than having government dictating and telling us what the rules of the game are in federal procurement. Many bright and intelligent first nation citizens have already been before this committee—and others will be coming after me today—and they have spoken to what some of those solutions could be. Those all have to be, as I will mention continually, first nation-developed, first nation-led and first nation-implemented. What that ultimately looks like will be determined once we've had an opportunity to come together, have the discussions and bring forward an option that meets the needs of first nations better than the regime that's currently in place.

Don't get me wrong. I think it's important that we have programs like the procurement set-aside to give advantage to first nation businesses that have been disadvantaged in all other aspects, but we must do so in a way that ensures contracts are going to legitimate first nation individuals and businesses, not to individuals who can claim status on the basis of a policy.

At the end of the day, if you want to determine who is indigenous, first nation, Inuit or Métis, we all need to play by the same rules. Governments should not be in a position to create Indians when it's convenient, as they have done with Algonquins of Ontario. What it does is sets us, the real Algonquins, on the sidelines while Canada negotiates a treaty with, essentially, 7,000 non-indigenous people who were given the right to call themselves Algonquin through a government policy, not through the same standard that I have to follow to be called an Algonquin by the same government.

• (1015)

**The Chair:** Thank you very much, Ms. Idlout.

That will conclude our panel. I want to say a special thank you to Chief Haymond for appearing today.

We are going to briefly suspend right now as we switch over to our next witnesses.

• (1015)

(Pause)

• (1020)

**The Chair:** I want to start by welcoming the witnesses for our next panel.

We have with us, from the ITK, Natan Obed, president, and William David, director of legal services. We also have Leah Ballantyne, as an individual, in person, and by video conference, Brian Doxtator, chief executive officer and principal of Pure Spirit Solutions.

I want to welcome our witnesses for our second panel. You will each have five minutes for opening statements, after which we'll proceed with rounds of questions.

We will start with ITK. The floor is yours.

**Mr. Natan Obed (President, Inuit Tapiriit Kanatami):** *Nakurmiik.*

Good morning—*ulaakut*—everyone. Thank you so much for having me here to present to you this morning.

ITK, Inuit Tapiriit Kanatami, is the national representational organization for the Inuit of Canada. All Inuit in Canada have concluded modern treaties with the government. The Inuit treaty organizations are the Nunatsiavut government, Makivvik, Nunavut Tunngavik Incorporated and the Inuvialuit Regional Corporation. Our homeland, Inuit Nunangat, comprises over 74% of Canada's shoreline and over 36% of Canada's land mass.

I'm surprised to have this opportunity to discuss the barriers to economic development report, a report that included testimony from only two Inuit witnesses and contained no specific recommendations related to Inuit or Inuit Nunangat. In fact, while this report discussed barriers specific to first nations and Métis peoples, it contained only one section for northern and remote communities. This categorization includes Inuit and a range of other indigenous and non-indigenous communities, implying the committee was uninterested in barriers specific to Inuit and Inuit Nunangat. Lumping policy considerations for Inuit into categorizations with all northern and remote communities is precisely the kind of analysis that leads to the challenges that Canada currently faces with indigenous identity fraud in procurement, economic development, academia and the arts.

The barriers and challenges to developing distinctions-based policies, as well as assessing whether or not federal programs benefit Inuit, are among the reasons Inuit and the Crown codeveloped the federal Inuit Nunangat policy. The Inuit Nunangat policy is a core deliverable of the Inuit-Crown partnership committee and contains an entire annex devoted specifically to procurement policy.

The Inuit Nunangat policy identifies the Inuit treaties, the Inuit collective rights holders of Canada, which are Inuit treaty organizations, and Inuit as members of those organizations. In the context of procurement, this is an essential element of the policy because it provides a foundation for the federal government to rely on regarding how Inuit identify Inuit businesses.

Each Inuit treaty organization has already developed definitions of an Inuit business. In some cases, the definition of an Inuit business is related to modern treaty rights. Together, the working group developed a definition for Inuit businesses outside of Inuit Nunangat and is in the process of revising procurement guidance and policies to increase Inuit participation in federal procurement.

Canada is an Arctic state, and Canada's Arctic requires substantial investment to be secure. Expanded procurement opportunities, including defence procurement opportunities, will provide a basis to develop a robust private sector to support Inuit Nunangat.

Canada can no longer indulge the imagination or pretense of those who make claims but are unrecognized by Inuit. Supporting false indigenous people serves to undermine the effectiveness, purpose and objectives of Canada's indigenous policies and programs. In an increasingly dangerous world, indulging in fantasies that support indigenous identity fraud will be used by foreign actors to drive wedges between and among Canadians, undermining our shared national unity.

Inuit interests are Canada's interests within Inuit Nunangat. Our shared interests are our strength, and by working together, we can make Canada a stronger, safer and more secure country.

*Nakurmiik.*

• (1025)

**The Chair:** Thank you very much, President Obed.

Next we'll move to Ms. Ballantyne.

You have five minutes or less for your opening remarks.

**Ms. Leah Ballantyne (Lawyer, As an Individual):** *Kinana'skomitina'wa'w* for inviting me today to speak this the House of Commons standing committee about its second report, entitled "Barriers to Economic Development in Indigenous Communities".

Before I begin, I would like to acknowledge the Anishinabe Algonquin nation and the unceded lands that we now call Ottawa and that we meet upon today. I would also like to acknowledge my colleague and leader Natan Obed, who's beside me, for starting us in our business today.

I extend my gratitude to each and every one of you for being here today. I think it's important to gather together and share stories of the truth of the origin of our friendship and sacred covenants to one another.

*[Witness spoke in Cree]*

[English]

My name is Leah Ballantyne. I am a member of the Mathias Colomb Cree Nation of Pukatawagan and also of the Highrock and Prayer River Ethiniwak in Manitoba. We are signatory to Treaty 6. With the effecting of Treaty 6 in the year 1876, it was entered into as a peace treaty. It was sanctioned by ceremony through the sharing of the peace pipe and the burning of sacred tobacco. The significance of the pipe ceremony is that the governors and commissioners of Treaty 6 accepted the friendship of the tribe.

I will quote from the late treaty commissioner and honourable lieutenant governor of Manitoba, the Northwest Territories and the Keewatin district, Alexander Morris, who in 1876 wrote:

What wonder that the Indian mind was disturbed, and what wonder was it that a Plain chief, as he looked upon the strange wires stretching through his land, exclaimed to his people, "We have done wrong to allow that wire to be placed there, before the Government obtained our leave to do so"....

The government of Canada had, anticipating the probabilities of such a state of affairs, wisely resolved, that contemporaneously with the formal establishment of their rule, there should be formed alliances with the Indians. In 1870 the Parliament of Canada created the requisite machinery for the Government of the Province of Manitoba and of the North-West Territories respectively....

Today, we refer to a report and the work of the Standing Committee on Indigenous and Northern Affairs. In my opinion, this work is an abrogation and derogation of our treaty and sacred covenant, and it casts aspersions on both domestic and international law.

Canada has recognized our treaty rights through section 35 of Canada's Constitution, the supreme law of Canada, which states:

The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

Section 25 further protects section 35 and "ensures that no other provision of the Charter can take away or supersede those rights."

The motion at the heart of this meeting today offends the aboriginal and treaty-protected rights in Canada's Constitution. In our sacred treaty, no word or term such as "indigenous" is used anywhere in any document. Furthermore, there is no shared treaty within our territory with any other aboriginal group named in the Constitution.

The committee document purports to create space for "indigenous communities", but creates confusion and the potential for indigenous identity fraud by introducing ill-defined concepts of eligibility to the group "indigenous" without a true definition of the term.

The term "indigenous" was recently popularized by the dialogue about and adoption of the United Nations Declaration on the Rights of Indigenous Peoples. UNDRIP used the term "indigenous" toward a global audience to encompass first peoples from around the globe inclusively and to uphold minimum standards of basic human rights. The Government of Canada has now adopted this term in deference to a distinction-based approach of aboriginal peoples as defined in Canada's Constitution.

The word "indigenous" derives from the Latin *indigena*, meaning "native" or "sprung from the land". The word is used to describe not only people, but also flora and fauna, which infuses a

sense of wilderness to the name, while disengaging from our important shared history, legal covenants and obligations.

• (1030)

As first nations or *nehiyaw iyiniw*—Indians, as we are referred to in treaties and the Constitution—we have had our lands occupied by settlers. The concept of indigeneity is settler- and colonial-oriented. The word "indigenous" has been exploited as a colonial tool and conduit to bestow identity, inclusion and, purportedly, aboriginal and treaty rights onto a group of ordinary Canadian citizens who do not qualify for such rights.

This is the heart of the issue of indigenous identity fraud. These actions or policies can and must be stopped. In the words of Alexander Morris, "Since 1870...there now remain no Indian nations in the North-West, inside of the fertile belt, who have not been dealt with."

I urge the standing committee to stand down this report. Stand up our constitutional rights, for us and for all Canadians. Any introduction of identity other than what already exists under aboriginal, treaty and inherent rights, which are constitutionally protected rights, would be an abrogation and derogation of our supreme laws and sacred covenants.

*Hay hay. Kinana'skomitina'wa'w.* Thank you for your time and your attention to my statement.

**The Chair:** Thank you very much, Ms. Ballantyne.

We'll move on to our third witness. We'll go to Mr. Doxtator, by video conference.

You have five minutes or less for your opening remarks.

**Mr. Brian Doxtator (Chief Executive Officer and Principal, Pure Spirit Solutions):** Thank you, Mr. Chair.

I want to thank the clerk and all committee members for inviting us today and for prioritizing the important discussion on barriers to indigenous economic development. Economic opportunity is central to advancing reconciliation for past injustices.

My name is Brian Doxtator. I'm a member of the Mohawks of the Bay of Quinte, on Tyendinaga Mohawk territory, and CEO and majority owner of Pure Spirit Solutions Inc., an IT value-added reseller specializing in workplace technology, data centres and audio-visual solutions. I purchased the company in January 2024 after selling my majority share of an Ottawa-based electrical contracting business three years ago.

During due diligence, I identified that Pure Spirit was PSIB-compliant, certified as an indigenous business by the Canadian Council for Indigenous Business and listed in the indigenous business directory. I also found that Pure Spirit had been audited by Indigenous Services Canada in June 2022 for PSIB compliance, with no issues.

While Pure Spirit delivers value through the right products at the right price and time, we're committed to adhering to procurement standards and ethical practices. We're proud of our contributions to the indigenous community, including our support for Focus Forward for Indigenous Youth. This nationally registered charity offers employment and skills development for indigenous youth.

We sponsor an annual bursary and scholarship at Algonquin College for indigenous students in technology, business or marketing and communications programs and provide corporate sponsorship to the Masters Indigenous Games. Additionally, our staff leads fundraising activities for the Moose Hide Campaign, raising awareness to combat gender-based violence.

Though my electrical contracting business was majority indigenous-owned and I explored certification in 2014, I decided not to pursue it due to the complexity of the certification process and the resources required to engage in the federal government procurement process at that time. While there's been some clarity since then, we believe that significant barriers still remain for indigenous businesses to participate in federal government procurement activities.

Many federal procurement vehicles are highly technical, requiring specific skills to interpret and prepare bids that comply with specifications. To compete, companies must invest in attracting and retaining the necessary talent and administrative resources. While we understand the need for efficient procurement, the lowest-priced bid mentality often leaves indigenous businesses struggling. Even when successful, profit margins are thin. Perhaps weighing factors other than the lowest possible price could ease this barrier.

Another challenge for some indigenous businesses is access to reliable high-speed Internet. This has become more important since the pandemic, which has increased the need for remote work specifically to attract staff from rural and northern communities. Efforts to improve Internet access are under way, but demand certainly exceeds the available capacity.

We agree with strengthening the indigenous business verification process and enforcing penalties for non-compliance. Codeveloping procurement policies between indigenous businesses and federal agencies could help to address current barriers.

Pure Spirit is committed to ethical leadership and advancing indigenous economic empowerment. As we grow, we aim to provide more employment and career development opportunities for the indigenous community. Nearly 40% of our staff are indigenous, and we plan to increase that. Growth will allow us to support a wider variety of indigenous initiatives, further strengthening our country. This was my vision when purchasing Pure Spirit, and it remains our path forward.

I thank you again for the opportunity to speak today, and I hope the deliberations will result in enforceable recommendations to address the issues raised. I'd be pleased to answer any questions.

• (1035)

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

We will move into our first round of questions, a six-minute round, starting with Mr. Genuis.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Thank you to all our witnesses.

Mr. Doxtator, you said that you're the majority owner of Pure Spirit. Could you tell us who the minority owners are?

**Mr. Brian Doxtator:** The minority owners are David and Coreen Bouchard.

• (1040)

**Mr. Garnett Genuis:** Could you tell us about the relationship between Pure Spirit and PureLogicIT, another IT company?

**Mr. Brian Doxtator:** PureLogicIT is a company that's wholly owned by David and Coreen Bouchard. They are the minority owners of my business and they have their own IT business.

**Mr. Garnett Genuis:** You have the same address as PureLogicIT. Is that correct? You operate out of the same suite in the same building.

**Mr. Brian Doxtator:** We operate in the same building. We rent a portion of the ground floor of this building from PureLogicIT.

**Mr. Garnett Genuis:** Both your addresses are listed online as being at suite 200, though.

**Mr. Brian Doxtator:** We have common reception. We're a small company. We can't afford to have a receptionist, so we use a common reception to accept packages or accept mail and then deliver it to our suite.

**Mr. Garnett Genuis:** It's interesting that you describe yourself as a small company, because you've gotten over \$200 million in contracts from the federal government.

I looked at the websites for these two companies located at the same location, PureLogicIT and Pure Spirit. I noticed that the leadership team of PureLogicIT is Coreen and David Bouchard. The leadership team at Pure Spirit is also Coreen and David Bouchard, plus you. Are Coreen and David Bouchard indigenous?

**Mr. Brian Doxtator:** No, they are not.

**Mr. Garnett Genuis:** The principal contact for contracts for the government, as listed online for Pure Spirit, is Coreen Bouchard.

Mr. Doxtator, is that it looks like these two individuals who own one IT company, who are not indigenous, set up another IT company that shares a reception with and operates out of the same location as you but is able to identify as indigenous because you've become a partner in this company. It is effectively operating in lock-step, effectively as one company. Is that a fair assessment?

**Mr. Brian Doxtator:** I don't believe so.

I purchased my share of the company in January 2024. It was owned by another indigenous person—I purchased it from them—who started the company I think in 2014 or thereabouts—

**Mr. Garnett Genuis:** What does Pure Spirit do that's different from what PureLogicIT does?

**Mr. Brian Doxtator:** Pure Spirit is strictly an IT reseller. We take specifications on public tenders for equipment. We purchase equipment from suppliers that we have relationships with. It can be HP, Lenovo, GTAC. We supply that equipment. We don't do services. We don't do any subcontracting. Effectively, we buy equipment and sell to the government.

**Mr. Garnett Genuis:** You're a reseller. Would you say the process of reselling sometimes benefits PureLogicIT? Are you reselling goods or services from PureLogicIT?

**Mr. Brian Doxtator:** No, we are not.

**Mr. Garnett Genuis:** Not ever, even though you share the same suite number.

**Mr. Brian Doxtator:** No, we're not selling any services from PureLogicIT.

**Mr. Garnett Genuis:** By the way, I'm not suggesting that you've in any way broken any rules. This maybe raises some questions about the structures that exist. You have two people who run one IT company, and they were involved in starting another IT company that's indigenous-owned at the same location. It's not obvious to me how these companies, outside of the provisions for set-asides, would operate as two separate companies.

I looked again at the website for PureLogicIT, and I can see that in the background of the photos of Coreen and David Bouchard, the Pure Spirit logo is visible, which suggests that these companies are completely joined at the hip. You wouldn't normally stand in front of the logo of a different company for your photo on another company's website. Does that seem a bit odd to you?

• (1045)

**Mr. Brian Doxtator:** I'm not sure whether they have used common pictures between websites or not.

**Mr. Garnett Genuis:** It's just that this is not a small company. Pure Spirit got over \$200 million in contracts, and it's likely that being able to identify as indigenous-owned was helpful in that. However, two non-indigenous people who own a substantial minority stake in that company also own another IT company at the same location.

I think Canadians would find this odd. Don't you?

**The Chair:** I'm sorry, Mr. Doxtator. Could you provide just a brief response? We're over time.

**Mr. Brian Doxtator:** I don't think it's odd for any indigenous business to start with partners who have capital to help them.

That \$200 million was over I don't know how many years. I bought the company in January this year, but I don't know how many years that was over.

I know from our business this year that the margins are very thin. We're working on less than a 5% gross profit margin to support the organization. In order to start up, one of the barriers is access to capital, which drives a lot of indigenous entrepreneurs to partner with others who have capital.

**The Chair:** Thank you very much, Mr. Genuis.

We're moving now to Mr. Hanley for six minutes.

**Mr. Brendan Hanley:** Thank you to all of our witnesses for appearing.

Mr. Obed, I'll begin with you. It's really good to see you here.

There have been some really significant events for Inuit Nunangat lately. An interesting one, which I attended just yesterday, was the celebration for Yukon University becoming the 97th university addition to Universities Canada, a really big deal for a northern university, the first university north of 60. At that event, they reflected on the recent announcement of steps towards having an Inuit Nunangat university.

I am interested in what it means to have a post-secondary institution based in Nunavut, not just for reconciliation, but also for economic reconciliation and for indigenous opportunities. I wonder if you could comment on that.

**Mr. Natan Obed:** It was a wonderful milestone last week. We announced at 100 Wellington that we were well along the path towards having an Inuit Nunangat university. We hope to open the doors to the first cohort of students in 2030. We certainly have a long way to go between now and then.

In our imagination of the university, it will be a particular opportunity for a particular type of student. The institution will be Inuit-led. There will be a focus on Inuit society and culture, and there will be a holistic nature to delivering a post-secondary educational program.

We understand that graduates, no matter if they go to law school, are doing a Bachelor of Education for teachers or are in a nursing program.... Inuit across Inuit Nunangat have used their degrees to do any number of different things: go into politics, as Ms. Idlout did; start their own businesses; or contribute to their communities in many different ways. We hope that graduates will have a foundation that spans from community-based interests to social interests and economic interests.

We know that the natural resource sector is a large component of the Inuit Nunangat economy. We also know that we want to grow small businesses and grow private entrepreneurship. We have tremendous artists who want to be business people as well. We hope this university can provide a much greater foundation for success in whatever the graduates want to do, but specifically within Inuit Nunangat.

**Mr. Brendan Hanley:** The other recent significant event was Minister Joly's announcement of the new codeveloped Arctic foreign policy last Friday. You spoke at that event. I was pleased to witness it.

We saw some rather disparaging remarks from the leader of the official opposition, who likened having a diplomatic presence in the north to having a diplomat speak to Santa Claus, which seemed to be a gross oversight of the need for that presence. You spoke very well to that.

I wonder if you could talk about the importance of a diplomatic presence in the circumpolar north and about the presence of ambassadors, which go over and above just the defence aspects. We're talking about Arctic security and Arctic sovereignty and about how important it is to have a diplomatic presence in addition to a defence presence.

• (1050)

**Mr. Natan Obed:** I understand that in partisan politics, there are jabs at either side and you make hay with whatever it is in the moment. I don't want to weigh in on the cacophony of noise within that space, but as our Arctic space is so misunderstood, or not understood at all, I see an opportunity to talk about the complexity of it.

We have foundational partners, as in nation-states, especially Denmark and the United States, which share our borders on the east and west within the Arctic, and we have diplomacy with those nation-states and all other Arctic states, whether they be Nordic states or the other European countries that do a lot of business within the Arctic. It's imperative for us to have strong relationships and strong ties with them.

As a country, as we consider the implementation of the United Nations Declaration on the Rights of Indigenous Peoples and the mobility of indigenous peoples between nation-states where there are constructed borders that were not our own, it's important to have consulates and diplomacy between nation-states. That allows for the increased mobility of humans and the ability for us to build economic strength together from an east-to-west connection across Inuit Nunaat, or the Inuit homeland, rather than having an explicitly north-to-south environment.

There are many reasons for us—outside of the very obvious reasons of Arctic security and defence—to have very strong ties with our allies. They expect that of us, of the country, and we as Inuit expect it of our nation-state as well.

**The Chair:** Thank you very much, Mr. Hanley.

[*Translation*]

Mr. Lemire, you have the floor for six minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Mr. Obed, you were already denouncing Inuit identity fraud by Métis groups in 2021.

What are the consequences of the government's inaction on this issue for your communities?

[*English*]

**Mr. Natan Obed:** There are many different threats to the space that Inuit have carved out with Canada as a nation-state, and we've worked over the past 50 to 60 years to create, to negotiate, agreements with Canada through modern treaties. All of those processes took generations of work and were exhaustive, but we have now settled treaties among all Inuit Nunangat regions. The idea that there are new Inuit collectives that only became Inuit collectives in 2012, and that previously there were Métis collectives that were only Métis collectives starting in 1984, threatens the security and foundation of our relationship with Canada and our relationship with provinces and territories.

Just like when businesses talk about the security they need to do business and the risk aversion they have toward going into unsettled spaces, we need security to ensure that in the deals we make with this country and in the space we have for supporting health care, education, language and economic development, there aren't always going to be new players that didn't go through the same process we did and don't have the same support.

The Assembly of First Nations, the Métis National Council and Inuit Tapiriit Kanatimi have all said that they do not recognize the NCC as an Inuit collective, and the MNC has never recognized the former Métis group in Labrador as Métis. The Government of Canada is going in contrast to the express decisions of constitutionally recognized indigenous peoples—all section 35 rights-holding peoples—and it is a really frustrating thing to have to expend our time and energy on trying to fight these newly indigenous peoples in the very same space that we've carved out over 60 years.

• (1055)

[*Translation*]

**Mr. Sébastien Lemire:** Currently, the Canadian Council for Aboriginal Business, or CCAB, gives us the impression that it is going beyond its initial mandate by acting as a direct competitor to indigenous organizations, such as the National Aboriginal Capital Corporations Association, or NACCA.

Why is CCAB involved in this conversation? It boggles the mind. Despite our intervention yesterday, the government seems to be turning a deaf ear.

Is CCAB an indigenous organization, in your opinion? Do you know of any companies that hover around the government and serve as advisers to the government on procurement program reform?

[English]

**Mr. Natan Obed:** The preferred way that Inuit Tapiriit Kanatami wishes to have a relationship with the Government of Canada is directly with the Government of Canada. Whether it's our Inuit treaty organizations in each of our four treaty jurisdictions, or at the national level through ITK, or at the international level through the Inuit Circumpolar Council of Canada, for the express clarity of all governments and all Canadians, we hold those responsibilities, as do our Inuit treaty organizations.

Our understanding is that the CCIB does not have Inuit as part of its governance. No matter if it did or didn't, it is not a democratically functional Inuit institution. Therefore, the Government of Canada should treat it like it does many other NGOs or any other organizations that have been created for a specific champion or a specific purpose, but in no official capacity and no rights-holding capacity whatsoever. They're fundamentally different things. When you go to Alberta, do you talk to the Alberta government or do you talk to a group of people who've mobilized in Alberta who say that they want to talk to you?

The Government of Canada very clearly understands the rules in provinces and territories, but with indigenous peoples, sometimes it very clearly does not abide by the same structures it does for other governments.

[Translation]

**Mr. Sébastien Lemire:** What solution should be put in place to counter other people using fraudulently your identity?

[English]

**Mr. Natan Obed:** We've been working with this government on the implementation of the Inuit Nunangat policy. We're hoping for more certainty on that policy, which was adopted by the Government of Canada in April of 2022. It clearly defines who Inuit in Canada are. It also clearly excludes any new Inuit collectives that are not a part of Inuit Nunangat.

We hope that the Government of Canada in all of its business will uphold the Inuit Nunangat policy and also the definition of Inuit, as described by Inuit, through Inuit Tapiriit Kanatami. We are the national expression of Inuit democracy in this country. I've championed that as a diplomat to all of you that the Government of Canada respect that.

[Translation]

**The Chair:** Thank you very much, Mr. Lemire.

[English]

Next we'll go to Ms. Idlout for six minutes, please.

**Ms. Lori Idlout:** *Qujannamiik, Iksivautaq.* Thank you, Chair.

Thank you to the witnesses for appearing.

I want to respond very quickly to your criticism about having only two Inuit witnesses at the beginning. Rightly so, but from the committee's perspective, we did invite other Inuit to appear who didn't. We did make attempts. My thanks to Andy Morehouse from Makivvik and to Nunasi Corporation for appearing. We were able to get at least some voices in there.

I wanted to ask questions about the CCIB. From what you're aware, is CCIB an organization led by rights holders?

• (1100)

**Mr. Natan Obed:** I can't speak to first nations or Métis, but for Inuit, no. We do have rights-holding relationships with certain partners, where Inuit, through Inuit Tapiriit Kanatami, identify individual Inuit who will be appointed to serve Inuit interests in other bodies. In the CCIB case, no, we don't have that relationship with them.

**Ms. Lori Idlout:** Do you think there are problems with the federal government using CCIB to lead the indigenous procurement reform?

**Mr. Natan Obed:** We think the federal government is best suited to lead that reform. We hope the federal government will solemnly undertake the duties for implementation of its programs, policies and legislation, as it does with any host of different policy areas and files.

Sometimes with indigenous-specific files, the government gets quite worried about the ability to implement and enforce, but for us, for Inuit, we are quite pleased when the government takes that obligation. It shows that it cares about its relationship with us to actually do the hard work of administration and of compliance. Recourse and remedy for anyone who does not comply with Canadian government policy is much easier through federal processes than through outsourced third party processes. We would like the strength of Canada in the enforcement of these particular initiatives.

**Ms. Lori Idlout:** Thank you so much.

I know that, as a national indigenous organization for Inuit, you've had opportunities to work as well with AFN and with the Métis National Council. I'm aware, for example, that the AFN, at their 45th AGM, passed a resolution to have a first nations-led procurement organization. Does ITK have any similar resolutions to that effect?

**Mr. Natan Obed:** We're fortunate that, within each one of our treaty organizations, in many cases, there are land claim implementation processes that have allowed for official Inuit businesses to have registries and to have opportunities within their jurisdictions. At the national level, we have our Inuit economic development body that hopefully will be able to mobilize in the national space as well, but we have such a strong foundation that we can clearly use at the national level for any sorts of economic development opportunities or procurement opportunities. However, we have not, at ITK, passed a resolution that has created a specific administrative body for that.

**Ms. Lori Idlout:** Okay, thank you so much.

You've mentioned the problems with the new Inuit collective, and I'm aware that this newly created Inuit collective has been getting funding from the federal government. I wonder what your view is on the federal government funding the newly created Inuit collective as an indigenous organization. Do you think that is against reconciliation?

**Mr. Natan Obed:** That's a very important question. The self-determination of indigenous peoples and the idea of who indigenous peoples are in this country have not been exclusively the domain of first nations, Inuit and Métis. The federal government has played an essential role in negotiating with us on the beneficiary provisions within our land claim agreements, so the issue of who are a part of the Inuit collective is an expression of not just Inuit self-determination, but also partnership with the country.

**Ms. Lori Idlout:** I'm so sorry to interrupt you, but I have such limited time.

**Mr. Natan Obed:** I'm sorry.

**Ms. Lori Idlout:** Do you think that it's against reconciliation when the federal government funds organizations such as indigenous organizations of this newly created Inuit collective?

• (1105)

**Mr. Natan Obed:** I think it greatly impedes reconciliation.

**Ms. Lori Idlout:** Okay. Thank you.

**The Chair:** Thank you very much, Ms. Idlout.

Given the timing, we're going to have a shortened second round. We'll have two and a half minutes for all four parties here. We will start with Mr. Shields.

You have two and a half minutes.

**Mr. Martin Shields:** Thank you, Mr. Chair, and thank you to the witnesses for being here today.

It's interesting that, after nine years, if it were so important to him to appoint an ambassador for the north why it took him nine years to do it.

For Pure Spirit Solutions, you had 112 contracts in 2024. That's quite a few.

I would really like to address my questions to Leah Ballantyne.

We have an MP from Edmonton who has been discredited for his claim of being Métis. We have another one, the member for Nickel Belt, who has used it, but the Algonquins of Ontario have discredited him. We also have a Liberal candidate in Vancouver running for election, who claimed it and was discredited.

Why would people risk their political reputation? What are they doing to claim this indigenous status? Why? I know that you're researching this and that you do this. This is what you do.

**Ms. Leah Ballantyne:** There are gaps in the term “indigenous”, so there's room there for identity fraud to happen, and there are benefits to claiming that identity. Obviously—with the standing committee here—the economic procurement strategy is a great benefit if someone can get their company listed on that registry. That is one benefit, but we've seen other identity frauds in education and in the arts. Specifically, in education, there are people who have advanced their entire careers to become doctoral or Ph.D. candidates under the guise of indigenous identity fraud. The heart of the problem really lies in term “indigenous” having kind of been a catch-all phrase for everyone. The other issue with it is that “Métis” is not defined. In fact, I beg to ask this committee where the definition of “Métis” is; I don't see it. I also see in recommendations 25 and 26 that the Métis get put on the same level as the first nations and Inu-

it, the three partners under section 35. Not having that legal definition of “Métis” is highly problematic, and it's a deep problem.

Question were previously asked about the Assembly of First Nations. I couldn't even say that the governance structure of the AFN would be the same as that of the organization of my friend here—who is running a proper governance structure under ITK—because the AFN is actually a non-profit organization that might speak to the rights of first nation holders if they choose to enter that avenue. It gets really convoluted right from there, and you have Métis organizations that are non-profit entities or societies under the Societies Act that purport to hand out rights to ordinary Canadian citizens who may choose to seek an accolade or a benefit from claiming that identity. That is the heart of the fraud, and that's what needs to stop at this committee level. If that definition of “Métis” were further defined, I don't think we would have the issue we have right now. A lot of it also has to do with self-identification. Without a proper definition of “Métis”, this problem is going to run rampant until it's resolved.

**The Chair:** Thank you.

I'm sorry. I have to jump in here, but thank you very much, Mr. Shields.

Next we'll be moving to Mr. McLeod for two and a half minutes.

**Mr. Michael McLeod (Northwest Territories, Lib.):** Thank you, Mr. Chair.

Thank you to our witnesses. I really appreciate your coming to speak to us today.

It's a very important issue that we're discussing today. The fiscal reality in the north with our indigenous governments is, at times, very bleak. We have 15 tables where negotiations are going on, and self-governance and land claims are what people are trying to achieve. Up to 2015, the government of the day—the Conservative governments—only wanted to use own-source revenue to fund the indigenous governments. Once they achieve self-governance and are attempting to be shoulder-to-shoulder with other governments, indigenous governments still have to find a way to pay for the governance—for their people, for their staff, for offices, for everything. That changed in 2015. We started looking at self-government fiscal policies that will fund governments properly. We've introduced a 5% minimum procurement, which I don't think the Conservatives support, and at some point, they will probably cut it if the government changes. It's really important that we recognize that today we're talking about a fiscal tool that indigenous governments will use. Procurement is part of many different sources that they'll need because there's no one source that will finance a government properly.



Maybe I'll start with you, Natan. Could you talk about the government's position in procurement and whether there needs to be more done so that indigenous governments can move forward? I know we talked about all kinds of problems with the process that people are identifying, but what do we need? This is an opportunity to talk about economic development in our communities, so I'd like to hear your recommendations.

• (1110)

**Mr. Natan Obed:** Thanks for that.

I think we are well on our way in some areas, but the barriers still remain for infrastructure, for connectivity and also for expansive policies that enable, in our case, for ITK, our Inuit businesses to succeed. We are also in a new frontier for intellectual property, and the consideration for how we can protect Inuit intellectual property and things specific to Inuit society, culture and business moving forward is a point of great concern for us.

We hope to also get this certainty that I talked about earlier, where we can just dive right ahead and know that we are not competing against other actors that have no business being in the space that we are, especially if we want to meet that 5% target. We understand, especially for defence spending, that there's going to be a lot of money put into Inuit Nunangat in the Arctic. We want our Inuit businesses to be right there to provide great services and to have access to those particular opportunities for the good of our communities and the good of Inuit in general.

**The Chair:** Thank you very much, Mr. McLeod.

[Translation]

We will now go to Mr. Lemire for two and a half minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

My question is for Ms. Ballantyne.

In a number of programs, the government requires self-reporting. It never questions the indigenous identity of the applicants.

Should this practice continue? Should certain guidelines be put in place in partnership with the first nations, recognized Métis and Inuit?

[English]

**Ms. Leah Ballantyne:** I think that part of the issue—really, the heart of it—comes to an issue of governance. When you're dealing directly with rights holders, that is a good thing. You're going to get the proper identification when dealing directly with communities such as the one that I come from. We have a treaty.

If we're relying on other organizations that the Métis fall under, or even the Assembly of First Nations, again, these are non-profit entities or societies created under the Societies Act. They're not built as true governance structures vis-à-vis a third order of government that was likely envisioned under section 35.

Claiming this identity is still going to be an issue until the governance issue is resolved. I think that in the meantime the government could put a full stop to having the ticky box, self-checking, self-identity part of the process for this procurement strategy or, indeed, for any academic or any other institution within the country.

[Translation]

**Mr. Sébastien Lemire:** Some situations arise, particularly in Quebec.

In my riding, a community claims to be indigenous, but it has no rights. It will receive funding from Canadian Heritage to carry out reconciliation-related activities, simply because its members have self-identified as indigenous. However, they do not have to prove their legal legitimacy.

In addition, indigenous communities lack funding to organize their powwows.

Is it not an imbalance or a misuse of public funds, in your opinion?

• (1115)

[English]

**Ms. Leah Ballantyne:** I think any funding to any organization that self-identifies without any proof or evidence needs to be stopped immediately. Again, the use of non-profits or societies to purport that right onto otherwise ordinary Canadian citizens needs to stop—full stop.

[Translation]

**Mr. Sébastien Lemire:** Thank you.

**The Chair:** Thank you very much, Mr. Lemire.

[English]

Our last questioner for this panel will be Ms. Idlout.

You have two and a half minutes.

**Ms. Lori Idlout:** *Qujannamiik, Iksivautaq.*

I must say, Ms. Ballantyne, that I think what you just stated also applies to corporations, and not just non-profits.

I'd like to ask Natan another couple of questions.

In my view, the Liberals' weak responses to addressing pretendians, including the newly created Inuit collective, is resulting in economic barriers for Inuit. In your perspective, what can the Liberals do more decisively to reconcile with Inuit from Inuit Nunangat?

**Mr. Natan Obed:** Inuit have written to the Prime Minister and have asked him to ensure that the Government of Canada does not recognize NCC as an Inuit collective and does not fund NCC for any Inuit-specific programs or services. We know that there is a fixed amount of money for the equity we are seeking and the implementation of our rights. We are worried that we are not able to get to equity quickly enough because of the funds that are mistakenly used for indigenous peoples who have no standing.

**Ms. Lori Idlout:** What does it mean to you that the Prime Minister is not listening to you and that they are continuing to fund that collective?

**Mr. Natan Obed:** I do wonder why it's so difficult, especially when Inuit very clearly, through our self-determining process, have come forward as the national Inuit collective and have firmly given the Prime Minister a clear, articulated reason as to why the Government of Canada should not legitimize this particular fraudulent Inuit collective. It confuses me.

**Ms. Lori Idlout:** Thank you.

That's it, Mr. Chair.

**The Chair:** Thank you very much, Ms. Idlout.

That concludes our panel.

I want to thank our witnesses for being here today. Thank you for your testimony. If there is anything else you would like to submit that you weren't able to get to, please do so in writing at your earliest convenience.

With that, we will suspend very briefly while we change over to our next panel.

• (1115) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1125)

**The Chair:** I call the meeting back to order.

I'd like to welcome our witnesses for the next panel.

Joining us in person, we have Mr. Darryl Leroux, an associate professor at the University of Ottawa. By video conference, we have Lorne Pelletier, senior economic adviser to the president of the Manitoba Métis Federation.

We'll go to opening remarks, starting with Mr. Leroux.

You have five minutes. The floor is yours.

**Mr. Darryl Leroux (Associate Professor, University of Ottawa, As an Individual):** Thank you.

Thank you for the invitation.

Research suggests that indigenous identity fraud has been on the rise for the past 20 years. There is a consensus among scholars who study the phenomenon that the Supreme Court of Canada's 2003 Powley decision empowered French Canadian individuals to shift their identities, especially to such eastern Métis variants as Acadian Métis, Mi'kmaq Métis, Quebec Métis and Algonquin Métis.

It is important to note that about 10 million Canadians have a tiny fraction of indigenous ancestry going back to a handful of indigenous women born in New France before 1650. I am among those Canadians, as is Céline Dion, Mario Lemieux, Maurice Richard, Quebec Premier François Legault and Prime Minister Justin Trudeau. Overall, about 75% of French Canadian or Québécois persons share that genealogical profile. There's nothing unique about it.

Since the mid to late 2000s, tens of thousands of individuals and dozens of organizations have emerged to argue that they are Métis

under section 35 of the Constitution Act, 1982. However, in so doing, they misinterpret the Powley decision, which clearly stated that indigenous ancestry on its own does not mean one is aboriginal under the Constitution. The eastern Métis movement has gone on to lose nearly 125 separate court cases in Quebec, Ontario, New Brunswick and Nova Scotia—most of them since 2018—in which individuals and/or their organizations have sought legal recognition as distinct Métis people under the Constitution. Of the dozens of judges who have heard these cases, including several on provincial courts of appeal, all found that the individuals before them didn't meet the Powley test—without exception.

Despite repeated failure in the courts; continued opposition to their claims by the federal and all provincial governments, for the most part; and widespread opposition by first nations and, as we heard earlier, the Inuit, these false claims to indigenous identity continue to be taken at face value by such public institutions as universities, research and arts funding agencies, school boards, and the federal public service, where self-identification is the norm. There are currently thousands of white Canadians employed as so-called indigenous people, often hired with funding for reconciliation. Billions of dollars in salaries, grant funding and business procurement earmarked for indigenous individuals disappear into the coffers of white Canadians every year.

After extensive conversation with indigenous employee groups at several federal ministries or agencies, I believe no more than a third of employees in positions reserved for or with preference for an indigenous employee are indigenous. This is in the federal public service. Efforts by actual indigenous employees to advocate for a clear policy on indigenous identity fraud have been repeatedly thwarted over the past decade, as these whistle-blowers face the reality that indigenous identity fraudsters run their departments and/or agencies.

As an illustrative example, the federal government continues to provide millions of dollars in annual funding to the Native Alliance of Quebec for housing and other initiatives, even though the alliance long ago ceased to represent indigenous people. Repeated media reports, complaints filed by indigenous organizations and scholarly material have all clearly explained what is happening. A recent court case, *Alliance autochtone du Québec c. Procureur général du Québec*—the decision came out just a few months ago—even confirmed that its lax membership criteria ensures that the NAQ doesn't represent indigenous people. Nonetheless, Indigenous Services Canada continues to fund indigenous social housing in the province of Quebec that mostly goes to white individuals. Thus, it is no surprise that these types of systemic problems exist in the federal government's procurement policies for indigenous businesses, as the Canadian government has refused to address this issue head-on.

This past summer, representatives of a first nation in Quebec brought the case of the Canadian Council for Indigenous Business to my attention. The CCIB has provided accreditation to over 25,000 indigenous businesses. It recently collaborated with Indigenous Services Canada to produce the report entitled “Untapped Potential: A Case Study of Indigenous Economic Development Corporation Capacity in Federal Procurement”. But the CCIB's criteria for determining if a business is indigenous are sufficiently broad to include thousands of businesses with no connection to an indigenous person. I actually wrote them about this in April and gave them detailed reasoning as to why their criteria includes non-indigenous businesses. They never responded. As such, their accreditation program is a main vehicle through which individuals involved in indigenous identity fraud have been legitimizing their claims.

• (1130)

The solution to Canadians stealing resources set aside for indigenous peoples and communities is for the federal government to lead the way and adopt a clear policy on indigenous identity fraud that is inclusive of those who have been disconnected from their communities due to policies and laws such as the Indian Act, residential schools and the sixties scoop, while also being exclusive of those whose claim is otherwise rejected by the courts, governments and first nations in their respective territories.

The days when self-identification was a sufficient measure of indigeneity have passed as Canadians continue to demonstrate the extent to which they are willing to go to continue to steal opportunities from indigenous people.

Thank you.

**The Chair:** Thank you very much, Mr. Leroux.

Next we'll go to Mr. Pelletier.

You have five minutes for your opening remarks.

**Mr. Lorne Pelletier (Senior Economic Advisor to the President, Manitoba Métis Federation):** Thank you, Mr. Chair.

Thank you to the committee for the invitation.

My name is Lorne Pelletier. I am senior economic adviser to President David Chartrand of the Manitoba Métis Federation. I'm joining you from the heart of our homeland in Winnipeg, Manitoba.

As the committee knows, the Red River Métis are a recognized aboriginal people under section 35 of the Canadian Constitution. Our people were and continue to be Canada's partner in Confederation. Our people have always been known for our hard work ethic and entrepreneurship, going back to the days of our buffalo hunts.

The Manitoba Métis Federation is the national government of our people, as outlined in the MMF constitution, which includes our definition for citizenship. It is reflected in our democratic processes, and it's acknowledged through the Red River Métis Self-Government Recognition and Implementation Treaty that we signed with Canada just 10 days ago.

I'd like to begin my opening remarks by commending the Government of Canada for introducing the 5% indigenous procurement mandate in 2021. The policy reflects true and tangible indigenous

reconciliation and has the potential to advance the economic participation of Red River Métis in meaningful ways.

While the policy is a good one, the committee is aware of the issues and barriers in its administration and delivery. Our Red River Métis businesses continue to face some of those barriers to participation in Canada's indigenous procurement. I would suggest to the committee that the Manitoba Métis Federation is prepared and ready to be part of the solution.

In her appearance at committee yesterday, the Honourable Patty Hajdu, in response to a question, spoke to the engagement with various indigenous entities over the past year regarding the transformative indigenous procurement strategy and, based on her response to the committee, she will be providing a written list of those entities. You will find the Manitoba Métis Federation on that list. We have been a positive and constructive contributor to the discussion. In fact, when we have presented on our work at the co-development table, I humbly suggest to the committee that what the MMF is doing and what we've been sharing is seen in many respects as the leading practice in the country.

The committee may not be aware, but the Manitoba Métis Federation has its own established Red River Métis business registry and an online Red River Métis business directory that is administered by our Louis Riel Capital Corporation, the Manitoba Métis Federation's indigenous financial institution.

Our Red River Métis business directory currently has 776 registered Red River Métis businesses. For perspective, that is the equivalent to over 25% of the federal indigenous business directory, yet less than 5% of our businesses are listed on the federal IBD.

To register on our directory, businesses have to go through a verification of a majority ownership process administered by the Louis Riel Capital Corporation. For the committee's awareness, the Louis Riel Capital Corporation just celebrated its 32nd anniversary of serving Red River Métis businesses and entrepreneurs.

Through our process, the Red River Métis business owners are equally validated for their citizenship with the Manitoba Métis Federation's citizenship registry, which is administered by the MMF central registry office. In essence, each one of our businesses is verified for majority Red River Métis ownership, and the owner or owners are validated as Red River Métis.

The issue at present is that our directory is not currently recognized as a valid source for confirmation of an indigenous business under the current system. As a result, any contract established between Canada or one of its prime contractors looking to subcontract with a Red River Métis business does not count against the federal department's 5% requirement. The effect is that our Red River Métis businesses are disregarded, not given the opportunity or encouraged to register on the federal indigenous business directory.

The IBD registration, for your awareness, can be onerous, but more than that, our businesses are already registered with our own government business directory. It is a matter of principle and acts of self-determination and self-government that have driven our intensive work with our own business directory.

On behalf of President Chartrand and our government, I would ask that the committee give strong consideration to our Red River Métis business directory being recognized as a legitimate source for indigenous procurement.

• (1135)

Considering our Red River Métis business registry as a source for federal procurement would contribute to the efforts of federal departments in meeting their mandatory requirements and would, without question, be a tangible act of reconciliation, and it would absolutely result in increased Red River Métis participation in our economy.

Thank you again for the invitation.

**The Chair:** Thank you very much, Mr. Pelletier, and I also want to thank you for your flexibility in timing today as well. It's much appreciated

With that, we are going to our first round of questions, the six-minute round, starting with Mr. Shields.

**Mr. Martin Shields:** Thank you, Mr. Chair.

Thank you to the witnesses for being here today.

I find it very interesting when we talk about self-identification. There was a frontiersman in the northwest United States—Colorado and Wyoming—by the name of Kit Carson. His wife was indigenous. He's in my family tree, but I would never have considered claiming that as self-identification. Yet we have MPs—the member for Edmonton Centre and the member for Nickel Belt—and have a Liberal candidate in Vancouver, who have used this and have been discredited.

We've also heard, from a prior witness, how this has occurred in many other parts of our country and in many different organizations. This is a great risk, in my mind, to your character and to your reputation. What is the attraction? What has the government and their bureaucracy developed in their policies that draws people to want to do this? You've done a lot of research. Why are people doing this?

• (1140)

**Mr. Darryl Leroux:** Thank you.

I think there are many reasons. There's not just one reason. There are a number of social reasons that help to explain. There's a certain way in which individuals, in particular, are looking for some

sense of belonging. Post the major changes that occurred in the 1950s and 1960s with civil rights movements and with other movements against racism and colonialism, what you see is that white Americans and white Canadians want to distance themselves from being white. They want to somehow evade either responsibility or guilt for some of the historical and contemporary ways in which racism is experienced by indigenous peoples and by other racialized people.

I think that's part of it. As part of that movement, you see that there's a valorization for what are called “ethnic minority groups”. In the United States and in Canada, you see Italian Canadians and Italian Americans, Irish Canadians and Irish Americans, Scottish...etc., who start to value their particular ethnic identity in order to move away from being seen as simply white. That's part of the story. There's a way in which white Canadians no longer want to be understood as white, and one way to do that is to rely on ancestry from a long time ago.

I also think it's part of this process of what we call “settler colonialism”, which really seeks to eliminate, in different ways, indigenous peoples from the landscape, whether that's through assimilation or through other policies that especially aim to render indigenous political entities as simply cultural organizations that the state or the Crown has no responsibility towards. There's this idea, generally, that circulates—and I think one of my colleagues, Kim TallBear, has written extensively about—that indigenous peoples will disappear one day, and this is part of that disappearing act. If all Canadians or millions of Canadians who were not indigenous suddenly claimed to be indigenous and were accepted as such, what would happen to actual indigenous people?

I think that's also part of what's going on—this larger movement. Maybe I'll just leave it at that. I don't think it's just a question of people doing this for financial gain; although, that is certainly part of it in some cases. There are other reasons as well.

**Mr. Martin Shields:** In this particular case, as we study it, we find that it's probably a program that's developed. It leads to that.

I'm going to go to the Red River Métis Association where you only have 5% of the grants, when your registered business are over 25% of the federal indigenous business directory. You have an indigenous organization, the Red River Métis, that goes through a thorough process, and we had a witness earlier say that this is how it should be done. There should be indigenous involvement in certifying and recognizing it. Is this the problem that we have then with the federal level? Is it that we do not have that level of indigenous involvement at the federal level to recognize who should be applying?

**Mr. Lorne Pelletier:** Thank you very much for the question, Mr. Shields.

First off, I would just like to say that the Manitoba Métis Federation is the recognized national government of the Red River Métis. We're not an association and we're not an organization. We represent our people through our duly elected, democratically elected government.

On the matter of our directory and the opportunities with federal procurement, absolutely, it's fundamentally anchored in self-determination and reflective of self-government that we have a directory of our businesses that are owned by citizens registered with us.

In terms of how it connects and intersects with the federal government, our position is clear. It's time to recognize our directory as a source for those in the Government of Canada who are looking to establish contracts to meet their 5% mandated requirement, to essentially be able to meet their targets and create economic opportunity for our people and for our businesses.

• (1145)

**Mr. Martin Shields:** Thank you.

**The Chair:** Thank you very much, Mr. Shields.

Next we are moving to Ms. Gainey for six minutes.

**Ms. Anna Gainey (Notre-Dame-de-Grâce—Westmount, Lib.):** Thank you, Mr. Chair, and thank you to our witnesses for being here today.

I will direct my questions to the Manitoba Métis Federation.

Yesterday, we heard from the Métis Nation of Alberta, who mentioned that they use a national definition derived from the Métis National Council. Can you expand a little bit for us on which definition you use to determine citizenship?

**Mr. Lorne Pelletier:** Yes, absolutely, Ms. Gainey. Thank you for the question.

Within the Manitoba Métis Federation constitution, you will find our definition, which outlines the four key criteria by which someone meets our citizenship requirements. These are, of course, administered by our citizenship registry on an ongoing basis. That criteria are as follows:

"Métis" means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation Ancestry and who is accepted by the Métis Nation.

**Ms. Anna Gainey:** Yesterday as well, we heard from the Métis Nation of Alberta that they don't discuss individual cases with respect to citizenship, so in a sense, their citizens are not known, or it's not publicly available. Do you have a similar practice in Manitoba?

**Mr. Lorne Pelletier:** Yes, that's a consistent practice for us, in that we value the privacy and integrity of our citizens.

**Ms. Anna Gainey:** Can you describe for us a little bit the process then of gaining citizenship? You've outlined the requirements. How long does it take on average to go through this process, and what does it look like? Do you have a queue, per se, of applicants? Is there a certain percentage who are not accepted on a regular basis?

**Mr. Lorne Pelletier:** Thank you for the follow-up question.

There is currently a queue. Since signing our Manitoba Métis Self-Government Recognition and Implementation Agreement in 2021, there's been keen interest. Of course, under that agreement, the Manitoba Métis Federation represents Red River Métis, regardless of where they live in the world. That's drawn an extreme amount of interest from citizens who are residing elsewhere.

In terms of process, there's a rigorous process of application and review, with substantiating documentation, genealogies, reference to scrip etc. Those are typically done through a third party like the St. Boniface Historical Society, as one example.

From there, on the point of acceptance, through our governance, we have over 100 locals that are really the grassroots, the foundation of our government. Those who are applying for citizenship are connected into those locals, or there's a component part in our process whereby they meet with and are supported by the locals in their application process. That is one means by which we identify connectivity to community.

**Ms. Anna Gainey:** As you said, there are people who identify or have citizenship but who don't live, perhaps, in Manitoba. Would that be true of the businesses in your directory, as well? Do you have businesses that meet those requirements but that are, perhaps, located in different parts of the country?

**Mr. Lorne Pelletier:** Yes, we do. It's a very small number at this point. I could quickly check and get you the number. It's a small percentage of the businesses.

We do include businesses that are outside of Manitoba on our registry as long as they have validated citizenship with the Manitoba Métis Federation.

**Ms. Anna Gainey:** I think you said that you currently have 776 businesses in your directory and that a small percentage of those are in the indigenous business directory. Is that correct? My understanding is that there's a gap.

• (1150)

**Mr. Lorne Pelletier:** Yes, that's correct. Less than 5% of our businesses are on the federal indigenous business directory.

**Ms. Anna Gainey:** What is the gap, then? Are there one or two major things that are hampering those businesses from qualifying? What would you say is the main obstacle to having, say, all 776 of those businesses on the indigenous business directory?

**Mr. Lorne Pelletier:** Yes, it's an additional burden to businesses to run the process of the IBD. It's not that they're not meeting the criteria of the federal IBD; it's the onerous process that's there.

Again, as per my opening remarks, they're already in our recognized, verified, validated directory. To get into the federal directory is to run a gauntlet.

I'll give you an example. There's a Métis business that's engaged right now. We've facilitated the interactions with a prime contractor of the Government of Canada's defence contracts. It's 3 billion dollars' worth of contracts. It's a fantastic connection. The prime contractor is keenly interested in doing business with our Red River Métis business. As a result, that business has had to register on the federal IBD because that prime contractor has that 5% obligation task on. It's been at it for six weeks to essentially get recognized on the federal IBD.

Quite frankly, it would be very simple if there was just an acknowledgement that the business registered in our directory, which is verified and validated, is recognized. In that case, we would have just saved that Red River Métis business owner a whole bunch of time, energy and money.

**Ms. Anna Gainey:** Thank you for explaining that. I think that's a very good point. I appreciate your sharing that.

**The Chair:** Thank you very much, Ms. Gainey.

[*Translation*]

Mr. Lemire, you have the floor for six minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Mr. Pelletier, I would first like to congratulate you on the historic agreement that the Red River Métis signed a few days ago.

Does the recent treaty signed with the Government of Canada, the only modern treaty signed between the federal government and the Métis to date, finally identify who is Métis in Canada?

**Mr. Lorne Pelletier:** Mr. Lemire, thank you for your question and for recognizing the historic event we have just experienced.

It has been 10 days, and we still feel much pride for signing the treaty. So I really appreciate the question.

The answer is yes, absolutely. The treaty talks about defining who we are as people and who we are as a nation. Once again, it reinforces what already exists in our government's Constitution.

**Mr. Sébastien Lemire:** Could the fact that the definition of Métis is included in a treaty set a precedent? Could that help clarify the situation for other people who claim to be Métis elsewhere in Canada?

**Mr. Lorne Pelletier:** In fact, this treaty is focused on us Red River Métis, but it could help others, because it sheds some light on the situation of the Métis.

Furthermore, the very definition of a Métis person set out in the treaty could help better inform Canadians about who we are. As Mr. Leroux says, to really be Métis, it is not enough to just be able to say, for example, that your third great-grandfather was a member of a first nation.

We have been present as a people for over 200 years, with our own policies, our own society, our own culture and our language, among other things. The treaty therefore helps to affirm a reality. It may provide some clarification that might be helpful.

I cannot comment on case law, but at least it could be used to inform people.

• (1155)

**Mr. Sébastien Lemire:** [ *Inaudible—Editor* ] of this study, let me ask you about the Métis National Council.

First, what definition does it use? Second, what is the difference between their definition and yours? Finally, should the governance of the Métis National Council be investigated?

**Mr. Lorne Pelletier:** The first question was about definitions. It is no secret that, in 2021, we made the decision to withdraw from the Métis National Council, because other organizations that were part of it did not meet the definition. That is the approach we have chosen to take to make people understand that there is no flexibility when it comes to identity. The definition of “Métis” was established in 2002, more than 20 years ago, but some organizations did not comply. I do not think it is up to me to tell you who uses a particular definition.

As we know, there is an integrity crisis among various Métis organizations across the country. I will say it again for the benefit of committee members: We know who we are. It is clearly defined in our constitution, and it is clear in our community. We, the Red River Métis, know who we are.

As for the question about having an investigation, I will let other people decide whether it is necessary or not.

**Mr. Sébastien Lemire:** You talked about ethnogenesis as an important aspect of recognizing the Red River Métis. Your history and culture are echoed by several self-identified Métis groups.

How do you explain these identity claims based on vague genealogical traces of the Métis Nation of Ontario?

**Mr. Lorne Pelletier:** Thank you for your question.

We certainly have concerns beyond the use of Métis identity.

For example, let us look of our flag, which displays the symbol of infinity. It was first brandished at the victory of the Battle of the Grenouillère, which took place in Winnipeg. This battle was not fought in Ontario, Quebec or eastern Canada; it was fought here in Manitoba. Our flag was first displayed to the public in 1816.

People talk about Louis Riel as chief or the use of Red River carts, but let us not forget that these are symbols that come from us. This is the history of our people. We are concerned about the use of our culture and history by organizations that present themselves as Métis organizations.

**Mr. Sébastien Lemire:** Thank you, Mr. Pelletier.

**The Chair:** Thank you very much, Mr. Lemire.

[*English*]

Next, we'll go to Ms. Idlout for six minutes.

**Ms. Lori Idlout:** *Qujannamiik*. Thank you, Chair.

I will direct my first set of questions to Mr. Leroux.

A quick search of you online shows the lengths to which non-indigenous people and collectives are willing to go to discredit and deny the truth. Can you reflect on what pressures you experience to stop undertaking your work and why it's so important to keep fighting for what's right?

**Mr. Darryl Leroux:** Sure. Yes. A number of organizations definitely oppose my research. They have tried get events cancelled that I was speaking at, at various universities. Five different organizations that do not represent indigenous people filed a complaint with a federal funding agency that I took several months to have to respond to about my research. They were trying to get the funding agency to agree to no longer fund any of my research. That didn't happen, but there are constant efforts to put barriers or obstacles in front of individuals—not just me, but others as well—who do this type of research.

I think I brought up a little bit in my initial talking points about how lots of whistle-blowers in the federal government and other levels of government institutions, primarily indigenous women, come forward about people who are involved in indigenous identity fraud. They are often the ones who are forced out and forced to leave, because the people who are accused of making false claims, or who actually have been shown to have made false claims, often grow quite hostile. Their whole careers depend on this level of fraud.

Yes, sometimes it can be quite difficult to navigate some of these politics, I suppose you would say, but there's a growing group of scholars working specifically on this issue in relation to all kinds of different agreements that are being signed and stuff around employment. Now we're talking about procurement.

I think for the most part, as you can see just on the ground, there's a lot of support from first nations, Inuit people and also Métis to put a stop to this indigenous identity fraud.

• (1200)

**Ms. Lori Idlout:** Could you expand on why it's so important to keep fighting for what's right?

**Mr. Darryl Leroux:** Sure. As I kind of laid out, indigenous people have fought for decades to have even just minimal representation at tables, whether at different public institutions or with the federal or provincial governments. To see that many of the opportunities, if not most of them, are going to non-indigenous people who are pretending to be indigenous....

That aspect of the struggle, of really having to work hard to have even basic representation, is something that we're not meeting as a society. We have decided to oftentimes hire the people we're most comfortable with and to not question their claim: They're a lot like us, as non-indigenous people, and we feel more comfortable having them around us and working for us.

There's an aspect of racism at work here that is very troubling. I think there are ways we can address it, but it doesn't seem like there's the political will at the moment to address it in any fundamental way.

**Ms. Lori Idlout:** Thank you so much.

I'll shift my questions a little bit. Can you speak to what sort of credentials a person or institution may need to undertake ancestry research? I'm asking this because my next question will be about how the government should approach the act of research and on what merit they should trust research that is done.

**Mr. Darryl Leroux:** In keeping with what Mr. Pelletier was saying and what President Obed was saying, I think the government can put confidence in actual indigenous peoples who verify claims. We heard here that the MMF has its own process for verifying Red River Métis businesses. I think having confidence in the ways in which indigenous people themselves are determining their citizens is important for the government to practice.

For most of the claims being made that I and many others qualify as being indigenous identity fraud, people don't bring anything forward. There's nothing. It's really just a story they have. It's a belief they have. They don't bring a first nation forward. They don't bring forward belonging to a particular Inuit government. They're very vague and evasive. Right away this raises red flags.

I think it's possible to have verification in place that relies on indigenous governments and on having maybe a few people who have certain expertise for those claims that might fall a little bit outside of those. Really, we're talking about a small number of claims that could be legitimate that wouldn't already be recognized by indigenous peoples through their governments and other organizations.

Thank you.

**The Chair:** Thank you very much, Ms. Idlout.

We're going to move into our second round here. Given the timing, it will be a shorter round. We'll have two and a half minutes for each party, and we'll start with the Conservative Party.

Mr. Shields.

• (1205)

**Mr. Martin Shields:** Mr. Leroux, I appreciate your earlier comments, both your presentation and your answers, but specifically, what's the political gain? You said that there was a variety, but what's the political gain, in your opinion, in claiming indigenous status?

**Mr. Darryl Leroux:** With regard to the political gain, well, I mean, you were mentioning some other members of Parliament and some people who are running to be members of Parliament. In those cases, I think those individuals are trying to mobilize as much political capital as they can to gain supporters, so I think it's useful in certain contexts, particularly in certain ridings, to falsely claim to be indigenous. It's not just that it might bring indigenous people to vote for you; it might also bring other Canadians who think that it might help with questions of reconciliation or whatever the case is. I think there's certainly political advantage in a general sort of appeal in certain ridings.

In terms of other political advantages, I briefly spoke about the organization in Quebec that gets funded by the federal government to build indigenous social housing. That organization is very powerful politically. Its leader, the president, who's not an indigenous person, mostly has family members as board members. He basically funnels the money through a mall that he owns. He also has a large ranch in the town that he lives in, and this has all been reported in the news repeatedly. That individual actually benefits greatly, as do his family, friends and allies in that particular community in Quebec. He's a kingmaker, right? That funding comes in, and it gets used in all kinds of different ways that aren't just about social housing, but the housing generally goes to non-indigenous people. So, in some cases, it allows individuals to have some sorts of political levers, I guess you could say.

In the book that I published in 2019, I explain how some individuals started to identify as Métis in parts of Quebec, and they became presidents of organizations that have 5,000 members, right? They, all of a sudden, are able to meet with members of provincial Parliament. They're able to meet with individuals who they never would have before when they weren't indigenous and weren't leading an "indigenous organization". Sometimes there are movements in society that oppose land claims, etc., so these organizations will often find an audience with those Canadians who see an effort to sort of undermine first nations.

**Mr. Martin Shields:** Thank you for your answer.

**The Chair:** Thank you very much, Mr. Shields.

Next we'll go to Ms. Bradford for two and a half minutes.

**Ms. Valerie Bradford (Kitchener South—Hespeler, Lib.):** Thank you, Mr. Chair.

Thank you to our witnesses today. I found it a fascinating discussion.

Mr. Pelletier, can you describe the process of obtaining citizenship and how long on average it takes?

**Mr. Lorne Pelletier:** Thank you, Ms. Bradford, for the question.

On the timeline, it's dependent on volume of demand, right? As mentioned in a previous response, we do have a queue in our citizenship process right now, in that we have tremendous interest from across the country—across the world, in fact—in citizenship with us for individuals who have ancestral ties to where we are.

In terms of process, I'd articulated that, but I'm happy to provide further on that.

There's an application process that comes into the MMF. It has, along with it, a series of questions and responses. Also, then, there is a supporting documentation requirement around genealogy. That genealogy is provided by a third party and, in many instances, it's provided by the St. Boniface Historical Society. Oftentimes, we'll see a connection to an issuance of scrip or the like. There's further review within our process.

I should share a quick personal note, maybe, because there are questions about the registry of indigenous nations and how those are kept. Prior to joining my other government, the Manitoba Métis Federation, I worked for 23 years as a federal public servant with Canada. I worked in ministries that had responsibilities for so-

cial insurance number issuance, passport issuance and immigration, including supporting documentation.

I must say that since joining the MMF three and a half years ago, the central registry process under the lead minister at the MMF is on par with any of Canada's programs relative to the types of identification and citizenship elements that we're talking about. That's a testament to the direction and the strength of the leadership of our government as well as our administration.

• (1210)

**Ms. Valerie Bradford:** That's great to know.

Getting back to the process, once a person has an application, they work up to their turn in the queue. Provided they have all the documentation you need in place—and I know that's sometimes difficult and there's a back-and-forth—what would, from start to finish—

**The Chair:** I'm sorry, Mr. Pelletier. Could we have a very short answer, please? We're over the time.

**Ms. Valerie Bradford:** Okay. I'm sorry.

**Mr. Lorne Pelletier:** I think there's a clarification needed on the question.

**Ms. Valerie Bradford:** I just wondered how long it would take, once the person's application is before you, to process it from start to finish.

**Mr. Lorne Pelletier:** Yes, again, it's dependent on how much demand there is in the queue.

I will say that at the end of the process there is a citizenship card issued to the citizen. At that point, they get confirmation of their citizenship.

**Ms. Valerie Bradford:** Thank you.

**The Chair:** Thank you very much, Ms. Bradford.

[Translation]

We will now go to Mr. Lemire for two and a half minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Mr. Leroux, first of all, I want to thank you for your very relevant contribution to this study, as well as for your book *Ascendance détournée : Quand les Blancs revendiquent une identité autochtone*. In fact, it might be interesting for you to send it to the committee, so that it can analyze it as part of this study.

How do you explain the fact that the provincial and federal governments have not verified things like membership registries and membership criteria?

How do you explain the lack of shared history among first nations members of the Métis Nation of Ontario and the Métis Nation of Alberta, which was recognized yesterday as Otipemisiwak Métis Gouvernement? There was a name change.



Are name changes frequent in these realities, from the moment there is an unfavourable judgment?

My last question is this. Yesterday, Minister Anandasangareesaid that Bill C-53 would never be introduced in Parliament again or that it would be surprising if it were.

Consequently, do you think this is a step in the right direction?

**Mr. Darryl Leroux:** Yes, I think it is a step in the right direction.

What surprises me the most—I believe this touches on the subject of your first question—is that the federal government did not check the records in this case, it did not do all the necessary checks on the Métis Nation of Ontario, or MNO, and its claims. The same is true in the case of the Government of Ontario, which recognized the MNO's six new communities in 2017 without checking the evidence.

So it is surprising that we are making laws that will recognize various rights and harm first nations in Ontario. Since the recognition of the MNO in 2017, it has already done harm.

These decisions seem more and more purely political. The MNO and the NunatuKavut Community Council, or NCC, seem to have representatives who are quite favourable to their interests, in short, the federal government seems to be listening to them. That is quite surprising.

When you look at the evidence, you see that the claims of southern Inuit identity and the claims of Métis identity in Ontario are invalid. Before even proposing a new version of Bill C-53, the government should really take the time to check what is behind the claims of these two organizations in particular; it now has the time to do so.

The government should also have a clear policy on employment and identity fraud.

• (1215)

**Mr. Sébastien Lemire:** Thank you very much.

**The Chair:** Thank you very much, Mr. Lemire.

[English]

For our last questioner for this panel, we'll go to Ms. Idlout for two and half minutes.

**Ms. Lori Idlout:** *Qujannamiik.*

My question is for you, Darryl.

First of all, thank you for reminding me of a time in my life before I joined politics. I was very privileged to have met a professor by the name of Willie Ermine. I'm not sure if you've heard of him, but he's a professor at the First Nations University of Canada in Saskatchewan. Much of his work is regarding ethical space. I think, particularly in this study, what we're discussing a lot are non-indigenous people robbing indigenous space—for many reasons, some of which you spoke of earlier.

What I loved about Willie Ermine's research is that he says that there is this theoretical space between cultures and world views. A lot of his work has been focused on ethical practices in research, but because we're talking about identity, I wonder if you would

consider whether ethical practices in research about ethical space could be something that we could see transferring to this work of respecting indigenous identity?

**Mr. Darryl Leroux:** Thank you for that question.

I could see that happening. I would need to understand more about the working of the particular theory that you're discussing, but I could definitely see that being useful.

In the conversations I have with many of my colleagues, the question of ethics in particular comes up, the unethical nature of making these false claims to indigenous identity, and, really stealing resources from indigenous people that are meant to be reserved for indigenous people.

I think you're right to raise this question of the ethics of that and how to understand this in relation to ethics and ethical space. I would love to chat more with you about that.

Thank you.

**Ms. Lori Idlout:** I'll just give you the rest of my time to make concluding remarks to our committee. Do you have any recommendations for us on this study, to find ways to address barriers to economic development for indigenous peoples?

**Mr. Darryl Leroux:** It has been a little unclear to me the relationship between the federal government and the CCIB. I can assure you that, with a quick scan of their membership criteria, how they decide what an indigenous business is suggests that they are recognizing thousands of non-indigenous businesses as indigenous. If you're relying on an organization like the CCIB, I think it's necessary to have a conversation with them about changing their criteria.

More generally, I think the federal government needs to show resolve when it comes to this issue, immediately. They have failed to do that so far.

**The Chair:** Thank you very much, Ms. Idlout.

I want to thank our witnesses, both those in person and by video conference, for joining us today and for all of your testimony. It's much appreciated. If you do have anything else you'd like to submit, please do that in writing at the earliest possibility.

At this point, we are going to briefly suspend for about five minutes while we welcome our next panel.

• (1215)

(Pause)

• (1225)

**The Chair:** Colleagues, I'm calling this meeting back to order.

I do want to welcome our witness for our last panel for the day today. Welcome, Keith Henry, president and chief executive officer of the BC Métis Federation.

You'll have five minutes to provide some opening remarks, after which we'll proceed to rounds of questions from members of the committee.

With that, Mr. Henry, the floor is yours for five minutes.

• (1230)

**Mr. Keith Henry (President and Chief Executive Officer, BC Métis Federation):** Thank you, Mr. Chair.

My name is Keith Henry. I'm the president of the BC Métis Federation. I'm coming to you today from Vancouver on the shared territory of the Musqueam, Squamish and the Tsleil-Waututh people.

Our organization has been in existence since 2011. Today, we represent roughly 6,000 Métis individuals with ties to their Métis ancestry through their scrip records or what we continue to help people understand as the existence of the Métis in the Pacific northwest.

Today, we have roughly 10 partner community organizations. We're a provincial Métis organization. We have a significant amount of work in the area of economic development, which is very important as I watch this committee review and consider the work you're doing as it relates to indigenous procurement.

It's important to note that a lot of the things we do today are driven by our economic development work. We work with several partners. We have several Métis businesses in British Columbia. The revenues that we realize are reinvested into areas where we feel government funding has been woefully inadequate, whether federal or provincial.

Last year, our organization, with partners and Métis businesses, realized \$4.6 million, and most of that money was reinvested into the infrastructure for our partner communities, for cultural programming and cultural events throughout the province, and of course for key social and economic programs like food security and things like the emergency assistance program. Many of our elders and individuals are dealing with health-related costs that the provincial ministry of health or their health authority simply does not have a program to support.

To give you a bit of context, here's a bit about myself. I'm a Métis person. My family is from.... I've been out in British Columbia for the last 20 plus years. Some of my other family has been out here for 30 to 40 years. I'm originally from around Prince Albert, Saskatchewan. My Métis scrip is from right around Batoche. My family was deeply involved in the historic events of 1885.

Watching the identity politics of a Métis definition running around this country is deeply concerning to me. I worry about the policies of the federal government as they relate to these programs. I worry about the efforts of the Indigenous Services Canada department to minimize...in some cases, maybe properly. However, there are organizations like ours out there that are continuing to address and meet the needs of our Métis people living here in British Columbia.

I won't speak to the validity of other membership processes, but we have a very objectively verifiable process for Métis identity. Information is on our website at bcmétis.com. We have a membership department. We require primary source documentation, no different from anybody else. This growing conversation as it relates to Métis, whether it's indigenous procurement related to Métis businesses or Métis inclusion in the indigenous file, is really deeply concerning to us because, not only does it create challenges among Métis orga-

nizations like ours to represent their constituents. The other side of it is that it's really creating a deep division amongst first nations and Métis because there's this ongoing narrative that there is only one type of Métis person.

I'm here to say that's absolutely untrue. We speak different dialects of Métis. Where I grew up in Saskatchewan, my grandparents spoke a French Michif dialect, whereas in northern Saskatchewan it was more of a Cree Michif. We weren't the same people. Maybe we had similar characteristics in some ways, but we were not the same people, although we were tied together by this notion of the Métis Nation.

I urge that, as we think about this, and as you think about this at committee level, you appreciate the diversity of how we organize and have representation of ourselves.

I just will close by saying that I wear many different hats in the indigenous world, and I am aware of the CCIB report on indigenous procurement. I am deeply concerned about the language in some of the work that they're doing—not in the report necessarily but in the business directory.

• (1235)

I am worried about this notion of some sort of Métis validity or unique verification and identified Métis communities that are prioritized by them. It's one of the major issues we brought forward, and we will continue to use the courts to address that issue and will bring Canada to respond in the proper court, where it needs to respond, to address our concerns.

By way of introduction, I'm very proud of a lot of the other work I do.

Thank you very much, Patrick, for the opportunity to make some opening comments.

**The Chair:** Thank you very much, Mr. Henry.

We are going to pause very briefly before going into questions. We have another witness who has joined online, so we just need to do a brief sound check for them as well before we move into questions.

[The meeting was suspended at 12:35 p.m., Tuesday, December 10]

[The meeting resumed at 10:05 a.m., Thursday, December 12]

• (5800)

**The Chair:** I call this meeting to order.

Welcome to meeting number 137, part two, of the House of Commons Standing Committee on Indigenous and Northern Affairs. As always, we want to start by acknowledging that we are gathering on the ancestral and unceded territory of the Algonquin Anishinabe people and by expressing gratitude that we're able to do the important work of this committee on lands they have stewarded since time immemorial.

Pursuant to Standing Order 108(2), the motion adopted by the committee on Tuesday, February 1, 2022, and the order of reference of Tuesday, November 19, 2024, the committee is resuming its study of the barriers to indigenous economic development.

However, before we get to that, I want to hand the floor over to Monsieur Lemire.

• (5805)

[Translation]

I will turn it over to you for a short statement.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair. I would like to pay tribute to someone, if I may.

It was with great sadness that we learned that a great advocate for the Métis and a strong advocate for first nations and Inuit indigenous rights, Jim Aldridge, has passed away. He was much more than a lawyer. He was a pillar for Métis and for all indigenous peoples. He was deeply committed to justice, upholding treaty rights and upholding the right to self-determination.

His contribution to indigenous rights, including in relation to modern treaties, will remain etched in our country's legal and social history. He understood that modern treaties are not only legal agreements but also essential tools to build nation-to-nation relationships and to recognize the rights and aspirations of indigenous communities. He has worked passionately to ensure that these treaties are upheld, not only in theory but also in concrete implementation, ensuring that indigenous peoples have the means to thrive within a framework that respects their culture and sovereignty.

During his lifetime, he worked for over 30 years as a lawyer. He argued and fought all the way to the Supreme Court in 2013 for major issues on indigenous rights. He witnessed just two weeks ago the signing of the only modern treaty with the Red River Métis. When Bill S-13 was passed, he saw a side of all of us that is not seen often enough. Unfortunately, he will not be able to give us his testimony on Bill C-77, but I am convinced that his voice would have enriched our discussions and would have enabled us to better understand the issue.

I am deeply saddened by his absence, as he carried with him wisdom, expertise and humanity that will never be replaced. On behalf of the Bloc Québécois and myself, I would like to offer my deepest condolences to his wife, Guylaine, his children and all those who considered him to be one of their own, a friend, and who had full confidence in him. May our work honour his memory and his commitment to the recognition and respect of the rights of indigenous peoples.

Thank you, Mr. Chair. *Meegwetch.*

**The Chair:** Thank you very much, Mr. Lemire.

[English]

With that, I would like to welcome our witnesses today.

We have, appearing by video conference, Dr. Pamela Palmater, Mi'kmaq lawyer, member of Eel River Bar First Nation and chair in indigenous governance, Toronto Metropolitan University. Appearing in person today, we have Karen Restoule, senior fellow with the Macdonald-Laurier Institute.

I want to welcome our witnesses to the first panel. You will each have five minutes for your opening statements after which we will proceed to questions from members. We'll start with Dr. Palmater.

You have five minutes or less for your opening remarks.

**Dr. Pamela Palmater (Mi'kmaq Lawyer, Eel River Bar First Nation and Chair in Indigenous Governance, Toronto Metropolitan University, As an Individual):** Thank you very much. Thank you again for inviting me here.

I'm a registered Indian under the Indian Act, a registered member of Ugpi'Ganjig, which is Eel River Bar First Nation, and a citizen of the Mi'kmaq Nation. My family is Mi'kmaq; we were born and raised in Mi'kma'ki. In terms of my professional background, I have four university degrees, one of which is a doctorate in law that looks specifically at constitutional treaty and indigenous law issues related to Indian status, band membership and self-government citizenship. Obviously, I'm not speaking for all indigenous peoples, first nations or even Mi'kmaq people but based on my experience.

I am going to start with my summary first, in case I run out of time.

In terms of general barriers to indigenous economic development, these relate to the levels and types of funding that are allocated for individuals as well as communities. Certain industries are disproportionately supported, like oil, gas and mining—natural resources—as opposed to online content creation, online courses or education.

There is a lack of professional support included in that, such as accounting, marketing or legal support. I believe you've had many reports on the significant administrative burdens.

Access to lands is huge—lands and infrastructure for both individuals and communities. There is also a lack of education and training supports that go along with that, both the cost and the format.

Of course, the indigenous procurement policy at the federal government level is also a barrier, and I'm going to go into a bit more detail about the procurement policy.

While I understand that self-identification is one of those things that governments, universities and the arts community have done as a way of trying to be respectful and not put indigenous people through additional verification processes because of all of the impacts of colonization on our identity already and all the hoops we already have to jump through, it's very obvious that self-identification is not enough. It's very easily exploited. It's exploited at alarmingly high rates. While some might be unknowingly exploiting, I'd say that, for the most part, people know when they're exploiting that.

Having worked in government and universities, I've been around HR that has advised people to "just check the box". Part of the problem with that is that it's confidential. There's no accountability around self-identification. You don't get to verify that; you don't get to access any of that information, whereas verification itself is relatively easy.

At the same time, in addition to verification, I think we need to have grace for people who are going through the process, and for the many indigenous women who have been excluded because of historical and ongoing Canadian laws and policies.

To make the procurement policy better, I think governments need to engage with indigenous experts on the topic. Governments and communities should have more respect for indigenous jurisdiction, law and tradition when it comes to who is indigenous and who is not and what company is indigenous and what company is not.

Ensure that human rights are respected. I think that goes without saying, but there are also best practices. For example, the Canadian Council for Indigenous Business has been in the business of verifying indigenous businesses for a very long time. I'm sure they have a lot to suggest. There needs to be an accountability mechanism and annual reporting and analysis that comes back to our communities. At this point, we really need historical investigation into how much money in total has been allocated under indigenous procurement. How much has gone to businesses we know are indigenous, and how much money has gone to businesses where we're not so sure? What should be done about that? There really need to be reparations in that area.

Those were my summary points.

• (5810)

I'm glad I started with those first. I can see that my time is up.

**The Chair:** Thank you very much, Dr. Palmater. You were just within the time.

We'll move to our next witness, who is here in person.

Ms. Restoule, the floor is yours for five minutes or less.

**Ms. Karen Restoule (Senior Fellow, Macdonald-Laurier Institute, As an Individual):** Thank you, Mr. Chair.

Good day, everyone. My name is Karen Restoule. I'm from Dokis First Nation, with relations in Nipissing and Temagami first nations. I'm pleased to join you here today to discuss the barriers to economic development and success among indigenous people.

As we know, the procurement strategy for aboriginal business, or PSAB, was introduced in 1996 by the Chrétien government. It held the following policy objectives, which I researched just out of curiosity: to increase indigenous participation in federal procurement, to promote business development, to enhance economic opportunities, to create employment and to support economic self-sufficiency for indigenous communities. When it comes to policy, I'm continuously motivated by one key question: What are the results? In the case of the procurement policy, have these five objectives been met?

I dove into the data. It appears that at the time of the introduction of the policy, there was little data on indigenous participation in

federal procurement, although it was clear that the Indian Act and other barriers had resulted in very low participation rates. The aboriginal business survey conducted by StatsCan in 1996 gathered information from roughly 2,500 indigenous business owners across the country. It's my understanding that there were roughly 20,000 indigenous businesses at the time.

By 2018 the number of indigenous-owned businesses had grown to about 62,000. This data was shared by the Canadian Council for Indigenous Business. Most recent estimates suggest that there are now over 70,000 indigenous-owned businesses in Canada. As it relates to federal contracts, my understanding is that in the last fiscal year, \$1.6 billion for indigenous businesses was noted by the federal government, representing 6.27% of total federal procurement and exceeding the mandatory 5% target.

On face value, this data, albeit limited, shows growth in entrepreneurship among indigenous people across Canada. However, we now have a strong and compelling reason to question the validity of this data, given the rise in appropriation of indigenous identity, also referred to as pretensionism, and the rise in fraudulent bids, all done to gain access to and advantages in federal procurement opportunities. It is an understatement to point out that this issue undermines the integrity of programs like PSAB, disadvantages genuine indigenous entrepreneurs and disrespects the public dollar.

While the federal government maintains the indigenous business directory, which requires proof of majority indigenous ownership, these measures, in my view, are not sufficient. Strengthening the verification processes and ensuring swift consequences for non-compliance are critical to preserving trust, not only in indigenous procurement programs but also in government as an institution. I look forward to the findings and recommendations of this committee, of the Auditor General and of anyone else who is involving themselves in correcting the course here and getting us back on track.

My next point is that, beyond procurement, I believe the question of the capacity and capabilities of indigenous entrepreneurs and businesses has not yet really been fully covered in our discussions to date. The increased number of indigenous-owned businesses alone does not necessarily translate to economic competitiveness or sustainability. It's one thing to have many indigenous businesses, but the reach of those businesses should also be discussed. This, to me, is critical for rebuilding what I believe to be the bold and successful entrepreneurship that once thrived among indigenous people across these lands before being stifled by the robust imposition of the Indian Act.

I have just a few observations on this point. As it relates to skills development and expertise, indigenous businesses have expanded into diverse industries like tech, finance and energy. However, access to training, mentorship and certification is still limited, which constrains growth and competitiveness.

• (5815)

Access to capital, I believe, has been discussed at length. I won't reiterate.

With regard to emerging markets, indigenous businesses are beginning to participate in global and tech-forward industries, but more support is needed to foster innovation and entry into these markets.

With regard to scalability and sustainability, while community-owned enterprises and indigenous economic development corporations are growing, individual businesses often struggle to scale. Greater access to supply chains, procurement opportunities, and partnerships is key. It's worth mentioning that in terms of governance and sovereignty, self-governing nations and indigenous organizations are leading major projects, but inconsistent governance models and limited capacity-building efforts hinder progress on that end.

Finally, there is measurement of success. I'm a huge fan of metrics. They really are the only way to measure results.

• (5820)

**The Chair:** We're well over time, so if you could finish your last point, we'll move to the next one.

**Ms. Karen Restoule:** That was actually my last point, so thank you.

**The Chair:** I'm sorry. I hate to do that, but we have limited time.

We are going to pause very briefly. Our third witness has joined, and we just need to do a quick sound check.

• (1020)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1020)

**The Chair:** We're still working on the sound for Ms. Semaganis. We hope she'll be able to join our second panel, at 11 a.m.

With that, let's move into our first round of questions, the six-minute round.

We'll be starting with Mr. Schmale.

**Mr. Jamie Schmale:** Thank you very much, Mr. Chair.

Thank you to our witnesses for their testimony.

I'll start with Ms. Restoule, since she's sitting here in front of us.

I think many people who might not pay attention to politics are now aware of what has been occurring over the past few years. We now know about the Randy Boissonnault incident and many others where indigenous identity was falsely claimed in order to achieve or potentially achieve access to contracts and government business.

Many of our witnesses in committee have confirmed—and I'm sure you feel the same way—that it's hurtful when indigenous identity is stolen and used in a way to benefit others.

Now we're hearing that the majority of the contracts awarded through the indigenous procurement program were not verified by ISC. We heard explosive testimony the other day that the department was made aware of potential fraud within its strategy and basically ignored it. Then we have one company after another with no ties to indigenous heritage and background getting awarded these contracts.

How do you think we arrived at this point?

**Ms. Karen Restoule:** I think this is the million-dollar question and one that many of us have been contending with, not only in the past weeks but in the past months and past years.

To your point, this is something that has been on the radar of many indigenous organizations, leaders and communities for quite some time. I actually believe that DEI policy created an environment in which programs that are intended to level the playing field are seen as preferential treatment or as advantages for a certain group. There's not a lot of knowledge yet as to the history of indigenous-Crown relations in Canada. A lot of Canadians still don't fully appreciate the reach and impact of the Indian Act and how we got here.

In large part, when you have programs that appear to favour one group or the other coupled with policies that promote self-identification.... The most recent example was Bill C-53. First nations leaders had a lot of questions for government around checks and balances on identification. DEI policies, hand-in-hand with policies that put in place self-identification for these types of programs, really lend themselves to the situation that we're currently facing.

• (5825)

**Mr. Jamie Schmale:** How can we fix this?

**Ms. Karen Restoule:** There are advantages to procurement. When you look at those bidding for procurement, at the organizations or communities that are operating at a collective level in predominantly rural and remote Canada in and around resource development, it seems to be functioning quite well. I suppose it's hard to contest when a first nation or a group of first nations comes together to compete for these opportunities for projects that are in fact happening in their own territories. There tends to be a lot of confusion or fraud when it comes to individuals across the country who are proceeding to take advantage of those self-identification policies to claim an advantage.

In terms of a solution, I'm a huge fan of accelerators. That's not necessarily something that gets a lot of talk within indigenous policy, but it has in fact been very successful in such other industries as fintech and tech. We have seen great advancements on that level when you create that ecosystem around the entrepreneurs and work alongside the entrepreneurs to develop a skill set, offer coaching and mentorship, increase expertise and exposure to challenges that lead to growth and, more importantly, to an increase in competitiveness. I think that rests at the core of what we're talking about here today.

**Mr. Jamie Schmale:** We had 1,100 businesses removed from the indigenous business directory. The department itself knew about corruption. Very few actually verified that they were indigenous. As you just pointed out a few moments ago, some might look to take advantage, given, as Dr. Palmater said in her remarks, that there are contracts with significant dollar values attached to them, yet there is no recourse. I don't know if anyone in the department has ever lost their job because of this. These are large dollar amounts going out. We have Mr. Boissonnault checking a box. He bid on two contracts claiming indigenous status and was told no, thankfully.

As the AFN says, this is the tip of the iceberg.

**The Chair:** I'm sorry. Please give a short answer, if possible.

**Ms. Karen Restoule:** For me or him?

**The Chair:** For you.

**Voices:** Oh, oh!

**Ms. Karen Restoule:** I'm kidding.

What comes to mind when you put that point forward is that another effect of DEI policy is that it has created fear, an environment of fear. In my view, we have groups of non-indigenous Canadians who have been taught over the years to be deferential to those who self-identify and to not question for fear of getting cancelled. I think that sentiment drives a lot of behaviour, whether it's with a government employee or with Joe Canadian writ large.

• (5830)

**The Chair:** Thank you very much, Mr. Schmale.

With that, we will move to our second questioner in the first round.

Mr. Battiste, you have the floor for six minutes.

**Mr. Jaime Battiste (Sydney—Victoria, Lib.):** Thank you, Mr. Chair.

My questions will be for Dr. Palmater.

*Kwe, Pam. Me tawulain. Pjila'si. Welcome.*

Pam, thank you for joining us today. Your book, *Beyond Blood: Rethinking Indigenous Identity*, was integral to my understanding and knowledge around indigenous identity and the very question that we talk about of indigenous identity. There's no real consensus on that, because it represents three different groups who all have three different ways of trying to verify who they are: first nations—or status Indians, as we know them—Métis, and Inuit.

The biggest issue we're dealing with is how to verify among these three distinct indigenous groups. I'm wondering if you could tell us how you believe we should be looking at how to verify first nations, Métis and Inuit.

You have about four minutes, so you don't have to rush this. Can you talk about the complexities of the different ways in which we would have to look at how we verify the different groups?

**Dr. Pamela Palmater:** *Wela'lin*, Jaime, for your questions.

Obviously, on the one hand, it can be a very simple issue, and on the other hand, it's very nuanced and complex, with a lot of history. We also don't want to get into a situation in which we have thousands of bureaucrats across the country being the ultimate determinants of who is indigenous and who isn't.

I think we have to break down the easy stuff first for first nations at the outset, and the vast majority of cases are going to be easy. It's just the small segment that we have to weed out. Where do we need to have some grace and some flexibility, and what are the obvious fraudulent cases? On the easy side of things, verification can be as simple as, "Oh, I'm a member of Ugpi/Ganjig. Here you go. Here's my membership." If I was to apply to a university tomorrow to work, I would have to prove that I'm a Canadian citizen; I'd show my passport. I'd have to prove I was indigenous and prove that I have all the degrees that I say I do, with certified transcripts, so verification isn't new. It shouldn't be considered something that's offensive. It's just that we're always in the business of having to prove ourselves, so that's easy on that side.

With regard to Inuit—and I don't speak for Inuit—they have different land claim areas. They have a different enrolment process. They have lists of who belongs to those different Inuit regions and who doesn't. It would be fairly simple on their end, at least from what I hear from Inuit.

On the Métis side, it's becoming a bit more tricky because of the ways in which fraudulent people have tried to jump on the Métis bandwagon. Instead of just historical Métis who descend from those historical Métis with their own language, culture, history and territory, we now have hundreds of organizations just claiming it, so it's going to be a bit trickier for Métis. That being said, though, we've had guidance from the Supreme Court of Canada that, when it comes to things like constitutionally protected rights, there is a staged process. It's not just self-identification. Does the community accept you, and have you descended from the historical community? These are things that the government can work with the historical Métis nation on to develop how we're going to handle this when we're not certain. I mean, it's pretty easy if someone is a member of the Manitoba Métis Federation; that's going to be easy. If it's some of these other communities, it won't be as easy.

When I talk about grace, I mean there are people, as you know very well, who have had their identities, relationships and connections with their communities impacted or severed. People who were sent to Indian residential schools or day schools, people who were left at Indian hospitals, people who have been living on the streets, who have been incarcerated, who were part of the sixties scoop, who were in the foster care system.... There are many instances, especially for first nations, in which children weren't registered, and we have to have grace. We have to be able to address those scenarios. However, again, that's fairly easy to prove. It's one thing to say, "Oh, I was impacted by the sixties scoop", and then it's quite another to say, "Well, look, my mother is a band member. I wasn't registered because I was scooped up, but I can provide this documentation."

None of this is new. For example, in the few minutes that I have left, I'll just say that in Ontario, when the Liberal government offered free education to indigenous people in the province, you had to verify. We went through a whole consultative process in the province of Ontario with regard to what that would look like, and it looked like things like your band membership, your mother's band membership, or an affidavit from the chief that says you are actually a descendant here or part of the community.

There are a lot of ways we can do it. I just wouldn't want individual bureaucrats to be doing it on their own. I think that it really needs to be in a policy co-created with indigenous experts and governments.

• (5835)

**The Chair:** Thank you very much, Mr. Battiste.

[*Translation*]

Mr. Lemire, you have the floor for six minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Ms. Palmater, thank you for being with us. You created the English term "pretendian". Yesterday, I heard the French term "faux-tochtone", which is a good way to translate it. I had been looking for a French equivalent for some time. Can you explain what you mean by the term "pretendian"?

[*English*]

**Dr. Pamela Palmater:** That issue itself is very complex. There's a variety of individuals. Unfortunately, the term "pretendian" is now being used to just cover everybody who isn't currently a registered member of a community, for example.

We really need to separate those who should rightfully be members but aren't because of, say, sex discrimination in the Indian Act—because of amendments, they will be members at some time—versus people who were told by their families that they had some indigenous great-great-great-great-grandmother 400 years in the past, versus people who were told by one of these fraudulent Métis organizations that, yes, you're Métis; yes, we've looked at your documents; yes, you've substantiated it, and here's a card that says you have rights.

There are people who are knowingly committing fraud. There are people who have been kind of scammed into believing they're in-

digenous. Then there are people on the edges, who are being put into the category of pretendians who shouldn't be. It is quite complex.

I am most concerned about these fraudulent Métis organizations and fraudulent individuals who do know better and who have made it up. We've seen lots of examples of that. I think if we look at the fraudulent groups and individuals, that's different. We need to make sure everyone is aware that membership in a Métis organization, at least according to the Supreme Court of Canada, doesn't cut it. You have to be part of a historical Métis community. We need to get that information out there, because a lot of people have been duped by these organizations.

[*Translation*]

**Mr. Sébastien Lemire:** Can you tell us more about the benefits of claiming to be indigenous today? Why do people decide to search a family tree in the hope of finding an indigenous ancestor who lived a few hundred years ago or more recently? What is the point of doing that?

[*English*]

**Dr. Pamela Palmater:** There are actual benefits and perceived benefits. Some are tangible and some are intangible.

If you're talking about an indigenous procurement policy, and you want to claim that you have an indigenous business to access millions of dollars, that's a very obvious benefit. You're ticking a box, which you know no one will ever see, to try to access those monies, knowing that there's a smaller competition group because there are fewer indigenous people.

On the other side of things, you know that because there's a smaller number of indigenous people in music, in the arts, in Hollywood and in those different industries, you have less competition. By identifying as indigenous, you're far more likely to get an opportunity, a grant and possibly even an award—there might not be money attached to it.

Then there is the intangible stuff: I'm not part of all of the bad stuff that has been done to indigenous people. I have no role in reconciliation. I don't have to care about indigenous rights and be in that category of, "Well, my best friend says he's indigenous, and he doesn't care about land back," and that person actually isn't indigenous.

There are lots of different reasons. I think some people think that it's just about ancestry and that as long as you have one drop of blood, you have the right to claim everything indigenous. It's a very colonial, exploitative mentality. I've heard lots of different reasons from different people. The perceived economic benefit, the notoriety benefit, the ability to get a job and you don't have to tell anybody—those kinds of things are far more prevalent.

• (5840)

[Translation]

**Mr. Sébastien Lemire:** I would like to hear you more about what you just said: pretending to be indigenous can give a person a better access to contracts or offer opportunities in the cultural world.

Does claiming to be indigenous also give people opportunities in the public service, for example, to access positions or promotions, especially if it is easy since all they have to do is check a box on a form?

[English]

**Dr. Pamela Palmater:** That's exactly right. I worked 10 years in the federal government, as a lawyer at Justice Canada and at Indian Affairs, as it then was, as a senior director. One problem our very small group of actual indigenous employees had was that there would be these pronouncements that, look, our department has 30% indigenous—

[Translation]

**Mr. Sébastien Lemire:** I am going to interrupt you, because I only have a few seconds left.

Do you think there should be an internal audit within the various departments that hire people based on their indigenous origins to verify whether there are people who falsely claim an indigenous identity within the Canadian public service?

[English]

**Dr. Pamela Palmater:** It's a bit trickier to go backwards, but yes, I do believe there needs to be accountability in some form, so long as we set up a balancing of human rights at the same time.

[Translation]

**Mr. Sébastien Lemire:** Thank you, *meegwetch*.

**The Chair:** Thank you very much, Mr. Lemire.

[English]

Ms. Gazan, you have the floor for six minutes.

**Ms. Leah Gazan (Winnipeg Centre, NDP):** Thank you so much, Chair.

My questions go to you, Pam. It's really nice to see you here.

I want to speak about sexism in the Indian Act and specifically Bill C-38. I know that you're part of the Feminist Alliance for International Action. You did a report on the bill. One of the things the report says is, “this legislative fix is incomplete”. I think this is important for the committee to look at when we're looking at procurement, particularly because there are a number of non-indigenous women who have status and benefit from these programs without any indigenous ancestry at all, because of enfranchisement. Then there are a number of indigenous women, through what we're trying to do, amend the Indian Act, who aren't recognized as having any sort of status or rights under section 35.

Can you talk very briefly about Bill C-38—what it aims to do, where the gaps are and how this indirectly impacts programs like the current federal government procurement program?

**Dr. Pamela Palmater:** Thank you so much for the question. I'm so glad you asked it, because there is very much a gender dimension here.

Indigenous women have long been excluded on the economic front for a large variety of reasons. It's hard to apply for money for an individual business or be part of a business on reserve if you're not actually a member because you're outside of the Indian Act because of sex discrimination. We know this has happened for decades. It means that indigenous women in general are 10 steps behind all other indigenous people. We know that from the National Inquiry into Missing and Murdered Indigenous Women and Girls. We know that from RCAP. We know that from all the reports we have ever done.

There are still gaps, obviously. We have not gotten rid of all the sex discrimination in the Indian Act. We have a whole working group on that. We hope Bill C-38 will deal with some of that, but Bill C-38 only addresses enfranchisement. In the past, you were involuntarily or voluntarily enfranchised as a woman if your husband was, and so were your kids. How do we bring these women back who are rightful members? Similarly, consultations will be happening in the new year on all our kids or grandkids who are not included because of the second-generation cut-off, who are disproportionately indigenous women and girls.

At every level, you have indigenous women and girls who are disproportionately impacted in an indigenous procurement policy that hasn't been verifying identity to begin with. I would like to see the numbers on how many indigenous women were provided with supports who are actually indigenous. For indigenous women and girls, this means more than just business. This is about how you can provide for yourself and your children in situations of domestic violence, have a house and shelter for yourself and be able to live in a safe location. All of these things are directly related to policies like this.

• (5845)

**Ms. Leah Gazan:** We know that Bill C-38, again, is the result of a court ruling. I mean, everything that happens is the result of a court ruling. What the federal government is proposing, in fact, is once again incremental justice.

I say that because this is about having the same rights as other women in the country, never mind men. We're just talking about having the same rights as women. What is the problem with the fact that there's a normalization of incrementally providing indigenous women with rights equal to other women? How is that perpetuating violence, even in programs that we could benefit from?



**Dr. Pamela Palmater:** We know that various United Nations reports have said that sex discrimination in the Indian Act and excluding indigenous women and girls is an underlying root cause of all the violence, discrimination, abuse and neglect of indigenous women and girls. We know that from the national inquiry. If you add that to the indigenous procurement policy, you're just making that fundamentally worse in every single way.

I would argue that this is really about political power, lands and resources, and unjust enrichment. Right now we have a disappearing Indian formula in the Indian Act. The federal government can calculate, and has, when first nations will no longer be in legal existence. That takes away political power, if you're not legally recognized, and you can take lands and resources.

Similarly, look at what's happened; look at what they put in the legislation even when they made incremental changes to bring some of our women back: Oh, by the way, you can't sue us for all of the harms, the suffering and the lost program services in benefits, housing or anything like that.

To me, the longer they delay it, the more of an unjust enrichment they get. They get to save in the long run on how much money they're expending and who has a voice. Who's very powerful right in our nations? Indigenous women. If you don't recognize them, and you keep them separate from their communities, then you're taking away their voices economically, legally, politically and culturally.

I truly believe there is an underlying policy here that is working against indigenous women. It has everything to do with money.

• (5850)

**The Chair:** Thank you very much, Ms. Gazan.

We'll go to a short second round here. There will be two and a half minutes per party, starting with the Conservative Party.

Mr. Genuis, you have the floor.

**Mr. Garnett Genuis:** Thank you, Chair.

This has been a really rich conversation so far. Thank you.

I want to raise the issue of exploitative joint ventures as part of procurement. There are obviously plenty of legitimate instances of joint ventures between indigenous and non-indigenous business, but we're hearing a lot about exploitative joint ventures. A non-indigenous partner gets all of the benefit. The indigenous partner realizes almost none of the benefit, but is tacked on in order to allow them to qualify for these set-asides.

One example we heard about recently through a whistle-blower is the Canadian Health Care Agency. Instances of fraud were actually brought to the attention of the government, and they didn't want those passed along. What we're seeing is that joint ventures represent a very small percentage of those on the indigenous business list, yet they are getting a massive proportion of the contracts, especially the large contracts. That suggests there is an instance of these exploitative joint ventures that are taking advantage of these set-asides in order to monopolize the benefit for the non-indigenous side of the partnership. Even to call it a partnership is misleading.

Ms. Restoule, could you comment on the issue of exploitative joint ventures and maybe what steps we could take to address that?

**Ms. Karen Restoule:** Yes. On joint ventures, there are instances where it's been very successful. There is an increasing number of first nations who are cutting into resource development projects through equity partnerships and also business partnerships, or joint ventures, if you will, where it is working. It is successful. The community is a large partner in that engagement.

Unfortunately, there are people who are taking advantage of perhaps a reduced capacity or capability of indigenous parties to position themselves fairly within a joint venture, if you will, and taking advantage of those moments to advance their own interests. In my view, at least, these are people who, as I mentioned earlier, believe these programs are seen as preferential treatment and special advantages, and ultimately want to access those for themselves, for their own benefit.

**Mr. Garnett Genuis:** Just to clarify, you're basically saying that there's a kind of legal taking advantage of in the context of these partnerships, where the indigenous side may not be empowered to defend their rights; therefore, they're getting exploited by the so-called partner.

**Ms. Karen Restoule:** There are people who are exploiting the program, yes.

**Mr. Garnett Genuis:** Thank you.

**The Chair:** Thank you very much, Mr. Genuis.

Mr. Battiste, you have two and a half minutes.

**Mr. Jaime Battiste:** I'll go back to Dr. Palmater.

Pam, you mentioned the notion of disappearing Indian status. We've heard from Métis presidents during this study that there is no cut-off for Métis identity. They can have it in perpetuity.

How can we fairly balance procurement to give equal opportunity to Métis and first nations when we have one in perpetuity and one with a second-generation cut-off? What do you think? How do we balance that in terms of fairness and the opportunities that are there, and what do we need to do to address this second-generation cut-off?

**Dr. Pamela Palmater:** Well, first of all, this is a very important question, because it relates to how we're viewing first nations. Are we governments? Are we nations? Are we political, cultural or legal groupings? Are we a race that is still being measured by a fictional notion of blood? As you know, we don't get 50% of our blood from our mom and dad. That's not how science works. However, that is still being ascribed to us in terms of legitimacy, and not just on a personal level. It has legal implications, economic implications and political implications.

This is why I think the federal government needs to work with first nations in particular and say, “Okay, how are we going to do this in a partnership way to make sure we’re protecting your rights?” Go outside of what might be a consolidated funding agreement, or something that has to be attached to Indian status or band membership. Allow first nations to say, “Well, look, we have all of these members who live on reserve but are not registered because of discrimination, and we’re working on it—can we still include them?” or, “There are members who live off reserve.” Then, there are a whole bunch of members on a general list who are registered as Indians but not band members. We have to allow first nations the flexibility to ultimately be the decision-makers in and alongside those who are excluded.

First nations women and their descendants need to have a voice in this, too. Sadly, I would say—it’s not the majority—there are still a small number of communities that have internalized this idea that you can measure us by blood, somehow, as opposed to kinship and relationships, accounting for being cut off by these colonial laws and policies. That’s something that is very pressing, for all the reasons I’ve said. I’m sure you’re referencing what the Supreme Court of Canada said in *Powley*: We don’t measure by blood.

• (5855)

**The Chair:** I’m sorry, but I’m going to have to step in here, Doctor.

Thank you very much, Mr. Battiste.

[*Translation*]

Mr. Lemire now has the floor for two and a half minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Ms. Restoule, I have two quick questions. Feel free to answer them together.

You have a lot of experience in northeastern Ontario. Are you able to tell us about the Métis communities in that region and the phenomenon of self-reporting?

We also know that the government funds organizations such as the Canadian Council for Indigenous Business, where members of first nations are not fairly represented and where non-indigenous businesses are overrepresented and have a significant presence in decision-making circles. What is the effect of that?

[*English*]

**Ms. Karen Restoule:** In response to your first question, in my territory in and around Nipissing—I’m from Dokis First Nation—there are reports from those out on the land about coming across tiny homes or small structures being put up ad hoc by groups that claim to have indigenous lineage to that territory. When we sit down and talk to them, though, it’s very clear there is no lineage. There’s no connection to the families who have occupied those territories since time immemorial, if you will. I find that quite disruptive. Quite frankly, it’s criminal. It’s fraud. I’m thinking of the Gill family. The mother is serving a three-year sentence for it.

This is serious stuff. It’s a misrepresentation and an appropriation. It’s criminal.

Can you repeat the second question?

[*Translation*]

**Mr. Sébastien Lemire:** I was talking about the Canadian Council for Indigenous Business, where there is no equitable representation of indigenous peoples, but where government funding gives financial power and political power to non-indigenous businesses. We do not get the impression that it is an organization by and for first nations.

[*English*]

**Ms. Karen Restoule:** In my experience, and from what I know about the CCIB, they have a representation of all indigenous groups. The root of the organization is one that came together with a business interest, so they’re not a rights-holding organization, if you will. Nonetheless, they’re positioned to advocate for the benefit of indigenous entrepreneurs across the country. From what I’ve observed, they’ve done it very well and with a great degree of integrity over the years.

[*Translation*]

**Mr. Sébastien Lemire:** Thank you very much.

**The Chair:** Thank you very much, Mr. Lemire.

[*English*]

Our last questioner for this panel will be Ms. Gazan for two and a half minutes.

**Ms. Leah Gazan:** Thank you so much, Chair.

I want to continue the discussion around membership lists and the impact of the Indian Act on first nations people having control over their membership lists.

We’re dealing with a situation of pretendianism and procurement. We have people checking boxes and people who are distanced from our nations making decisions about who is indigenous and who is not. I think we need to get rid of the Indian Act and replace it with human rights.

However, why is it important to amend the Indian Act to give back rightful control of membership to nations?

• (5900)

**Dr. Pamela Palmater:** Is that a question for me?

**Ms. Leah Gazan:** Yes, Pam.

**Dr. Pamela Palmater:** Okay. I’m sorry.

Right now, under the Indian Act, first nations have the option under section 10 to enact their own membership code if they draft it and have a community vote on it. It's approved by Indian Affairs, ISC or whomever, and then they have their own membership code. In Canada right now, it's about 60%, or maybe half and half. Some have done that and some have not. Bands that have not chosen to enact their own membership codes go by the Indian Act. If you're a status Indian, you're a member. If you have your own membership code, sometimes that means the same thing, but sometimes they might add other criteria to that.

The problem with this is that the federal government has told bands to enact their own membership codes in the hopes of transferring liability for all of the historic discrimination and exclusion of first nations women. They're trying to push it onto bands. Many bands that want to have their own membership code have said, "We are not assuming any of the federal government's liability. You need to fix your mess first. Bring our people back and compensate them. Then we will have our own membership code."

There are a lot of different reasons, but that's one of them. It's to not assume the liability of the federal government.

**The Chair:** Thank you very much, Ms. Gazan.

Go ahead on a point of order, Mr. Battiste.

**Mr. Jaime Battiste:** I want to wait until Leah is done.

**Ms. Leah Gazan:** Okay. I'm making sure—

**The Chair:** Yes. The time is finished.

**Mr. Jaime Battiste:** First, Mr. Chair, we had a condensed round in that second round, but I know we allow documents to be provided to this committee.

I think verification is something that... If we look at a distinctions-based approach, there are certain questions Dr. Palmater suggested for each of the different levels of indigenous distinct groups. I'm wondering if she would share those with us as a guiding principle for what we should be asking about verification.

Lastly, I know Dr. Palmater has spent her life talking about discrimination within the Indian Act, especially in terms of the second-generation cut-off. Today, Minister Hajdu will be taking action on that, calling for proposals for indigenous-led options for solutions for the second-generation cut-off and section 10 voting thresholds. After a year of consultation with the AFN, we're now looking for processes to get rid of the second-generation cut-off. That will be announced today.

I just wanted to make sure you were aware of that, since you were here in person to talk about this.

**The Chair:** Thank you, Mr. Battiste. That's not a point of order.

With that, I want to thank our witnesses for appearing, both by video conference and in person.

As Mr. Battiste mentioned, if there is any other information you would like to provide the committee for this study, please do it in writing at your earliest convenience, as we will be starting a report very soon on this.

With that, thank you again.

We're going to briefly suspend as we move to our next panel.

- (1100) \_\_\_\_\_ (Pause) \_\_\_\_\_
- (1110)
- (5910)

**The Chair:** I call this meeting back to order.

I would like to welcome Mr. Jacques T. Watso, adviser with the Abénakis band council of Odanak.

[*Translation*]

Welcome, Mr. Watso. You will have five minutes for your opening remarks, after which we will proceed with a question period.

The floor is yours.

**Mr. Jacques T. Watso (Advisor, Abénakis Band Council of Odanak):** [*Witness spoke in Aln8ba8dwaw8gan* ]

[*French* ]

Members of the committee, thank you for inviting me to share my perspective with you today. My name is Jacques Thériault Watso, I am a member of the Abenaki First Nation of Odanak and I have also been an elected member of the Abenaki Council of Odanak since 2005. I am in Louis Plamondon's riding and, like him, I am an old-timer.

I am an advocate for the rights of indigenous peoples and an entrepreneur involved in the preservation and promotion of cultural heritage. Odanak is one of 11 first nations in the province of Quebec. We are in southern Quebec. Our traditional territory lies between the Chaudière River, the St. Lawrence River and the Richelieu River.

By way of introduction, since context is important, I want to emphasize that we are at a critical moment for relations between Canada and the first peoples. The motion that brings us together underscores the importance of approaching the challenges we face with sincerity and commitment.

One of the priority issues for Abenaki people in Odanak is identity and cultural appropriation. Within the Abenaki nation, one of our greatest challenges is the theft and appropriation of our identity. The lack of robust mechanisms to protect indigenous identity exposes our communities to injustices, from fraudulent claims to the marginalization of our members. I recommend the creation of clear protocols, in partnership with communities, to better define and protect membership in our nations.

Second is the cultural and economic sovereignty of our nations, particularly the Abenaki of Odanak. The revitalization of our languages and traditions requires targeted investments in educational and cultural programming. At the same time, our economic initiatives, such as the one I personally lead as an entrepreneur, demonstrate how indigenous entrepreneurship is an economic lever that promotes our self-government. I am asking for increased support for indigenous businesses, not only in terms of funding, but also through partnerships focused on sustainability and respect for our traditional knowledge.

Now let us talk about relations with governments. I want to emphasize the need for meaningful consultation with first nations on all policies that affect us. Too often, our voices are absent from the decision-making process, and that needs to change. This committee will make it possible for real, concrete changes to take place. I propose that permanent mechanisms be put in place to include indigenous leaders in policy decision-making concerning our nations at the national level.

To conclude, I will present a vision for the future. I encourage you to look at our relationship as a fair partnership. The sun shines for everyone, both the Canadian people and first nations. Together, we have a responsibility to build a future where our children can be proud of their culture, be empowered in their choices and be fully respected as members of the first peoples.

Thank you for this opportunity to share the concerns of the Abenaki people of Odanak. I look forward to answering your questions. Let us open up the debate.

• (5915)

**The Chair:** Thank you very much, Mr. Watso.

We will now begin the first round of questions from committee members.

Mr. Schmale, you have the floor for six minutes.

[*English*]

**Mr. Jamie Schmale:** Thank you very much.

Do we not have the second witness?

**The Chair:** The second witness has some issues with her sound. Once she's able to log on to her computer—she was on an iPad—then we'll be able to welcome her.

**Mr. Jamie Schmale:** Okay, sure.

Bob, I'll take the second place.

**Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC):** Can we switch?

**The Chair:** Absolutely.

Mr. Zimmer, the floor is yours.

**Mr. Bob Zimmer:** Thank you, Mr. Chair.

Thank you, Jacques, for your opening statement.

I'll read from the National Post:

Cabinet minister's Cree great-grandmother claims were untrue, records show  
For years, Employment Minister Randy Boissonnault spoke in Parliament and at public events of his great-grandmother as “a full-blooded Cree woman.”

The 54-year-old minister apologized last week for not having been “clear” about his heritage [but] he was often showcased by the Liberal party as an Indigenous MP.

The article goes on:

Questions surrounding Boissonnault's heritage emerged following a National Post report revealing that the business he co-owned called itself fully “Indigenous” and “Aboriginal-owned” as it tried to bid on federal contracts reserved for Indigenous businesses.

To me, it's terrible that anyone, let alone a sitting NDP-Liberal minister, would impersonate an indigenous person.

I see that your own community, the Abenaki community, has been battling indigenous impersonations, as well.

• (5920)

**The Chair:** I'm sorry. I'm going to stop the time here.

Go ahead on a point of order, Ms. Gazan.

**Ms. Leah Gazan:** I know we're in politics and it's partisan, but it wasn't an NDP-Liberal minister. It was a Liberal minister. I'd like for him not to provide disinformation and to apologize and correct the record.

Thank you, Mr. Chair.

**The Chair:** Thank you very much, Ms. Gazan.

I'm going to turn the floor back over to Mr. Zimmer, but I'll remind all members to focus on using parliamentary language.

With that, Mr. Zimmer, you have four minutes and 45 seconds left.

**Mr. Bob Zimmer:** My first question is, how do you feel about a sitting NDP-Liberal minister, or Liberal minister—

**Ms. Leah Gazan:** I have a point of order.

**Mr. Bob Zimmer:** I just corrected it.

**The Chair:** I'm sorry.

Go ahead on the point of order, Ms. Gazan.

**Ms. Leah Gazan:** Sometimes people can be passive-aggressive. I would say that's passive-aggressive. He seems like an intelligent man. I don't think that was a mistake. I don't think anybody's stupid. I'd like him to behave in a way that shows a bit of diplomacy.

Again, I'd like him to correct the record. It was a Liberal minister. I'm not into game playing. We're talking about indigenous rights—about my people. I'd like him not to use this forum to play games, especially when it's about our rights.

Thank you, Mr. Chair.

**The Chair:** Thank you very much, Ms. Gazan.

Mr. Battiste, did you want to speak on the same point of order?

**Mr. Jaime Battiste:** On the same point of order, former minister  
[*Technical difficulty—Editor*]

**Voices:** Oh, oh!

[*Translation*]

**The Chair:** Mr. Lemire, you have the floor.

**Mr. Sébastien Lemire:** With all due respect to my Conservative colleague, I would like to point out this: Given that the formula generally used in the House by the Conservatives, when it comes to a witness from Quebec, is to say one thing in English, but another in French, it would be the Bloc-Liberal coalition, rather than the NDP-Liberals.

**The Chair:** We have to fix the interpretation.

[English]

Okay, we have multiple points of order.

Colleagues, look, I know we've seen a lot of each other in the last month, and I think we've done very well at getting through a lot of business and being respectful. We're almost through this. We're going to be done at 1:30 p.m., inshallah. Let's see if we can keep that same spirit of getting things done, working together and being respectful. In particular, let's be respectful to the witnesses in the time we have with them.

With that, Mr. Zimmer, you have four and a half minutes left.

**Mr. Bob Zimmer:** Thank you, Chair. I'll repeat the question.

How do you feel about a former Liberal minister making false claims about being indigenous?

**The Chair:** I'm stopping the time again.

Mr. Hanley, go ahead on a point of order.

**Mr. Brendan Hanley:** I want to correct my friend Mr. Zimmer.

There was never a claim by the former minister of being indigenous.

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

We're going back to Mr. Zimmer.

You have a little more than four minutes left here.

**Mr. Bob Zimmer:** It wasn't back to me. It was actually back to the witness to answer the question.

Could you answer that, please? I can repeat it, if you wish.

**Mr. Jacques T. Watson:** First of all, I want all of you to behave in this committee. I am the witness, and I would like to answer the question.

Now, the question is about indigenous identity.

I'm going to switch to French.

[Translation]

Identity fraud is a problem for us, especially when it is committed by a member of Parliament. I do not know parliamentary procedure, but the case I am thinking of is that of a member of the Liberal Party, a former minister who claimed to be indigenous, a false identity he said was based on the history of his ancestors. That is a problem for us. Abenaki people have been fighting identity fraud for more than 20 years. We see people who self-identify as indigenous to advance their careers, whether in politics or in the business world. They benefit because no one can validate or verify their claims. This is a phenomenon we are seeing more and more. At one time, my nation was affected by this phenomenon. In fact, one of

Justin Trudeau's advisors, Suzie Kies, claimed to be Abenaki from my nation in Odanak. It was problematic, because she is not.

We are the sole protectors of our nation, culture and heritage, and we know who our members and descendants are, as do all communities across Canada. When someone self-identifies as indigenous, it becomes problematic, because it violates our rights. As indigenous people, we are subject to the Indian Act, which gives us a number and guides us in a fixed system.

• (5925)

[English]

**Mr. Bob Zimmer:** Can I ask you two more quick questions?

I really appreciate what you just said.

How do you feel about a Liberal minister personally benefiting based on what we all know is a falsehood?

[Translation]

**Mr. Jacques T. Watson:** It is completely unacceptable to receive benefits while pretending to be indigenous, whether it is a federal or provincial member of the Liberal Party or any other party in Canada doing so. I do not want to be partisan, but in the case I alluded to earlier, the minister was a member of the Liberal Party, and he was caught red-handed.

[English]

**Mr. Bob Zimmer:** Can I ask you one last question? I think I'm just about out of time here.

How do you feel about the current government? We know this claim has been made, and you've acknowledged that. How do you feel about their covering it up for years?

[Translation]

**Mr. Jacques T. Watson:** One of the things that is problematic for first nations is the self-identification that is being encouraged by the federal public service under the Liberal government. This is a practice that should not be done and that needs to be reviewed.

It is up to indigenous communities to determine who their members are. Above all, we are subject to the Indian Act, which is not the case for people who self-identify as indigenous. That is a problem, because we are the legitimate aboriginals.

[English]

**The Chair:** You have 45 seconds.

**Mr. Bob Zimmer:** Yes.

I appreciate, again, what you said. I think what's very concerning to us.... I have indigenous communities in my northern British Columbia riding. They've been deeply offended by what has happened here. The cover-up makes it all the worse. It's one thing for somebody to make a false claim and quickly apologize for doing so. However, when they cover it up and seem to be doing everything they can to not have the truth come out, it's a sad testament to this current government.

Again, thank you for testifying today.

[*Translation*]

**Mr. Jacques T. Watso:** Thank you.

[*English*]

**The Chair:** Thank you very much, Mr. Zimmer.

Ms. Semaganis, welcome back.

We're doing a brief sound check with Ms. Semaganis—for real this time. Hopefully, we can make it work. Thanks for your patience.

• (1125) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1125)

**The Chair:** I want to give a proper welcome to Ms. Crystal Semaganis, leader of the Ghost Warrior Society.

Before moving to questions, you'll have five minutes to provide some introductory remarks.

With that, Ms. Semaganis, the floor is yours.

**Ms. Crystal Semaganis (Leader, Ghost Warrior Society):** Thank you.

My name is Crystal. Crystal Semaganis *nitsikahson*. I am leader of the Ghost Warrior Society. We are not an elitist organization. We are a grassroots organization made up entirely of volunteers who are Métis, first nations and Inuit from across this country and the United States. Because we are grassroots, we have opened up our lines to hear from our people on first nations, Métis and Inuit identity fraud and how it impacts us.

On February 28, 2014, my mother gave testimony at the Indian residential school trials in Prince Albert, Saskatchewan. On March 3, 2014, she died. I believe it was from having to relive that kind of trauma. The records were there. My mother was taken to St. Alban's Indian Residential School in Prince Albert and was there for seven straight years. She never left. Those records are there. However, the burden of proof is seriously misplaced in this country.

Why is it that the colonials insisted that my mother relive her trauma, with all these additional checks and balances, to award her an Indian residential school settlement? Contrast that with settlers who are opportunistic. You've seen Michelle Latimer succeed at claiming to be indigenous, yet all they required her to do was check a box to access millions—billions—of dollars.

At the Ghost Warrior Society, we have long been immersed in the effects of pretendianism on our communities and our everyday lives. There is serious disparity. This is something that I have seen as a sixties scoop survivor. I have seen how this society works for settlers who live in this country. Then I see how it does not work for people like me. We are unleashed upon society, expecting to have rights and privileges equal to those of other Canadian citizens, when that is not true for us. There is considerable disparity.

Truth and reconciliation sought to mitigate those colonial harms and colonial violence when it comes to Indian residential schools, sixties scoop survivors and people who have been displaced through really bad child welfare programs. We recently saw the story of the Inuit receiving an apology for the shooting of their sled

dogs. Colonial harms and the colonial violence visited upon first nations, Métis and Inuit people is what truth and reconciliation is all about. It is not about checking a box. It is not about self-identification.

When you have colonial interference in the lives of first nations, Métis and Inuit, and then you get the exploitation that comes from false claims of indigenous identity, then here we are. Here we are at the standing committee. Here we are trying to address this. I thank all governments for coming together in this room to finally address it. However, from my perspective at the grassroots, knowing the actual impacts it has on my people, it's like Mother Earth is on fire and here we are with a teaspoon of water to try to quell this raging inferno that is pretendianism. It's eating up housing. It's eating up economic development opportunities. We have the exploitation of Gladue sentencing in the justice system. It is far-reaching. It goes beyond procurement, but procurement is where we can see the actual dollar signs in terms of how impactful and how exploitative the false claims of first nations, Métis and Inuit identity have been.

There have to be checks and balances. You cannot impose checks and balances on first nations, Métis and Inuit people to define who we are and then just allow self-identification or the self-declaration of indigenous identity that will allow these people to enter into contracts and some very suspect partnerships with indigenous people.

On a final note, I would like to reiterate the acronym CPAIN, which stands for corporations posing as indigenous nations. In our volunteer work over the past three or so years, we have tracked over 300 fraudulent corporations that exist in Canada that seek to present the fact that they are indigenous when in fact they are not. They're essentially hobby clubs. However, they enjoy unfettered access to indigenous resources.

• (5930)

The bulk of pretendianism is a settler identification problem. Those are the words of my colleague Trevino Brings Plenty.

I know my time is up, so I'm just going to leave it there.

• (5935)

**The Chair:** Thank you very much, Ms. Semaganis.

With that, we're going to move to Mr. McLeod.

You'll have six minutes with the floor.

**Mr. Michael McLeod:** Thank you, Mr. Chair.

Thank you to the presenters today. A very interesting discussion is happening.

I'm probably the only sitting MP who has gone to a residential school. I received compensation for my attendance at an Indian residential school, and for attending a federal Indian day school. I received two different levels of compensation, but I didn't put in a claim for abuse, because I didn't want to admit that I was a victim. I didn't want that to define me, so I took what was offered and walked away.

I think many people did that, because we grew up in a time when we were taught to be ashamed of who we were. We were denied the use of our languages. My parents both spoke three languages. I speak maybe one and a half. My children speak one. We weren't allowed to hunt migratory birds at certain times of the year. The first nations people in my community couldn't vote, and they couldn't consume alcohol. That made it very difficult. Most people didn't want to be recognized as indigenous.

Now times have changed. We're starting to see programs come forward, especially with the Liberal government—decent programs that are supporting indigenous people and indigenous governments. The federal government has had a procurement program in place for over 30 years.

I'd like to ask both of you if you could tell me why you think it's taken this long for the conversation to happen around the indigenous business directory. Is it because we're finally starting to see the government recognize that it has to do more, so there's an opportunity that people are trying to take advantage of?

**Ms. Crystal Semaganis:** I could jump in and answer that.

There are a few reasons.

Number one, first and foremost, is the dismal economy. For instance, we see the exploitation of first nations, Métis and Inuit housing. We estimate that only 30% of tenants in that housing are authentically indigenous. The rest is a checked box. When you have an economy that puts a strain on all Canadians, they look for opportunities and strategies to acquire more indigenous resources.

I would say that the bulk of pretendianism is to access first nations, Métis and Inuit resources and to exploit them.

[Translation]

**Mr. Jacques T. Watso:** To follow up on that, there have been a lot of interesting programs that have been put forward, whether by this government or previous governments, to help indigenous businesses or entrepreneurship. However, again, the goodwill of these programs has been tarnished by people self-identifying as indigenous and dipping into the funds that are available for first nations people. It hinders the community development of our nations across Canada. This is the problem we want to raise: Self-identification undermines our self-determination.

The time I spend fighting people who self-identify is time I do not spend developing my own nation.

[English]

**Mr. Michael McLeod:** I'd like to ask, also, whether you could tell me what you think about the commitment by the Minister of Indigenous Services. She stated that she'd like to work with indigenous people and indigenous partners to transfer control of the indigenous business directory to indigenous people.

Do you think transferring the directory away from the Government of Canada will lead to more integrity in the procurement process?

• (5940)

**Ms. Crystal Semaganis:** I can jump in on this one.

It is our sincere belief that the best authentication processes come from first nations, Métis and Inuit people ourselves. It comes from us, not colonial interference and colonial frameworks that have yet to do something fair and equitable in terms of who we are. Black robes do not define who indigenous people are.

[Translation]

**Mr. Jacques T. Watso:** In the spirit of reconciliation, access to funds administered by first nations members is desirable. When we talk about trust, that is what trust is, because we are accountable to the government and to all these sources of funding. We are in the best position to administer and manage these funds, and to ensure the well-being of our communities' economic development.

[English]

**The Chair:** Thank you very much, Mr. McLeod.

[Translation]

Mr. Lemire, you have the floor for six minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Hello, *kwai*, Mr. Watso. It's an honour to meet you.

I wonder if you could tell us, based on your long experience, what you think about pretendians among the Abenakis across the border. What tools do you have to defend against this? In your answer, could you please talk about the steps you've taken internationally and with the United Nations? That could give us some insight into this problem.

**Mr. Jacques T. Watso:** Yes. I'll answer fast.

I'm a member of the Abenaki First Nation of Odanak, located in southern Quebec along the U.S. border. Our territory transcends borders and covers all of New England. Past colonial wars pushed us into the northern end of our traditional territory, all the way to the current Odanak reserve.

We have inhabited this territory since time immemorial. In the United States, there is a trend of self-declaration, particularly in the state of Vermont. In 2005, several false tribes self-identified as Abenaki. They petitioned the United States Bureau of Indian Affairs for acknowledgement, but their petition was turned down.

However, in the United States, there are federated states and the federal government, and they're all independent. The federated state of Vermont recognized four false Abenaki tribes by not requiring genealogy to be submitted as historical proof. It was a purely political decision that had an impact on my nation, because those people are rewriting our history. They're erasing us and replacing us. Those people are receiving services and public funds based on a false identity.

We challenged this decision with the Vermont senate. For over 25 years, we've been fighting against self-declared groups in Quebec. Last month, we also travelled to New York to stand before the United Nations Permanent Forum on Indigenous Issues and speak out about this situation, because it affects not only indigenous people in Quebec and Canada, but all indigenous peoples, such as the Sami people and the indigenous peoples of the Philippines and Taiwan.

We hosted a round table on issues affecting the Abenakis of Odanak and other indigenous peoples around the world. We told them that we're having the same problems as they are with identity fraud, which is also having repercussions on the economic development of their communities.

In July, we went to Geneva to speak at the Expert Mechanism on the Rights of Indigenous Peoples, a branch of the UN Human Rights Council, in order to denounce a provision in the United Nations Declaration on the Rights of Indigenous Peoples that provides for the right to self-determination.

The UN's self-identification measures were put in place to protect peoples who were being oppressed in various countries. In Canada, however, this measure is having the opposite effect by enabling Canadians to self-identify as indigenous so they can qualify for grants, further their career and enjoy all the perks that come with this status. They're financially motivated.

Identity theft is a serious problem for the Abenakis of Odanak. Since we're located in the south, in the St. Lawrence valley, we were the first to come into contact with the French, followed by the British and finally the Canadians. Our nation is one of the most appropriated, and our identity is stolen more often than any other nation in Quebec.

**Mr. Sébastien Lemire:** That's very interesting. Thank you very much, Mr. Watso.

Ms. Semaganis, the Ghost Warrior Society, the organization you lead, is proposing a standard of four generations for determining authentic indigenous identity. The organization believes that, beyond that, the subject has no lived experience as an indigenous person, no intergenerational trauma and no genetic memory associated with that background.

I would be curious to hear your comments on that. Do you think this could be a constructive solution that we could study in committee and that could apply to the general public?

• (5945)

[English]

**Ms. Crystal Semaganis:** There was no interpretation for the last part of that question. My interpretation was not working. I got most of that.

Could somebody reiterate that last statement in English?

[Translation]

**Mr. Sébastien Lemire:** Sure. I was asking whether the Ghost Warrior Society's proposal to recognize four generations as the standard for determining authentic indigenous identity could be a

solution that our committee should consider as a recommendation and whether it should also apply to society in general.

[English]

**Ms. Crystal Semaganis:** I am preparing a parliamentary brief—a presentation that outlines seven clear recommendations.

Of those seven recommendations, one includes the use of the term “indigenous”. It should be changed to “first nations, Métis and Inuit”, so we are more specific about whom we are addressing.

Another one is a sincere recommendation to do away with self-identification of indigenous identity. To just sign a declaration that one is indigenous is problematic and has always been open to exploitation and failure. Here, in 2024, we see the massive failure of self-identification. It is not an equitable, fair or honest process.

As we have seen with the indigenous procurement fallout, there are many interests—not only individual but also corporate, private and public—that exploit the additional resources that were created by truth and reconciliation. Without deterrents and some real sanctions imposed by government, not only on future endeavours but also on past endeavours.... If somebody who has already exploited the program sees absolutely no consequences, what the general public sees, and what an organization like ours sees, is a system where it's a free-for-all for our resources and very limited programs.

I must reiterate that these programs are verifiable lifelines for our people. I mentioned this in previous committees. We are not sitting on fee-simple land. We cannot mortgage our properties. We cannot do that, because the underlying title belongs to the Crown. We already have these disadvantages. Also, our cultural ways of being, such as kinship and sharing, put us at a disadvantage with respect to colonial ways of doing, such as having economies. When there is an inadequate framework in charge of indigenous procurement, you severely limit the social, economic and cultural mobility of our people, much to the detriment of our people.

Once again, I cannot stress enough that these are very limited resources. These are lifelines being exploited, so I have great explanations of these seven recommendations.

I apologize for going over time.

[Translation]

**Mr. Sébastien Lemire:** Thank you. *Meegwetch.*

**The Chair:** Thank you very much, Mr. Lemire.

[English]

Next, we'll go to Ms. Gazan for six minutes.

**Ms. Leah Gazan:** Thank you so much to the witnesses for being here.

My first questions are for you, Mr. Watso.



I have a real issue with the whole crisis of pretendianism. I said it in the House the other day. We have all of these people using very limited resources, and getting economic benefit, who don't have to deal with the things we have to deal with. My colleague MP McLeod spoke about the intergenerational impacts of attending residential school—the sixties scoop and child welfare systems—but they get all the economic benefit. That was very clear to me. I worked in academia for many years, and there were so many people who got research grants on the basis of being indigenous. They got multi-million dollar research grants, and they weren't even indigenous. They had all the privileges without the things we have to deal with, including just being safe on the streets, especially indigenous women and girls. It's also boys and men, in fact, in terms of the violence we experience just by living.

In saying that, I asked one of the last witnesses, Dr. Palmater, about membership lists and the fact that many nations still don't have control of their membership lists—that those decisions are made about us but without us.

In terms of procurement, how would it help if first nations could regain sovereignty and control over those membership lists?

• (5950)

**Mr. Jacques T. Watso:** For the Abénakis Nation of Odanak, we have a list, a citizenship code, that's been....

I'll switch to French.

[*Translation*]

The Abénakis Nation of Odanak has had a membership code since 2006. We're reviewing it this year, and we have control over our list of members. We strongly encourage first nations to do the same. The Indian Act sets out who's indigenous and who's not, but we know who our members and descendants are.

Many cases have been heard at the federal level before the Supreme Court of Canada and before the Supreme Court of British Columbia, including the McIvor case, which Ms. McIvor won following the intervention of the Abenakis of Odanak. The Descheaux case and Bill S-3 are also thanks to the Abenakis of Odanak. Membership is important.

We need to be the only ones who have control over our membership lists. We know who our members and descendants are. Many people self-identify as Abenakis descended from a root ancestor. However, we even know who our root ancestors are. We're in the best position to know who our members are, and the communities should have full access to the membership lists.

[*English*]

**Ms. Leah Gazan:** I want to stop you there very quickly, because I have one final question.

I used to work at the national Centre for First Nations Governance. One thing we did was work with indigenous nations from across the country on developing membership codes and things like elections acts. Where the first nation is in terms of capacity determines where they fit into this question. How important is it to provide funding to support nations in developing their own governance structures?

Those were programs that were cut under the Harper government.

[*Translation*]

**Mr. Jacques T. Watso:** It's extremely important. It will help us address a lot of the problems that stem from self-identification and define our own system of governance and our own membership lists.

[*English*]

**Ms. Leah Gazan:** You spoke about entrepreneurship. I know there's a lot of bureaucracy. If you want to open a business in a city, then you go to the bureau. You have to get a couple of signatures, and then you can just open a business. On a first nation, if you want to open a business, it can take up to six months. How does that oppressive colonial bureaucracy impede entrepreneurship in first nations?

[*Translation*]

**Mr. Jacques T. Watso:** I can speak from experience, because I myself opened a business. I had to seek out grants and apply for loans, which took me nearly nine months, whereas my Quebec neighbours would only have needed a week or two. That's a problem. People talk about reconciliation, but there's also the matter of trusting indigenous entrepreneurship. We're a hard-working people and always have been. We're in charge of our own destiny.

Now that our communities have the wind in their sails in terms of economic development and access to financing, it's very important for them to be fully trusted by financial institutions and the different orders of government. As I said, we alone are in charge of our destiny. Access to financing is often restricted due to a lack of trust. That's what I feel and what I maintain. However, I believe that greater trust in indigenous entrepreneurship is extremely important. We've always taken part in Canadian economic development. The first nations are made up of honest, hard-working people.

• (5955)

[*English*]

**The Chair:** Thank you very much, Ms. Gazan.

That will complete our first round. We are going to go into a shorter second round here. We'll go for four minutes, four minutes, two minutes and two minutes. We're going to be very equal with how we're reducing the times. I did want to make sure we had sufficient time to get to a second round here.

With that, I'll go to Mr. Schmale for four minutes.

**Mr. Jamie Schmale:** Thank you very much to our witnesses for the great information being provided today.

I'll go to Ms. Semaganis.

First of all, I want to say that I'm very sorry for what your mother had to go through and the fact that those traumas were continued through testimony.

Having said that, you talked about the experiences of what your mother went through, what you had to go through as a daughter, as a family member, watching that happen and then having non-indigenous people falsely claiming indigenous status.

Now we have a situation in which we have a program through the indigenous procurement program that was meant to do good work in terms of ensuring that five per cent of government contracts were going to indigenous-led businesses, and we find out that 1,100 businesses have since been purged from that data bank for falsely claiming to be indigenous.

We have testimony from whistle-blowers showing that the governments, through ISC, knew about the false directory, the false members on the directory, for years and did nothing about it. We know that very few of those businesses are audited before or after contracts are awarded. It was said in the last panel that there is some fear to come out against it. Now, of course—and this in part led to this investigation, this committee meeting—we have a former member of the Liberal cabinet, Randy Boissonnault, the member from Edmonton Centre, co-owning a business that claimed to be wholly indigenous-owned. We found out that is false.

There is an article posted on the website of your organization, Ghost Warrior Society, from an article from APTN, dated November 20, 2024, quoting Leah Ballantyne, a Cree lawyer. She said, "Anyone who is a member of government on any level who takes an oath of office has to have a higher ethical standard and adhere to that oath of office for the benefit of not only Indigenous people, but for all Canadians".

Would you agree that there has to be the higher standard? She also went on to say that it's "double for anyone in government".

**Ms. Crystal Semaganis:** I would agree with Leah Ballantyne a hundred per cent. Yes, you are held to a higher standard than the ordinary Canadian citizen because of the responsibility and the mandate that you hold to speak on behalf of our resources, our people and our most vulnerable. Yes, I agree with Leah a hundred per cent.

**Mr. Jamie Schmale:** She is also claiming or at least stating that there could potentially be grounds for the police to investigate and look at those who are falsely claiming to be indigenous on this list to attempt to secure government contracts, thereby pushing down true indigenous-owned businesses. She said that there are potentially, depending on the severity, some grounds for charges to be laid.

**Ms. Crystal Semaganis:** The problem is that there are absolutely no deterrents or legal sanctions imposed on anybody who has been falsely claiming indigenous identity. There are recent cases like that of Amira and Nadya Gill and their mother, Karima Manji. There are no consequences.

Michelle Latimer is a millionaire. Here she is, now celebrated at international film festivals, and there's absolutely no deterrence. Everybody sees this and says, "Oh, hey, I can claim to be indigenous. I can even partner up with somebody and get them to sign on

the dotted line. Here I have access to thousands, millions, billions of dollars," and here we are in this committee.

The problem is that there are absolutely zero legal consequences for claiming to be indigenous. There are a lot of resources to be exploited, and there's a lot of exploitation that has been going on. There has to be more than lip service in these committees. There have to be real legal consequences.

There has to be a law. Our people are witnessing this, and we are experiencing real trauma. You go to any urban centre in this country and you will see my people homeless on the street. Don't think that we don't see that as an injustice when our limited resources are being given away with the checking of a box.

● (6000)

**Mr. Jamie Schmale:** I agree. There need to be consequences—

**The Chair:** I'm sorry, Mr. Schmale. We're well over time here. We're going to have to move to the next speaker.

Mr. Battiste, you have the floor for four minutes.

**Mr. Jaime Battiste:** I understand that both witnesses are first nations or status Indians—as am I, from the Mi'kmaq community—so I'll direct some of the questions around how we can verify first nations in our communities instead of the indigenous box. It's very difficult. We're looking at three separate indigenous groups who all have different ways of determining who is a member of the Inuit, who is a member of the Métis and who is a member of the first nations.

There are challenges within first nations with the Indian Act, in terms of status after 1985. Section 6 cuts off the ability for first nations to pass down their status past the second generation. Further to that, there's a non-stated paternity policy that says if you are a woman who doesn't know, or doesn't want to list, who the father of your child is, it's automatically the assumption that the father would be non-status.

With the discrimination that currently exists within the Indian Act and the challenges around how we're determining registration, how do you recommend that we best verify whether someone is first nations and belonging to a community? Would you say that the Indian Act's band membership and status is the be-all and end-all, or do you think there have to be some grace and some exceptions? How do we do this?

**Ms. Crystal Semaganis:** The problem is that the Indian Act prior to 1985 allowed entirely non-indigenous women who married indigenous status Indian men to become status Indians. They were then allowed to pass that Indian status on to their children, whether they existed prior to that union or not, and also through the process of adoption.

There are many intricate issues embedded within that question. We have always believed that each indigenous nation has the ultimate power to dictate who its members are, to control who those members are and to assert who those members are, yet we have the Inuit saying that the Nunatukavut are not a legitimate organization. You have the Congress of Aboriginal Peoples, in September 2024, doling out \$24.4 million to erect a treaty centre to a pretendian club.

These are infractions of colonial interference in who Inuit, Métis and first nations people are. We have to listen to Inuit people. We have to listen to first nations people. We have to listen to Métis. We have to.

**Mr. Jaime Battiste:** Would you agree that the band status and the status card and the number of it should not be the be-all and end-all for when we have this discussion of who in our communities are part of us?

**Ms. Crystal Semaganis:** I'm sorry. Could you rephrase that?

**Mr. Jaime Battiste:** If we're trying to verify, and someone doesn't have a status card—maybe their mom was a subsection 6(2) and they were not able to pass down their status—should we be able to be flexible on that? Should the communities be able to have that option to include that person within their communities, or do you think we should just stick to the status cards?

• (6005)

**Ms. Crystal Semaganis:** One of the problems we have identified is that a lot of people who are members of fraudulent Métis organizations are in fact non-status descendants of a first nation. They lost their status. Then you have first nations who are subjected to the second-generation cut-off. Then you have the Métis, such as the Métis Nation of Ontario, which seems to accept people up to 10 generations. There is no consistency across the board.

Those are the issues we are mitigating. Disingenuous colonial frameworks created this problem in the first place. Pretendianism would not exist without the absolute failure of colonial systems to look at us and tell us who we are. We are telling you. Here we are, telling you that this is who we are. Nobody is listening. Nobody is listening.

I'm grateful that this community will actually finally be heard.

Thank you.

**The Chair:** Thank you very much, Mr. Battiste.

[Translation]

Now we'll go to Mr. Lemire for two minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Mr. Watso, now that lawmakers like us are aware and informed of the pretendian issue, what can we do to support you better? Do you think we should immediately transfer the indigenous business certification process to an indigenous organization by and for indigenous people?

**Mr. Jacques T. Watso:** Yes.

More specifically, you need to consult us. For example, when someone says they're Abenaki, you should come to us and we'll tell you who our members are. A person can't just self-identify as Abenaki. There's a process in place for recognizing that person through the Indian status card, but also through the communities. If someone doesn't have that status but is descended from a community, the community they claim to be associated with can certify their ancestry. That way, we help our own descendants.

We're the ones in the best position to determine who our members are and who should be entitled or have access to the services

or grants available to support the economic development of each of our nations.

**Mr. Sébastien Lemire:** You mentioned your experience with the false Abenakis of Vermont earlier. Do you think the same thing is happening in Ontario? What are your thoughts on the Anishinabe or Métis people who may have an incorrect interpretation of indigenous law?

**Mr. Jacques T. Watso:** I wouldn't want to speak for the first nations of Ontario, but I do think it's problematic. I spoke in May at a summit between the assembly of chiefs and the Red River Métis in Winnipeg. I said the same thing.

This isn't an isolated problem affecting a handful of nations. There are cases all over Canada. I'm thinking of the NunatuKavut community in Labrador, which falsely claims to be Inuit. It's received millions of dollars in grants. I'm also thinking of the false eastern Métis nations that claim Mi'kmaq heritage through a root ancestor, or the eastern Métis of Quebec. French Canadians have even hijacked the Native Alliance of Quebec away from genuine first nations descendants.

This isn't an isolated problem; it's happening all across Canada and the United States. It's great that the committee is studying this situation, because first nations, Inuit and Métis people have been holding up the red flag for decades and saying they need help. A whole tsunami of people are appropriating the identity of indigenous peoples in Canada.

**Mr. Sébastien Lemire:** Thank you so much. *Meegwetch.*

**The Chair:** Thank you very much, Mr. Lemire.

[English]

Our last speaker in the second panel will be Ms. Gazan.

You have two minutes.

**Ms. Leah Gazan:** Thank you so much, Chair.

I want to continue with you, Mr. Watso, because you were speaking about opening a business on reserve, and you said it's trust, but I think it's racism, actually. I think it's the racism that's embedded in the Indian Act that places this extra bureaucracy on indigenous people.

It's funny, because the stereotype is that everything's handed to us, but it's 50 billion times as hard to do the same thing as everybody else. That's the reality of it.

How can we change that system to make sure the process is quicker, so that somebody like you who opened a business doesn't have to jump through unnecessary bureaucratic hoops or legislation?

• (6010)

[Translation]

**Mr. Jacques T. Watso:** That's a complex question, because the process varies from region to region. Indigenous business people should be treated as citizens who have a business plan and who are trying to secure the economic viability of their community. They need access to financing. We need to get rid of the excessive bureaucracy that was created because of the lack of trust in first nations.

You mentioned racism. Yes, it is a form of racism toward us. This lack of trust constitutes economic racism. We're the stewards of our lands, and we want to promote the development of our communities and have fair and equal access to financing. This is a matter of trusting the voices of first nations.

[English]

**The Chair:** Thank you very much, Ms. Gazan. That's two minutes right there, which is going to complete our second panel.

I want to thank our witnesses for their time, for being flexible and for all their testimony. If there is something you wanted to share with the committee that you weren't able to, please submit that in writing at your earliest convenience, as we're going to get into writing a report very soon based on what we've heard.

With that, I just want to again say thank you very much.

We are briefly going to suspend as we welcome our next panel.

• (1210)

(Pause)

• (1215)

• (6015)

**The Chair:** I call this meeting back to order.

I want to welcome our third and final panel of the day.

I want to welcome back Mr. Keith Henry, president and chief executive officer of the BC Métis Federation, and Anthony Wingham, president of the Waceya Métis Society. We appreciate both of them coming back after we had some extraordinary circumstances a couple of days ago with a suspicious package that caused us to evacuate.

I appreciate your rejoining us today.

As well, we are being joined by Dr. Angela Jaime, vice-provost, indigenous engagement, University of Saskatchewan.

We're going to start with opening remarks by Dr. Jaime and then continue with Anthony Wingham. I know, Mr. Henry, that you've already provided some, so I think we'll go into questions right after this.

Dr. Jaime, the floor is yours. You have five minutes to provide opening remarks.

**Dr. Angela Jaime (Vice-Provost, Indigenous Engagement, University of Saskatchewan, As an Individual):** Thank you, Chair.

Thank you for the invitation to speak today. My name is Dr. Angela Jaime. I'm the vice-provost of indigenous engagement at the University of Saskatchewan. I'm here to share with you the University of Saskatchewan's *deybwewin-taapwaywin-tapwewin* indigenous truth policy. This policy is the first of its kind in Canada at a post-secondary institution. It is for the verification of indigenous membership and citizenship documentation.

USask has more than 27,000 students, and nearly 4,000 of those students are indigenous. Our policy's purpose is to protect indigenous-specific spaces designed and designated for indigenous people. The core value of the policy is principles over personalities.

Part of our policy very clearly states:

Verification documentation will be required for all incoming assertions of Indigenous membership/citizenship by members of the university community where that claim may result in a material advantage or where the absence of verification would be otherwise contrary to the principles recognized in this policy.

Our policy is not only about identity. We don't use this terminology anywhere in the policy. It is about who claims you. The university is also not the adjudicator of the documents we accept. It is the inherent sovereign right of indigenous people to determine their own membership and citizenship. We listen to indigenous governments, and they tell us what documentation they want us to accept from their members or citizens. We follow what they intend us to accept from Inuit, Métis and first nations people in Canada.

Any student or employee at the University of Saskatchewan seeking a material advantage—whether that be an award, a scholarship or funding—is required to proceed through our verification process. Our portal system, designed in-house, collects the information and stores the documentation for review and verification. My office is the only office that does that verification.

Our policy is part of our larger intention to decolonize the institution. Through our indigenous strategy *ohpahotân-oohpahotaan*, we are committed to ensuring that indigenous space and resources go to indigenous people. This is about being proactive on indigenous verification, as opposed to reactive to fraudulent claims of membership and citizenship.

Thank you very much for your time.

• (6020)

**The Chair:** Thank you very much, Dr. Jaime.

Next, we'll go to Mr. Wingham for five minutes of opening remarks.

**Mr. Anthony Wingham (President, Waceya Métis Society):** [Witness spoke in Northern Michif and provided the following text:]

Tân'si Anthony nisihkâson Prince Albert, Saskatchewan Oheci niya Langley, British Columbia niwîkin.

[English]

Hello. My name is Anthony Wingham. I was born in Prince Albert, Saskatchewan. I live in Langley, B.C.

Thank you, Chair and committee members, for the opportunity to speak today.

As I said, my name is Anthony Wingham. I come here not only as a local Métis president serving my community in Langley and White Rock, B.C., but as someone who works with indigenous youth entrepreneurs and leaders across the country. I've listened to Inuit voices in the north, first nations on the coast and Métis people in the Prairies and beyond. I've collaborated with organizations such as the National Aboriginal Capital Corporations Association, witnessing first-hand the potential of our indigenous businesses.

Through the national indigenous youth business advisory council, I've worked with young entrepreneurs to access government programs, navigate complex funding landscapes and find their footing in the fast-changing markets. Serving on the BC Indigenous Housing Society's board and the Greater Vancouver Board of Trade's advisory council has shown me how deeply economic development, housing sustainability, global partnerships and good governance are intertwined. From these experiences, one truth remains clear: Indigenous economic development isn't just about financial transactions; it's about building trust, strengthening governance, expanding capacity and ensuring that real opportunities reach our people.

First nations, Inuit and Métis communities are striving to create sustainable, values-driven businesses. We are developing supportive networks and cultivating the next generation of indigenous leaders and entrepreneurs, who want to enter new sectors, scale innovative ideas and contribute meaningfully to the Canadian economy. However, a persistent barrier stands in our way: fraudulent actors who infiltrate procurement opportunities meant for indigenous businesses.

When non-indigenous companies masquerade as indigenous-owned, or when they install token indigenous partners with no real decision-making authority, they divert the resources away from those who truly need them. This practice not only undermines the credibility of set-asides and other supportive measures, but also removes the optimism from young entrepreneurs who see how easily outsiders exploit the system. They ask how we can compete on a level playing field, how we can ensure that the contracts are actually reserved for our communities and why enforcement is so lax that some people can simply game a system designed to lift us up.

Indigenous entrepreneurs consistently call for policies with real teeth and verification measures that ensure indigenous-owned businesses are genuinely rooted in their communities, accountable to local governance structures and recognized by respected indigenous institutions. They want a strong reporting and compliance framework so that everyone, from the awarding body to the community members on the ground, can see that indigenous voices are making decisions, sharing profits and building their own capacity.

For many young indigenous entrepreneurs, these procurement opportunities are a vital first step toward growth. When the system works as intended and contracts are verified and given to indigenous-owned businesses that invest in training, community projects and future bids, everybody benefits. Communities can begin to take real ownership of their economic future by reinvesting profits into scholarships for youth, improving local infrastructure and fostering a cycle of prosperity and resilience.

We must remember that this isn't about adding more boxes to check. It's about ensuring that programs to design and advance indigenous self-determination and economic security actually fulfill their purpose. It's about confirming that when we say these contracts are for indigenous businesses, we mean it. Such reforms aren't about punishing outsiders, but honouring the intent of these programs.

Empowering grassroots indigenous entrepreneurs is among the clearest paths to economic resilience. Strengthening verification processes, enhancing transparency in how the contracts are awarded and firmly enforcing rules against fraudulent participation will restore faith in these initiatives. Indigenous businesses that trust the integrity of set-asides will invest in themselves, hire locally, train apprentices and keep wealth circulating within their communities. Over time, this will create improved education, better housing, healthier families and stronger governments.

I'm grateful for the committee's attention to these issues. I'm hopeful that any steps taken will strengthen enforcement, enhance authenticity in procurement and restore the faith that indigenous communities place in these programs.

Thank you again for inviting me to share my perspective. *Maarsii*.

• (6025)

**The Chair:** Thank you very much, Mr. Wingham.

With that, we're going to move to our first round of questioning. It's the six-minute round.

We'll start with Mr. Shields for six minutes.

**Mr. Martin Shields:** Thank you, Mr. Chair.

We read another headline this morning in *The Walrus*: "An Acclaimed Canadian Playwright Faces Questions of Pretendianism". This has to be a disheartening process when you see the recurrence of this in headlines.

To the vice-provost, Dr. Jaime, I think the office you described is one of a kind, probably as a reaction to what has happened at the university in the past. Am I wrong?

**Dr. Angela Jaime:** No, you're correct. This policy is a reaction to the Carrie Bourassa situation we had about three and a half years ago. We're now thinking about how we can be proactive to create space that makes sure we're doing everything we can to do verification and listen to the indigenous communities.

**Mr. Martin Shields:** I appreciate the comment you made about “who claims you”, in the sense of establishing documentation as directed by an indigenous community. I think that's one of the critical pieces we've heard from witnesses: Who is the identification process following? I think you are clearly stating how very important this is for you in terms of your policy.

**Dr. Angela Jaime:** That is correct. Our process looks to have memoranda of understanding or to have agreements with indigenous communities, with the first nations, Métis and Inuit people of Canada. We do that with Inuit Tapiriit Kanatami, with Métis Nation-Saskatchewan and other provincial governments of Métis people, as well as first nations bands directly. They determine what documentation we accept for verification.

That doesn't mean that it has to be a status card. A lot of bands within Saskatchewan are specifically asking that we accept a letter from them directly stating that they claim this individual as their member. It's about looking to the indigenous bands, the first nations bands, the Métis people, their government and the Inuit government to determine what that documentation is and who their members are.

• (6030)

**Mr. Martin Shields:** We've heard from many witnesses—some of us know the history—about the disenfranchisement of indigenous people for various reasons. This gives an opportunity for the indigenous bands to have people reclaim the status they may have lost for different reasons historically.

**Dr. Angela Jaime:** That is correct. For first nations people specifically, if their band writes a letter saying that they are a member of their band and they claim them as a member, that supersedes any Government of Canada determination that they are non-status. Again, it is the bands that make that determination.

**Mr. Martin Shields:** You also talked about this being the first of its kind. Have you been in contact with other people or organizations—or has the government, for example, been in contact with you—about the policy you've established?

**Dr. Angela Jaime:** Absolutely. I've done presentations for countless universities across the country and government agencies in Canada and also internationally.

**Mr. Martin Shields:** Are you finding, besides making the presentations, that there is interest? Do you see somebody starting to do this at other places, like governments, following your example?

**Dr. Angela Jaime:** Absolutely. There are several examples of universities and other post-secondary institutions that are instituting their own policies and writing their own processes. The tri-agency has come out with a policy that they're piloting this year. Much of it is based on the policy at the University of Saskatchewan. We're encouraging entities, units and post-secondary institutions to use our policy in whatever way they see fit in terms of how it might help them.

We know that we didn't have a road map to develop our own policy, and we don't want others to feel like they have to start from scratch too. It's not one-size-fits-all, but I'm very proud of the policy the indigenous people at USask came up with.

**Mr. Martin Shields:** Another thing we often hear in this discussion is about consequences and enforcement. Is that something that

you believe is part of the process to stop people in the general population out there from finding ways to do this? Should there be consequences and enforcement?

**Dr. Angela Jaime:** Absolutely, there should be consequences. Theft and fraudulent claims should have a consequence. Our policy keeps those individuals who are making fraudulent claims from actually having access to this space. We're the gatekeepers. We're holding the line, if you will. There absolutely should be consequences.

**Mr. Martin Shields:** When it comes to fraud and the types of consequences and enforcement, is this the kind of thing that should be enforced in criminal penalties or something of that nature?

**Dr. Angela Jaime:** There are definitely conversations being had about consequences at the criminal level. For our purposes, we don't actually have that ability yet. In the federal government and provincial governments, those conversations absolutely need to be happening, and there need to be indigenous voices directing that.

**Mr. Martin Shields:** Thank you. I appreciate it.

**The Chair:** Thank you very much, Mr. Shields.

Next, we'll go to Mr. McLeod for six minutes.

You have the floor.

**Mr. Michael McLeod:** Thank you, Mr. Chair.

Thank you to the witnesses for joining us here today. It is a very important discussion we're having. I think the discussion could probably carry on for a long time and go into different areas that need to be addressed.

Yesterday, I watched the news and I watched all the premiers from across the country get together and sit at a table with all the chairs behind it. Among the 13 premiers, I counted three indigenous premiers, which made me feel very good. I was very proud of that. In the Northwest Territories, the biggest employers in the private sector are indigenous companies, especially development corporations that work with the mines and other sectors. It's very important that we have this. However, I still have a lot of questions in my mind that I don't have answers for. I ask myself why we don't have more indigenous MPs. We need 100. You can bet the tone of indigenous issues would change if we had that many in the House.

We also have large economic projects across the country that neighbour indigenous communities, but indigenous people are not migrating to those areas to work. Why is that?

The biggest potential in the communities I represent—I mostly represent indigenous communities—is tourism. The potential for tourism is great in the Northwest Territories. We have pristine lands. We have people living in our communities who know the waters and lands, and they know how to hunt and fish. However, we don't have operators in our communities. There are very few indigenous operators.

I see Keith Henry is joining us today. Keith is also wearing another hat. He's here on behalf of the BC Métis Federation, but he's also the president of the Indigenous Tourism Association of Canada. I want to ask him if he could talk about some of the barriers to tourism and economic development he's observed for a while. I know Keith has been involved in tourism for a long time.

Could I ask you that question as a starting point?

• (6035)

**Mr. Keith Henry:** Thank you for the question. I think it's a really welcome question, Mr. McLeod. It's a pleasure seeing you and several of the individuals here today.

When we talk about this panel and the importance of indigenous economic development beyond the challenges of identifying businesses, tourism is a really good example of where the challenges manifest. When we talk about authentic indigenous tourism, that means indigenous tourism that's owned and operated by indigenous people. It's very important to consumers, whether they are domestic or international, and whether it's in Northwest Territories or anywhere else in the country.

The number one challenge we have continues to be around access to capital. I do know this is in the report—that's part of the recommendations—but access to capital needs to be discussed in a more complex way. It's not about just enhancing access through indigenous financial institutions; the challenge is that the investments that enable indigenous tourism to build to reach its potential are woefully inadequate.

We've done an economic analysis with the Conference Board of Canada, and we've shared that with our partners over this last year. There needs to be an investment of about \$2.6 billion across the country and a significant investment in places like Northwest Territories. That's to help businesses make sure that they can compete at a market and export-ready level.

The potential is there, but if you don't know how to work in the sales channels, and if those indigenous operators, whether they're Inuit, first nations or Métis, don't have that infrastructure and the ability to execute the sale, to market and to promote in an indigenous-led way, it's really difficult to compete. The space is being occupied by non-indigenous marketing organizations that are driving visitors to more non-indigenous-led experiences, even though this is part of tourism under Destination Canada.

If we're serious about indigenous tourism in this country, it's going to take more than that. There are just not enough resources in the system to build those businesses. For example, in the Northwest Territories, there could be tremendous opportunity, but they're going to need to build proper accommodations and infrastructure that just aren't there. Small loans of \$50,000, \$100,000 or \$250,000 are simply not going to be enough. We're talking about developing major infrastructure so that, in the long run, the return on those investments would be significant. Until we address that challenge, I think we're going to be seeing modest benefits.

In terms of the economic benefits, tourism in this country is a big business. Most of you may or may not know that 60% to 70% of Canadians want to enjoy indigenous experiences. For international visitors, it's one in three, but we only see 2% of the sale right now.

There's a significant gap between the potential and what we can execute, because there are just not enough authentic indigenous experiences, so there's that element.

The other element that I want to quickly touch on, whether it's in the Northwest Territories or elsewhere, is that we need laws around identity protection and cultural protection. The gift shop market in this country is huge, and the number of made-in-China, made-in-India, made-in-everywhere inauthentic indigenous printed products being sold in gift shops in this country are worth billions of dollars. Getting proper legislation through indigenous economic development or economic strategy around making sure that indigenous products benefit indigenous artists and indigenous communities will in itself drive literally billions of dollars of important revenues back to indigenous people.

I know that people have different views on the U.S. right now, but for all its challenges, the one thing they've done right is that they do have cultural protections for the artists and the sale of artisan products, which we do not have in Canada. We need to fix that now, not in five years. That in itself will be a massive economic benefit to the artists and will drive money back to many different communities and families. So that's—

• (6040)

**The Chair:** I'm sorry, Keith; I'm going to have to cut you off there, because we're well over time. There might be an opportunity for that thought to be expanded on with some of our other members here.

[*Translation*]

Mr. Lemire, we'll go to you for six minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Dr. Jaime, you said that a letter could be sufficient documentation to recognize a person's indigenous identity. But it would be fairly easy to forge or copy a letter. Have you put mechanisms in place to detect false declarations and potential fraud?

[*English*]

**Dr. Angela Jaime:** Just to go back, we don't use the term "identity". Identity is a very multi-faceted way of seeing an individual. We're looking at membership and citizenship. These letters come directly from the bands themselves. Our agreement is with the bands, their chiefs and councils and their registrars. They are the ones who submit those letters to the individual and submit them back. We then contact the bands to ensure that that individual is registered on their membership list. They're not letters from just anywhere. They come directly from the indigenous governments themselves.

[Translation]

**Mr. Sébastien Lemire:** What is your position on the challenges around recognizing new Métis communities, particularly when there are concerns about the lack of consultation with first nations or accusations of identity fraud or territorial fraud? What steps can be taken to ensure that these processes adhere to the principles of transparency, inclusion and reconciliation?

[English]

**Dr. Angela Jaime:** The citizenship cards that are issued by the provincial Métis governments are the ones that we accept. We contact those provincial governments directly. Métis Nation-Saskatchewan is one of those that we have a direct agreement with. Their registrar does the adjudication of the document itself, of the citizenship card itself. We also accept from the registrar a letter that states that the individual has met the criteria to be a citizen of Métis Nation-Saskatchewan, which is also another form of adjudication that the governments themselves submit to us.

We have nation-to-nation relationships directly with those governments, not with the locals within the province but directly with the governments.

• (6045)

[Translation]

**Mr. Sébastien Lemire:** Regarding the new Métis communities in Ontario, it's crucial to make sure they meet the criteria outlined in court rulings, like the Powley test, which requires clear evidence of a historical community and cultural continuity.

Accusations of manipulation or identity fraud are extremely serious and warrant a full investigation, not only to protect the integrity of Métis rights, but also to avoid needlessly creating tension between indigenous groups.

Do you have a mechanism for ensuring that the national Métis community in Ontario is recognized by indigenous communities, for example, or by legal bodies?

[English]

**Dr. Angela Jaime:** The University of Saskatchewan is not the adjudicator of these documents, nor is it the adjudicator of who is and who is not indigenous. Specifically to your question, those conversations about Métis membership or citizenship have to happen within the Métis community and their governments. It is not for us as an institution, as a colonial institution, to step in the middle of that. We go directly to the governments to ask them what they're accepting and what they want us to accept. We don't get in the middle of conversations about who is and who isn't, or about how they're going to determine their citizenship. That's not for us to say.

[Translation]

**Mr. Sébastien Lemire:** You don't recognize any Métis individuals or any Métis community. But let's say that I decide to form a Quebec Métis government, that I grant permission to recognize the members of our organization and that I claim to be a national Métis Quebec government. You would be able to consult me about whether my cards are valid and then allow members of my community to study at your university, right?

[English]

**Dr. Angela Jaime:** The government has to be part of the section 35 rights holders. They have to be part of the bilateral agreements. If a Quebec Métis government pops up and wants to claim to be indigenous, that doesn't make them indigenous. That is not the process for section 35 rights.

Bilateral agreements are absolutely important. We're looking to the governments that are recognized, that are part of those conversations and that have those rights holders. They're the ones that determine it.

[Translation]

**Mr. Sébastien Lemire:** So what rights do you recognize for the Ontario Métis, aside from those recognized by the Powley test, which primarily apply to the Métis of Sault Ste. Marie?

[English]

**Dr. Angela Jaime:** The Métis Nation of Ontario has the right to determine their own membership and citizenship.

[Translation]

**The Chair:** Thank you very much, Mr. Lemire.

[English]

Next, we'll go to Ms. Gazan.

You have the floor for six minutes.

**Ms. Leah Gazan:** Thank you.

Thank you to all of the witnesses.

My first round of questions is for you, Dr. Jaime.

I spent a long career in academia. I really commend the University of Saskatchewan for dealing with this issue head-on. I also come from Saskatchewan. My community is Wood Mountain Lakota First Nation. I'm proud that the province in which my first nation is located is dealing with this in a way that understands it's delicate because of our complex colonial histories. We heard from Dr. Pam Palmater in one of the other panels that it's delicate. I felt some sort of vindication—I remember this—when the University of Saskatchewan dealt with Carrie Bourassa. She claimed indigenous ancestry and received bursaries, grants and research dollars when she, in fact, wasn't indigenous. It's something that is so common in academia. I also know, as somebody who spent a long time in them, that universities are very colonial institutions.

How did you work with the university to begin the process of actually dealing with this and taking it seriously?

• (6050)

**Dr. Angela Jaime:** That's a great question.

Anything we're doing in colonial institutions is always a challenge.



I had the immense pleasure of having a provost—my direct report—who herself is indigenous from Samoa. I said we need to be proactive about this, rather than just reactive every time a fraudulent case comes along. She was absolutely supportive of this process, as was the administration of the institution. The institution stands by the truth and reconciliation calls to action and its own indigenous strategy. Holding them and all of us accountable is very important. This policy came about utilizing our indigenous strategy and making sure it's about principles over personalities. It's not just about one fraudulent case. Fraud is fraud. It's about acknowledging it and making sure indigenous voices are at the centre of that conversation. That was, by all means, the most important part of this process.

**Ms. Leah Gazan:** I've heard a lot today about whether it should be criminalized. We have a Criminal Code. Identity fraud is already part of the Criminal Code. We know there are cases where people have been charged under the Criminal Code for identity fraud, as with the Gill case we heard about earlier today.

We're having this study because of an issue with a minister who claimed to be indigenous. That's how it came about. It's an opportunity, as well, to learn how to do things differently and make sure that, in programs designed for indigenous folks, the benefits are received by indigenous folks.

Do you feel the model you're using in Saskatchewan could be adopted by the federal government for its procurement strategy?

**Dr. Angela Jaime:** Yes, I do. Each time we're challenged with a new scenario or a new situation that puts our policy into question, I'm amazed by the words of our knowledge keepers and our elders and the support they provided in creating this policy.

Ultimately, our principle is that it is the indigenous peoples' decision and their right to determine who their members are, and that becomes the core value for this policy. I think that can absolutely be the core value of any government or of any other institution creating a policy that centres around indigenous voices.

Too often, the entirety of colonization has been about putting indigenous voices to the side, not allowing and not imagining that indigenous people can make their own decisions and are intelligent enough to do this work. We see that as racist, obviously, but also inappropriate and unprofessional in every way. Indigenous people have been doing this work forever, so they need to be at the centre of that conversation.

**Ms. Leah Gazan:** I agree with you. I want to ask a question, though.

I am from one of the families that was really impacted by the child welfare system. Some of my cousins ended up in care and some ended up in residential schools. Particularly with regard to the sixties scoop, there are some people who were part of the sixties scoop who try to go back into their communities and are not accepted, so it's delicate. If we leave it up to nations to decide, which I totally agree with....

I want to understand how your university is dealing with the complexities that have been caused by violent colonialism.

• (6055)

**The Chair:** I'm sorry. We are over the time. If you can provide a brief answer, please do.

**Ms. Leah Gazan:** If you want to answer that question, we'll finish it.

No, we've run out of time.

Okay—please go on. I'm sorry.

**Dr. Angela Jaime:** We work directly with the individual to help them connect back with the community. We walk with them on this path. We're not about just hitting the button to say deny, deny, deny, but rather working with communities and the government, making sure that we are walking with people to help them reconnect with the community.

**The Chair:** Thank you very much, Ms. Gazan.

That takes us into the next round, starting with Mr. Schmale.

**Mr. Jamie Schmale:** How long do I have, Chair?

**The Chair:** In this round, we were going to do four minutes, four minutes, two minutes and two minutes. We'll see how this round goes.

I'll turn it over to you.

**Mr. Jamie Schmale:** Thank you very much, Chair.

I'll start with you, Mr. Henry, if I can. Hopefully, Vancouver avoids that centimetre or so of snow you were talking about. I know that will have impacts on the city if it arrives.

In the last panel, through testimony that has come out, we talked a lot about about the fact that the department knew fraudulent businesses were listed in the indigenous procurement program directory. We know many of the businesses haven't actually been audited to verify if they are, in fact, truly indigenous. We talked a lot today with this panel especially about consequences for those who are falsely claiming that status and what should happen if they secure a contract.

At the same time, we haven't actually discussed what should happen to the department that knew and didn't do anything. The fact is that this was all known within government circles, yet nothing consequential has happened. To my knowledge, through the information we have in front of us, nobody's actually been fired.

**Mr. Keith Henry:** Is that a question or...?

**Mr. Jamie Schmale:** Yes. I want to hear your answer.

**Mr. Keith Henry:** Mr. Schmale, it's a really big challenge for us, because we bear the brunt of it as organizations. It doesn't matter where you come from, whether as communities or from our membership base; we have our own internal differences of opinion on some of these things. I find it a bit, I guess, priceless that when stuff like this hits the news, the media come to us as if we've done something inappropriate and the communities are responsible for this mess. Nothing could be further from the truth.

When we talk about the registration of Métis people in this country, it's been a sloppy, disappointing process. I've been around the Métis organization since I graduated from university in 1995, and this challenge of our Métis identity is particularly symbolic of what we see. Membership systems are underfunded and governance is underfunded, and then when the media come out and these issues happen—things like this—everyone starts to run for cover and point fingers.

I am very concerned about the public conversation, because this creates lateral violence amongst us. It creates division among first nations and Métis organizations—and Inuit, for that matter. All of a sudden, this narrative is created that somehow there's no authenticity to organizations in the systems we're trying to put in place to actually prevent these very issues from happening.

I think the department has to take a really serious look at whether they are taking responsibility. Is it their responsibility? The question of who owns this issue is really important, and if it is government that wants to create legislation and law, then it must create the tools to make sure we can manage the processes effectively. It's not going to come from the academic world. It's not going to come from other partners in the space. It's going to come from the organizations and communities across this country.

I just feel that it needs to be taken very seriously and that we have to address this in a very real way so that we can make sure we can prevent these scenarios from further happening.

**Mr. Jamie Schmale:** Thank you very much, Mr. Henry.

I do have to jump into something really quickly. I need to address a motion that I have on notice for this committee, which I have saved for the end. Hopefully, we can dispense with it extremely quickly and get to the other rounds of questioners. I know there is a potential subamendment, so if I could, Chair, I'll read this into the record, and we can hopefully have a quick vote and get back to the witnesses and the matter at hand.

It's the notice of motion that was submitted on Wednesday, December 11. This comes out of an issue that we're all aware of. It's just to highlight the fact that the two business owners have yet to appear at committee. We recognize that the emails and phone calls have not been returned or answered or are bouncing back, but at the same time, it was a House order, so I think we should be using the tools at our disposal as parliamentarians, through the Sergeant-at-Arms or whatever, to ensure that we do, in fact, get those business partners.

I move:

That the Committee summon Felix Papineau and Shawna Parker to testify before this committee on December 16, 2024, provided that the chair and clerk be directed to retain, if necessary, the services of a skip tracer to assist with the service of the summonses.

Thank you very much, Chair.

Again, hopefully we can have a quick vote on this.

• (6100)

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

The motion has been moved, but before we get into it, I saw some hands up for debate on this issue. I want to turn it over to the

clerk to speak to that a little bit further before we get into debate, because there are some practical challenges with being able to carry this out.

**Ms. Madeleine Martin (Legislative Clerk):** Thank you, Mr. Chair.

I'm just going to outline that Standing Order 120 does empower committees to hire “expert, professional, technical and clerical staff” on contract from outside the parliamentary precinct as required. However, page 1,054 of *House of Commons Procedure and Practice* also mentions that if a committee wishes to proceed with hiring from outside, they must first determine a few things.

The first one is “the nature and scope of the work to be performed.”

They must then “adopt a motion specifying the terms of reference and duration of the contract, [as well as] the maximum rate or amount of remuneration of the additional staff”, which could be a separate motion, and the budget would have to be adopted by the committee.

Lastly, they are required to obtain the necessary approval and funding for the contracts from the appropriate authorities, which are the liaison committee and, depending on the amount, the Board of Internal Economy.

With this said, it's possible for the committee to retain the services of an external provider. However, there are mandatory steps in the process that could perhaps make it difficult to accomplish by December 16.

It's up to the committee to decide how they wish to proceed.

**The Chair:** Thank you very much, Madam Clerk.

I saw that Mr. Battiste wanted to speak to this, so I'll hand the floor over to him.

**Mr. Jaime Battiste:** I don't think we're opposed to this.

It appears from what the clerk said that we want to give a realistic timeline and that there are some questions that need to be answered. I think that's a discussion that we should definitely have, but I don't think that December 16 is a realistic target.

I know that we've worked hard at the INAN committee over the last month, with additional hours. I think that in order to be fair to our staff, to our team here, the folks who are doing all of the good work that goes on behind the scenes, we should give them a bit more time on this.

I would ask if the Conservatives are willing to give the team here more time as you put more meat on the bones of your motion in terms of how much this will cost. The Conservatives are willing to spend good taxpayer money for this. With that, I'm just asking to ensure that for the amendment, we have more time as we flesh out the details that the clerk has provided.

**The Chair:** Thank you very much, Mr. Battiste.

Go ahead, Mr. Schmale.

**Mr. Jamie Schmale:** Thank you very much.

To Mr. Battiste, through you, Chair, we are flexible on the date. We do recognize that it is pretty soon. It's in a couple days, and the team before us on the committee would have to put that together to make it work, and we understand the complexities on that.

To the clerk or the analysts, is there a template already in place that we can use to get an idea of the scope of the work that would be necessary in leading to the potential hiring of someone who can carry out the duties and what a potential budget might look like?

Then we can potentially answer Mr. Battiste's concerns. I think members of this committee have the same concerns and want these two business partners to attend, as per the House order. It's just a matter of putting the resources behind them. That is acceptable, and I'm flexible on that as long as we achieve that goal.

Maybe the analysts here have something to add.

• (6105)

**The Chair:** Go ahead, Mr. Battiste.

**Mr. Jaime Battiste:** I think that we have maybe unanimous consent that this should go forward, but we need to get some information to the clerk on how this moves forward for us to have all of the information that the clerk needs.

What's your time frame, Jamie, that you're proposing in terms of how we get that? It's so that we have a vote with everything in front of us that we need in terms of knowledge, or can we adjourn debate with the understanding that you're going to come back to us with the information and a template filled out for this?

**Mr. Jamie Schmale:** I don't want to leave it too long. I don't want time to go by so long that it just disappears. At the same time, I do have some ideas, but I'm very curious if the clerks and the analysts have some feedback to answer those questions that you have, Jaime. Then we can maybe lock this down.

Again, Chair, I don't know if the witnesses want to stick around for this discussion. It is going a little longer than I thought. I'll leave that up to you, but maybe the clerks and the analysts can answer those questions.

**The Chair:** Yes. This may take a little while longer. I just want to see if there's the consent of the committee to excuse the witnesses.

**An hon. member:** Yes.

**The Chair:** With that, I want to thank very much our three witnesses for appearing, and two of our witnesses for appearing twice at this committee. That really speaks to your commitment and the importance of this issue.

I want to thank you very much for your time. If there is anything that you want to share with this committee on this topic that you didn't get a chance to share in the questions and answers or in your opening remarks, please submit that in writing, and we'll be able to incorporate it into the report that's going to be forthcoming.

With that, thank you so much for your time. You're excused to leave at your convenience.

**Mr. Keith Henry:** Thanks for having us.

**Mr. Anthony Wingham:** Thank you.

**The Chair:** We will first go to our clerk.

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

To answer the questions, this is relatively new. We're not sure exactly how long we would need. This is something we can and will look into. The Office of the Law Clerk is looking into this. We require their help to draft the contract.

However, on our side, once we know what the services look like, we'll draft a budget that would need to be approved by the committee. The chair may decide when to convene the committee on that matter. After that, this budget needs to go to the Liaison Committee. I am not sure when they would meet, but it would be up to members to see if and when the Liaison Committee can meet to approve this budget.

With that said, I am familiar with the steps, but I can't provide an exact timeline. It is up to the committee to decide when they meet and when they want things done by.

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

[*Translation*]

Before we go to Mr. Lemire, I have something I want to say.

[*English*]

The other thing to consider, should we be able to track down these two individuals and get their testimony, is how to find a way to incorporate that testimony into the report and meet the timeline. There is that aspect to think about as well.

• (6110)

[*Translation*]

Mr. Lemire, the floor is yours.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

Yes, this study will be incomplete without their testimony. We'll have to be flexible. We may have to approve these budgets or the contract by email, for example. If that means we have to meet during the last week of December or in January, I'll make myself available.

[English]

**The Chair:** Mr. McLeod is next.

**Mr. Michael McLeod:** Was he finished?

Mr. Chairman, I'm trying to follow the intent of the motion.

It sounds like we want to hire bounty hunters or a repo man to drag these people kicking and screaming over here. I'm not clear. I would really like to get a better understanding of what the intent is. Is it to find out where they are? That doesn't mean we are going to be able to compel them to come. If they still refuse, are we dragging them in here in handcuffs, or what? It seems we're going to very extreme measures that I'm not sure I'm comfortable with.

I'm not saying I'm totally against it, but I don't understand what we're doing here with the bounty hunting.

**The Chair:** Thank you very much, Mr. McLeod.

I don't know whether someone wants to speak to that.

Go ahead, Mr. Schmale.

**Mr. Jamie Schmale:** Thank you, Chair.

To my colleague here, the House has the ability to compel witnesses or bring them to committee, so we have that behind us. The committee does not have the same powers as the House to bring witnesses before them. This is a House order, and the House passed the motion to complete this study. As Mr. Lemire pointed out, it would be incomplete without them.

I am willing to leave a lot of latitude to the chair in order to work with his team to figure out the next steps, including the budget, so that we can vote, and I agree that we have to be flexible. If it means voting through email or if it's fairly simple, I'm prepared to do that. We're willing to be as flexible as possible, as long as we don't push it down the line too far.

I don't know whether Bob has anything to add to that.

**The Chair:** Go ahead, Mr. Zimmer.

**Mr. Bob Zimmer:** The member from Northwest Territories spoke about his own heritage. I think that's what I'm hearing from many members in my community and communities across the country. They're upset about this. They want to make sure we hear from the people who did this. It's simple. They just need to show up at the committee. If they're not doing that, Parliament has measures to have them show up at committee to answer for what they've done.

That's as simple as it gets, I think, for us. It's not just we who have expectations of these potential witnesses; it's Canadians who want them to answer for what they've done.

**The Chair:** All right.

Is there anybody else who wants to weigh in on this?

**Mr. Jaime Battiste:** Can we give you the discretion on how to handle this and get a budget without you calling us back to a meeting?

**The Chair:** The challenge is that we need to have another meeting to adopt a budget.

**Mr. Jaime Battiste:** We can't just—

**The Chair:** No, it can't be done by email. That's the challenge we have.

**Mr. Jaime Battiste:** All right. We'll give you the latitude to get that done by the end of January.

**The Chair:** It's to adopt the budget by the end of January. Is that correct?

**Mr. Jamie Schmale:** How do members feel about adopting it by the end of January?

**Ms. Leah Gazan:** I'm fine with it. Yes.

**The Chair:** Go ahead, Monsieur Lemire.

[Translation]

**Mr. Sébastien Lemire:** If it's just a matter of meeting to discuss it, we could do that at the next scheduled meeting. I realize that that meeting is affected by the economic statement, which will be tabled at 4 p.m., but it's scheduled for 3:30 p.m. Assuming there's no vote, and I would be surprised if there are any on Monday, we could use that half hour to vote on this quickly. Alternatively, we could ask for a slot on Monday morning or Tuesday. We were able to spontaneously carve out seven hours for committee meetings on two of the last three Tuesdays, so I think we could find time to meet.

• (6115)

[English]

**The Chair:** We don't want to ruin Christmas here, Monsieur Lemire.

I'm sorry. Give me just a minute.

• (1315)

(Pause)

• (1315)

**The Chair:** Go ahead, Mr. McLeod.

**Mr. Michael McLeod:** I just want to ask if this has ever been done before. Have we brought in people and forced them to come to the committee?

**The Chair:** It's certainly not anything that I am aware of, but it sounds like there are other folks who might be able to speak to that.

[Translation]

First, let me go to Mr. Lemire.

**Mr. Sébastien Lemire:** For the committee's information, the Standing Committee on Canadian Heritage did it by summoning the Hockey Canada executives. That was the legal route the committee chose. I believe Mr. Shields was there, in fact. Their testimony ultimately altered the trajectory of many decisions about sport in Canada.

[English]

**The Chair:** Go ahead, Mr. Battiste.

**Mr. Jaime Battiste:** Because the House order specifies the 17th, we would need to amend that. I think we've said that the chair and the clerk of the committee would be empowered to action the necessary details pertaining to the contract for the use of a skip tracer, and we targeted the end of January.

Does that make sense for everyone?

**The Chair:** I'm sorry. Mr. Battiste, could you repeat that very slowly, both for the members' purposes and for the clerk and the analysts?

**Mr. Jaime Battiste:** Okay—

**The Chair:** Could you read the entire motion as amended?

**Mr. Jaime Battiste:** I don't have....

**The Chair:** There is probably going to be a bit of PTSD from Bill C-61, but—

**Mr. Jaime Battiste:** Do you have a...? All right. I'll try this again.

In English, the notice would read, "That the committee summons Felix Papineau and Shawna Parker to testify before this committee", and instead of having "on December 16, 2024", we'll remove "provided that the chair and clerk be directed to retain" and then have the following....

I'm sorry folks.

It would read, "That the committee summons Felix Papineau and Shawna Parker to testify before this committee, provided that the chair and clerk be directed to retain, if necessary, the services of a skip tracer to assist with the service of the summonses, and that the chair and clerk be empowered to action the necessary details pertaining to the contract of the use of a skip tracer."

This is understanding that we would have this done by the end of January.

**The Chair:** Okay, that's good. I think we have unanimous consent around the table.

(Motion agreed to [*See Minutes of Proceedings*])

• (6120)

**Mr. Jamie Schmale:** Was the end of January in writing?

**Mr. Jaime Battiste:** The understanding is that it's the end of January.

[*Translation*]

**Mr. Sébastien Lemire:** Mr. Chair, could we make sure the motion is translated to French in due course and sent out by email? This doesn't mean we can't vote, because I did understand the interpretation, but I would like to get a French version of the motion.

**The Chair:** Yes, of course, the motion will be circulated and we'll have a translation.

[*English*]

Colleagues, we are going to suspend this meeting to go in camera, because the other part of this meeting today is about our need to discuss drafting instructions with the analysts here.

We're going to suspend very briefly and go in camera.

[*Proceedings continue in camera*]

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